



MINUTES OF RANDWICK LOCAL PLANNING PANEL (ELECTRONIC) MEETING HELD ON THURSDAY, 9 MAY 2024 AT 1PM

Present:

Chairperson: Graham Brown

Expert Members: Helen Lochhead & Kevin Hoffmann

Community Representatives: Clara Hawker

Council Officers present:

Coordinator Major Assessments Mr F Macri

Declarations of Pecuniary and Non-Pecuniary Interests

Nil.

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:

Development Application Reports

D37/24 Development Application Report - 76 Bream Street, Coogee (DA/4/2021/A)

RESOLUTION:

That the RLPP, as the consent authority, approve the application made under Section 4.55 of the Environmental Planning and Assessment Act 1979, as amended, to modify Development Application No. DA/4/2021/A for modification to the approved development for the alterations and additions to residential apartment building, for addition of attics to unit 7 and 8, at No. 76 Bream Street Coogee NSW 2034, in the following manner:

- **Amend Condition 1 to substitute the drawings required by new condition 2 h:**
1. The development must be implemented substantially in accordance with the plans and supporting documentation listed below and endorsed with Council's approved stamp:

Plan	Drawn by	Dated
DA-00-00 Issue C	Hancock Architects	14.07.21
DA-02-01 Issue C	Hancock Architects	14.07.21
DA-02-02 Issue C	Hancock Architects	14.07.21
DA-02-03 Issue C	Hancock Architects	14.07.21
DA-02-04 Issue C	Hancock Architects	14.07.21
DA-02-05 Issue C	Hancock Architects	14.07.21
DA-03-01 Issue C	Hancock Architects	14.07.21
DA-03-02 Issue C	Hancock Architects	14.07.21
DA-03-03 Issue C	Hancock Architects	14.07.21
DA-03-04 Issue C	Hancock Architects	14.07.21

DA-03-05 Issue C	Hancock Architects	14.07.21
DA-03-06 Issue C	Hancock Architects	14.07.21
DA-07-01 Issue C	Hancock Architects	14.07.21

BASIX Certificate No's.	Dated
A394499	12 November 2020
A394528	12 November 2020
A394530	12 November 2020
A394532	12 November 2020
A394537	12 November 2020
A394543	12 November 2020
A394545	12 November 2020
A394549	12 November 2020

EXCEPT where amended by:

- Other conditions of this consent; and/or
- the following Section 4.55 plans and supporting documents only in so far as they relate to the modifications highlighted on the Section 4.55 plans and detailed in the Section 4.55 application (to be read in conjunction with amended Condition 2h below):

Plan	Drawn by	Dated	Received by Council
D0201 Rev 03	K.P.D.O.	12/03/2024	18 March 2024
D0202 Rev 03	K.P.D.O.	12/03/2024	18 March 2024
D0203 Rev 03	K.P.D.O.	12/03/2024	18 March 2024
D0204 Rev 03	K.P.D.O.	12/03/2024	18 March 2024
D0302 Rev 03	K.P.D.O.	12/03/2024	18 March 2024
D0303 Rev 03	K.P.D.O.	12/03/2024	18 March 2024
D0304 Rev 03	K.P.D.O.	12/03/2024	18 March 2024
D0305 Rev 03	K.P.D.O.	12/03/2024	18 March 2024
D0306 Rev 02	K.P.D.O.	12/03/2024	18 March 2024
D0307 Rev 03	K.P.D.O.	12/03/2024	18 March 2024
D2004 Rev 04	K.P.D.O.	12/03/2024	18 March 2024
D2005 Rev 04	K.P.D.O.	12/03/2024	18 March 2024
D2006 Rev 04	K.P.D.O.	12/03/2024	18 March 2024
D3001 Rev 03	K.P.D.O.	12/03/2024	18 March 2024
D3002 Rev 01	K.P.D.O.	12/03/2024	18 March 2024
D2007 Rev 02	K.P.D.O.	12/03/2024	18 March 2024
D4001 Rev 01	K.P.D.O.	SEPT 23	18 March 2024
D4002 Rev 01	K.P.D.O.	SEPT 23	18 March 2024

BASIX Certificate No.	Dated
A394499	12 November 2020
A394528	12 November 2020
A394530	12 November 2020
A394532	12 November 2020
A394537	12 November 2020
A394543	12 November 2020
A1733073_02	14 March 2024
A1733093_02	14 March 2024

- **Delete the following condition:**

2. h. The following window/s must have a minimum sill height of 1.6m above floor level, or alternatively, the window/s are to be fixed and be provided with translucent, obscured, frosted or sandblasted glazing below this specified height:
- East facing attic room windows for APT 08

- **Add the following condition:**

Note that due to the deletion of previously recommended condition 2h) – privacy treatment, the additional condition will replace Condition 2h) as below.

