



## MINUTES OF RANDWICK LOCAL PLANNING PANEL (ELECTRONIC) MEETING HELD ON THURSDAY, 14 MAY 2026

### Present:

**Chairperson:** Julie Walsh

**Expert Members:** Paul Vergotis & Sue Weatherley

**Community Representatives:** Kate Kelly

### 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

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

#### D25/26 Development Application Report - 34 Mermaid Avenue, Maroubra (DA/189/2026)

#### RESOLUTION:

- A. That the RLPP is satisfied that the applicant's written requests to vary the development standard relating to Height of Buildings in Clause 4.3 of Randwick Local Environmental Plan 2012 have demonstrated that:
- Compliance with the relevant development standard is unreasonable and unnecessary in the circumstances of the case; and
  - 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. 189/2026 for Demolition of existing building/structures and construction of a 3-storey dwelling house with basement level comprising car parking, storage and plant rooms and foyer, installation of swimming pool within front setback, associated excavation, ancillary and landscaping works at No 34 Mermaid Avenue, Maroubra, subject to the development consent conditions attached to the assessment report and the following amendments:

- Amend condition 2(a) to read as follows:

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

2. The approved plans and documents must be amended in accordance with the following requirements:
  - a. The front setback of the ground and first floor balcony must be reduced so that no part protrudes forward of the orange marked line (being the orange line which continues across the site boundaries to No. 32 and 36 Mermaid Avenue), as shown on drawings DA-210, Revision C, and DA-211, Revision D, prepared by EMK Architects.

#### **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 Application is consistent with the objectives contained within the RLEP 2012 and the relevant requirements of the RDCP 2013.
- The Application is consistent with the specific objectives of the R2 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 Application is considered to be suitable for the location and is compatible with the desired future character of the locality.
- The Application satisfies the requirements under Clause 4.6 of RLEP to allow variation of the height of buildings standard and permit the grant of consent.

#### **CARRIED UNANIMOUSLY.**

### **D26/26 Development Application Report - 38 High Street, Randwick (DA/36/2026)**

#### **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/36/2026 for the concept development application for a mixed-use development comprising a 7-storey co-living housing development to the High Street frontage and two 8-storey residential flat buildings to the rear, incorporating infill affordable housing, identification of two levels of basement parking, communal open space and associated landscaping and civil works, at No. 38 High Street Randwick, for the following reasons:

1. Pursuant to clause 2.3 of RLEP 2012, the proposed southern building does not have an applicable residential accommodation land use classification in accordance with the Dictionary in the RLEP 2012 or Standard Instrument, and is therefore prohibited development.
2. Pursuant to clause 2.3 of RLEP 2012, the proposal is inconsistent with the objectives of the R3 Medium Density Residential Zone in that it does not provide for the housing needs of the community, does not recognise the desirable elements of the existing streetscape and built form, fails to protect the amenity of residents, and does not encourage housing affordability.
3. Pursuant to section 16(3) of SEPP (Housing) 2021 and clause 4.3 of RLEP 2012, the proposed variations to the respective building height development standards are not supported as 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 standard.
4. Pursuant to sections 16(1) and 28(2) of SEPP (Housing) 2021, the proposed variations to the respective floor space ratio development standards are not supported as 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 standard.
5. Pursuant to section 176(2) of the SEPP (Housing) 2021, the proposed variation to the number of storeys development standard is not supported as 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 standard.
  6. Pursuant to sections 20(3) and 69(2) of the SEPP (Housing) 2021, the proposed development is incompatible with the desired future character of the precinct.
  7. Pursuant to section 47(2) of the SEPP (Housing) 2021, the Applicant has failed to provide Council with relevant documentation to determine whether the proposed demolition of the existing boarding house will reduce the amount of affordable housing in the area and if the existing boarding house is financially viable.
  8. Pursuant to section 147 of the SEPP (Housing) 2021, the proposed development was not supported by the Randwick Design Excellence Advisory Panel in that the quality of the design was inadequate for the proposed building. In addition, the development fails to demonstrate consistency with the following design criteria of the ADG:
    - a. Section 3D 'Communal and Public Open Space'.
    - b. Section 3E 'Deep Soil Zone'.
    - c. Section 3F 'Visual Privacy'.
    - d. Section 4A 'Solar and Daylight Access'.
    - e. Section 4B 'Natural Ventilation'.
    - f. Section 4E 'Private Open Space and Balconies'.
    - g. Section 4F 'Common Circulation and Spaces'.
  9. Pursuant to section 176(2) of the SEPP (Housing) 2021, the proposed development fails to provide sufficient landscaping to support canopy trees.
  10. Pursuant to section 4.6 of the SEPP (Resilience and Hazards) 2021, the applicant has failed to sufficiently demonstrate whether the land is contaminated.
  11. Pursuant to clause 6.2 of RLEP 2012, the proposed development does not adequately ensure that earthworks will not have a detrimental impact on neighbouring uses and features of the surrounding land.
  12. Pursuant to clause 6.4 of RLEP 2012, the proposed development may adversely affect stormwater management.
  13. Pursuant to clause 6.11 of RLEP 2012, the proposed development does not exhibit design excellence.
  14. Pursuant to section 4.23 of the *Environmental Planning and Assessment Act 1979*, the proposed development does not comply with the relevant provisions of clause 6.12 of RLEP 2012.
  15. 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 Randwick Development Control Plan 2013:
    - a. Part B7: Transport, Traffic, Parking and Access
    - b. Part C2: Medium Density Residential
  16. Pursuant to section 4.15(1)(c) of the *Environmental Planning and Assessment Act 1979*, the suitability of the site for the proposed development has not been adequately demonstrated.
  17. 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.

