



MINUTES OF RANDWICK LOCAL PLANNING PANEL (PUBLIC) MEETING HELD ON THURSDAY, 13 MARCH 2025 AT 1PM

Present:

Chairperson:	Sue Francis
Expert Members:	Michael Leavey & Sue Weatherley
Community Representatives:	Michael Berg

Council Officers present:

Director City Planning	Ms M Bishop
Manager Development Assessment	Mr F Ko
Coordinator Major Assessments	Mr F Macri
Executive Planner	Ms A Manahan

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:

D9/25 8 ORMOND GARDENS, COOGEE (DA/1013/2024)

Objector Mr Eric Francis

After the above speakers had addressed the panel, the public meeting was closed at 1:06pm. 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

**D8/25 Development Application Report - 8-14 McCauley Street, Matraville
(DA/250/2024/A)**

RESOLUTION:

That the RLPP, as the consent authority, approve the application made under Section 4.55 of the Environmental Planning and Assessment Act 1979, as amended, to modify Development Application No. DA/250/2024 for the addition of 3 prime mover parking spaces (without trailers), at No. 8-14 McCauley Street, Matraville NSW 2036, in the following manner:

- **Amend Condition 1 to read:**

1. Development must be implemented substantially in accordance with the plans and supporting documentation listed below and endorsed with Council's approved stamp, except where amended by Council in red and/or by other conditions of this consent:

Plan	Drawn by	Dated	Received by Council
A03, Rev. F – Truck Parking Plan	5S Projects Consulting Engineers Pty Ltd	18/03/2024	07/06/2024
A04, Rev. F – Car Parking Details	5S Projects Consulting Engineers Pty Ltd	18/03/2024	12/04/2024
A05, Rev. F – Wire Chain Fence	5S Projects Consulting Engineers Pty Ltd	18/03/2024	12/04/2024
A06, Rev. F – Acoustic Fence and Gate	5S Projects Consulting Engineers Pty Ltd	18/03/2024	12/04/2024
A07, Rev. F – Amenities Building Layout	5S Projects Consulting Engineers Pty Ltd	18/03/2024	12/04/2024
A08, Rev. F – Igloo Dome Structure	5S Projects Consulting Engineers Pty Ltd	18/03/2024	12/04/2024
Works As Executed Layout Plan	5S Projects Consulting Engineers Pty Ltd	18/04/2024	01/05/2024

In the event of any inconsistency between the approved plans and supplementary documentation, the approved drawings will prevail.

EXCEPT where amended by:

- Council in red on the approved plans; and/or
- Other conditions of this consent; and/or
- the following Section 4.55 plans and supporting documents only in so far as they relate to the modifications highlighted on the Section 4.55 plans and detailed in the Section 4.55 application:

Plan	Drawn by	Dated	Received by Council
A03, Rev. C – Truck Parking Plan	Price & Speed	30/01/2025	30/01/2025

- **Amend Condition 4 to read:**

Approved Site Plan

4. As indicated on the approved site plan, the site shall accommodate a maximum of 8 x prime movers (with trailers), 3 x prime movers (without trailers), and 10 x cars (for employees) at any one time.

- **Amend Condition 65 to read:**

Operational Conditions

65. Notwithstanding the description in the application to the use of the premises inter alia as a truck depot, the premises are to operate as truck parking with ancillary servicing and activities. The use and operation of the premises shall accord with the following:

- (a) The operator(s) shall ensure that no on-street queuing or parking of vehicles occurs outside the premises.
- (b) A maximum of 8 prime movers (with trailers), 3 prime movers (without trailers), and 10 cars are to be accommodated on the site at any one time in accordance with the endorsed plans.
- (c) All trucks must turn off engines when vehicles are stationary, other than required for servicing. All trucks must turn off stationary external motors such as refrigeration units if attached to the vehicle.

