



**MINUTES OF RANDWICK LOCAL PLANNING PANEL (ELECTRONIC) MEETING
HELD ON THURSDAY, 10 NOVEMBER 2022 AT 1PM**

Present:

Chairperson: Annelise Tuor

Expert Members: Kara Krason & Kevin Hoffmann

Community Representatives: Mio Margarit Chow

Council Officers present:

Coordinator Fast Track Mr T Ristevski
Executive Planner Ms A Manahan

Declarations of Pecuniary and Non-Pecuniary Interests

- A) Kara Krason declared a reasonably perceived conflict of interest in Item 4 (D69/22).

The Panel deliberated and voted on each matter via an electronic meeting.

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

General Reports

Nil

Development Application Reports

D66/22 Development Application Report - 20 Paterson Street, Matraville (DA/280/2022)

RESOLUTION:

- A. That the RLPP is satisfied that the matters detailed in clause 4.6(4) of Randwick Local Environmental Plan 2012 have been adequately addressed and that consent may be granted to the development application, which contravenes the minimum subdivision lot size development standard in Clause 4.1 of Randwick Local Environmental Plan 2012. The concurrence of the Secretary of Planning and Environment may be assumed.
- B. That the RLPP grant consent under Sections 4.16 and 4.17 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. DA/280/2022 for Torrens title subdivision of an approved attached dual occupancy development into two allotments at No. 20 Paterson Street, Matraville, subject to the development consent conditions attached to the assessment report.

REASON:

The Panel has visited or is familiar with the site, 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 supports the application for the reasons given in the assessment report.

CARRIED UNANIMOUSLY.

D67/22 Development Application Report - 34 Mawson Parade, Chifley (DA/622/2021)

RESOLUTION:

- A. That the RLPP is satisfied that the matters detailed in clause 4.6(4) of Randwick Local Environmental Plan 2012 have been adequately addressed and that consent may be granted to the development application, which contravenes the Floor Space Ratio development standard in Clause 4.4 of Randwick Local Environmental Plan 2012. The concurrence of the Secretary of Planning and Environment may be assumed.
- B. That the RLPP grant consent under Sections 4.16 and 4.17 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. DA/622/2021 for alterations and additions to existing mixed-use development including alterations to existing dwelling by conversion of car space to a rumpus room and addition of storage room at lower ground floor, extension of ground floor to the northern boundary, and construction of a new first floor with front and rear-facing balconies, alterations to the existing shop with addition of an awning, and associated works at No. 34 Mawson Parade, Chifley, subject to the development consent conditions attached to the assessment report as amended to include a new condition:

Add New Condition 60:

60. The development is to be only used for the purpose of one dwelling and commercial (retail) use and must not be used for dual or multiple occupancy.

REASON:

The Panel has visited or is familiar with the site, 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 supports the application for the reasons given in the assessment report subject to the inclusion of new condition no.60 to clarify the development is to be used as a single dwelling and commercial use.

CARRIED UNANIMOUSLY.

D68/22 Development Application Report - 22 French Street, Maroubra (DA/111/2022)

RESOLUTION:

- A. That the RLPP is satisfied that the matters detailed in clause 4.6(4) of Randwick Local Environmental Plan 2012 have been adequately addressed and that consent may be granted to the development application, which contravenes the building height development standard in Clause 4.3 of Randwick Local Environmental Plan 2012. The concurrence of the Secretary of Planning and Environment may be assumed.

- B. That the RLPP grant consent under Sections 4.16 and 4.17 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. DA/111/2022 for alterations and additions to the existing dwelling at 22 French Street Maroubra subject to the development consent conditions attached to the assessment report and amendments as follows:

Add New Conditions:

New Condition 2(b)

The entry canopy at the front of the dwelling at street level is to be deleted and the entry gate and any adjacent screening limited in height to a maximum of 1800mm.

New Condition 2(c)

The kitchenette and laundry within the lower ground level are to be deleted.

New Condition 12A

A detailed landscape plan is to be submitted for consideration and approval of Council prior to the issue of a Construction Certificate.

