



MINUTES OF RANDWICK LOCAL PLANNING PANEL (ELECTRONIC) MEETING HELD ON THURSDAY, 9 OCTOBER 2025

Present:

Chairperson:	Julie Walsh
Expert Members:	Clare Brown & Stuart McDonald
Community Representatives:	Heather Cappie-Wood
Council Officers present:	
Acting Manager DA	Ms A Manahan
Coordinator Fast Track	Mr M Rivera
Coordinator Major Assessments	Mr F Macri

Declarations of Pecuniary and Non-Pecuniary Interests

- A) Heather Cappie-Wood declared a non-significant, non-pecuniary interest in Items D60/25 (Unit 1/175 Clovelly Road, Coogee) and D61/25 (Unit 4/175 Clovelly Road, Coogee) as residents within the unit block attend the same day care as her children. Heather did not participate in any deliberations or voting on these matters.

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

D58/25 Development Application Report - 29 Arcadia Street, COOGEE (DA/589/2025)

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/589/2025 for *Alterations and additions to an existing residential dwelling house, including the construction of a basement with a car lift and turntable, construction of a swimming pool and associated landscape works, including raising the levels of the rear garden, installation of a residential lift, internal layout changes, amendments to external fenestration, replacement of roof tiles, and replacement front, side and rear fencing (Heritage Item)*, at 29 Arcadia Street, Coogee, for the following reasons:

1. The proposal has not demonstrated an acceptable outcome in relation to the SEPP (Biodiversity and Conservation) 2021, Chapter 2 noting the substantial removal and reduction of onsite landscaping and planting zones.
2. The proposed development is excessive in scale, resulting in non-compliance with the floor space ratio development standard pursuant to Clause 4.4A(2) of RLEP 2012. The Clause

4.6 Variation Request is not supported by Council. The Floor Space Ratio and Gross Floor Area calculations are incorrect, with the applicant's stated calculation of 79%, not aligning with Council's 108% variation calculation. Therefore, the variation request is considered inaccurate and cannot be relied upon.

3. The proposal is inconsistent with the objectives of the R3 Medium Density Residential Zone of the RLEP 2012 in that it has not recognised the desirable elements of the existing streetscape, heritage context and built form and does not protect the amenity of residents.
4. The application has not demonstrated a satisfactory outcome in relation to Clause 5.10 Heritage Conservation of the RLEP 2012 and Part B2 Heritage of the RDCP 2013.
5. The proposed development results in excessive change to natural ground levels including excavation and fill both exceeding 1m, resulting in non-compliance with the controls and objectives of Clause 6.2 Earthworks of the RLEP 2012 and Section 4.7 of Part C1 of the RDCP 2023.
6. The proposal does not comply with or meet the objectives of the site planning controls, including site coverage, deep soil permeable surfaces and canopy cover as set out in Sections 2.4, 2.5 and 2.6 of Part C1 of the RDCP 2023.
7. The proposal has not provided satisfactory information in regards to the consideration of colours, materials and finishes as stipulated in Section 4.6 of Part C1 of the RDCP 2023.
8. The proposal does not comply with or meet the objectives of the amenity controls for visual privacy, acoustic impacts and overshadowing in terms of the interface with the neighbouring residential flat building as outlined in Sections 5.1, 5.3 and 5.4 of Part C1 of the RDCP 2023.
9. The proposal has not satisfied the provisions of Section 7.5 (Swimming pools and Spas) of Part C1 of the RDCP 2023.
10. The proposal does not comply with Section 3.2 of Part B7 of the RDCP 2013 regarding the reliance on mechanical systems to support car parking.
11. The applicant has failed to provide the following information:
 - a. As built plans for the alleged unauthorised works.
 - b. Structural engineering report for the unauthorised works already conducted, this must include a statement of whether these works were required.
 - c. Shadow diagrams showing impacts on neighbouring properties, including elevational shadow diagrams for 106 Beach Street.
 - d. Demonstrate how the car lift will appear during its use on the architectural plans.
 - e. Clarify the scope of the roof tile replacement, including the materials.
 - f. A window schedule documenting all the new windows.
 - g. A Colour, Materials and Finishes schedule.
 - h. Specifications for the fit out of the kitchens, WC, bath, and ensuites, including details for the new partition walls and fixtures, where appropriate.
 - i. Provide a section or notation on the plans indicating the dimension of the wall to be retained to enable the protection of original architraves, skirting boards and demonstrate the former building layout.
 - j. Provide notations on the architectural plans to detail:
 - i. where original fabric is being retained and restored i.e. flooring, timber architraves, circulation vents, stained glass windows, etc.
 - ii. where maintenance and repair works are proposed i.e. press-metal sheeting, etc.
 - iii. how the original stair to the attic level will be relocated
12. The proposal has not demonstrated the development is suitable in the context of the subject site or that it is in the public interest.

REASON:

The Panel has visited the site, considered the written submission 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.

