



MINUTES OF RANDWICK LOCAL PLANNING PANEL (ELECTRONIC) MEETING HELD ON THURSDAY, 10 JULY 2025

Present:

Chairperson: Steven Layman

Expert Members: Tina Christy & Awais Piracha

Community Representatives: Stephanie Schofield

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

Nil

Development Application Reports

D32/25 Development Application Report - 319 Clovelly Road, Clovelly (DA/336/2025)

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. DA/336/2025 for Use of the ground level tenancy as an indoor recreation facility (gym) with associated internal fit out works and signage, at No. 319 Clovelly Road, Clovelly, subject to the development consent conditions attached to the assessment report and the following amendments:

- Add Condition 1A to read as follows:

Signage Details

- 1A. Prior to the issue of the Construction Certificate, the final signage dimensions, content, illumination and design must be submitted to Council's Manager of Development Assessment for review and written approval.

Condition reason: To ensure consistency with the approved development and the character of the locality.

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 **approves** the application for the following reasons:

- The proposal is consistent with 1.3 Objects of Act under the Environmental Planning and Assessment Act 1979, as it will promote the orderly and economic use and development of land.
- The proposal is consistent with the relevant objectives and provisions of the Randwick Local Environmental Plan 2023 and the Randwick Development Control Plan 2023.
- The proposal aligns with the objectives of the E1 Local Centre zone under the Randwick LEP 2023, as it provides a retail and recreational use that serves the needs of people who live in, work in, or visit the area.
- The proposed use is compatible with the desired future character of the local centre, contributing a small-scale, community-oriented facility that supports the daily needs of local residents.
- The development will make a positive contribution to the local centre by maintaining an active street frontage and enhancing the vibrancy of the commercial strip at footpath level.

CARRIED UNANIMOUSLY.**D33/25 Development Application Report - 238-246 Arden Street, Coogee (DA/356/2025)****RESOLUTION:**

- A. That the RLPP is satisfied that the applicant's written requests to vary the development standard relating to building height in Clause 4.3 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 grants **consent** under Sections 4.16 and 4.17 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. DA/356/2025 for installation of five (5) business identification signs and five (5) wayfinding signs to the existing building, at No. 238-246 Arden Street, Coogee, subject to the development consent conditions attached to the assessment report.

REASON:

The Panel has visited the site, 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 **approves** 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 E1 Local Centre zone in that the proposed signage supports the existing hotel use that generates employment opportunities and economic growth whilst enhancing the aesthetic character and protecting the amenity of the local residents.

- 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.
- The proposed development will make a positive contribution to the commercial centre.

CARRIED UNANIMOUSLY.

D34/25 Development Application Report - 69A St Pauls Street, Randwick (DA/131/2025)

RESOLUTION:

- A. That the RLPP is satisfied that the applicant's written requests to vary the non-discretionary development standard relating to minimum site area for a detached secondary dwelling in Clause 53(2)(a) of in Clause 4.3 of the State Environmental Planning Policy (Housing) 2021 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 non-discretionary development standard.
- 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. DA/665/2022/REV for alterations and additions to the existing dwelling house including rear ground floor addition and construction of a detached single storey secondary dwelling at the rear of the site with associated site and landscape works at No. 69A St Pauls Street, 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 **approves** the application for the following reasons:

- The proposal is consistent with the objectives of the Randwick Local Environmental Plan 2012 (RLEP 2012) and satisfies the relevant provisions of the Randwick Development Control Plan 2013 (RDCP 2013).
- The variation to the minimum lot size development standard under the Housing SEPP has been appropriately justified in the applicant's Clause 4.6 written request. The variation is considered well founded, having demonstrated sufficient environmental planning grounds to warrant the departure from the standard and meeting the intent of both the Housing SEPP and the R3 Medium Density Residential zone.
- The proposed earthworks, although involving excavation beyond 1 metre in parts of the rear yard, are acceptable subject to recommended conditions. The submitted geotechnical report confirms the site's capacity to accommodate the proposed works, and suitable measures can be implemented to mitigate potential structural, or amenity impacts to adjoining properties.
- The application has been assessed against the view sharing principles established in Tenacity Consulting v Warringah Council [2004] NSWLEC 140, and the view sharing has been deemed reasonable. The views in question are distant, filtered, and obtained across

multiple lots from the side aspect of a rear facing balcony. The development maintains a compliant building height and demonstrates a balanced and skillful design response.

- The overall scale and built form of the proposal is appropriate to the site context and is consistent with the existing and desired future character of the locality. The detached secondary dwelling maintains a modest single-storey form and integrates well with the established pattern of outbuildings in the area, and the wider LGA.
- The development will not detract from the visual quality or character of the public domain or streetscape, as the secondary dwelling is located at the rear of the site and is not visible from the street.
- The development contributes to housing diversity and affordability in line with the objectives of the Housing SEPP and the Zone R3 Medium Density Residential, while maintaining acceptable levels of residential amenity for both future occupants and neighbouring properties.

CARRIED UNANIMOUSLY.

