



MINUTES OF RANDWICK LOCAL PLANNING PANEL (ELECTRONIC) MEETING HELD ON THURSDAY, 11 DECEMBER 2025 AT 12PM

Present:

Chairperson: Julie Walsh

Expert Members: Stephen Davies & David Epstein

Community Representatives: Richard Horton

Council Officers present:

A/Director City Planning	Mr F Ko
A/Manager Development Assessment	Mr F Macri
Coordinator Fast Track	Mr M Rivera

Declarations of Pecuniary and Non-Pecuniary Interests

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:

Development Application Reports

D75/25 Development Application Report - 21 Forsyth Street, Kingsford (DA/1150/2025)

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/1150/2025 for the retention of unauthorised works to permit the use of an 11 room co-living development, including partial demolition and construction to create new rooms and three ensuite bathrooms at No. 21 Forsyth Street, Kingsford, for the following reasons:

1. Pursuant to Clause 2.3 of RLEP 2012, the proposal is inconsistent with the objectives of the R3 Medium Density 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.
2. Pursuant to Clause 4.6 of RLEP 2012, the Applicant has failed to submit a written request to vary the Car Parking Rate, Landscaping or room size development standards under the 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.

3. Pursuant to Section 68(2)(c) of the SEPP (Housing) 2021, the proposal does not provide sufficient communal living areas (nil provided). The submitted Clause 4.6 Assessment is not supported.
4. Pursuant to Section 68(2)(d) of the SEPP (Housing) 2021, the proposal does not provide sufficient communal open space. The submitted Clause 4.6 Assessment is not supported.
5. Pursuant to 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. The submitted Clause 4.6 Assessment is not supported.
6. Pursuant to Section 68 (2) (e) and (f) of the SEPP (Housing) 2021, the proposal has not provided sufficient car parking or landscaping.
7. Pursuant to Section 69 (1)(a)(i) of the SEPP (Housing) 2021, the proposal has not provided sufficient room sizes.
8. Pursuant to Section 69(1)(d), (f), and (h) of the SEPP (Housing) 2021, the proposal has not provided an appropriate workspace for the manager, sufficient kitchen size or adequate bicycle and motorcycle parking.
9. Pursuant to Section 69(2) of the SEPP (Housing) 2021, the proposal:
 - a. Does not provide sufficient setback to Middle Street.
 - b. Does not provide sufficient solar access to a communal living area.
 - c. Is not of a compatible design for the desired future character of the precinct.
10. The BCA/NCC non-compliances, including unsafe stairways, lack of compliant handrails, unmarked glazing, and inadequate natural light to several rooms are not supported.
11. A full and robust assessment of the proposal cannot be completed as insufficient information has been submitted relating to Acoustic impacts and the provision of clear as-built plans.
12. Pursuant to the provisions of section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979, the likely impacts from the Application as detailed in this report are considered unacceptable.
13. Pursuant to Section 4.15(1)(c) of Environmental Planning and Assessment Act 1979, the Subject Site is not considered suitable for the proposed development and has not demonstrated that it is capable of facilitating the extent of development sought.

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 received a late submission from the Applicant's Town Planner requesting that the Panel defer the item. The Panel considered the request for deferral and noted that substantial modifications and additional information (such as further expert reports) would be required to resolve critical planning and other matters, which would further delay the assessment. As such, the Panel did not support the request.

The Panel noted that no submissions were received for the application.

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

CARRIED UNANIMOUSLY.

D76/25 Development Application Report - 2/98 Fern Street, Randwick (DA/993/2025)**RESOLUTION:**

- A. That the RLPP is satisfied that the applicant's written request to vary the development standard relating to Floor Space Ratio in Clause 4.4 of Randwick Local Environmental Plan 2012 has demonstrated that:
- i. Compliance with the relevant development standard is unreasonable or unnecessary 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/993/2025 for alterations to an existing residential flat building, including internal reconfigurations and balcony enclosure of Unit 2, at No. 98 Fern Street, Randwick, subject to the development consent conditions attached to the assessment report, with the following additional condition:

Condition 21A**New Strata Plans**

New Strata Plans shall be prepared and registered for the site that subdivide the existing strata lots and common property to incorporate the approved 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.

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 generally for the reasons given in the assessment report.

