



**MINUTES OF RANDWICK LOCAL PLANNING PANEL (ELECTRONIC) MEETING
HELD ON THURSDAY, 10 OCTOBER 2024 AT 1PM**

Present:

- Chairperson:** Steven Layman
- Expert Members:** Clare Brown & Kim Burrell
- Community Representatives:** Graham Turner

Council Officers present:

- Director City Planning Ms M Bishop
 Manager Development Assessment Mr F Ko
 Coordinator Fast Track Mr M Rivera

Declarations of Pecuniary and Non-Pecuniary Interests

- A) No declarations were made by any Panel member except for D81/24. A Conflict of Interest was declared by Panel Member Clare Brown in relation to D81/24. As such, Clare Brown did not take part in the voting and determination of this matter.

Prior to the meeting, the Panel members and Council staff attended an Applicant briefing requested by the Applicant for D78/24 (No. 171 Darley Road, Randwick). Council heard from Justin Doyle via Microsoft Teams on behalf of the Applicant. The attendees and key points of issue were recorded in writing by Council staff. In this instance and for this item, the Panel requested that these details be contained in these Minutes. The attendees and key points of issue were as follows:

Panel Members	Steven Layman (Chair) Clare Brown and Kim Burrell (Expert Members) Graham Turner (Community Representative)
Applicant Representation	Justin Doyle
Council Staff	Frank Ko – Manager Development Assessment Miguel Rivera – Coordinator Fast Track Samira Abbasalipour – Heritage Planner Elizabeth James – Assessment Officer

Justin Doyle stated that he was a legal representative of the land owner of No. 171 Darley Road, Randwick, and that he resided at the adjoining premises (at No. 169 Darley Road).

Discussion Points – Justin Doyle:

- The planning and heritage controls that applied to the approved development at 169 Darley Road have remained largely unchanged except for a small increase the height limit. The approved development at 169 Darley Road was determined in 2011, at which time that dwelling was a heritage item.

- The subject premises and the group of attached dwellings have always been locally listed heritage items.
- The primary concerns raised in the Council's assessment report and recommendation were heritage impacts and the Clause 4.6 statement and addressing the standard's objectives – which are also related to heritage.
- The proposal involves a similar scale as the development at 169 Darley Road albeit with a lower roof form.
- The owners of the attached residences within the respective group of attached dwellings have voluntarily undertaken restoration works over the years and are attentive to the heritage significance of the group.
- The heritage significance of the group is only appreciated when viewed from Darley Road and across the street from within Queens Park. It is not appreciated from the rear of the site.
- The original roof of the dwelling is slate material – not corrugated iron. The slate roof is retained in the Darley Road frontage for the group of dwellings. The rear roof element which is constructed of corrugated iron is not highly visible from Centennial Avenue. It was noted that all of the rear roofs of the attached dwellings within the group are "colorbond" and painted corrugated iron/metal and appear to be unoriginal (Mr. Doyle presented a photograph of the rear of the existing pitched roof).
- The Statement of Heritage Significance for the listing of the group of dwellings refers to the visibility or vista of the heritage item from Darley Road.
- The heritage significance is considered to be 100% preserved.
- Personal circumstances of the family necessitated the proposed changes and expansion to the dwelling.
- The proposal is considered generally compliant with the controls except for Floor Space Ratio.
- If the Panel was to recommend refusal the owners would be likely to appeal the decision.

Following the briefing, 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

D76/24 Development Application Report - 99 Fairsky Street, South Coogee (DA/555/2024)

RESOLUTION:

- A. That the RLPP defers the determination of Development Application No. DA/555/2024 for alterations and additions to existing semi-detached dwelling including variation to floor space ratio control, at No. 99 Fairsky Street, South Coogee, for the reasons outlined below.
- B. The Applicant submit an amended Clause 4.6 Variation Request to Council within 14 days (from receipt of notification).
- C. That a supplementary report be submitted to the Panel for determination of the application via electronic meeting.

REASON:

The Panel has visited the site, where the owner was present, and there being no submissions, has 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 is inclined to support the application subject to additional conditions only if a valid and competent Clause 4.6 Variation Request is submitted within 14 days (from receipt of notification).

The Panel is unable to support the Clause 4.6 Variation Request submitted. The Panel is concerned that the Variation Request does not correctly address the objectives of the standard and does not adequately provide sufficient environmental planning grounds. The Variation Request is inconsistent with the Council assessment report in its quantification of the variation. A revised Clause 4.6

Variation Request is required, which addresses properly the matters identified in the clause relative to the proposed development.

The Panel requires amendment of the architectural plans to clarify details of the materials of the proposed external wall, which should be the same details as the existing wall to be relocated. The alignment of the relocated wall is to match the alignment of the existing first floor balcony.

CARRIED UNANIMOUSLY.