2. h. The rear attic balconies shown on plan D0306 Revision 2 are to be deleted and reinstated as a hipped roof form generally consistent with the current roof form and the configuration shown at the front (northern elevation).

The exposed southern elevation wall planes of the attic addition can either be provided as a blank wall or incorporate additional operable windows as a part of this amended design.

In addition, southern attic addition wall is to be setback 600mm from the current wall alignment (as shown in D0306 Revision 2) to ensure the dormer predominantly sits within the profile of the existing roof. The east and west attic walls are to be setback an additional 300mm from the current wall alignment (as shown in D0306 Revision 2) prior to the release of any construction certificate.

The above amendments are to be submitted to and approved by Council's Manager Development Assessment in a full set of architectural drawings (amended plan and revisions numbers) prior to the issue of a Construction Certificate.

REASON:

The Panel has visited the site and surrounding area, 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.

Following the site inspection the panel was of the view that further amendments were required to ensure that the proposed additions were compatible with adjoining development when viewed from the rear, including Coogee Oval. A reduced size of the proposed additions was seen as a means of addressing this and an additional condition has been placed on the modification application (new condition 2 h). This condition will ensure that the dormer sits within the profile of the existing roof form. The Panel also considered it appropriate to remove the conditions dealing with privacy to Apartment 8, given the separation distance and use of the rooms in question (old condition 2 h).

The Panel supports the application (as amended) for the reasons given in the assessment report and the reasons above.

CARRIED UNANIMOUSLY.

D38/24 Development Application Report - 7 Ingram Street KENSINGTON (DA/192/2023)

RESOLUTION:

- A. That the RLPP refuse consent under Sections 4.16 and 4.17 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. 192/2023 for the partial demolition of existing stables at the rear of the site and construction of a dual occupancy with swimming pools and associated site works. (C4 - West Kensington Heritage Conservation Area), at No. 7 Ingram Street, Kensington, for the following reasons:
1. The written statement to vary the FSR control in the Clause 4.6 does not adequately justify the proposed variation of the floor space ratio development standard in Clause 4.4 of the Randwick Local Environmental Plan 2012.

2. The proposed development has an unacceptable impact on the heritage conservation area in accordance with Clause 5.10(4) of the Randwick LEP 2012 in that the proposed dual occupancy is inconsistent with the heritage character of the area due to the building design, the poor integration of the existing stables, and excessive development noting the breaches of the FSR development standard and the Part C1 (Low Density Residential) requirements and Part B2 (Heritage) requirements of the Randwick Development Control Plan 2013.
3. The proposed development has unacceptable impacts on the amenity of adjoining neighbouring properties in terms of privacy and overlooking, overshadowing, bulk and scale.
4. The proposed development has unacceptable impacts upon the amenity, scale and character of the streetscape of Ingram Street because of the breaches of the requirements of Randwick DCP 2013, relating to site coverage, deep soil, side setbacks and the uncertainty regarding drainage and flood management.

REASON:

The Panel has visited the site and surrounding area, considered the written submission and reviewed the assessment report prepared by Council officers. The Panel notes that the development application was recommended for approval by Council officers. However based on the Panel's inspection of the site and surrounding Heritage Conservation Area, and an understanding of the proposed development, the Panel was not satisfied that approval should be granted because of the unacceptable impact on the Heritage Conservation Area and unacceptable amenity impacts, streetscape impacts, and bulk and scale impacts on the adjoining properties.

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

CARRIED UNANIMOUSLY.

D39/24 Development Application Report - 17 Flood Street Clovelly (DA/1084/2023)**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.
- 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/1084/2023 for alterations and additions to existing building involving enclosing existing balcony of Unit 1, internal reconfiguration and relocating window at ground level at No. 17 Flood Street, Clovelly subject to the development consent conditions attached to the assessment report.

REASON:

The Panel has 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.

D40/24 Development Application Report - 3/7 Battery Street CLOVELLY (DA/766/2023)**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 4.6 of Randwick Local Environmental Plan 2012. The concurrence of the Planning Secretary 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/766/2023 for alterations to unit 3 at 2nd level of existing residential flat building including enclosure of eastern balcony at No. 3/7 Battery Street, Clovelly subject to the development consent conditions attached to the assessment report.

REASON:

The Panel 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.

The meeting closed at 1:43pm.

CONFIRMATION OF MINUTES BY PANEL MEMBERS	
Graham Brown (Chairperson)	Helen Lochhead
Kevin Hoffman	Clara Hawker