



**MINUTES OF RANDWICK LOCAL PLANNING PANEL (PUBLIC) MEETING
HELD ON THURSDAY, 24 OCTOBER 2024 AT 1:00 PM**

Present:

Chairperson: Julie Walsh

Expert Members: David Epstein & Elizabeth Kinkade

Community Representatives: Edna Grigoriou

Council Officers present:

Manager Development Assessment	Mr F Ko
Coordinator Fast Track	Mr M Rivera
Executive Planner	Ms A Manahan
Personal Assistant to DA Manager	Ms A Halcro

Acknowledgement of Country

The Acknowledgement of Country was read by the Chair.

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:

- | | |
|------------------|---|
| D83/24 | 54 DAUNT AVENUE, MATRAVILLE (DA/305/2024) |
| Objector | Mr Gordon Edgar (planner) - 1st objector |
| Objector | Mr Ian Foulds - 2nd objector |
| Applicant | Mr David Waghorn (planner) |
| D84/24 | 16 BROOME STREET, MAROUBRA (DA/585/2024) |
| Objector | Mr Steven Griffiths (solicitor) 1st objector |
| Objector | Mr David Tran (planner) - 2nd objector |
| Objector | Mr Anthony Kassis – 3rd objector |
| Applicant | Mr Con Hairis, (architect) |
| D85/24 | 23 DENNING STREET, SOUTH COOGEE (DA/384/2023) |
| Objector | Mr Conrad Anderson - 1st objector |

Objector	Ms Kylie Berger - 2nd objector
Objector	Mr Sandro Fanuli - 3rd objector
Objector	Mr Nicholas Efrossynis - 4th objector
Applicant	Mr Anthony Betros (planner - on behalf of Alec Tzannes, architect)

After the above speakers had addressed the panel, the public meeting was closed at 2.02 pm. The Panel then moved to the Coogee Room to deliberate and vote on each matter.

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

Development Application Reports

D83/24 Development Application Report - 54 Daunt Avenue, Matraville (DA/305/2024)

RESOLUTION:

That the RLPP grants deferred commencement consent under Sections 4.16 and 4.17 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. DA/305/2024 for demolition of existing dwelling house and structures, construction of 3-storey dwelling house, new cabana/outbuilding with bathroom and in-ground swimming pool in the rear yard, new retaining walls and front fencing, new internal driveway, associated ancillary and landscaping works, at No. 54 Daunt Avenue, Matraville, subject to the following deferred commencement conditions and conditions attached to the assessment report, as amended:

Deferred Commencement Conditions

Pursuant to Section 4.16 (3) of the Environmental Planning and Assessment Act 1979, notice is given that the abovementioned development application has been determined by granting of deferred commencement consent subject to the condition below:-

The consent is not to operate until evidence of the following has been submitted to and approved by the Council's Manager of Development Assessment (see Schedule 1 – Deferred Commencement Conditions).

Schedule 1 – Deferred Commencement Conditions

A1 Amendment of Plans & Documentation

Updated plans and documents must be provided to Council for the approval of Council's Manager of Development Assessment in accordance with the following requirements:

- a) An identification survey plan prepared by a registered surveyor showing the boundaries of the subject site and all existing vegetations including trees on the subject and adjoining sites, particularly, along the common boundary of 52 & 54 Daunt Avenue.
- b) An Arborist report to confirm all existing vegetation including trees within 52 Daunt Avenue can be retained and will not be impacted by the development including the retaining wall along the common boundary and recommending any additional measures to ensure that this can occur.
- c) An updated/amended Landscape Plan which incorporates the above deferred commencement conditions and the following requirements:
 - (i) The garden bed in the front setback, hard up against the front property boundary must be extended further to the north of its current position so that the small area of lawn is deleted, and will now finish against the edge of the internal driveway, with all planting in this area to now be contained within the same garden bed. The applicant is to provide an updated street elevation showing the front fence and associated planting;

- (ii) In addition to retaining proposed trees, lower planting must then be added throughout the area described in point '(i)' above to increase plant quantities here as well as assist with presentation of the development to the streetscape;
- (iii) Formal garden edging to separate planting/garden beds from areas of lawn and/or gravel must be provided in the rear setback, and includes the area beyond the northeast corner of the new dwelling, along the eastern boundary which must then return as one continuous garden bed along the face of the new retaining wall/terrace, up to the access stairs, as well as for the upper terrace area, for the planting shown to the south of the cabana;
- (iv) Species selection using hardy native coastal plants and ground covers that will not exceed 600mm in height at maturity must be provided in a minimum soil depth of 400mm for the planter boxes shown at the Ground Level, above the garage, beyond the front balustrade, as well as at the rear, at the First Floor Level, beyond the balcony, with details of how safe/compliant access will be provided to facilitate future maintenance to be approved by the Principal Certifier. The applicant is to provide an updated ground floor and landscape plan showing the area to be landscaped above the garage. Section 03 is to be updated to show the required structure, soil and balustrades associated with this area;
- (v) Isolated stepping stones must be provided along the length of both side setbacks of the dwelling, as well as in the rear setback, between the access stairs and the pool/cabana so as to facilitate repeated pedestrian movements;
- (vi) An additional canopy tree, minimum of 45 litre (pot size at the time of planting) must be added to the rear setback, along the western boundary, in deep soil equally between the rear of the dwelling and the east-west retaining wall, selecting a species which will attain a minimum of 5 metres in height at maturity;
- (vii) Measurements must be included demonstrating that all new tree planting will be provided at a minimum offset of 2.5m from the dwelling;
- (viii) The area between the pool and the common boundary fence between 52 and 54 Daunt Avenue as well as the area between the pool and the cabana structure must be nominated as landscaped area in accordance with the landscape plan, for the area between the pool and cabana this must consist of pebbles and permeable surfaces. The area around the perimeter of the pool to the north and west shall comprise deep soil planting and soft landscaping only.

