MINUTES OF RANDWICK LOCAL PLANNING PANEL (PUBLIC) MEETING HELD ON THURSDAY, 9 OCTOBER 2025 AT 1PM

Present:

Chairperson:	Julie Walsh
Expert Members:	Clare Brown & Stuart McDonald
Community Representatives:	Heather Cappie-Wood

Council Officers present:

Director City Planning	Ms M Bishop
Acting Manager DA	Ms A Manahan
Coordinator Fast Track	Mr M Rivera
Coordinator Major Assessments	Mr F Macri

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:

D56/25	130-134 COOGEE BAY ROAD, COOGEE (DA/535/2025)	
	Objector	Helen Pitt
D57/25	41 OBERON STREET, RANDWICK (DA/634/2025)	
	Objector	Keiran Wallington - 1st speaker
	Objector	Adnil Ramos - 2nd speaker
	Objector	Phillipa Dimakis - 3rd speaker
	Applicant	Paul Gallagher, Architect - 1st speaker

After the above speakers had addressed the panel, the public meeting was closed at 1:33 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:

General Reports

Nil

Development Application Reports

D56/25 Development Application Report - 130-134 Coogee Bay Road, Coogee (DA/535/2025)

RESOLUTION:

That the RLPP refuses consent under Section 4.16 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. DA/535/2025 for the demolition of existing buildings/structures, tree removal and construction of a shop top housing development over 8 levels 6 habitable levels with 21 residential units, 3 commercial tenancies and 2 levels of basement containing 42 car spaces (accessed from Powell Lane), at No. 130-132 and 134 Coogee Bay Road, Coogee, for the following reasons:

1. The proposed development is of an excessive density that is incompatible with surrounding development and the streetscape, resulting in non-compliance with the height of buildings development standard pursuant to clause 4.3 of RLEP 2012 and the floor space ratio (FSR) development standard pursuant to clause 4.4 of RLEP 2012 and the number of storeys in part D6 of the RDCP 2013.

2. The submitted written requests to vary the height of buildings and FSR development standards pursuant to clause 4.6 of RLEP 2012 are not considered to be well founded in that they do not sufficiently demonstrate that the proposed non-compliance is unreasonable or unnecessary in the circumstances of the case, nor that there are sufficient environmental planning grounds to justify a variation to the development standard.

3. The proposal is inconsistent with the objectives of the E1 Local Centre zone (RLEP 2012), which seeks to encourage high-quality urban design, protect the amenity of residents in the zone and nearby zones surrounding residential areas, and inconsistent with Council's Strategic planning for residential development in the area. The northern-most wing and Powell Lane frontage are visually dominant, limit deep soil and communal open space, and fail to respond to the residential context.

4. The proposal fails to achieve design excellence under Clause 6.11 of RLEP 2012 and Schedule 9 of the Housing SEPP, with inappropriate bulk, scale, finishes, and insufficient deep soil, open space and landscaping that does not contribute to nor does it respond positively to neighbouring sites.

5. The proposal has not demonstrated consistency with Clause 6.22 of RLEP 2012 in regards the impact of the development on the amenity of surrounding residential areas, the desired future character of the local centre and the hierarchy of centres.

6. Pursuant to Part 3 and Part 4 of the Apartment Design Guide (ADG), the proposal is contrary to the following controls and design guidance:

    a. The rear wing and FSR exceedances fail to achieve the minimum 2 hours of direct sunlight to the east-facing living room windows of No. 124–126 Coogee Bay Road between 9 am and 3 pm on 21 June, as required under ADG Objective 3B-2, which seeks to provide reasonable solar access to existing neighbouring dwellings. This reduces solar access to neighbouring apartments and is inconsistent with the Housing SEPP Schedule 9 Amenity design principle, which requires apartments to provide appropriate solar access, natural ventilation, outlook and visual privacy to support the health and comfort of residents, and the Built Form and Landscaping design principle, which requires development to achieve good urban amenity, provide solar access to public and communal open space, and ensure bulk and scale do not unreasonably compromise neighbouring development.

    b. The proposal fails to provide the minimum 25% communal open space required under ADG Objective 3D-1, which seeks to provide sufficient, accessible, and useable communal space for residents. This reduces amenity for future occupants and is inconsistent with the Housing SEPP Schedule 9 Amenity design principle, which requires appropriate access to communal open space that enhances resident

comfort and well-being, and the Built Form and Landscaping design principle, which requires development to provide open space that contribute positively to the streetscape, landscape character, and visual amenity of the locality.

c. The development fails to achieve the 7% deep soil landscaping requirement under ADG Objective 3E-1, which seeks to provide sufficient soil depth for large tree planting, stormwater infiltration, and urban cooling. This reduces opportunities for canopy planting, diminishes residential amenity, and contributes to the urban heat island effect. As a result, the proposal is inconsistent with the Housing SEPP Schedule 9 Built Form and Landscaping design principle, which requires development to provide deep soil zones that support planting and enhance landscape character; the Amenity principle, which requires appropriate outlook, visual privacy, and environmental comfort for residents; and the Sustainability principle, which requires development to be environmentally sustainable and resilient, minimising energy and water use and positively contributing to the microclimate.

d. The proposed 3 m side setback and 5 m rear setback do not meet ADG Objective 3F-1 (6–9 m separation), which seeks to provide adequate separation between buildings to protect visual and acoustic privacy, solar access, and reasonable amenity for neighbouring properties, and Part D6 of the RDCP 2013, which seeks to ensure development respects the scale, bulk, and topography of the site while protecting the amenity of adjoining properties. This results in overlooking, overshadowing, excessive visual bulk, and a poor transition to adjoining lower-density zones, and is inconsistent with the Housing SEPP Schedule 9 Built Form and Landscaping principle, which requires development to maintain appropriate scale and separation, and the Amenity principle, which requires visual privacy, solar access, and outlook to neighbouring properties.

e. The proposal fails to provide the required 10 m² minimum area of private open space for the balconies to Units 1, 10, 13, 14, and 15 under ADG Objective 4E-1, which seeks to provide sufficient private open space to meet the functional needs of residents. This reduces the quality of private amenity for these apartments and is inconsistent with the Housing SEPP Schedule 9 Amenity principle, which requires private open space that supports resident comfort, recreation, and social interaction.