CARRIED UNANIMOUSLY.**D77/25 Development Application Report - 15 & 17 Strachan Street, Kingsford (DA/724/2025)****RESOLUTION:**

That the RLPP grants development consent under Section 4.16(3) of the Environmental Planning and Assessment Act 1979 (as amended) to Development Application No. DA/724/2025 for the *demolition of existing buildings/structures and tree removal, amalgamation of two (2) lots, construction of a 6-storey residential flat building, with a communal roof terrace, containing 21 apartments (with four (4) apartments allocated as affordable housing for 15 years) and two basement levels containing 20 car parking spaces, Strata subdivision, associated ancillary and landscaping works* at No. 15 & 17 Strachan Street, Kingsford, subject to the deferred development consent conditions attached to the assessment report and as amended by the Panel as follows:

Inclusion of the following paragraph at the end of the deferred commencement condition (Condition A1):

Period within which evidence must be produced

The applicant must produce evidence to Council sufficient enough to enable it to be satisfied as to those matters above within **365 days (12 months)** of the date of determination.

Clause 95(4) of the Regulation:

"The applicant may produce evidence to the consent authority sufficient to enable it to be satisfied as to those matters and, if the consent authority has specified a period for the purpose, the evidence must be produced within that period."

No development can lawfully occur under this consent unless it operates.

Note: Nothing in the Act prevents a person from doing such things as may be necessary to comply with this condition. (See section 80(3) of the Act)

Note: Implementing the development prior to written confirmation of compliance may result in legal proceedings. If such proceedings are required Council will seek all costs associated with such proceedings as well as any penalty or order that the Court may impose. No Construction Certificate can be issued until all conditions including this condition required to be satisfied prior to the issue of any Construction Certificate have been satisfied.

Evidence required to satisfy these conditions must be submitted to Council within 12 months of the date of this consent.

The consent will not operate until such time that Council notifies the Applicant in writing that deferred commencement conditions, as indicated above, have been satisfied.

Subject to compliance with the deferred commencement conditions, to the satisfaction of the Director of City Planning, development consent is granted under Section 4.16 & 4.17 of the Environmental Planning and Assessment Act 1979 subject to the following conditions:

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 generally for the reasons given in the assessment report and has amended the deferred commencement condition for clarity and certainty.

CARRIED UNANIMOUSLY.

D78/25 Development Application Report - 66 Beach Street, Coogee (DA/806/2025)

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. 806/2025 for demolition of existing structures and construction of a new four (4) storey residential flat building with basement level, comprising four (4) dwellings including one (1) affordable housing dwelling, seven (7) car parking spaces, associated ancillary works, landscaping and earthworks, at No. 66 Beach 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 generally for the reasons given in the assessment report.

CARRIED UNANIMOUSLY.

**D79/25 Development Application Report - 29 Stanley Street, Randwick (DA/1052/2025)
(DA/1052/2025)****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/1052/2025 for *Integrated Development for the demolition of existing structures, site preparations and tree removal to enable the construction of a 6-storey residential flat building comprising ten (10) apartments with an affordable housing component, rooftop communal terrace and three (3) levels of basement including nineteen (19) car parking spaces, bicycle and motorcycle parking, and associated ancillary, site and landscaping works (Variation to Number of Storeys - Housing SEPP) (Integrated Development – WaterNSW) (LMR)*, at No. 29 Stanley Street, Randwick for the following reasons:

1. Pursuant to Section 4.15 1)(a)(i) of Environmental Planning and Assessment Act 1979, the Application fails to comply with the following environmental planning instruments:
 - 3D-1 - Communal and public open space;
 - 3F-1 - Visual privacy;
 - 4G – Storage
2. 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 to dewatering, pursuant to Section 90(2) of the *Water Management Act 2000*.
3. Pursuant to Part 15, Division 1 Clause 256 of the Environmental Planning and Assessment Regulation the applicant has not made payment of the required assessment fees in relation to the concurrence referral.
4. Pursuant to Section 176(2) of the *SEPP (Housing) 2021*, the proposed variation to the number of storeys is not supported because of the non-compliance with the building separation controls in the *Apartment Design Guide*.
5. The proposal has not demonstrated compatibility with the desired future character of the precinct in accordance with Section 20(3)(b) of the *SEPP (Housing) 2021*.
6. Pursuant to Section 26(1) of the *Environmental Planning and Assessment Regulation 2021*, the applicant must specify the name of the registered community housing provider who will manage the affordable housing component of the development and has not provided this documentation for assessment.
7. The Application does not satisfy the Randwick Local Environmental Plan 2012, 1.2 Aims of the Plan 2 (a) & (d) or the objectives of the R3 zone as the consent authority is not satisfied the housing needs of the community will be met in a manner satisfactory to their amenity and the amenity of the surrounding locality. The Application is further considered inconsistent with the desired future character of the locality.
8. The proposal has failed to demonstrate a satisfactory outcome in accordance with the requirements and objectives of Clause 5.10 Heritage Conservation of the Randwick LEP 2012.
9. The proposed development results in excessive change to natural ground levels including excavation exceeding 1m, resulting in non-compliance with the objectives of Clause 6.2 Earthworks of the RLEP 2012.
10. The proposal has failed to demonstrate a satisfactory outcome in accordance with the requirements and objectives of Clause 6.11 Design Excellence of the Randwick LEP 2012.
11. Pursuant to Section 4.15(1)(a)(iii) of Environmental Planning and Assessment Act 1979, the Application does not comply with the following provisions under Randwick Comprehensive Development Control Plan 2013:
 - Part B2: Heritage
 - Part B4: Landscaping and biodiversity
 - Part B8: Water Management

