



## MINUTES OF EXTRAORDINARY COUNCIL MEETING HELD ON TUESDAY, 6 SEPTEMBER 2022 AT 6.19PM

### Present:

The Mayor, Councillor D Parker (Central Ward)

Central Ward	- Councillors D Rosenfeld & K Chapple (Deputy Mayor)
East Ward	- Councillors J McCafferty, M Olive & M Wilson
North Ward	- Councillors C Hamilton; K Neilson & R Pandolfini
South Ward	- Councillors B Burst, N D'Souza & D Said
West Ward	- Councillors A Hay, A Luxford & P Veitch

### Officers Present:

General Manager	Ms T Manns
Director City Services	Mr T Clarke
Acting Director City Planning	Mr R Wereszczynski
Director Corporate Services	Mr D MacNiven
Manager Customer & Compliance	Mr D Kelly
Manager Strategic Planning	Ms S Agagiotis
Communications Manager	Mr J Hay

### Prayer & Acknowledgement of Local Indigenous People

The Council Prayer and the Acknowledgement of Local Indigenous People were read by the Mayor.

### Apologies/Granting of Leave of Absences

Nil.

### Requests to Attend Meeting by Audio-Visual Link

A request to attend the meeting by audio-visual link was received from Crs Rosenfeld, Chapple, and Pandolfini due to work commitments.

**RESOLVED: (Burst/D'Souza)** that the request from Crs Rosenfeld, Chapple and Pandolfini to attend this meeting by audio-visual link, due to work commitments, be approved.

### Declarations of Pecuniary and Non-Pecuniary Interests

- Cr Rosenfeld declared a pecuniary interest in Item NR2/22 as he owns a house in the R2 low density zone. As it is his primary place of residence, he will still vote on the matter.
- The Mayor, Cr Parker declared a non-significant non pecuniary interest in Item NR3/22 as he is the Secretary of the Maroubra Branch of the ALP which periodically meets in the Juniors Maroubra. Like all other community organisations including the Liberal Party of Australia, Probus groups and local sporting associations, the Branch meets without charge.

- c) Cr Luxford declared a non-significant non-pecuniary interest in Item NR3/22 as she is a member of South Sydney Juniors Club Kingsford.
- d) Cr Burst declared a pecuniary interest in Item NR3/22 as he has an investment property in the affected area. Cr Burst will be taking no part in the debate or voting on this matter.
- e) Cr Hay declared a non-significant non-pecuniary interest in Item NR2/22 as his mother's property in Kensington is not affected, but as the 15m frontage rule is not included in the LEP it could affect the properties on either side of her. Cr Hay will be debating or voting on this matter.
- f) Crs Said, D'Souza, Hamilton and Hay declared a non-significant non-pecuniary interest in Item NR3/22 as they are members of the Souths Juniors Club Kingsford.

### Address of Council by Members of the Public

Prior to consideration of the Agenda by the Council, deputations were received in respect of the following matters:

- NR2/22 NOTICE OF RESCISSION MOTION SUBMITTED BY CRS BURST, D'SOUZA AND SAID - RANDWICK COMPREHENSIVE LEP PLANNING PROPOSAL - MINIMUM LOT SIZE FOR SUBDIVISION AND DUAL OCCUPANCY
- For** Anthony Betros
- NR3/22 NOTICE OF RESCISSION MOTION SUBMITTED BY CRS D'SOUZA, ROSENFELD & SAID - RANDWICK COMPREHENSIVE LEP PLANNING PROPOSAL - REZONING REQUESTS
- For** Keith McCraw
- For** Craig Kelly

### Notice of Rescission Motions

**NR2/22 Notice of Rescission Motion - Notice of Rescission Motion Submitted by Crs Burst, D'Souza and Said - Randwick Comprehensive LEP Planning Proposal - Minimum Lot Size for Subdivision and Dual Occupancy (F2021/00188)**

**RESOLUTION: (Burst/Said)** that the resolution passed at the Extraordinary Council meeting held on Tuesday 30 August reading as follows:

