



**MINUTES OF RANDWICK LOCAL PLANNING PANEL (PUBLIC) MEETING
HELD ON THURSDAY, 14 NOVEMBER 2024 AT 1:00 PM**

Present:

Chairperson: Sue Francis

Expert Members: Michael Leave & Awais Piracha

Community Representatives: Stephanie Schofield

Council Officers present:

Manager Development Assessment Mr F Ko
Acting Coordinator Major Assessments Ms J Warren
Executive Planner Ms A Manahan

Acknowledgement of Country

The Acknowledgement of Country was read by Sue Francis.

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:

D90/24 129-129A BARKER STREET & 1 MAUD STREET, RANDWICK (DA/632/2024)

Objector Mr Conrad Williams

After the above speakers had addressed the panel, the public meeting was closed at 1.08pm. 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

D90/24 Development Application Report - 129-129A Barker Street & 1 Maud Street, Randwick (DA/632/2024)

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/632/2024 for the demolition of the existing structures to enable the construction of 6-storey co-living housing development consisting of 84 rooms with one basement level for parking, storage and services, at Nos. 129-129A Barker Street & 1 Maud Street, Randwick, 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 proposed development fails to comply with the objectives of the R3 Medium Density Residential zone in that it is not compatible with the desired future character of the area and fails to protect the amenity of residents.
2. 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 B2: Heritage
 - Part B4: Landscaping and Biodiversity
 - Part B6: Recycling and Waste Management
 - Part B7: Transport, Traffic, Parking and Access
 - Part B9: Management Plan
 - Part E7: Housing Investigation Areas
3. Pursuant to the provisions of section 4.15(1)(b) of the *Environmental Planning and Assessment Act 1979*, the application is considered unacceptable in that the proposed development is inconsistent with the desired future character of development in the locality, resulting in adverse impacts on the built environment. Furthermore, the proposal will result in detrimental social or economic impacts on the locality, in terms of the management of the co-living development and the demolition of a dwelling with an Interim Heritage Order listing.
4. Pursuant to the provisions of section 4.15(1)(e) of the *Environmental Planning and Assessment Act 1979*, the application is considered unacceptable in that the proposed development is considered to not be in the public interest as the proposal is inconsistent with the objectives of the zone and will result in significant adverse environmental, social or economic impacts on the locality.
5. Pursuant to section 68(2)(c) of the Housing SEPP, the proposed development fails to comply with the communal living area development standard for co-living housing.
6. Pursuant to section 68(2)(d) of the Housing SEPP, the proposed development fails to comply with the communal open space development standard for co-living housing.
7. Pursuant to section 68(2)(f) of the Housing SEPP, the proposed development fails to comply with the landscaping area development standard for co-living housing.
8. Pursuant to section 69(1)(d) of the Housing SEPP, the proposed development fails to provide an appropriate workspace for the manager of the co-living housing.
9. Pursuant to section 69(2)(a) of the Housing SEPP, the proposed development fails to comply with setback controls in accordance with relevant planning instrument, being Part E7 of RDCP 2013.
10. Pursuant to section 69(2)(b) of the Housing SEPP, the proposed development fails to demonstrate compliance with the minimum building separation distances specified in the Apartment Design Guide.
11. Pursuant to section 69(2)(f) of the Housing SEPP, the proposed development design is incompatible with the desired future character of the precinct, in accordance with Part ED of RDCP 2013.
12. Pursuant to clause 4.4 of RLEP 2012, the proposed development fails to comply with the maximum floor space ratio for development on the subject site.
13. Pursuant to clause 4.6 of RLEP 2012, the applicant has failed demonstrate that the matters of the clause have been adequately addressed and that consent should be granted to the development application, which contravenes the building height development standard in Clause 4.3 of RLEP 2012. The applicant has failed to demonstrate that the proposed non-compliances are unreasonable or unnecessary in the circumstances of the case and has failed

to demonstrate that there are sufficient environmental planning grounds to justify variation to the development standards.

14. Pursuant to clause 4.6 of RLEP 2012, the applicant has failed to submit a written request to vary the floor space ratio, communal living area, communal open space, and landscape area, pursuant to clause 4.4 of the RLEP 2012 and section 68 of the Housing SEPP, respectively. The applicant has failed to demonstrate that the proposed non-compliances are unreasonable or unnecessary in the circumstances of the case and has failed to demonstrate that there are sufficient environmental planning grounds to justify variation to the development standards.
15. Pursuant to clause 5.10 of the RLEP 2012, the proposed development will have a detrimental impact and effect on heritage significance of a heritage item, following an Interim Heritage Order being placed upon 1 Maud Street, Randwick NSW 2031.
16. Pursuant to clause 6.11 of the RLEP 2012, the proposed development fails to exhibit design excellence.

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 refusal of the application for the reasons given in the assessment report. However, the Panel acknowledges that the issues identified related to design, siting and amenity impact are such that they may be able to be satisfactorily addressed, having regard to the desired future character of the R3 zone.

Of key consideration to the panel is the cumulative impact of those issues that results in the refusal. The Panel recognises and encourages attempts to address these issues through further discussion between the Applicant and the Council.

In relation to the IHO and the heritage significance of 1 Maud Street, the Panel understands that Council is considering whether the property should be identified as a heritage item in the coming months. The Panel does not have the benefit of expert heritage advice in this respect, but does note that the subject site, and 1 Maud Street, is identified as an R3 zone, and is a site identified for medium density development to a maximum height of 19.5m, and that in preparing Part E7 of RDCP, the heritage significance of 1 Maud Street was not identified.

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

CARRIED UNANIMOUSLY.

The meeting closed at 1:17pm.

CONFIRMATION OF MINUTES BY PANEL MEMBERS	
Sue Francis (Chairperson)	Michael Leavey
Awais Piracha	Stephanie Schofield