



## **MINUTES OF RANDWICK LOCAL PLANNING PANEL (PUBLIC) MEETING HELD ON THURSDAY, 10 JULY 2025 AT 1PM**

### **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

### **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:

D29/25 77-79 MOUNT STREET, COOGEE (DA/222/2025)

<b>Objector</b>	Angus Falstein
<b>Applicant</b>	Jason Klumpp, (on behalf of applicant)

D30/25 21 BADEN STREET, COOGEE (DA/331/2025)

<b>Objector</b>	Kelly Seymour
<b>Objector</b>	Patrick Cunningham
<b>Applicant</b>	Jennie Askin, Consultant Planner
<b>Applicant</b>	Jospeh Hayek, owner (to answer any questions)

D31/25 56-58 BREAM STREET, COOGEE(DA/19/2025)

<b>Objector</b>	Shane Bennett
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**After the above speakers had addressed the panel, the public meeting was closed at 1:50pm. 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

### **D29/25      Development Application Report - 77-79 Mount Street, Coogee (DA/222/2025)**

#### **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/222/2025 for a new front hardstand car space with associated driveway and ancillary landscaping works at No. 77-79 Mount Street, Coogee subject to the development consent conditions attached to the assessment report and the following amendments:

- Add Condition 1A to read as follows:

#### **Amendment of Plans & Documentation**

1A. The drawings approved under condition 1 must be amended as follows:

- a) A new crossover is to be provided measuring 4500mm width at the kerb;
- b) The crossover is to be generally central to the site;
- c) A northern clearance of 5400mm must remain between the driveway wing of 75 Mount Street to the north and the new crossover driveway to enable the retention of one on-street car parking space;
- d) A double hard-stand car space, measuring 5m in length x 5.4m in width, is to be centrally located in the site and accessed from the new cross over and provided with grasscrete paving. The car spaces shall be line marked to delineate the 2 spaces;
- e) All areas outside the parking spaces shall be provided with lawn, and must not be used for parking;
- f) The existing pedestrian steps must be relocated to the terraces outside both ground floor units to prevent conflict with the proposed parking spaces (note this may require the insertion of new steps at the edge of the terraces); and
- g) Confirmation from Telstra in writing must be provided which confirms its northern pit is suitable to either move, upgrade, or drive over.

The amended plans are to be submitted to and approved by Council's Manager Development Assessment and Coordinator Development Engineering prior to the issue of a Construction Certificate.

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

- Delete Condition 2.
- Amend Condition 33 to read as follows:

33. The approved hardstand car spaces must be assigned to ground floor units 79A and 79B which directly adjoin those car spaces.

Any prospective owner or tenant of that unit must be notified that Council will not issue any residential parking permits for ground floor units 79A and 79B.

The car spaces within the development are for the exclusive use of the occupants/tenants of ground floor units 79A and 79B for car parking or motor cycle parking only. They are otherwise to be kept clear and not to be used for any purpose other than resident car parking or motor cycle parking. The car spaces must not be leased to any person/company that is not an occupant of the building.

#### **REASON:**

The Panel has visited or is familiar with 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 **approves** the application for the following reasons:

- The Application is consistent with the relevant objectives contained within the RLEP 2012 and the relevant requirements of the RDCP 2013;
- The Application is consistent with the specific objectives of the R3 zone in that day to day needs and amenity of residents will continue to be met;
- The scale and design of the Application is considered to be suitable for the location and is compatible with the desired future character of the locality;
- The Application maintains the visual quality of the public domain/streetscape.
- The Panel notes the amended application will result in the loss of one full on-street parking space and a small part of a second car space, with the remainder generally sufficient for a small vehicle/motorcycle parking, in exchange for two new off-street spaces.

**CARRIED UNANIMOUSLY.**

**D30/25      Development Application Report - 21 Baden Street, Coogee (DA/331/2025)**

**RESOLUTION:**

- A. That the RLPP is satisfied that the applicant's written requests to vary the development standards relating to building height and floor space ratio in Clauses 4.3 and 4.4 (respectively) 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/331/2025 for integrated development for demolition of the existing residential flat building and construction of a four storey residential flat building with 4 apartments, lift, two level basement with car parking and plant, rooftop terrace, ancillary landscaping and strata subdivision, at No. 21 Baden Street, Coogee, subject to the development consent conditions attached to the assessment report and the following amendments:

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

**Amendment of Plans & Documentation**

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

(d) The Grasscrete paving within the front setback area is to be removed and replaced with deep soil planting. The planting should comprise of low level planting to a maximum mature height of approximately 2m high.

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

(e) The landscaped deep soil area within the front setback is not to be used for parking.