18. A full and robust assessment of the proposal cannot be completed as insufficient information has been submitted relating to GFA calculation plans, indicative building layouts plans, arborist report, geotechnical investigation report, photomontage, design analysis, modelling, construction traffic management, and compliance with the applicable amenity standards in the SEPP (Housing) 2021.

**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.****D27/26      Development Application Report - 60 St Marks Road, Randwick (DA/220/2026)****RESOLUTION:**

- A. 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/220/2026 for alterations and additions to existing dwelling house including changes to and extension of the ground floor layout to facilitate a new ensuite and family room, associated ancillary and landscaping works, at No. 60 St Marks Road Randwick, subject to the development consent conditions attached to the assessment report and the following amendments:

- Amend Condition 2 to read as follows:

**Amendment of Plans & Documentation**

2. The approved plans and documents must be amended in accordance with the following requirements:
- a) Amend the plans to reduce the size of the proposed rear family room addition from 23sqm to a maximum of 15sqm, by increasing the rear setback by 1m. The amended design must provide a minimum rear setback of 3.804m and provide deep soil permeable surfaces within the increased setback area, ensuring consistency with the deep soil requirements and better alignment with the objectives of Section 3.3 of Part C1 of RDCP 2023.

Amended plans must be submitted to and approved by Council's Manager Development Assessment prior to the issue of any construction certificate.

The above amendment/s must be reflected in the final construction plans and any documentation submitted as part of any construction certificate.

**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 amended condition 2(a) to improve the functionality and area of the proposed family room, as full compliance with the rear setback requirements was unnecessary due to the particular site conditions.

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 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.

#### Heritage impacts

- The proposed works are mostly contained within the envelope of the existing building.
- External works do not add any significant bulk or detract from the heritage significance of the building or the streetscape • The building to be demolished has significant structural damage.
- The building to be demolished is a non-contributory building in the conservation area and will be replaced by an appropriately designed infill building.

#### **CARRIED UNANIMOUSLY.**

#### **D28/26      Development Application Report - 21 Forsyth Street, Kingsford (DA/1150/2025/REV)**

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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/1150/2025/REV for Section 8.2 Review of determination regarding DA/1150/2025 for retention of unauthorised works to permit the use of an 8-room co-living development, including partial demolition of internal and external walls, construction of internal and external walls to create new rooms and retention of existing structures onsite 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 Randwick Local Environmental Plan 2012, the Applicant has failed to demonstrate that compliance with the minimum lot size, communal open space, landscaped area and car parking development standards under State Environmental Planning Policy (Housing) 2021 is unreasonable or unnecessary in the circumstances of the case, and has failed to demonstrate that there are sufficient environmental planning grounds to justify contravention of those development standards.
3. Pursuant to Clause 68(2)(c) of State Environmental Planning Policy (Housing) 2021, the proposal does not provide the minimum required communal living area for co-living housing. The nominated communal living areas include circulation space and, once excluded, do not provide the minimum functional communal living area required to support the intensity of the proposed co-living use, resulting in substandard residential amenity.
4. Pursuant to Clause 68(2)(d) of State Environmental Planning Policy (Housing) 2021, the proposal does not provide the minimum required communal open space and the submitted Clause 4.6 request has not adequately demonstrated that compliance with the development standard is unreasonable or unnecessary, nor that sufficient environmental planning grounds exist to justify the non-compliance.
5. Pursuant to Clause 69(1)(b)(ii) of State Environmental Planning Policy (Housing) 2021, the suitability of the site for the proposed co-living housing has not been adequately demonstrated, as the site does not comply with the minimum lot size development standard. The submitted Clause 4.6 request is not supported.
6. Pursuant to Clause 68(2)(f) of State Environmental Planning Policy (Housing) 2021, the proposal does not provide the minimum required landscaped area for co-living housing. The

submitted Clause 4.6 request is not supported, and the shortfall undermines residential amenity and environmental performance outcomes.

