



**MINUTES OF RANDWICK LOCAL PLANNING PANEL (PUBLIC) MEETING  
HELD ON THURSDAY, 14 MAY 2026 AT 1PM**

**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

**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:

D23/26 94 DOLPHIN STREET, COOGEE (DA/65/2026)

**Objector** Michael Magney - 1st speaker

**Objector** Shiree Thomas - 2nd speaker

D24/26 74 ST MARKS ROAD, RANDWICK (DA/1456/2025)

**Objector** Robert Goetz - 1st speaker

**Objector** Laura Gandy - 2nd speaker

**Supporter** Angus Thomsen

**After the above speakers had addressed the panel, the public meeting was closed at 1:20 pm. 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:**

**General Reports**

Nil

## Development Application Reports

### **D23/26      Development Application Report - 94 Dolphin Street, Coogee (DA/65/2026)**

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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/65/2026 for demolition of existing building/structures, tree removal and construction of a 5-storey residential flat building comprising seven (7) x apartments (2 x 3-bedroom, 4 x 2-bedroom, 1 x 1-bedroom) and a single basement level for eight (8) car parking spaces, associated ancillary and landscaping works, and Strata subdivision (Variation to Maximum Building Height development standard, Infill Affordable Housing), at No. 94 Dolphin Street, Coogee, for the following reasons:

1. Pursuant to section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979*, the proposed development is inconsistent with the following provisions of the *Randwick Local Environmental Plan 2012* (RLEP 2012):
  - a. Pursuant to clause 2.3 of RLEP 2012, the proposed development is inconsistent with the objectives of the R3 Medium Density Residential zone. The scale, bulk and five-storey built form are not compatible with the desired future character of Dolphin Street and fail to adequately protect the amenity of neighbouring residential properties.
  - b. Pursuant to clause 4.4 of RLEP 2012, the proposed development does not comply with the maximum floor space ratio development standard. The extent of the exceedance results in an overdevelopment of the site and a built form that is excessive in scale and intensity.
  - c. Pursuant to clause 4.3 of RLEP 2012, the proposed development does not comply with the maximum building height development standard, even after applying the applicable incentive under the State Environmental Planning Policy (Housing) 2021. The resulting five-storey built form is excessive and incompatible with the character of the locality.
  - d. Pursuant to clause 5.10 of RLEP 2012, the proposed development has not demonstrated that it is compatible with the scale, character or setting of the adjoining heritage items at 90–100 Brook Street. The excessive height and bulk would visually dominate and diminish the heritage context.
  - e. Pursuant to clause 6.1 of RLEP 2012, the site is identified as potentially affected by acid sulfate soils and no investigation or management measures have been submitted. Council cannot be satisfied that excavation and earthworks can be undertaken without environmental harm.
2. Pursuant to section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979*, the proposed development is inconsistent with the following provisions of the State Environmental Planning Policy (Housing) 2021:
  - a. Pursuant to section 20(3)(a), the proposed development fails to demonstrate compatibility with the desirable elements of the character of the local area or the desired future character, having regard to its excessive scale and intensity.
  - b. Pursuant to Chapter 4 of the Housing SEPP and the Apartment Design Guide, the proposed development does not comply with the deep soil zone requirements. Extensive basement coverage prevents the provision of the minimum deep soil area required to support substantial planting and meaningful landscaping outcomes.
3. Pursuant to clause 4.6 of RLEP 2012 and section 35B(2) of the *Environmental Planning and Assessment Regulation 2021*:

- a. No written request has been submitted to justify contravention of the floor space ratio development standard. In the absence of a valid Clause 4.6 written request, the consent authority is not empowered to grant consent.
  - b. The written request submitted to justify contravention of the building height development standard fails to demonstrate that compliance with the standard is unreasonable or unnecessary and fails to establish sufficient environmental planning grounds to justify the extent of the exceedance.
4. Pursuant to section 4.15(1)(a)(iii) of the Environmental Planning and Assessment Act 1979, the proposed development does not comply with the following provisions of the Randwick Development Control Plan 2013 (RDCP 2013):
- a. Pursuant to Part C2, Section 5.1 of RDCP 2013, the submitted solar access information does not accurately reflect existing site conditions. Council cannot be satisfied that reasonable solar access to neighbouring properties will be maintained.
  - b. Pursuant to Part C2, Section 4.4 (External Wall Height) of RDCP 2013, the proposed development exceeds the maximum external wall height control. The non-compliance contributes to excessive bulk and exacerbates amenity impacts on adjoining properties.
  - c. Pursuant to Part C2, Section 4.12 of RDCP 2013, the extent of basement excavation, including nil setbacks and excessive excavation depths, is unjustified and results in unacceptable bulk, site stability concerns and impacts on adjoining land. In the absence of an arborist report assessing impacts on trees located on adjoining land, Council cannot be satisfied that excavation and construction works will not adversely affect adjoining trees.
  - d. Pursuant to Part C2, Section 5.4 of RDCP 2013, no acoustic assessment has been submitted. Council cannot be satisfied that noise impacts, including those associated with the rooftop terrace, will not unreasonably affect adjoining residential properties.
  - e. Pursuant to Part C2, Section 5.5 of RDCP 2013, no detailed view sharing analysis has been provided for assessment of impacts to western neighbouring properties.
5. 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 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.