New Condition 24A

Prior to commencement of any works, the Principal Certifier shall be satisfied that those components of the building to be retained and/or altered will be structurally sound and able to withstand the excavation and demolition process.

Evidence from a qualified practising structural engineer, demonstrating compliance with the above and detailing, where relevant, means of support for those parts of the retained building shall be provided to the Principal Certifier.

New Condition 49

The kitchenette and laundry within the lower ground level are to be deleted and the building is only to be used as a single dwelling. Any proposed use of part of the building as a secondary dwelling is to be the subject of a separate and specific Development Application.

Amend condition 48 to read:

Plant & Equipment

The operation of all plant and equipment (including air conditioners, pool pumps, **the inclinor** or other equipment) on the premises shall not give rise to an 'offensive noise' as defined in the *Protection of the Environment Operations Act 1997* and Regulations.

REASON:

The Panel has visited or is familiar with the site, 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 supports the application for the reasons given in the assessment report subject to additional conditions to address:

- Streetscape appearance of the dwelling (Condition 2(b))
- Details of landscaping proposed (Condition 12A)
- The structural adequacy of the existing dwelling to support the alterations and additions (Condition 24A)
- Minimise noise impact on adjoining residents (Condition 48)
- That the development is approved as a single dwelling only (Conditions 2(c) and 49)

CARRIED UNANIMOUSLY.

D69/22 Development Application Report - 4/15 Barry Street, Clovelly (DA/100/2021)

RESOLUTION:

- A. That the RLPP is satisfied that the matters detailed in clause 4.6(4) of Randwick Local Environmental Plan 2012 have been adequately addressed and that consent may be granted to the development application, which contravenes the floor space ratio development standard in Clause 4.4 of Randwick Local Environmental Plan 2012. The concurrence of the Secretary of Planning and Environment may be assumed.
- B. That the RLPP grant consent under Sections 4.16 and 4.17 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. DA/100/2021 for regularisation of use regarding alterations and additions to the approved residential flat building involving an increase in floor space ratio , at No. 4/15 Barry Street, Clovelly, subject to the development consent conditions attached to the assessment report and amendments as follows:

Amend Condition 7 to read:

Any drainage works that are required in response to the change of use of the Lower Ground Floor level, including in order to demonstrate that the walls of the Lower Ground Floor level have been fully tanked and/or waterproofed to prevent the entry of any seepage flows, or any sub-soil drainage systems that are required to be amended are to be undertaken as part of this development consent. **Any works on common property, including voids adjoining Unit 4 and sub-soil areas, may be undertaken only on the receipt of written approval from the Owners Corporation.** Details of all proposed works are to be documented and submitted to the Certifier prior to the issue of any Construction Certificate.

Amend Condition 8 to read:

Any building works, including any drainage/seepage works, that are to be carried out in association with the development are to be at the full cost to the owner/developer of the subject apartment only, being Unit 4, 15 Barry Street, Clovelly (Lot 12 in SP97056). **Any works on common property, including voids adjoining Unit 4 and sub-soil areas, may be undertaken only on the receipt of written approval from the Owners Corporation.**

REASON:

The Panel has visited or is familiar with the site, considered the submissions (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.

For the reasons in the assessment report, the Panel approves the application for the change of use. The Panel notes that part of the lower ground floor (See DWG No. DA002) is included in Unit 4 in the Strata Plan and is not common property. Consequently, the area can be used for residential purposes associated with Unit 4, but not including bedrooms due to the amenity of the area.

The Panel's consent does not rationalise any of the unauthorised building works. Condition 4 requires the applicant to lodge a Building Information Certificate application.

The Panel has amended Conditions 7 and 8 to require owners consent for any works to common property that may be required to comply with the Building Code of Australia.

CARRIED UNANIMOUSLY.

Note: Kara Krason did not participate in the discussion and voting of this item due to a reasonably perceived conflict of interest declaration.

The meeting closed at 11.53am.

CONFIRMATION OF MINUTES BY PANEL MEMBERS	
Annelise Tuor (Chairperson)	Kara Krason
Kevin Hoffman	Mio Margarit Chow