- Amend Condition 20 to read as follows:

**Traffic conditions**

20. Adequate provisions are to be made to provide pedestrian visibility and safety. The new wall (and/or landscaping) adjacent to eastern side of the vehicular crossing should not exceed a height of 600mm above the internal driveway level for a distance of 1.5m within the site or the new wall (including landscaping) should splayed 1.5 metres by 1.5 metres. The location of the fire hydrant booster on the western side of the vehicular crossing is to comply with

Fire and Rescue NSW requirements and setback as far as permitted from the front boundary to optimise sightlines. Details of compliance, to the satisfaction of the Principal Certifier, are to be included in the construction certificate documentation.

The vehicular access driveways, internal circulation ramps and the carpark areas, (including, but not limited to, the ramp grades, carpark layout and height clearances) are to be in accordance with the requirements of AS2890.1:2004. The Construction Certificate plans must demonstrate compliance with these requirements

**REASON:**

The Panel has visited or is familiar with 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 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 R3 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 is considered to be suitable for the location and context, and is compatible with the desired future character of the locality.
- The development enhances the visual quality of the public domain and streetscape.

The Panel considered the written submissions in detail, including a detailed review of the written submissions of those who spoke to the matter at the public meeting. The Panel noted the design changes made to the proposal to address some of the key concerns raised by neighbouring residents.

The Panel also deliberated on the size and treatment of the proposed roof terrace, vis a vis neighbours' view loss and privacy, however on balance, recognising that the terrace serves a single dwelling, considered that the design did not warrant any changes.

The Panel added conditions 2(d) and 2(e) to ensure the front setback is adequately landscaped and not utilised for parking or boat storage, or the like.

**CARRIED UNANIMOUSLY.**

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**D31/25      Development Application Report - 56-58 Bream Street, Coogee (DA/19/2025)**

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**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/19/2025 *for site amalgamation of two (2) existing lots, demolition of existing dwellings/structures, tree removal and construction of part-3, part-4 storey residential flat building containing seven residential units (including an Affordable Housing unit), a basement level comprising 12 car spaces, a communal open space (at ground level), ancillary and landscaping works*, at Nos. 56-58 Bream Street, Coogee, for the following reasons:

1. Pursuant to Section 4.15(1)(a)(i) of *Environmental Planning and Assessment Act 1979*, the proposal is inconsistent with the following objectives and standards of Randwick Local Environmental Plan (RLEP) 2012 as follows:
  - a) Pursuant to Clause 2.3 of RLEP 2012, the proposal is inconsistent with the zone objectives of R3 Medium Density Residential Zone as it is not compatible with the desired future character of the locality and significantly exceeds the level of built

- form anticipated for the subject site. The proposed development fails to recognise or reflect the desirable elements of the existing streetscape and built form. The proposal also fails to protect the amenity of residents with regard to visual bulk, overshadowing and privacy.
- b) Pursuant to Clause 4.4 of RLEP 2012, the proposal does not comply with the Floor Space Ratio development standard and objectives of the clause. The non-compliance results in a proposal that is of an excessive bulk and scale that is incompatible with surrounding development and the streetscape.
  - c) Pursuant to Clause 6.2 of RLEP 2012, the proposed excavation will have a detrimental impact on neighbouring uses.
  - d) Pursuant to Clause 6.7 of RLEP 2012, the proposal fails to contribute to the scenic quality of the coastal foreshore.
2. Pursuant to Section 4.15(1)(a)(i) of *Environmental Planning and Assessment Act 1979*, the proposal is inconsistent with the following objectives and standards of State Environmental Planning Policy (Housing) 2021, as follows:
    - a) 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.
    - b) 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.
  2. Pursuant to Section 4.15(1)(a)(iv) of *Environmental Planning and Assessment Act 1979*, the applicant has failed to specify the name of the registered community housing provider who will manage the affordable housing component in accordance with Section 26 of *Environmental Planning and Assessment Regulation 2021*.
  3. Pursuant to Section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979*, the design quality of the proposal was not supported by the Randwick Design Excellence Advisory Panel as referred to pursuant to Clause 145 of the Housing SEPP. The proposal fails to meet aim of Chapter 4 of the SEPP to achieve better built form and aesthetics of buildings, streetscapes and public spaces.
  4. Pursuant to Section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979*, the proposal does not comply with State Environmental Planning Policy (Housing) 2021, Chapter 4 Design of residential apartment development. The proposal does not comply with the following sections of the Apartment Design Guide:
    - a) Pursuant to Part 3D-1 of the ADG and Part C2, Section 2.3 of RDCP 2013, the proposal fails to provide sufficient communal open space by area and with a minimum of 50% direct sunlight to the principal usable part of the communal open space for a minimum of 2 hours between 9 am and 3 pm on 21 June.
    - b) Pursuant to Part 4A of the ADG and Part C2, Section 5.1 of RDCP 2013, the proposal fails to provide sufficient solar access to proposed dwellings.
    - c) Pursuant to Part 4C of the ADG, kitchen to Units 1-6 and bedroom to Unit 7 does not meet the minimum 2.7m ceiling height.
    - d) Pursuant to Part 4D of the ADG, bedroom 3 of Unit 7 does not meet the minimum area requirement and bedroom 1 of Units 3, 5 and 7 fail to meet minimum 3m width.
    - e) Pursuant to Part 4E of the ADG, the primary balconies to Unit 3 and Unit 5 fail to comply with the minimum 2.4m depth requirement.
    - f) Pursuant to Part 4G of the ADG, no Units comply with 10m<sup>3</sup> storage requirement.
  5. Pursuant to Section 4.15(1)(a)(iii) of *Environmental Planning and Assessment Act 1979*, the proposal does not comply with the following controls of Randwick Development Control Plan (RDCP) 2013:
    - a) Pursuant to Part B6, Section 4 of RDCP 2013, the proposal fails to comply with ongoing waste management requirements.
    - b) Pursuant to Part C2, Section 2.1 of RDCP 2013, the proposed layout is not based on a detailed site analysis.
    - c) Pursuant to Part C2, Section 2.2.1 of RDCP 2013, the proposal fails to comply with the minimum landscaped open space area.
    - d) Pursuant to Part C2, Section 3.3 of RDCP 2013, the proposal fails to comply with the maximum building depth of 14m.