D59/25 Development Application Report - 62 St Marks Road, Randwick (DA/532/2025)

RESOLUTION:

- A. That the RLPP is satisfied that the applicant's written requests to vary the development standard relating to Height of Building in Clause 4.3 of Randwick Local Environmental Plan 2012 (Amendment No. 9) 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 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/532/2025 for alterations and additions to existing dwelling house including partial demolition of the rear (ground floor), construction of a new basement level comprising storage and laundry, in-ground swimming pool and rear extension (ground floor), internal re-configuration, tree removal and associated ancillary and landscaping works at No. 62 St Marks Road, Randwick, 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 supports the application for the following reasons:

- The proposal is generally consistent with the objectives of the Randwick Local Environmental Plan 2012 and the Randwick Development Control Plan 2013, including heritage, built form, and environmental provisions.
- The development is compatible with the R3 Medium Density Residential zone, providing improved residential amenity while respecting the heritage and environmental context.
- The scale and design are appropriate to the site and surrounding built form, including nearby heritage items.
- The proposed height variation is minor, technical in nature, and justified under Clause 4.6, with no adverse amenity or heritage impacts.
- The rear setback and deep soil area variations are acceptable, meeting the intent of the relevant controls.
- The proposal incorporates landscape and sustainability measures that enhance site performance.

The Panel notes receipt of late correspondence from the applicant regarding condition 6 of the draft consent (basement level deletion). The Panel is of the view that it may be possible to have some level of basement excavation provided it is outside the footprint of the existing heritage item.

CARRIED UNANIMOUSLY.

**D60/25 Development Application Report - Unit 1 / 175 Clovelly Road, COOGEE
(DA/768/2025)****RESOLUTION:**

- A. That the RLPP is satisfied that the applicant's written request to vary the development standard relating to Height of Buildings in Clauses 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 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. 768/2025 for alterations and additions to apartment (Unit 1) within an existing residential flat building including changes to location of walls/doors and addition of a new level comprising a study, bedroom and bathroom (Variations to Building Height), at Unit 1 / 175 Clovelly Road Coogee, subject to the development consent conditions attached to the assessment report, subject to the following amendments:

- Add Condition 37A to read as follows:

New Strata Plans

- 37A. New Strata Plans shall be prepared and registered for the site that subdivide the existing strata lots and common property to incorporate the proposed alterations & additions into the strata scheme. The developer shall obtain a strata/subdivision certificate and comply with all requirements of NSW Land Registry Services (LRS) in this regard. Confirmation of plan registration must be obtained from a registered surveyor to the satisfaction of the Principal Certifier prior to the issuing of a full occupation certificate.

Condition Reason: To ensure the strata plans are consistent with the building as constructed.

- Amend condition 14 to read as follows:

Dilapidation Reports

14. A dilapidation report must be obtained from a Professional Engineer, Building Surveyor or other suitably qualified person to the satisfaction of the appointed Registered Certifier for the development, in the following cases:

- excavations for new buildings, additions to buildings and other structures or work that is located within the zone of influence of the footings of a building located upon an adjoining premises;
- demolition or construction of buildings which are sited less than 900 mm from a site boundary (e.g. a semi-detached dwelling, terraced dwelling or other building sited up to or less than 900mm from the site boundary);
- excavations for new buildings, additions to existing buildings which are within rock and may result in vibration and or potential damage to any dwelling, associated garage or other substantial structure located upon an adjoining premises;
- as otherwise may be required by the Principal Certifier for the development.

The dilapidation report shall include details of the current condition and status of any building or other structures located upon the adjoining or nearby premises and shall include relevant photographs of the structures.

The dilapidation report must be submitted to the Principal Certifier, Council and the owners 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 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 and the relevant requirements of the RDCP 2013.
- The proposal is generally consistent with the objectives contained within Housing SEPP.
- The proposal is generally 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 is compatible with the desired future character of the locality.

CARRIED UNANIMOUSLY BY JULIE WALSH, STUART MCDONALD & CLARE BROWN.

Note: Heather Cappie-Wood left the room and had no involvement in the deliberations or voting on this matter.

**D61/25 Development Application Report - Unit 4 / 175 Clovelly Road Coogee
(DA/769/2025)**

RESOLUTION:

- A. That the RLPP is satisfied that the applicant's written requests to vary the development standards relating to Height of Buildings and Floor Space Ratio in Clauses 4.3 and 4.4 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 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. 769/2025 for Alterations and additions to apartment (Unit 4) within an existing residential flat building including changes to location of walls/doors and addition of a new level comprising a study, bedroom and bathroom (Variations to Building Height and Floor Space Ratio), at Unit 4 / 175 Clovelly Road Coogee, subject to the development consent conditions attached to the assessment report, , subject to the following amendments:
- Add Condition 37A to read as follows:

New Strata Plans

- 37A. New Strata Plans shall be prepared and registered for the site that subdivide the existing strata lots and common property to incorporate the proposed alterations & additions into the strata scheme. The developer shall obtain a strata/subdivision certificate and comply with all requirements of NSW Land Registry Services (LRS) in this regard. Confirmation of plan registration must be obtained from a registered surveyor to the satisfaction of the Principal Certifier prior to the issuing of a full occupation certificate.