**CARRIED UNANIMOUSLY.****D24/26      Development Application Report - 74 St Marks Road, Randwick (DA/1456/2025)****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/1456/2025 for demolition of existing

buildings/structures, tree removal and construction of a 6-storey residential flat building comprising 11 apartments (1 x 2-bedroom and 10 x 3-bedroom) and 2 levels of basement parking containing 20 car parking spaces, associated ancillary and landscaping works at No. 74 St Marks Road, Randwick, for the following reasons:

1. Pursuant to Chapter 6 of the Housing SEPP and the definition of walking distance, the identification of the subject site as being located within the “low and mid-rise housing inner area” is not considered to be satisfied. The applicant’s reliance on a 400-metre walking distance via a rear pedestrian pathway is not supported, as the pathway does not constitute a safe, direct, and publicly accessible access route having regard to CPTED principles. Accordingly, the site’s eligibility for the proposed development controls has not been established.
2. The proposal is inconsistent with the Design Quality Principles under Schedule 9 of the Housing SEPP, particularly in relation to context and neighbourhood character, built form and scale, amenity, and safety. The development does not appropriately respond to its context and results in unacceptable amenity impacts for adjoining properties and future occupants.
3. The proposal fails to achieve compliance with the relevant objectives of the Apartment Design Guide, particularly in relation to building separation (Objective 3F), visual and acoustic privacy, and solar access (Objective 4A). The insufficient setbacks and separation distances result in poor privacy outcomes and reliance on excessive mitigation measures, while the solar access non-compliance results in unreasonable impacts on adjoining properties and future occupants.
4. The application fails to demonstrate that the site is suitable for the proposed use, contrary to Clause 4.6 of the SEPP (Resilience and Hazards) 2021. The Preliminary Site Investigation identifies data gaps, including potential groundwater contamination and uncertainty regarding site classification. In the absence of a Detailed Site Investigation, the consent authority cannot be satisfied that the land is suitable for residential redevelopment.
5. The proposal is inconsistent with the objectives of the R3 Medium Density Residential Zone, as the bulk, scale, and intensity of the development are incompatible with the existing and desired future character of the locality. The proposed six-storey form represents an overdevelopment of the site and is inconsistent with the established and emerging built form along St Marks Road whose properties frontages are located within the “outer area” (400–800 metres from Randwick Junction), where development is intended to be generally limited to four storeys and a 1.5:1 floor space ratio.
6. The proposal fails to satisfy Clause 6.2 (Earthworks), as insufficient information has been provided to demonstrate that the extent of excavation can be undertaken without adverse impacts on soil stability, drainage, or the structural integrity of adjoining properties.
7. The proposal is inconsistent with Clause 5.10 (Heritage Conservation), as it fails to appropriately respond to the setting of the nearby heritage item Farnham House (Item I366). The bulk, scale, and insufficient upper-level setbacks would result in an adverse impact on the heritage curtilage and surrounding streetscape.
8. The proposal does not comply with the relevant provisions of the Randwick Development Control Plan 2013/2023, including:
  - Part C2, Section 3.3: Setbacks
  - Section 4.2 – Roof design requirements
  - Part C2, Section 4.3 – Building design and articulation (maximum wall lengths of 10–12 metres)
  - Part C2, Section 4.4 – External wall height (maximum 10.5 metres)
  - Part C2, Section 5.1 – Solar access and overshadowing controls
9. Non-compliance with these provisions results in excessive bulk and scale, poor building articulation, and unacceptable amenity impacts including overshadowing, loss of privacy, and adverse streetscape presentation.
10. Pursuant to Section 4.15(1)(c), the consent authority is not satisfied that the site is suitable for the proposed development, having regard to its context, environmental constraints, and unresolved contamination risks.

11. Pursuant to Section 4.15(1)(e), the proposed development is not in the public interest due to its inconsistency with the statutory planning framework and the cumulative extent of non-compliances with the Housing SEPP, RLEP 2012, ADG, and RDCP 2013.

**REASON:**

The Panel has visited 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.

**CARRIED UNANIMOUSLY.**

The meeting closed at 1:34 pm.

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