



**MINUTES OF RANDWICK LOCAL PLANNING PANEL (ELECTRONIC) MEETING  
HELD ON THURSDAY, 13 FEBRUARY 2025**

**Present:**

**Chairperson:** Sue Francis

**Expert Members:** Michael Leavey & Stuart McDonald

**Community Representatives:** Richard Horton

**Council Officers present:**

|                                |              |
|--------------------------------|--------------|
| Manager Development Assessment | Mr F Ko      |
| Coordinator Major Assessments  | Mr F Macri   |
| Executive Planner              | Ms A Manahan |

**Declarations of Pecuniary and Non-Pecuniary Interests**

A) 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:**

**General Reports**

**General Business - Request for Delegation for the Determination of a Development Application for the temporary use of the Community Centre for the purposed of a childcare centre (emergency re-location for a temporary period due to fire damage to existing premises)**

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The Panel reviewed the request from Manager Development Assessment, in a memo to the Panel dated 12 February 2025 requesting emergency delegation to determine a Development Application for temporary use of the existing Community Centre at 21-29 Munda Street Randwick as a childcare centre due to fire damage of the existing premises.

Council advised the Panel that the exempt provisions of the relevant SEPP were not applicable and therefore a Development Application is required.

The Panel accepts the emergency circumstances of the need for temporary accommodation and thus grants delegation to the General Manager to determine the application when received.

**CARRIED UNANIMOUSLY.**

## Development Application Reports

### D4/25      Development Application Report - 7 Hill Street, Coogee (DA/932/2024)

#### RESOLUTION:

That the RLPP refuse consent under Section 4.16 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. DA/932/2024 for demolition of existing building and construction of a 4-storey residential flat building including basement level for 4 cars, three (3) residential dwellings, associated ancillary and landscaping works, at No. 7 Hill Street Coogee, for the following reasons:

1. Pursuant to the provisions of section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the application is considered unacceptable in that the proposal is inconsistent with the objectives of the R3 Medium Density Residential zone in that it is not compatible with the desired future character of the locality, it fails to recognise or reflect the desirable elements of the existing streetscape and built form, and it results in adverse amenity impacts to neighbouring residential properties in terms of visual bulk, reduction in solar access and visual and acoustic privacy impacts.
2. Pursuant to the provisions of section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the application is considered unacceptable in that the proposed development is of an excessive height and is incompatible with the desired future character of the locality, resulting in non-compliance with the height of buildings development standard pursuant to clause 4.3 of RLEP. The Applicant has failed to provide a written request to vary the building height development standard pursuant to clause 4.6 of RLEP.
3. Pursuant to the provisions of section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the application is considered unacceptable in that the proposed development is of an excessive bulk and scale and results in non-compliance with the floor space ratio development standard pursuant to clause 4.4 of RLEP. The Applicant has failed to provide a written request to vary the FSR development standard pursuant to clause 4.6 of RLEP.
4. Pursuant to the provisions of section 4.15(1)(a)(i) of the Environmental Planning and Assessment Act 1979, the application is considered unacceptable in that the Applicant has failed to provide details of outdoor clothes drying as required by the submitted BASIX certificate pursuant to SEPP (Sustainable Buildings) 2022.
5. Pursuant to the provisions of section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979, the application is considered unacceptable in that the proposed development fails to comply with the objectives and controls of the Randwick Development Control Plan 2013:
  - Part B4: Landscaping and Biodiversity
  - Part B6: Recycling and Waste Management
  - Part B7: Transport, Traffic, Parking and Access
  - Part B8: Water Management
  - Part C2: Medium Density Residential
    - Section 2.2 – Landscaped open space and deep soil area
    - Section 2.3 - Private and communal open space
    - Section 3.1 – Floor space ratio
    - Section 3.2 - Building height
    - Section 3.3 – Building depth
    - Section 3.4.2 – Side setback
    - Section 4.1 – Building design
    - Section 4.2 – Roof design
    - Section 4.3 – Habitable roof space
    - Section 4.4 – External wall height and ceiling height