**RESOLUTION: (Chapple/Olive)** that Council:

- a) Endorse that part of the Planning Proposal that amends the Randwick Local Environmental Plan 2012 in relation to minimum lot sizes for the R2 Low Density Residential Zone as set out below:
  - i) Amend clause 4.1 to reduce the minimum lot size for subdivision of land zoned R2 Low Density Residential from 400m<sup>2</sup> to 300m<sup>2</sup>, with the exception of land within a Heritage Conservation Area;
  - ii) Amend clause 4.1C to increase the minimum development lot size control for dual occupancy (attached) from 450m<sup>2</sup> to 600m<sup>2</sup> in the R2 Low Density Residential zone;
  - iii) Amend clause 4.4 Floor space ratio to:
    - Grandfather the sliding scale FSR controls for dwellings houses and semi-detached dwellings in the R2 Low Density zone under subclause (2A) and (2B) to only apply to lots that were created prior to the making of the proposed RLEP 2012 amendments

- Apply an FSR control for dwellings and semi-detached dwellings in the R2 Low Density zone on a lot created after the making of the plan as follows:
    - if the lot is more than 300 square metres - 0.6:1.
  - Apply an FSR control for dual occupancies (attached) in the R2 Low Density zone as follows:
    - if the lot is more than 600 square metres - 0.6:1.
- b) Authorise the Director, City Planning to make any minor modifications to rectify any numerical, typographical, interpretation and formatting errors in that part of the Planning Proposal relating to minimum lot size provisions for subdivision and dual occupancy in the R2 Low Density Residential zone and associated documents prior to submitting to the Department of Planning and Environment; and
- c) Forward that part of the Planning Proposal relating to minimum lot size controls for subdivision and dual occupancy provisions in the R2 Low Density Residential zone to the Department of Planning and Environment and requesting that the amendments be made to the Randwick Local Environmental Plan 2012 **BE AND IS HEREBY RESCINDED**.

**MOTION: (Burst/Said) CARRIED - SEE RESOLUTION.**

The **DIVISION** was taken and the names of the Councillors voting FOR and AGAINST were as follows:

FOR	AGAINST
Councillor Hamilton	Councillor Pandolfini
Councillor Neilson	Councillor Veitch
Councillor Hay	Councillor Luxford
Councillor Rosenfeld	Councillor Chapple
Councillor McCafferty	Councillor Olive
Councillor Wilson	Councillor Parker
Councillor Said	
Councillor Burst	
Councillor D'Souza	
<b>Total (9)</b>	<b>Total (6)</b>

209/22

**RESOLUTION: (Said/D'Souza) that Council:**

- a) Endorse that part of the Planning Proposal that amends the Randwick Local Environmental Plan 2012 in relation to minimum lot sizes for the R2 Low Density Residential Zone as set out below:
- i) Amend clause 4.1 to reduce the minimum lot size for subdivision of land zoned R2 Low Density Residential from 400m<sup>2</sup> to 275m<sup>2</sup>, with the exception of land within a Heritage Conservation Area;
  - ii) Amend clause 4.1C to increase the minimum development lot size control for dual occupancy (attached) from 450m<sup>2</sup> to 550m<sup>2</sup> in the R2 Low Density Residential zone;
  - iii) Amend clause 4.4 Floor space ratio to:
    - Grandfather the sliding scale FSR controls for dwellings houses and semi-detached dwellings in the R2 Low Density zone under subclause (2A) and (2B) to only apply to lots that were created prior to the making of the proposed RLEP 2012 amendments
    - Apply a sliding scale FSR control for dwellings and semi-detached dwellings in the R2 Low Density zone on a lot created after the making of the plan as follows:
      - if the lot is between 275 square metres and 300 square metres - 0.65:1, or
      - if the lot is more than 300 square metres - 0.6:1.

