



**MINUTES OF RANDWICK LOCAL PLANNING PANEL (PUBLIC) MEETING
HELD ON THURSDAY, 11 MAY 2023 AT 1PM**

Present:

Chairperson: Annelise Tuor

Expert Members: Kara Krason & Julie Savet Ward

Community Representatives: Kerri Hamer

Council Officers present:

Manager Development Assessment	Mr F Ko
Acting Coordinator Fast Track	Ms I Lucic
Coordinator Major Assessments	Mr S Cox
Executive Planner	Ms A Manahan

Acknowledgement of Country

The Acknowledgement of Country was read by Annelise Tuor.

Declarations of Pecuniary and Non-Pecuniary Interests

A) Nil.

Address of RLPP by Councillors and members of the public

Deputations were received in respect of the following matters:

D28/23 3 BERWICK STREET, COOGEE (DA/432/2022)

Councillor Kathy Neilson

Councillor Michael Olive

Objector Andrew Nguyen (1st objector)

Objector Maurice Patrick Cunningham (2nd objector)

Applicant Tone Wheeler, on behalf of applicant

After the above speakers had addressed the panel, the public meeting was closed at 1:46pm. The Panel then deliberated and voted on the item in Coogee Room.

The resolution, reason and voting outcomes are detailed below:

Development Application Reports

D28/23 Development Application Report - 3 Berwick Street, Coogee (DA/432/2022)

RESOLUTION:

That the RLPP refuse consent under Section 4.16 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. 432/2022 for the demolition of existing structures, Torrens title subdivision and the construction of two semidetached dwellings, at No. 3 Berwick Street, Coogee, for the following reasons:

1. The proposal would not conserve the environmental heritage of Randwick as it would involve the removal of a proposed heritage item of local significance.
2. The proposal would not conserve the significance of the heritage item due to the removal and loss of significant heritage fabric.
3. The proposal involves the demolition of historical fabric of a draft heritage item contrary to the objectives and intended outcomes of the Planning Proposal to list No 5 (and No. 1) Berwick Street which is currently on public exhibition as required under the associated Gateway Determination.
4. The site and property at 3 Berwick Street, Coogee, is the subject of an Interim Heritage Order supported by a heritage study by City Plan Heritage that finds the existing property meets the relevant criteria for heritage listing being Criteria A (historic significance), B (historical association), C (aesthetic), F (rarity) and G (representative) of the "Assessing Heritage Significance", prepared by the NSW Heritage Office.
5. The issue of an Interim Heritage Order on the subject site authorises Council to preserve an item whilst its heritage significance is considered and determined pursuant to Section 25(2) of the Heritage Act 1977 which refers to 'further inquiry or investigation' to established heritage significance, and is reinforced by the fact that a subsequent listing of an item on local planning instrument the State Heritage Register or revokes any Interim Heritage Order.
6. The proposed development is of an excessive height resulting in non-compliance with the building height development standard prescribed by clause 4.3 of RLEP 2012 and the maximum external wall height specified by RDCP 2013. The written request does not demonstrate that the requirements of clause 4.6 have been satisfied.
7. The proposal is inconsistent with the objectives of the R3 Medium Density Residential Zone of the RLEP 2012 in that the proposed development does not contribute to the desired future character of the area, proposing a development that exceeds the level of built form anticipated for the subject site for semi-detached dwellings, nor recognise the desirable elements of the existing streetscape. The proposed development will result in unreasonable amenity impacts upon the adjoining and surrounding properties.
8. The proposal is inconsistent with the guidelines and recommendations outlined in Part B2, Section 1.9 (Demolition) of the Randwick DCP 2013.
9. The proposed development will result in an excessive level of bulk and scale on the site and is inconsistent with the existing and desired future character of the streetscape and the locality.
10. The proposed development does not comply with the relevant RDCP 2013 provisions in relation to external wall height and rear setbacks.

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.

The Panel notes that the appeal against the Interim Heritage Order has been reserved, and accordingly the Panel is unable to support the application which involves the demolition of a potential heritage item.

The Panel acknowledged the Applicant's request for deferral to address the other reasons for refusal and submit amended plans for a compliant scheme. While such amended plans may resolve these

issues, due to the uncertainty in relation to heritage, the Panel consider that there is no utility in the Applicant providing amended plans until the heritage conservation status is decided.

CARRIED UNANIMOUSLY.

The meeting closed at 3:05pm.

CONFIRMATION OF MINUTES BY PANEL MEMBERS	
Annelise Tuor (Chairperson)	Kara Krason
Julie Savet Ward	Kerri Hamer (Central Ward)