7. Pursuant to Clause 68(2)(e) of State Environmental Planning Policy (Housing) 2021, the proposal does not provide the minimum required on-site car parking for co-living housing. The submitted Clause 4.6 request is not supported, and Council's Development Engineering officers have advised that the parking shortfall would place unacceptable strain on the surrounding on-street parking network.
8. Pursuant to Clause 69(1)(d) and (f) of State Environmental Planning Policy (Housing) 2021, the proposal does not provide an appropriate and functional manager workspace or adequate communal kitchen facilities commensurate with the intensity of the co-living use, resulting in unacceptable internal amenity outcomes.
9. Pursuant to Clause 69(2)(c) of State Environmental Planning Policy (Housing) 2021, the proposal has not demonstrated that at least one communal living area will receive a minimum of three (3) hours of direct solar access between 9 am and 3 pm at mid-winter. No supporting solar access analysis has been provided, and surrounding development may limit solar access in practice.
10. The proposal includes unauthorised building works that do not comply with the requirements of the National Construction Code and Building Code of Australia, including deficiencies relating to stair safety, handrails, visibility of glazing and natural light to habitable rooms. The extent of these non-compliances results in unacceptable safety and amenity outcomes for occupants.
11. A full and robust assessment of the proposal cannot be undertaken as insufficient information has been submitted regarding acoustic impacts and their management. The absence of an acoustic report and deficiencies in the Plan of Management result in unacceptable uncertainty regarding internal and external noise impacts on resident and neighbourhood amenity.
12. Pursuant to Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979, the likely impacts of the development, as detailed in this report, are considered unacceptable having regard to cumulative amenity, environmental health and operational impacts.
13. Pursuant to Section 4.15(1)(c) of the Environmental Planning and Assessment Act 1979, the site is not considered suitable for the proposed development, as the application has not demonstrated that the site can accommodate the proposed intensity of co-living housing without resulting in adverse impacts or compromising the provision of adequate amenity for future occupants.
14. Pursuant to Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979, the proposal is not in the public interest as it fails to promote the objectives of the zone and would result in unacceptable environmental and social impacts arising from the intensity of the co-living use and the unresolved amenity and safety concerns. The proposal would also establish an undesirable precedent by facilitating inappropriate development that does not comply with key provisions and considerations under relevant State Government and Council planning policies.

**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 BY PAUL VERGOTIS, SUE WEATHERLEY AND KATE KELLY.**

**Note:**

Julie Walsh took no part in the consideration and determination of this item as she was the Chair of the RLPP meeting that determined the original development application on 11 December 2025 and is therefore precluded from being on the panel determining the review application pursuant to

paragraph 2.1 of the Local Planning Panels Direction Operational procedures (under section 9.1 of the Environmental Planning and Assessment Act 1979) dated 18 October 2022.

She left the room while the matter was being dealt with and Paul Vergotis Chaired the meeting in her absence.

### **D29/26 Development Application Report - 171 Arden Street, Coogee (DA/20/2026)**

#### **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/20/2026 for Amending DA to DA/525/2022 for alterations to an existing backpacker's accommodation, including internal layout changes and reconfiguration works resulting a reduction to the number of accommodation rooms to 15 (90 occupants), ground level communal areas and changes to external openings and façade presentation, at No. 171 Arden Street, Coogee, for the following reasons:

1. 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 Randwick Development Control Plan 2013:
  - a. Part B: General Controls
    - i. Section B9 Management Plan
    - ii. Section D10 Backpackers Accommodation – Plan of Management
2. Pursuant to section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979, the application has not adequately demonstrated that the proposed development is appropriately characterised as alterations and additions, having regard to the extent of demolition proposed and the absence of a detailed assessment against demolition planning principles, including those established in *Coorey v Municipality of Hunters Hill*.
3. Pursuant to section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979, insufficient information has been provided to demonstrate that the existing external walls can be retained, having regard to the extent of demolition proposed to the floors, roof and walls, and the absence of a Structural Engineering Report and supporting concept-level structural diagrams.
4. Pursuant to section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979, the submitted Plan of Management is inadequate, as it contains inaccuracies, omissions and inconsistencies, including erroneous date references, the outdated maximum capacity for proposed rooms, the absence of requirements for the manager's sleeping room and the reference to the outdated acoustic report.
5. Pursuant to section 4.15(1)(b) of the *Environmental Planning and Assessment Act 1979*, a full and robust assessment of the proposal cannot be completed as insufficient information has been submitted relating to extent of demolition, structural engineering report and Plan of Management.
6. 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 non-compliances with relevant planning controls, and the objections raised in the public submissions.

#### **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.**

**D30/26      Development Application Report - 202-204 Alison Road, Randwick  
(DA/1267/2025)**

**RESOLUTION:**

- A. 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/1267/2025 for alterations and additions to existing shop top housing including provision of 2 x new levels (202 Alison Road) and 1 x new level (204 Alison Road) resulting in 6 x residential units and 4 x car spaces, associated ancillary and landscaping works at No. 202-204 Alison Road, Randwick, subject to the development consent conditions attached to the assessment report.

**REASON:**

The Panel has visited the site, considered the written submissions (including a number of late 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 did not consider it necessary to make any amendments to the conditions relating to additional privacy screening on proposed balconies in the particular circumstances.

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.
- Non-standard conditions requiring design amendments have been included to further mitigate the impacts.

**CARRIED UNANIMOUSLY.**

The meeting closed at 12:16pm.

<b>CONFIRMATION OF MINUTES BY PANEL MEMBERS</b>	
Julie Walsh (Chairperson)	Paul Vergotis
Sue Weatherley	Kate Kelly