- Apply a sliding scale FSR control for dual occupancies (attached) in the R2 Low Density zone as follows:
  - if the lot is between 550 square metres and 600 square metres - 0.65:1, or
  - if the lot is more than 600 square metres - 0.6:1.
- b) Authorise the Director, City Planning to make any minor modifications to rectify any numerical, typographical, interpretation and formatting errors in that part of the Planning Proposal relating to minimum lot size provisions for subdivision and dual occupancy in the R2 Low Density Residential zone and associated documents prior to submitting to the Department of Planning and Environment; and
- c) Forward that part of the Planning Proposal relating to minimum lot size controls for subdivision and dual occupancy provisions in the R2 Low Density Residential zone to the Department of Planning and Environment and requesting that the amendments be made to the Randwick Local Environmental Plan 2012.

**MOTION: (Said/D'Souza) CARRIED - SEE RESOLUTION.**

The **DIVISION** was taken and the names of the Councillors voting FOR and AGAINST were as follows:

FOR	AGAINST
Councillor Hamilton	Councillor Pandolfini
Councillor Neilson	Councillor Veitch
Councillor Hay	Councillor Luxford
Councillor Rosenfeld	Councillor Chapple
Councillor McCafferty	Councillor Olive
Councillor Wilson	Councillor Parker
Councillor Said	
Councillor Burst	
Councillor D'Souza	
<b>Total (9)</b>	<b>Total (6)</b>

**NR3/22 Notice of Rescission Motion - Notice of Rescission Motion Submitted by Crs D'Souza, Rosenfeld & Said - Randwick Comprehensive LEP Planning Proposal - Rezoning Requests (F2021/00188)**

Note: Having previously declared an interest, Cr Burst left the chamber and took no part in the debate or voting on this matter.

**RESOLUTION: (D'Souza/Said)** that the resolution passed at the Extraordinary Council meeting held on Tuesday 30 August reading as follows:

**RESOLUTION: (Veitch/Pandolfini)** that Council:

- a) Endorse that part of the Planning Proposal that amends Randwick Local Environmental Plan 2012 in relation to the zoning and/or development standards outlined below:
  - i. 1401-1409 Anzac Parade, Little Bay
    - Maximum FSR: increase the maximum FSR from 1:1 to 1.2:1
    - Maximum Height: increase the maximum height from 9.5m to 15m
    - Include the site in the Key Sites Map associated with clause 6.12, which will require the preparation of a site specific DCP chapter to address design implications for the proposed additional height and FSR
    - No changes proposed to zoning.
  - ii. 59A-71 Boronia Street and 77-103 Anzac Parade, Kensington
    - Maximum FSR: Remove the maximum FSR of 0.9:1 for 59A, 61, 63-65 Boronia Street and 81- 85 Anzac Parade (Part)

- Maximum Height: increase the maximum from 1m to 31m for the strip of land (as shown in red) at the rear of 95, 91-93, 89, 87 and 81-85 Anzac Parade, Kensington. No other height change is supported.
  - No change to the zoning: Retain R3 Medium Density Residential Zone for 59A, 61, 63-65 and 81-85 Anzac Parade (Part).
- iii. 1903R Botany Road, Matraville
- Land use zone: From RE1 Public Recreation to RE2 Private Recreation
  - No change to the maximum FSR or height.
- b) Exclude the following rezoning requests received during public exhibition from the post exhibition draft Comprehensive Planning Proposal:
- i. 897 & 897A Anzac Parade, Maroubra
- Retain R2 Low Density Residential zone
  - Consider as part of the Maroubra Junction Town Centre Study to provide a holistic review of the site and surrounding locality.
- ii. 1A Bradley Street, Randwick
- Retain R2 Low Density Residential zone
  - Consider the rezoning request in a review of transition and buffer areas around town and strategic centres in accordance with Action 3.2 of the Randwick Housing Strategy.
- iii. 2 Harbourne Road, Kingsford
- Retain R3 Medium Density Residential zone
  - Consider the rezoning request in a review of transition and buffer areas around town and strategic centres in accordance with Action 3.2 of the Randwick Housing Strategy.
- iv. 204 Malabar Road, South Coogee
- Retain R2 Low Density Residential zone
  - No change to FSR & building height.
- v. 178 Coogee Bay Road, Coogee
- Retain R3 Medium Density Residential zone
  - Consider the rezoning request in a review of transition and buffer areas around town and strategic centres in accordance with Action 3.2 of the Randwick Housing Strategy.
- vi. 26 Goorawahl Avenue, La Perouse
- Retain B1 Neighbourhood Centre zone.
- vii. 20 Barker Street, Kingsford
- Retain existing FSR & building height controls.
- viii. Royal Randwick Racecourse, Alison Road, Randwick
- Inclusion of entertainment facilities, food and drink premises and commercial premises into *Schedule 1 Additional Permitted Uses* is not supported at this time.
- ix. 27- 29 Boronia Street, Kensington
- Inclusion into Kensington North HIA is not supported
  - To be considered holistically as part of the B2 Local Centres review, including the rezoning request and surrounding land in a future review of transition and buffer areas around town and strategic centres in accordance with Action 3.2 of the Randwick Housing Strategy.
- x. 33-43 Boronia Street, Kensington
- Inclusion into Kensington North HIA is not supported
  - Retain existing FSR & building height controls