**D77/24 Development Application Report - 7/18 Bona Vista Avenue, Maroubra
(DA/739/2024)**

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 height of buildings development standard in Clause 4.3 of Randwick Local Environmental Plan 2012.
- B. That the RLPP grants consent under Sections 4.16 and 4.17 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. DA/739/2024 for alterations and additions to Unit 7, at No. 18 Bona Vista Avenue, Maroubra, subject to the development consent conditions attached to the assessment report as amended in the reasons below.

REASON:

The Panel has visited the site, considered a written submission 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.

The Panel supports the application with the exception of the imposition of Conditions 10, 24, 25, 28, 36 and 37, which the Panel believes are not applicable, and the amendment of Condition 13, for the reasons given in the assessment report.

Condition 13 is to be amended as follows:

13. Dilapidation Reports

A dilapidation report (incorporating photographs of relevant buildings and structures) must be obtained from a Professional Engineer, detailing the current condition and status of any adjoining dwellings within the building, which may be affected by the works, to the satisfaction of the Principal Certifier for the development.

CARRIED UNANIMOUSLY.

D78/24 Development Application Report - 171 Darley Road, Randwick (DA/511/2024)

RESOLUTION:

- A. That the RLPP defers the determination of Development Application No. 511/2024 for alterations and additions to an existing attached dwelling including first floor addition, installation of a new in-ground swimming pool, pool pavilion and carport structure, ancillary and landscaping works, at No. 171 Darley Road, for the reasons outlined below.
- B. The Applicant submit an amended Clause 4.6 Variation Request to Council within 14 days (from receipt of notification).
- C. That a supplementary report be submitted to the Panel for determination of the application via electronic meeting.

REASON:

The Panel has visited the site and observed the context from Darley Road and from Centennial Avenue, considered the oral submission 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 is inclined to support the application subject to the preparation of a revised Clause 4.6 Variation Request clarifying agreed quantum of floor space being proposed. In particular the Variation Request should address the objectives of the standard and provide sufficient environmental planning grounds relevant to the proposal.

CARRIED UNANIMOUSLY.**D79/24 Development Application Report - 18 Bona Vista Avenue Maroubra
(DA/638/2024)**

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 height of building development standard in Clause 4.3 of Randwick Local Environmental Plan 2012.
- B. That the RLPP grants consent under Sections 4.16 and 4.17 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. 638/2024 for the refurbishment of the existing residential flat building at No. 18 Bona Vista Avenue Maroubra, subject to the development consent conditions attached to the assessment report.

REASON:

The Panel has visited the site, and, there being no submissions 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.**D80/24 Development Application Report - 5/39-41 Harbourne Road, Kingsford
(DA/521/2024)**

RESOLUTION:

- A. That the RLPP is satisfied the matters detailed in clause 4.6(4) of Randwick Local Environmental Plan 2012 have been adequately addressed and that consent 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 grants consent under Sections 4.16 and 4.17 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. 521/2024 for the enclosure of the balcony of Unit 5 at 39-41 Harbourne Road, Kingsford, subject to the development consent conditions attached to the assessment report.

REASON:

The Panel has visited the site, and, there being no submissions 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. The Panel notes that the circumstances of the existing building, which has had the majority of its balconies already enclosed and that the proposal is consistent with the established character of the building.

CARRIED UNANIMOUSLY.

**D81/24 Development Application Report - 18 Doncaster Avenue, Kensington
(DA/754/2024)**

RESOLUTION:

That the RLPP grants consent under Sections 4.16 and 4.17 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. DA/754/2024 for alterations and additions to existing heritage-listed terraces within an approved student accommodation development including internal wall demolition and installation of fire doors (Heritage Item I122 – ‘2 storey terraced pair’ and Heritage Conservation Area – Racecourse – C13), at No. 18 Doncaster Avenue, Kensington, subject to the development consent conditions attached to the assessment report.

REASON:

The Panel has visited the site, and, there being no submissions 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 (STEVEN LAYMAN, KIM BURRELL, GRAHAM TURNER).

Panel member (Clare Brown) declared a conflict of interest in this matter and did not take part in the voting and determination of this application.

D82/24 Development Application Report - 317 Clovelly Road, Clovelly (DA/409/2024)

RESOLUTION:

That the RLPP grants consent under Sections 4.16 and 4.17 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. DA/409/2024 for change of use and occupation from an art gallery and framing business to a hairdresser with associated beauty rooms, at No. 317 Clovelly Road, Clovelly, subject to the development consent conditions attached to the assessment report.

REASON:

The Panel visited the site, and, there being no submissions 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.

The Panel notes that the matter in relation to unauthorised works will be dealt with by Council separately.

CARRIED UNANIMOUSLY.

The meeting closed at 3.20pm.

CONFIRMATION OF MINUTES BY PANEL MEMBERS	
Steven Layman (Chairperson)	Clare Brown
Kim Burrell	Graham Turner