



**MINUTES OF RANDWICK LOCAL PLANNING PANEL (PUBLIC) MEETING
HELD ON THURSDAY, 11 JUNE 2026 AT 1:00 PM**

Present:

Chairperson: Steven Layman

Expert Members: Stephen Alchin & Michael Leavey

Community Representatives: Zofia Kuypers

Council Officers present:

Manager Development Assessment Mr F Ko
Coordinator Fast Track Mr M Rivera
Coordinator Major Assessments Mr F Macri

Acknowledgement of Country

The Acknowledgement of Country was read by Steven Layman

Declarations of Pecuniary and Non-Pecuniary Interests

A) Nil declared a non significant non pecuniary interest.

After the above speakers had addressed the panel, the public meeting was closed at 2:05pm. 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:

D37/26 17-21 LEXINGTON PLACE, MAROUBRA (DA/1416/2025)

Objector Jessica McMenemy
Objector Samantha Chao
Objector Kevin Nuzum
Objector Trung Hoa Nguyen
Objector Krystal Fitzgerald

Applicant Anthony Betros

D38/26 1A WALTHAM STREET, COOGEE (DA/194/2026)

Objector Glenn Evans
Objector Chelsea Watt
Objector James Lawrence
Objector Bill Vasillis

Applicant James McBride and William Saville

General Reports

Nil

Development Application Reports

D37/26 Development Application Report - 17-21 Lexington Place, Maroubra (DA/1416/2025) (DA/1416/2025)

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/1416/2025 for demolition of existing building/structures and construction of a 3-storey building comprising shop top housing development with a single retail/commercial unit with awning on the ground floor, 10 x apartments (6 x 1-bedroom and 4 x 2-bedroom units) and a single basement level for 15 x car parking spaces, associated ancillary and landscaping works (Variations to Maximum Floor Space Ratio and Building Height development standards), at No. 17-21 Lexington Place, Maroubra (DA/1416/2025), 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 E1 Local Centre zone. The proposal fails to minimise the impact of development and protect the amenity of residents in the zone and in the adjoining and nearby residential zones as it results in unresolved site isolation and fails to protect the amenity of future residents, indicative of an overdevelopment of the site.
 - 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. The clause 4.6 written request has not demonstrated the development standard is unreasonable or unnecessary and sufficient environmental planning grounds have not been provided.
 - c. Pursuant to clause 4.3 of RLEP 2012, the proposed development does not comply with the maximum building height development standard. The clause 4.6 written request has not demonstrated sufficient environmental planning grounds.
 - d. 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.
 - e. Pursuant to clause 6.22 of the *Randwick Local Environmental Plan 2012*, the proposed development would adversely impact the desired future character of the local centre and is not consistent with the hierarchy of centres, as it represents a site-specific overdevelopment that is not part of a coordinated or orderly redevelopment pattern and would result in site isolation of adjoining E1 Local Centre land.
2. Pursuant to section 4.15(1)(a)(i) of the *Environmental Planning and Assessment Act 1979*, the proposed development is inconsistent with the provisions of the *State Environmental Planning Policy (Housing) 2021*, including the Apartment Design Guide, as follows:
 - a. The development fails to provide communal open space in accordance with Part 3D of the Apartment Design Guide.

- b. While the proposal achieves the numerical solar access criterion under Part 4A of the Apartment Design Guide, the design does not adequately optimize solar access for the southern upper-level apartments, where sunlight to living areas is reliant on small high-level windows, resulting in an unsatisfactory internal amenity outcome.
 - c. Primary balconies do not comply with Part 4E of the Apartment Design Guide, as portions of balconies do not achieve the minimum depth requirements and cannot be counted towards the required area, resulting in undersized and non-compliant private open space.
3. Pursuant to section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979, the proposed development does not represent orderly and economic development as it would result in the isolation of adjoining land at No. 13–15 Lexington Place and fails to demonstrate that the adjoining site could achieve a reasonable redevelopment outcome.
4. Pursuant to section 4.15(1)(a)(i) and (b) of the Environmental Planning and Assessment Act 1979, and Chapter 4 of State Environmental Planning Policy (Resilience and Hazards) 2021, insufficient information has been provided to demonstrate that the site is suitable for the proposed development. In particular, no Detailed Site Investigation has been submitted to assess potential contamination associated with uncontrolled fill, and no acid sulfate soils assessment has been provided. Accordingly, Council cannot be satisfied that the land is suitable for the proposed use or can be made suitable.
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 extent of non-compliance with planning controls; the inadequate justification for variations to development standards; and the resulting amenity and site planning outcomes.

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, with the following revision to refusal reason 1c:

c. Pursuant to clause 4.3 of RLEP 2012, the proposed development does not comply with the maximum building height development standard. The clause 4.6 written request has not demonstrated that compliance with the development standard is unreasonable or unnecessary and sufficient environmental planning grounds have not been provided.

The Panel acknowledges that the redevelopment of the kind proposed could have significant positive benefits for the local commercial centre. However, careful attention needs to be paid to the form of development, and the provision of sufficient private open space to compensate for the absence of adequate and appropriate communal open space. The Panel acknowledges local residents' deeply felt concern for the existing bakery on the land and the benefit it provides to the community. However, retention of the bakery in its current location is a matter that is beyond the scope of the Environmental Planning & Assessment Act.

The Panel also encourages the applicant to hold further discussion with the owner of 13 to 15 Lexington Place, who expressed a willingness to engage in discussions to explore the possibility of a joint development. Further, the Panel would expect that any future scheme would have demonstrable public benefits, for example in the form of affordable housing, associated with the request for significant additional FSR. The Panel notes that the Applicant's representative observed that inclusion of the adjoining property in the development proposal would provide scope for a better design outcome.