- To be considered holistically as part of the B2 Local Centres review, including the rezoning request and surrounding land in a future review of transition and buffer areas around town and strategic centres in accordance with Action 3.2 of the Randwick Housing Strategy.
- xi. Meriton Site - 1406-1408 Anzac Parade, Little Bay
- Creation of a new Housing Investigation Area is not supported
  - Retain existing FSR & building height controls.
- xii. 24 Blenheim Street, Randwick
- Retain R3 Medium Density Residential zoning.
- xiii. 47 Botany Street, Randwick
- Retain existing FSR & building height controls
  - Inclusion of medical uses into *Schedule 1 Additional Permitted Uses* for site and Arthur Street HIA of RLEP is not supported.
- xiv. 471- 477 Anzac Parade, Kingsford
- Retain existing FSR & building height controls
  - Inclusion of commercial premises for site and adjacent properties under *Schedule 1 Additional Permitted uses* of RLEP is not supported.
- xv. 439 Anzac Parade, Kingsford
- Retain R3 Medium Density Residential proposed zoning.
  - Retain proposed FSR & building height controls.
- xvi. 3, 5, 25, 29 Blenheim Street, 24B & 24C, 40-44 Arthur Street and 40 Waratah Avenue, Randwick
- Retain existing FSR & building height controls
  - Review existing controls for HIA at 7-year Housing Strategy review.
- c) Authorise the Director, City Planning to make any minor modifications to rectify any numerical, typographical, interpretation and formatting errors in that part of the Planning Proposal relating to rezoning requests and associated documents prior to submitting to the Department of Planning and Environment.
- d) Forward that part of the Planning Proposal relating to rezoning requests to the Department of Planning and Environment and request that the amendments be made to Randwick Local Environmental Plan 2012. **BE AND IS HEREBY RESCINDED.**

**MOTION: (D'Souza/Said) CARRIED - SEE RESOLUTION.**

The **DIVISION** was taken and the names of the Councillors voting FOR and AGAINST were as follows:

FOR	AGAINST
Councillor Hamilton	Councillor Pandolfini
Councillor Neilson	Councillor Veitch
Councillor Hay	Councillor Chapple
Councillor Luxford	Councillor Olive
Councillor Rosenfeld	Councillor Parker
Councillor McCafferty	
Councillor Wilson	
Councillor Said	
Councillor D'Souza	
<b>Total (9)</b>	<b>Total (5)</b>