Condition Reason: To ensure the strata plans are consistent with the building as constructed.

- Amend condition 14 to read as follows:

Dilapidation Reports

14. A dilapidation report must be obtained from a Professional Engineer, Building Surveyor or other suitably qualified person to the satisfaction of the appointed Registered Certifier for the development, in the following cases:

- excavations for new buildings, additions to buildings and other structures or work that is located within the zone of influence of the footings of a building located upon an adjoining premises;
- demolition or construction of buildings which are sited less than 900 mm from a site boundary (e.g. a semi-detached dwelling, terraced dwelling or other building sited up to or less than 900mm from the site boundary);
- excavations for new buildings, additions to existing buildings which are within rock and may result in vibration and or potential damage to any dwelling, associated garage or other substantial structure located upon an adjoining premises;
- as otherwise may be required by the Principal Certifier for the development.

The dilapidation report shall include details of the current condition and status of any building or other structures located upon the adjoining or nearby premises and shall include relevant photographs of the structures.

The dilapidation report must be submitted to the Principal Certifier, Council and the owners 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 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 objectives contained within the RLEP 2012 and the relevant requirements of the RDCP 2013.
- The proposal is consistent with the objectives contained within the Housing SEPP.
- 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 is compatible with the desired future character of the locality.

CARRIED UNANIMOUSLY BY JULIE WALSH, STUART MCDONALD & CLARE BROWN.

Note: Heather Cappie-Wood left the room and had no involvement in the deliberations or voting on this matter.

D62/25 Development Application Report - 238-246 Arden Street, Coogee (DA/804/2025)**RESOLUTION:**

- A. That the RLPP is satisfied that the applicant's written requests to vary the development standard relating to Building Height in Clauses 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 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/804/2025 for Construction of three (3) hot plunge pools, two (2) ice baths, and an awning to the external areas adjacent to the Level 1 Day Spa of InterContinental Hotel and associated plant room and equipment, 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, 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:

- The proposal is generally consistent with the objectives contained within the RLEP 2012 and the relevant requirements of the RDCP 2013.
- The proposal is generally consistent with the specific objectives of the E1 Local Centre zone in that the proposed hot plunge pools and ice baths support the existing hotel use that generates employment opportunities and economic growth whilst 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 proposed development will make a positive contribution to the commercial centre.
- Conditions have been imposed requiring implementation of the acoustic treatments recommended in the submitted Acoustic Report prepared by Norman Disney & Young and dated 17 September 2025.

CARRIED UNANIMOUSLY.**D63/25 Development Application Report - 31 Todman Avenue, Kensington
(DA/621/2025)****RESOLUTION:**

- A. That the RLPP is satisfied that the applicant's written requests to vary the development standard relating to floor space ratio in Clauses 4.4 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 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/621/2025 for alterations and additions to existing childcare facility including demolition of existing roof and later additions, erection of a new first floor addition, re-configuration of external play areas and landscaping and extension of available facilities to cater for 61 children (Heritage Conservation Area) at No. 31 Todman Avenue, Kensington subject to the development consent conditions attached to the assessment report, , subject to the following amendments:
 - Add Condition 2A to read as follows:

2A. An updated Plan of Management (PoM) for the operation of the childcare centre must be prepared to the satisfaction of Council and submitted for review and written approval by Manager Development Assessment prior to the issue of a Construction Certificate. The updated PoM must address hours of operation, staffing levels, outdoor play management, traffic arrangements, waste management and noise control measures consistent with the approved Childcare Centre Noise Management Plan prepared by PeiPei Feng of Acoustic Logic, Dated 26 August 2025, Reference 20240519.2/2608A/R0/PF Revision 0, Council ref: D05839571.

In the event of any inconsistency between the requirements of the approved Childcare Centre Noise Management Plan and the updated PoM, the provisions of the Childcare Centre Noise Management Plan shall prevail.

- Add Condition 28A to read as follows:

28A. The Applicant shall lodge with Council under Section 67 of *Environmental Planning & Assessment Regulation 2021* a notice of modification to modify the previous consent DA/597/2015 to avoid any conflict and inconsistencies between this consent and the previous consent.

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 supports the application for the following reasons:

- The proposal is generally consistent with the relevant objectives contained within the RLEP 2012 and the relevant requirements of the RDCP 2013 & 2023.
- The proposal is generally consistent with the specific objectives of the R2 zone in that it enables other land uses that provide facilities or services to meet the day to day needs of residents while protecting the amenity of 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.

The meeting closed at 3:24pm.

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