- (d) Approved traffic routes shall be complied with at all times.
- (e) There is to be no air brake or compression brake testing for trucks on the site.
- (f) The site shall be provided with clear signage outlining site vehicle movement requirements to minimise noise in accordance with acoustic requirements and operational management plans.
- (g) All truck repairs/ servicing shall be undertaken in proposed work areas.
- (h) *The premises shall not be used as a "container depot" as defined below:*

*a **container depot** means a building or place that is used for—*

- a) the unloading or unpacking (or both) of shipping containers for delivery to individual consignees, or*
- b) the consolidation of goods from different consignors into full shipping container loads for despatch, or*
- c) the repair, refitting or storage of shipping containers.*

(Source: Clause 5.18 of SEPP (Transport and Infrastructure) 2021)

- (i) All work/repair areas shall be graded and drained to sewer in accordance with Sydney Water requirements. If required Sydney Water licence shall be obtained prior to commencement of operational work on the site.
- (j) All repair areas or storage areas for chemicals shall be stored and provided with bunding in accordance with NSW EPA and Safe work requirements.
- (k) Emergency spill kits for pollution incidents shall be kept on the site adjacent to work areas. Staff shall be instructed in their location and use.

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:

- a) The proposed modifications are considered to result in a development that is substantially the same as the previously approved development.
- b) The modified development will not result in significant adverse environmental impacts upon the amenity and character of the locality.

The Panel has clarified condition 65(h) by adding a formal definition for container depot from the *State Environmental Planning Policy (Transport & Infrastructure) 2021*.

CARRIED UNANIMOUSLY.

D9/25 Development Application Report - 8 Ormond Gardens, Coogee (DA/1013/2024)

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/1013/2024 for construction of a 5-storey residential flat building with basement level, five (5) residential apartments, eight (8) car parking spaces, associated ancillary and landscaping works and Strata subdivision, at No. 8 Ormond Gardens, Coogee NSW 2034, 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 inconsistent the desirable elements of the existing streetscape and built form, fails to protect the amenity of residents, and fails to encourage housing affordability.
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 C2: Medium Density Residential
 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 existing streetscape context and 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 providing sufficient affordable housing.
 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 16(1) of the Housing SEPP, the proposed development fails to comply with the floor space ratio development standard for in-fill affordable housing.
 6. Pursuant to section 16(2) of the Housing SEPP, the proposed development fails to comply with the affordable housing component development standard for in-fill affordable housing.
 7. Pursuant to section 16(3) of the Housing SEPP, the proposed development fails to comply with the height of building development standard for in-fill affordable housing.
 8. Pursuant to section 19(2)(a) of the Housing SEPP, the proposed development fails to comply with the site area development standard for in-fill affordable housing.
 9. Pursuant to section 19(2)(e) of the Housing SEPP, the proposed development fails to comply with the affordable housing parking space rate development standard for in-fill affordable housing.
 10. Pursuant to section 20(3)(a) of the Housing SEPP, the proposed development is incompatible with the desirable elements of the character of the local area.
 11. Pursuant to section 4.6 of the Resilience and Hazards SEPP, the applicant has failed to adequately demonstrate whether the land on the subject site is contaminated.
 12. 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 and is section 16(3) of Housing SEPP.
 - The floor space ratio development standard in clause 4.4 of RLEP 2012 and in section 16(1) of Housing SEPP.
 - The site area development standard in section 19(2)(a) of Housing SEPP.

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.

13. Pursuant to clause 4.6 of RLEP 2012, the applicant has failed to submit a written request to vary the affordable housing component and affordable housing parking space rate, pursuant to section 16(2) and section 19(2)(e) 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.
14. Pursuant to clause 5.10 of the RLEP 2012, the proposed development will have a detrimental impact and effect on heritage significance of two heritage items, being 165 'Catley's Wall' and 166 'Inter-war residential flat building'.
15. Pursuant to clause 6.2 of the RLEP 2012, the proposed development will have a likely detrimental impact on heritage items or features of the surrounding land.
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 refuses the application for the reasons given in the resolution above.

CARRIED UNANIMOUSLY.

The meeting closed at 1:12pm.

CONFIRMATION OF MINUTES BY PANEL MEMBERS	
Sue Francis (Chairperson)	Michael Leavey
Sue Weatherley	Michael Berg