- Part C2 of the RDCP 2013
 - Section 2.2.1: Landscaped Open Space
 - Sections 2.3.1 and 2.3.2: Communal and Private Open Space
 - Section 3.3: Building Depth
 - Section 3.4.2: Side Setback
 - Section 4.1: Building Facade
 - Section 4.2: Roof Design
 - Sections 4.6 and 4.5: Internal circulation and pedestrian entry
 - Section 4.9: Colours and Materials
 - Section 4.12: Earthworks.
 - Section 5.1: Solar Access
 - Section 5.3: Visual Privacy
 - Section 5.6: Safety and Security

12. Pursuant to the provisions of section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979, the likely impacts from the Application as detailed in this report are considered unacceptable.
13. Pursuant to Section 4.15(1)(c) of Environmental Planning and Assessment Act 1979, the Subject Site is not considered suitable for the proposed development and has not demonstrated that it is capable of facilitating the extent of development sought.
14. Pursuant to section 4.15(1)(d) and (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.
15. The applicant has failed to provide the following information to enable a full assessment of the proposal:
 - a. Montage of demonstrating the proposed presentation of the development and integrate with the existing and future development in the streetscape
 - b. Urban context study
 - c. Front fence elevation and details
 - d. Parking ventilation details

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.

CARRIED UNANIMOUSLY.

D80/25 Development Application Report - 1 Lingard Street, Randwick (DA/836/2025)**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 standards is unreasonable or unnecessary 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. 826/2025 for Alterations and additions to existing mixed-use building comprising dwelling (residential unit) on the upper level, involving construction of an additional level on top of the dwelling with a roof terrace and swimming pool, replacement of existing windows and doors, render existing brick exterior, installation of roof over existing car parking area and reconfiguration of internal spaces within existing dwelling, at No. 1 Lingard Street, Randwick, subject to the development consent conditions attached to the assessment report and as amended by the Panel below:

Add Condition 2.f. as follows:

- A detailed landscape plan, prepared by a qualified landscape architect / landscaping professional, must be provided to and approved by Council's Manager Development Assessment, prior to the release of any Construction Certificate.

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 generally for the reasons given in the assessment report.

CARRIED UNANIMOUSLY.**D81/25 Development Application Report - 47 Kyogle Street, Maroubra (DA/1154/2025)
(DA/1154/2025)****RESOLUTION:**

- A. That the RLPP is satisfied that the applicant's written request to vary the development standard relating to Minimum Lot Size in Clause 4.1A of Randwick Local Environmental Plan 2012 has demonstrated that:
- i. Compliance with the relevant development standard is unreasonable or unnecessary 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/1154/2025 for Strata subdivision of approved dual occupancy (attached), at No. 47 Kyogle Street, Maroubra, subject to the development consent conditions attached to the assessment report and as amended by the Panel below:

Condition 6 to be amended as follows:**Occupation Certificate**

All conditions of DA/555/2023 must be satisfied and a final occupation certificate issued for the development (that is the subject of that consent) prior to the issuing of a subdivision certificate.

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 generally for the reasons given in the assessment report (including supporting the Clause 4.6 variation to the minimum lot size).

CARRIED UNANIMOUSLY.

The meeting closed at 1.07pm.

CONFIRMATION OF MINUTES BY PANEL MEMBERS	
Julie Walsh (Chairperson)	David Epstein
Stephen Davies	Richard Horton