- Section 4.9 – Colours materials and finishes
  - Section 4.12 – Excavation
  - Section 5.1 – Solar access and overshadowing
  - Section 5.3 – Visual privacy
  - Section 5.4 – Acoustic privacy
  - Section 5.5 – View sharing
  - Section 6 – Car parking and access
  - Section 7.3 – Side fencing
  - Section 7.5 – swimming and spa pools
  - Section 7.6 – storage
  - Section 7.7 – laundry facilities and air conditioning units
6. Pursuant to section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979, the proposed development has not adequately demonstrated that it will not result in adverse environmental impacts on the existing neighbourhood character, the visual amenity of the street and the natural environment.
7. Pursuant to section 4.15(1)(c) of the Environmental Planning and Assessment Act 1979, the suitability of the site for the proposed development as not been adequately demonstrated as there is no consideration of the exceedance of the building height and FSR Council controls, and a failure to demonstrate that any potential impacts are acceptable and reasonable.
8. Pursuant to section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979, the proposed development is not in the public interest having regard to the non-compliances with relevant planning controls and merit based controls, the potential impacts on the amenity to residents in the immediate vicinity and the streetscape, and the objections raised in the public submissions.
9. A full and robust assessment of the proposal cannot be completed as insufficient information has been submitted relating to:
- Clause 4.6 exception requests for building height and FSR
  - A preliminary acid sulfate soil investigation
  - Potential for surface flow inundation of the ground level apartment from the sunken terrace
  - BCA and fire compliance
  - Details of the lift and its overrun
  - Landscape and deep soil area calculation plans
  - Where the OSD is to be relocated to enable survival of the feature tree Tuckeroo
  - A window schedule identifying natural ventilation possibilities
  - Details of the proposed privacy screens
  - Areas and dimensions of rooms and balconies
  - Location of the air conditioning plant and clothes drying facilities
  - Cross sections demonstrating correct levels in the rear yard
  - Provision for bicycles and EV charging units
  - Location of storage in the units and basement
  - Side fencing details
  - Cross sections of the pool and steps on the level 03 balcony
  - Details of how landscaping maintenance can be achieved
  - Balustrading on the balconies to comply with the BCA
  - How the conflict between the mail boxes and landscaping is to be resolved
  - Whether ceiling heights in Level 03 comply with the BCA
  - Retaining walls and how levels at the boundaries are to be retained similar to existing levels
  - Location of communal open space
  - Consideration of view loss
  - Car park ventilation.

**REASON:**

The Panel has visited the site, considered the written submissions 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 matter has been appealed in the Land and Environment Court and would encourage the applicant to have a pre-s34 meeting with Council with a view to narrowing the issues.

**CARRIED UNANIMOUSLY.****D5/25      Development Application Report - 357 Clovelly Road, Clovelly (DA/840/2024)**

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**RESOLUTION:**

- A. That the RLPP is satisfied that the applicants written requests to vary the development standards relating to building height and floor space ratio in clauses 4.3 and 4.4 of Randwick Local Environmental Plan 2012 have demonstrated that;
- i. Compliance with the relevant development standard is unnecessary and unreasonable in the circumstances of the case; and
  - ii. There are sufficient environmental planning grounds to justify the contravention of the relevant development standards.
- 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/840/2024 for demolition of an existing residential flat building and construction of a 3-storey residential flat building with basement level and mezzanine basement level, five (5) residential apartments, eight (8) car spaces, communal open space at ground level, ancillary and landscaping works, at No. 357 Clovelly Road, Clovelly, subject to the development consent conditions attached to the assessment report.

**REASON:**

The Panel has visited the site, considered the written submissions 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 following reasons:

- The proposal is consistent with the relevant objectives contained within the RLEP 2012 and the relevant requirements of the RDCP 2013.
- The proposal benefits from existing use rights and is consistent with the specific objectives of the R2 zone in that the proposed built form will provide for the continued use of the site for residential purposes and will not result in any unreasonable amenity impacts upon adjoining properties
- The scale and design of the proposal is considered to be suitable for the location and is compatible with the desired future character of the locality.
- The development enhances the visual quality of the public domain and streetscape.