- e) Pursuant to Part C2, Section 3.4 of RDCP 2013, the proposal fails to comply with the minimum side setback requirements.
  - f) Pursuant to Part C2, Section 4.1 of RDCP 2013, the proposal fails to achieve sufficient facade articulation.
  - g) Pursuant to Part C2, Section 4.2 of RDCP 2013, the proposal fails to comply with roof design objectives.
  - h) Pursuant to Part C2, Section 4.4 of RDCP 2013, the proposal fails to comply with the maximum 10.5m external wall height requirement.
  - i) Pursuant to Part C2, Section 4.9 of RDCP 2013, the proposed colours, materials and finishes do not satisfy the objectives.
  - j) Pursuant to Part C2, Section 4.12 of RDCP 2013, the proposed earthworks exceed excavation controls and minimum setback of retaining walls.
  - k) Pursuant to Part C2, Section 5.4 of RDCP 2013, the proposal has not demonstrated acoustic privacy impacts meet objectives.
  - l) Pursuant to Part C2, Section 5.6 of RDCP 2013, the proposal has not been designed spaces for safe and secure access to and within the development.
  - m) Pursuant to Part C2, Section 5.6 of RDCP 2013, the proposal has not been designed spaces for safe and secure access to and within the development.
6. A full and robust assessment of the proposal cannot be completed as the applicant has failed to provide sufficient information, including:
- a) Clause 4.6 Statement regarding the non-compliance with the FSR development standard.
  - b) An Arborist Report;
  - c) A Preliminary Acid Sulfate Soil Investigation;
  - d) A Building Code of Australia Report;
  - e) An Acoustic Report from a suitably qualified acoustic consultant is required for the acoustic impacts to be understood;
  - f) Evidence that fire sprinklers (and other required building services) can be provided within the proposed floor and ceiling heights;
  - g) A Design Context Analysis;
  - h) Visitor parking allocation; and
  - i) Details of large service voids.
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.
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 significant and numerous non-compliances with relevant planning controls, and the objections raised in the public submissions.

#### REASON:

The Panel has visited or is familiar with 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.

The Panel considers that as the application is a new application on a consolidated allotment, it should not rely on any previous approvals for different developments on different allotments, and should be designed from the ground up requiring a completely fresh assessment.

The Panel concurs with the recommended reasons for refusal and wishes to emphasise the insufficient information in respect to the trees to be removed on the southern part of the site is of significance and any removal should be fully justified as there appears to be adequate canopy space and deep soil for root spread. The Panel considers that these trees have a valuable role to play in respect of amenity and privacy for both future residents and neighbours.

The Panel notes that there was an error in the report in that the conclusion section on page 241 of the report in relation to Item D31/25 (56-58 Bream Street, Coogee) was missing the list of reasons for refusal, however the full list of reasons was provided in the recommendation section of the report. The full reasons for refusal as detailed on page 197-199 have been considered by the Panel.

**CARRIED UNANIMOUSLY.**

The meeting closed at 3:08pm.

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