D35/25 Development Application Report - 229 Anzac Parade, Kensington (DA/242/2025)

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/242/2025 *for Integrated development application for demolition of existing structures and the construction of a part seven (7) / part eight (8) storey mixed-use co-living development comprising of ground floor retail/commercial tenancy, and 70 self-contained accommodation rooms on upper levels, communal living areas and central courtyard, roof top communal space, and lower ground level containing plant and service areas, waste rooms, bicycle storage, motorbike parking and car parking spaces and substation, ancillary, landscaping and associated site works (Variations to Maximum Building Height, Minimum Lot Size and Minimum Room Size)* at No. 229 Anzac Parade, Kensington for the following reasons:

1. Pursuant to Section 4.47 of the *Environmental Planning and Assessment Act 1979*, concurrence and the general terms of any approval have not been provided by Water NSW in relation dewatering, pursuant to Section 90(2) of the *Water Management Act 2000*.
2. Pursuant to clause 2.3 of RLEP 2012, the proposal is inconsistent with the objectives of the E2 Commercial Centre Zone in that it does not complement the desired future built form outcomes of the locality, does not have a high amenity and protect the amenity of residents, is inconsistent with the Council's strategic planning for residential development in the area, and does not facilitate a high standard of urban design.
3. Pursuant to clause 4.3 of RLEP 2012, the proposed height of the building fronting Houston Lane is excessive and results in non-compliance with the height of buildings development standard.
4. Pursuant to clause 4.6 of RLEP 2012, the Applicant has failed to submit a written request to vary the communal living area, communal open space, and room size development standards in SEPP (Housing) 2021. The Applicant has failed 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.
5. Pursuant to clause 69(1)(a) of the SEPP (Housing) 2021, the proposed variation to the maximum room size is not supported as the room size is excessive and unnecessary.
6. Section 69(1)(b)(ii) of the SEPP (Housing) 2021, the suitability of the site for the proposed development as not been adequately demonstrated as the site does not comply with the relevant lot size development standard.
7. Pursuant to clause 69(1)(f) of the SEPP (Housing) 2021, the proposal does not provide adequate bathroom, laundry and kitchen facilities.

8. Pursuant to clause 69(1)(h) of the SEPP (Housing) 2021, the proposal does not include adequate bicycle and motorcycle parking spaces.
9. Pursuant to clause 69(2)(b) of the SEPP (Housing) 2021, the proposal is not consistent with the minimum separation distances specified in the Apartment Design Guide, indicating inadequate separation between rooms.
10. Pursuant to clause 6.11 of RLEP 2012 and Part 4 of the K2K DCP, the proposed development does not exhibit design excellence.
11. Pursuant to clause 6.20 of RLEP 2012 and Part 19 of the K2K DCP, the proposal does not provide an active street frontage.
12. Pursuant to clause 2.119 of SEPP (Transport and Infrastructure) 2021, the proposal has not provided practicable and safe, vehicular access to the land from Houston Lane and has failed to provide a Construction Site Traffic Management Plan for the site.
13. Pursuant to Section 4.15(1)(a)(iii) of the *Environmental Planning and Assessment Act 1979*, the proposal does not comply with the following controls in the Part E6 of the K2K DCP:
 - a) Pursuant to Section 6, the proposal fails to comply with the maximum storey height, the setback controls and the frontage width, which results in an excessive built form and unacceptable built form due to the lot amalgamation pattern.
 - b) Pursuant to Section 12, the proposal fails to comply with the Floor to Ceiling Height controls.
 - c) Pursuant to Section 14, the proposal fails to comply with the acoustic privacy controls.
 - d) Pursuant to Sections 16 & 18, the building design fails to appropriately provide articulation or suitable awning structures.
 - e) Pursuant to Section 20, the proposal fails to comply with the Landscape Area controls.
 - f) Pursuant to Section 21 of the K2K DCP, the proposal fails to comply with the Transport, Traffic, Parking & Access controls.
 - g) Pursuant to Section 26 of the K2K DCP, the proposal fails to comply with the Student Accommodation controls.
14. A full and robust assessment of the proposal cannot be completed as insufficient information has been submitted relating to waste management, sustainability, and water management.
15. 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.
16. 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 significant and numerous non-compliances with relevant planning controls, and the objections raised in the public submissions.

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 requested that a contention be included in the Statement of Facts and Contentions for the Court matter regarding the accessibility of the roof top communal open space, as the majority of the residents do not have direct access to the common space resulting in inequitable access, and such an arrangement may give rise to safety and security risks for the ground floor residents of the rear building.

The Panel also considers that retail access should be separate from the residential access and should include separate mobility impaired access.

The Panel is concerned about the use of the fire egress passage as the single source of pedestrian access to the whole development. Furthermore, concerns were raised regarding compliance with the Building Code of Australia with regards to the fire stair access and egress and requested that compliance with the BCA provision be confirmed.

The Panel believes that the internal width of the rooms, resulting in four rooms across the width of the site, is too narrow.

The Panel is of the view that there may be some benefit in extending upper levels of the tower fronting Anzac Parade to be closer to the front boundary provided the width of rooms is increased through amalgamation, and only if this enables furnishing options for the bed and nearby interior of the rooms to improve amenity and usability, bearing in mind this extension was contemplated by the Design Review Advisory Panel and by the Court consent for the previous shop-top housing scheme on this site.

CARRIED UNANIMOUSLY.

The meeting closed at 4:07pm.

CONFIRMATION OF MINUTES BY PANEL MEMBERS	
Steven Layman (Chairperson)	Tina Christy
Awais Piracha	Stephanie Schofield