**CARRIED UNANIMOUSLY.****D6/25      Development Application Report - 135-143R Beach Street, Coogee  
(DA/1041/2024)**

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**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. DA/1041/2024 for alterations and additions to Coogee Surf Life Saving Club including excavation works for new structural columns and support beam, upgrades to existing interior of ground floor, installation of new mechanical ventilation shaft and rooftop mounted mechanical plant, and refurbishment of existing windows/doors and installation of new windows/doors (Heritage Item), at No. 135-143R Beach Street Coogee, subject to the development consent conditions attached to the assessment report, subject to the following amendments:

- Delete Condition 34 which is about BASIX requirements which is not relevant to the non-residential building. Also the alterations do not reach the \$10 million threshold for the non-residential building controls in SEPP (Sustainable Buildings) 2022.

- Add Condition 2(b) to read as follows:

**2. Amendment of Plans & Documentation**

The approved plans and documents must be amended in accordance with the following requirements:

- a. The northern window to the female change room on the ground floor must be provided with translucent, obscured, frosted or sandblasted glazing.
- b. *Correct the western parapet and vents to reflect the existing situation between gridlines 2 to 5 in:*
  - i. *DA3101 for the west and east elevation,*
  - ii. *DA3201 for sections 1 and 5, and*
  - iii. *DA4001 for the sketch renders*

Amended plans must be submitted to and approved by Principal Certifier 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.

Condition Reason: To require amendments to the plans endorsed by the consent authority following assessment of the development.

**REASON:**

The Panel has visited 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.

The Panel supports the application for the following reasons:

- The proposal is consistent with the relevant objectives contained within the RLEP 2012 and the relevant requirements of the RDCP 2013.
- The proposal is consistent with the specific objectives of the RE1 Public Recreation zone in that it enhances the ability of the land to provide a range of recreational settings and activities and compatible land uses, it protects the natural environment for recreational purposes, and it manages public access within areas of open space, including the coastline and parks and plazas.
- The scale and design of the proposal is considered to be suitable for the location and is compatible with the desired future character of the locality.
- The development enhances the visual quality of the public domain/streetscape by screening the rooftop plant which is currently quite visible from the coastal pathway approaching from

the south, and by increasing articulation to the northern face of the ground floor of the building by adding windows to the existing façade.

Non-standard conditions are recommended that require:

- Tree planting to refer to Sydney Water's Technical Guidelines – Building over and adjacent to pipe assets
- Ausgrid's requirements for minimum clearances to its infrastructure are included.
- To correct the plans.

**CARRIED UNANIMOUSLY.**

#### **D7/25      Development Application Report - 55 The Corso, Maroubra (DA/1033/2024)**

#### **RESOLUTION:**

- A. That the RLPP is satisfied that the applicants written request to vary the development standard relating to building height in clause 4.3 of Randwick Local Environmental Plan 2012 has demonstrated that;
- i. Compliance with the relevant development standard is unnecessary and unreasonable in the circumstances of the case; and
  - ii. There are sufficient environmental planning grounds to justify the contravention of the relevant development standard.
- 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/1033/2024 for alterations to the external façade, fencing and boundary wall to an existing residential flat building (pre-existing variation to Maximum Building Height Development Standard), at No. 55 The Corso, Maroubra, subject to the development consent conditions attached to the assessment report.

#### **REASON:**

The Panel has visited the site, considered the written submissions 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 following reasons:

- The proposal is consistent with the relevant objectives contained within the RLEP 2012 and the relevant requirements of the RDCP 2013.
- The proposal is consistent with the specific objectives of the R2 zone in that the proposal will continue to provide housing needs for the community within a low-density residential environment.
- The scale and design of the proposal is considered to be suitable for the location and is compatible with the desired future character of the locality.
- The development enhances the visual quality of the public domain.

**CARRIED UNANIMOUSLY.**

The meeting closed at 12:09pm.

| <b>CONFIRMATION OF MINUTES BY PANEL MEMBERS</b> |                |
|---|----------------|
| Sue Francis(Chairperson)                        | Michael Leavey |
| Stuart McDonald                                 | Richard Horton |