Evidence required to satisfy the above condition must be submitted to Council within 12 months of the date of this consent.

Subject to compliance with the deferred commencement conditions, to the satisfaction of the Manager of Development Assessment, an operational development consent may then be granted subject to the development consent conditions.

General Conditions

- Amend Condition 1 to include Sheet 2 of the Landscape Plan.
 - Delete Condition 22.
 - Amend Condition 23 to read as follows:
23. Written certification from a qualified professional in the Landscape industry (must be eligible for membership with a nationally recognised organisation/association) must state that the scheme submitted for the Construction Certificate is substantially consistent with the approved Landscape Plans (as required by and approved under the deferred commencement condition) with both this written statement and plans to then be submitted to, and be approved by, the Principal Certifier.

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 supports the application for the reasons generally given in the assessment report, subject to the deferred commencement conditions and amendments in the resolution above.

The Panel is concerned to ensure that the vegetation located on the adjoining properties (52 and 56 Daunt Street, Matraville) is retained for privacy and amenity reasons.

There is inadequate information to ascertain this.

The Panel is also concerned to ensure that any additional works proposed such as retaining wall and excavation will not impact the retention of these trees.

CARRIED UNANIMOUSLY.

D84/24 Development Application Report - 16 Broome Street, Maroubra (DA/585/2024)

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 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. 585/2024 for alterations and additions to the approved dual occupancy development under DA/332/2022, at No. 16 Broome Street, Maroubra, subject to the development consent conditions attached to the assessment report, subject to the following amendments:

- Amend condition 1 to correct an error in the architectural plans date from 26 June 2024 to 28 June 2024.
- Add Condition 1A to read as follows:

Amendment of Plans and Documentation

- 1A. The approved plans and documents must be amended in accordance with the following requirements:

1. The extension to the storage areas, including the OSD and high level windows, at the Lower Ground Floor level shall be deleted. The storage area shall be configured in accordance with the original approval under DA/332/2022.

Amended plans must be submitted to and approved by Council's Manager Development Assessment prior to the issue of any construction certificate.

The above amendment/s must be reflected in the final construction plans and any documentation submitted as part of any construction certificate.

- Amend condition 2 to read as follows:

Compliance with conditions approved by DA/332/2022

2. Except where modified by this consent, the development must be carried out in conjunction with the development approved under development consent DA/332/2022 and any subsequent modifications. If there is any inconsistency with an equivalent condition of the earlier approval, the condition under the latest consent shall prevail to the extent of any inconsistency.

- Add condition 2A to read as follows:

Modification to the Torrens Title Subdivision

2A. Prior to the issue of an Occupation Certificate, the development consent for the subdivision of the dual occupancy under DA/545/2024 (with particular regard to condition 3 of the consent) must be modified to include reference to the subject application (DA/585/2024).

Condition Reason: To ensure that the related subdivision consent is amended to reflect the resultant development comprising the subject application DA/585/2024 and DA/332/2022.

REASON:

The Panel has visited 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 supports the application for the reasons generally given in the assessment report.

The Panel considers part of the area within the Lower Ground Floor level beyond that approved under DA/332/2022 (approximately 26sqm) does not fall within the definition of storage and should be deleted.

CARRIED UNANIMOUSLY.

**D85/24 Development Application Report - 23 Denning Street, South Coogee
(DA/384/2023) (DA/384/2023)**

RESOLUTION:

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. 384/2023 for demolition of the existing dwelling with associated structures and construction of a new part 2, part 3 storey dwelling house with double garage, rear swimming pool, associated site and landscape works, at No. 23 Denning Street, South Coogee, subject to the development consent conditions attached to the assessment report, subject to the following amendments:

- Delete condition 48 in relation to the landscaping strategies.
- Amend Condition 2(g) to read as follows:

2. The approved plans and documents must be amended in accordance with the following

(g) The landscape plans by Bates Landscaping, Dwg, C002 – C010, Issue B, dated 26/9/2024 must be amended to:

- amend the cabana roof depth as required by condition 2c.
- amend reference to boundary fence/wall om C006 as 2.6m high and to read 1.8m high
- relocate the balustrade of the first floor level rear balcony to be set in 1m from the northern and eastern edge of the balcony.
- Amend Condition 56 to read as follows:

56. Maintenance of landscaping

The roof garden maintenance management plan required by condition 50 must be implemented for the life of the development.

Suitable strategies shall be implemented to ensure that the approved landscaping is maintained in a healthy and vigorous state until maturity, and for the life of the development.

Condition Reason: To ensure landscaping is implemented in accordance with the consent and maintained for the life of the development.

REASON:

The Panel has visited 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 supports the application for the reasons generally given in the assessment report.

The Panel notes the receipt of late submissions which the Panel has taken into account.

The Panel amended the conditions to deal with the privacy impacts from the upper level balcony to the north and for clarity.

CARRIED UNANIMOUSLY.

The meeting closed at 3:41pm.

CONFIRMATION OF MINUTES BY PANEL MEMBERS	
Julie Walsh (Chairperson)	David Epstein
Elizabeth Kinkade	Edna Grigoriou