211/22

**RESOLUTION: (Said/D'Souza) that Council:**

- a) Endorse that part of the Planning Proposal that amends Randwick Local Environmental Plan 2012 in relation to the zoning and/or development standards outlined below:
- i. 558A – 580 Anzac Parade, Kingsford (Souths Juniors site)
    - Maximum Height: increase on part of the site from 31m to 51m (as shown on the Alternative Building Height Map)
    - Include the site in the Key Sites Map associated with clause 6.12, which will require the preparation of site specific DCP chapter to address design implications for the site of the recommended maximum building height changes
    - No changes proposed to maximum FSR or zoning.
  - ii. 1401-1409 Anzac Parade, Little Bay
    - Maximum FSR: increase the maximum FSR from 1:1 to 1.2:1
    - Maximum Height: increase the maximum height from 9.5m to 15m
    - Include the site in the Key Sites Map associated with clause 6.12, which will require the preparation of a site specific DCP chapter to address design implications for the proposed additional height and FSR
    - No changes proposed to zoning.
  - iii. 59A-71 Boronia Street and 77-103 Anzac Parade, Kensington
    - Maximum FSR: Remove the maximum FSR of 0.9:1 for 59A, 61, 63-65 Boronia Street and 81- 85 Anzac Parade (Part)
    - Maximum Height: increase the maximum from 1m to 31m for the strip of land (as shown in red) at the rear of 95, 91-93, 89, 87 and 81-85 Anzac Parade, Kensington. No other height change is supported.
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  - iv. 1903R Botany Road, Matraville
    - Land use zone: From RE1 Public Recreation to RE2 Private Recreation
    - No change to the maximum FSR or height.
- b) Exclude the following rezoning requests received during public exhibition from the post exhibition draft Comprehensive Planning Proposal:
- i. 897 & 897A Anzac Parade, Maroubra
    - Retain R2 Low Density Residential zone
    - Consider as part of the Maroubra Junction Town Centre Study to provide a holistic review of the site and surrounding locality.
  - ii. 1A Bradley Street, Randwick
    - Retain R2 Low Density Residential zone
    - Consider the rezoning request in a review of transition and buffer areas around town and strategic centres in accordance with Action 3.2 of the Randwick Housing Strategy.
  - iii. 2 Harbourne Road, Kingsford
    - Retain R3 Medium Density Residential zone
    - Consider the rezoning request in a review of transition and buffer areas around town and strategic centres in accordance with Action 3.2 of the Randwick Housing Strategy.
  - iv. 204 Malabar Road, South Coogee
    - Retain R2 Low Density Residential zone
    - No change to FSR & building height.
  - v. 178 Coogee Bay Road, Coogee
    - Retain R3 Medium Density Residential zone

- Consider the rezoning request in a review of transition and buffer areas around town and strategic centres in accordance with Action 3.2 of the Randwick Housing Strategy.
- vi. 26 Goorawahl Avenue, La Perouse
- Retain B1 Neighbourhood Centre zone.
- vii. 20 Barker Street, Kingsford
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- Retain existing FSR & building height controls
  - Review existing controls for HIA at 7-year Housing Strategy review.
- c) Authorise the Director, City Planning to make any minor modifications to rectify any numerical, typographical, interpretation and formatting errors in that part of the Planning Proposal relating to rezoning requests and associated documents prior to submitting to the Department of Planning and Environment.



- d) Forward that part of the Planning Proposal relating to rezoning requests to the Department of Planning and Environment and request that the amendments be made to Randwick Local Environmental Plan 2012.

**MOTION: (Said/D'Souza) CARRIED - SEE RESOLUTION.**

The **DIVISION** was taken and the names of the Councillors voting FOR and AGAINST were as follows:

<b>FOR</b>	<b>AGAINST</b>
Councillor Hamilton	Councillor Pandolfini
Councillor Neilson	Councillor Veitch
Councillor Hay	Councillor Chapple
Councillor Luxford	Councillor Olive
Councillor Rosenfeld	Councillor Parker
Councillor McCafferty	
Councillor Wilson	
Councillor Said	
Councillor D'Souza	
<b>Total (9)</b>	<b>Total (5)</b>

There being no further business, His Worship the Mayor, Cr D Parker, declared the meeting closed at 7.58pm.

**The minutes of this meeting were confirmed at the Ordinary Meeting of the Council of the City of Randwick held on Tuesday, 27 September 2022.**

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**CHAIRPERSON**