



**MINUTES OF RANDWICK LOCAL PLANNING PANEL (PUBLIC) MEETING
HELD ON THURSDAY, 14 JULY 2022 AT 1PM**

Present:

Chairperson: Geraldine Hoeben

Expert Members: Julie Savet Ward; Garth Paterson

Community Representatives: Mio Margarit Chow (North Ward)

Council Officers present:

Coordinator Major Assessment	Mr S Cox
Coordinator Fast Track	Mr T Ristevski
Executive Planner	Ms A Manahan

Declarations of Pecuniary and Non-Pecuniary Interests

Nil, however Julie Savet Ward wanted it recorded that she does live near the property at No.342 Arden Street, Coogee but does not have any view of the subject property and does not know the owner or applicant.

Address of RLPP by Councillors and members of the public

Deputations were received in respect of the following matters:

D36/22 3 SURFSIDE AVENUE, CLOVELLY (DA/774/2021)

Councillor	Kathy Neilson	
Objector	Karen Duggan	pp
Applicant	Astra Wu	

D37/22 342 ARDEN STREET, COOGEE (DA/123/2021/A)

Councillor	Kathy Neilson
Councillor	Michael Olive
Objector	Kathleen Robinson
Applicant	Rebecca Roe

After the above speakers had addressed the panel, the public meeting was closed at 2.12 pm. The Panel then moved to deliberate and vote on each matter.

The resolutions, reasons and voting outcomes for each item on the agenda are detailed below:

General Reports

Nil

Development Application Reports

D36/22 Development Application Report - 3 Surfside Avenue, Clovelly (DA/774/2021) (DA/774/2021)

RESOLUTION:

That the RLPP refuse consent under Section 4.16 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. 774/2021 for proposed demolition of existing dwelling, construction of dual occupancy with shared garage, associated driveway and landscape, pool to the rear yard, and strata subdivision at No. 3 Surfside Avenue, Clovelly for the following reasons:

1. The application is considered unacceptable pursuant to the provisions of s.4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979 in that the proposal exceeds the maximum building height development standard in Clause 4.3 - Building Height of Randwick Local Environmental Plan 2012. The applicant has failed to identify the non-compliance and as such, a Clause 4.6 request to vary this standard has not been submitted. The proposed variation cannot be supported and therefore, by necessity, the development application must be refused.
2. The application is considered unacceptable pursuant to the provisions of s.4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979 in that the proposal exceeds the floor space ratio development standard in Clause 4.4 - Floor Space Ratio of Randwick Local Environmental Plan 2012. The applicant has failed to identify the non-compliance and as such, a Clause 4.6 request to vary this standard has not been submitted. The proposed variation cannot be supported and therefore, by necessity, the development application must be refused.
3. The application is considered unacceptable pursuant to the provisions of s.4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979 in that the proposed development fails to comply with the objectives of the R2 Low Density Residential zone established within Randwick Local Environmental Plan 2012 as it will have an adverse impact on the existing streetscape character and built form and it does not protect the amenity of residents.
4. The application is considered unacceptable pursuant to the provisions of s.4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979 in that the proposed development fails to satisfy the Aims of the Plan in Clause 1.2(2)(a),(d)&(i) of Randwick Local Environmental Plan 2012.
5. The application is considered unacceptable pursuant to the provisions of s.4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979 in that the proposed development fails to comply with the objectives in Clause 6.7 – Foreshore Scenic Protection Area of Randwick Local Environmental Plan 2012 as it has not been designed to minimise its visual impact on public areas and does not positively contribute to the scenic quality of the Foreshore Scenic Protection Area.
6. The application is considered unacceptable pursuant to the provisions of s.4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979 in that the proposed development fails to comply with the objectives and controls of Randwick Development Control Plan 2013:
 - 2.1 - Minimum Lot Size and Frontage
 - 3.1 – Floor Space ratio
 - 3.2 – Building Height
 - 3.3 – Setbacks
 - 4.1 – Building Design
 - 4.3 – Additional Provisions for Attached Dual Occupancy
 - 4.4 – Roof Design
 - 4.6 – Earthworks

- 5.1 – Solar Access and Overshadowing
 - 5.3 – Visual privacy
 - 5.4 – Acoustic Privacy
 - 5.5 – Safety and Security
 - 5.6 – View Sharing
 - 6.1 – Location of Parking Facilities
 - 6.2 – Parking Forward Front Building Alignment
 - 6.3 - Setback of Parking Facilities
 - 6.4 – Driveway Configuration
 - 6.5 – Garage Configuration
 - 7.5 – Swimming Pools
7. The application is considered unacceptable pursuant to the provisions of s.4.15(1)(b) of the Environmental Planning and Assessment Act 1979 in that the proposed development will result in adverse environmental impacts on the existing neighbourhood character and the visual amenity of the street.
8. The application is considered unacceptable pursuant to the provisions of s.4.15(1)(e) of the Environmental Planning and Assessment Act 1979 in that approval of the development will create an undesirable present, and the building proposes significant deviations from both the numerical and merit-based controls and is therefore not in the public interest.
9. The information submitted with the application does not provide sufficient detail to enable Council to undertake a proper assessment of the potential view impacts, removal of trees on the site and overshadowing of the adjoining properties.
10. The information submitted with the application is ambiguous as it incorporates a Plan of Subdivision proposing each dwelling on its own lot, which is at odds with the proposed description in the Statement of Environmental of Effects and the Development Application seeking approval for an attached dual occupancy, which constitutes two dwellings on one lot.

REASON:

The Panel has visited or is familiar with the site, considered the substantial number of submissions (oral and written) and reviewed the assessment report prepared by Council officers that addresses the relevant matters detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

The Panel refuses the application for the reasons given in the resolution above.

CARRIED UNANIMOUSLY.

**D37/22 Development Application Report - 342 Arden Street, Coogee (DA/123/2021/A)
(DA/123/2021/A)**

RESOLUTION:

- A. That the RLPP refuses the application made under Section 4.55 of the Environmental Planning and Assessment Act 1979, as amended, to modify Development Consent No. DA/123/2021 by deletion of Condition 3. a. in relation to the rear setback of the dwelling at 342 Arden Street, Coogee, for the following reasons:
1. The minimum rear setback of the proposed first floor addition should be consistent with the adjoining semi-detached dwelling at 344 Arden Street, Coogee;
 2. The potential impact on the heritage item and curtilage of 340 Arden Street, Coogee.

REASON:

The Panel has visited or is familiar with the site, considered the submissions (oral and written) and reviewed the assessment report prepared by Council officers that addresses the relevant matters detailed in Section 4.15 of the Environmental Planning and Assessment Act 1979, as amended.

The Panel refuses the application for the reasons given in the resolution above and in careful consideration of the written and oral presentations to this Panel.

CARRIED UNANIMOUSLY.

The meeting closed at 3.20pm.

CONFIRMATION OF MINUTES BY PANEL MEMBERS	
Geraldine Hoeben(Chairperson)	Julie Savet Ward
Garth Paterson	Mio Margarit Chow