7. The proposal does not provide adequate waste storage or collection arrangements and is inconsistent with Randwick City Council Waste Management Guidelines (Clauses i, Section 9.3.3; C24 and C50, Appendix C; ii, Section 7.3). The commercial waste room provides insufficient bins, bin wash facilities are not provided, service compartments at each level are absent, and no safe bin transport arrangements are demonstrated. The development fails to ensure safe, efficient, and sustainable waste management for residential and commercial components, resulting in potential operational and amenity impacts.

8. The proposed commercial tenancy fronting Powell Lane is inconsistent with the predominantly residential character of the laneway and does not achieve design excellence under Clause 6.11 of the RLEP 2012 or the Schedule 9 Housing SEPP in that it is inconsistent with the desired future character of the residential area along Powell Lane, reduces opportunities for deep soil, landscaping and sustainability outcomes.

9. Insufficient information – a full and robust assessment of the proposal cannot be completed as there are a number of deficiencies and lack of detail in the information submitted with the development application including:

    a. View impacts,
    b. Acoustic amenity,
    c. Stormwater compliance,
    d. Contaminated land,
    e. Acid sulfate soils, and
    f. Tree management.

10. Approval of the subject application would set an undesirable precedent for overdevelopment in the E1 zone and adjoining lower-density residential areas, contrary to design excellence,

strategic planning objectives, additional adverse amenity impacts on adjoining land and the public interest.

11. There is doubt whether the proposal satisfies the definition of “shop-top housing” and therefore may not be permissible in the zone.

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

CARRIED UNANIMOUSLY.

D57/25 Development Application Report - 41 Oberon Street, Randwick (DA/634/2025)

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. 634/2025 for the demolition of existing garage and construction of an outbuilding comprising a single garage with storage provision, at the rear of the existing dwelling, at No. 41 Oberon Street, Randwick, subject to the development consent conditions attached to the assessment report, subject to the following amendments:

- Amend Condition 1 to include reference to the Revision number for all plans.

- Amend Condition 15 to update the Landscape Plan date to correct an error (to read as 20 June 2025).

- Amend Condition 17 to read as follows:

Street Tree Removal

17. The applicant must submit a payment of $1968.75 (GST INCLUSIVE) to cover the following costs:

    a) Being the cost for Council to remove, stump-grind and dispose of existing Capaniopsis anacarioides (Tuckeroo) street tree within Reserve Lane, within the small councils’ verge, centrally between two rear garages. This fee must be paid into Tree Amenity Income at the Cashier on the Ground Floor of the Administrative Centre prior to a Construction Certificate being issued for the development.

    The applicant must contact Council’s Landscape Development Officer on 9093-6633 (quoting the receipt number) and giving at least four working weeks’ notice (allow longer for public holidays or extended periods of rain) to arrange for removal of the street tree prior to the commencement of site works, as well as upon completion.

    After this, any further enquiries regarding scheduling/timing or completion of works are to be directed to Council’s North Area Tree Preservation & Maintenance Coordinator on 9093-6964.

- Amend Condition 21 to read as follows:

Dilapidation Reports

21. A dilapidation report in relation to 43 Oberon Street, Randwick (incorporating photographs of relevant buildings and structures, being swimming pool and garage) must be obtained from a Professional Engineer, detailing the current condition and status of the relevant structures located upon 43 Oberon Street, Randwick, and any other property or public land

which may be affected by the works, to the satisfaction of the Principal Certifier for the development.

The dilapidation report must be submitted to the Principal Certifier, Council and the owner of the adjoining/nearby premises encompassed in the report, prior to commencing any site works (including any demolition work, excavation work or building work).

Condition Reason: To establish and document the structural condition of adjoining properties and public land for comparison as site work progresses and is completed and ensure neighbours and council are provided with the dilapidation report.

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 following reasons:

- The proposal is generally consistent with the objectives contained within the RLEP 2012.
- The proposal is generally consistent with the objectives and the relevant requirements of the RDCP 2023, and where there are variations they are acceptable in the circumstances of this application.
- The proposal is generally consistent with the specific objectives of the R2 zone in that the proposed activity and built form will provide for the housing needs of the community whilst enhancing the aesthetic character and protecting the amenity of the local residents.
- The scale and design of the proposal are considered suitable for the location and compatible with the desired future character of the locality.
- The scale and design of the proposal will not result in any unacceptable adverse amenity impacts to neighbouring properties.

The Panel notes community concern at the removal of the tuckeroo tree in the rear lane. Removal of the tree was not proposed as part of this application, however is recommended for removal by Council's Landscape Officer and the Panel accepts the recommendation in the circumstances of the case.

CARRIED UNANIMOUSLY.

The meeting closed at 2:03pm.

CONFIRMATION OF MINUTES BY PANEL MEMBERS	
Julie Walsh (Chairperson)	Clare Brown
Stuart McDonald	Heather Cappie-Wood