CARRIED UNANIMOUSLY.

**D38/26 Development Application Report - 1A Waltham Street, Coogee (DA/194/2026)
(DA/194/2026)**

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/194/2026 for Removal and redevelopment of the non-heritage fabric of the existing Maidstone House and conversion of its use to a single dwelling house and associated works including restoration of wall, floor and ceiling finishes, doors and fenestration, rebuilding of southern extension, construction of a basement level comprising three (3) parking spaces, construction of two (2) x residential flat buildings/RFBs (Building 1: part-3, part-4 storeys and Building 2: 3-storeys) with a communal basement level containing 16 parking spaces, construction of a swimming pool, tree removal, associated ancillary and landscaping works, Torrens title subdivision to create two (2) x new lots, and Strata subdivision of the RFBs, at No. 1A Waltham Street, Coogee, 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:

- (i) SEPP (Housing) 2021:

The Application does not satisfy the following ADG controls as prescribed by *SEPP (Housing) 2021*:

- a. 3D-1 Communal and Public open space;
 - b. 3E-1 Deep soil zones;
 - c. 3F-1 Visual privacy;
 - d. 4C Ceiling Heights;
 - e. 4E Private open space and balconies; and
 - f. 4G Storage.

- (ii) SEPP (Biodiversity and Conservation) 2021

The Application does not satisfy the requirements of chapter 2 of *SEPP (Biodiversity and Conservation) 2021*, noting the proposal does not protect the biodiversity values of trees and other vegetation in non-rural areas of the State or preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.

- (iii) SEPP (Resilience and Hazards) 2021

The Application does not satisfy the requirements of chapter 4 of *SEPP (Resilience and Hazards) 2021* and has not demonstrated that the site is suitable for the proposed development in terms of potential contamination.

- (iv) Randwick Local Environmental Plan 2012

- a) The Application does not satisfy the aims of the plan and zoning as it is inconsistent with the desired future character of the locality;
 - b) The Application has failed to satisfy the test under Clause 4.6 of Randwick Environmental Plan in that the breach to the height of buildings is not considered unacceptable or unnecessary or that sufficient environmental planning grounds have been provided.
 - c) The Application 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;
 - d) The Application has failed to demonstrate satisfactory outcome in accordance with the requirements and objectives of Clause 6.11 Design Excellence of the Randwick LEP 2012;

2. 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 2023*:
- (i) Part B2: Heritage;
 - (ii) Part B4: Landscaping and biodiversity;
 - (iii) Part B5: Preservation of trees and vegetation;
 - (iv) Part B6: Recycling and Waste Management;
 - (v) Part B7: Transport, Traffic, parking and access;
 - (vi) Part B8: Water management
 - (vii) Part C1: Low Density Residential;
 - a. 2.5 Deep soil permeable surfaces;
 - b. 2.6 Landscaping and tree canopy cover;
 - c. 3.2 Building height;
 - b) 3.3.1 Front setbacks;
 - c) 3.3.2 Side setbacks;
 - d) 4.1 Building design;
 - e) 4.6 Colours, materials and finishes;
 - f) 4.7 Earthworks;
 - g) 5.4 Acoustic privacy;
 - h) 6.1 Location of parking facilities;
 - i) 6.4 Driveway configuration;
 - j) 7.2 Front fencing;
 - k) 7.3 Side and rear fencing;
 - l) 7.5 Swimming pools and spas;
 - (viii) Part C2: Medium Density Residential;
 - a) 2.2 Landscaped open space and deep soil area;
 - b) 2.3.1 Private open space;
 - c) 2.3.2 Communal open space;
 - d) 3.3 Building depth;
 - e) 3.4.1 Front setback;
 - f) 3.4.2 Side setback;
 - g) 4.1 Building facade;
 - h) 4.2 Roof design;
 - i) 4.4 External wall height;
 - j) 4.5 Pedestrian entry;
 - k) 4.6 Internal circulation;
 - l) 4.9 Colours, materials and finishes;
 - m) 4.12 Earthworks, excavation and backfilling;
 - n) 5.1 Solar access and overshadowing;
 - o) 5.2 Natural ventilation and energy efficiency;
 - p) 5.3 Visual privacy;
 - q) 5.4 Acoustic privacy;
 - r) 5.5 View sharing;
 - s) 6.2 Car parking and access configuration;
 - t) 7.1 Fencing;
 - u) 7.2 Front fencing;
 - v) 7.3 Side and rear fencing; and
 - w) 7.7 Laundry facilities.
3. Pursuant to Section 4.15(1)(a)(iv) of *Environmental Planning and Assessment Act 1979*, the Application does not satisfy the regulations as follows:
- (i) Clause 62 consideration of fire safety not satisfied; and
 - (ii) Clause 64 whether fire upgrade works to the heritage dwelling are required,
4. Pursuant to the provisions of section 4.15(1)(b) of *Environmental Planning and Assessment Act 1979*, the Application provides inadequate information and extensive dissatisfaction with the

relevant planning controls. The likely impacts from the Application as detailed in this report are accordingly unacceptable.

5. 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.
6. Pursuant to the provisions of section 4.15(1)(d) and (e) of *Environmental Planning and Assessment Act 1979* and for the reasons detailed throughout this report, Council is not satisfied that the development is in the public interest.

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, subject to the following amendment to refusal reason 4:

4. Pursuant to the provisions of section 4.15(1)(b) of *Environmental Planning and Assessment Act 1979*, the Application provides inadequate information and extensive non-compliance with the relevant planning controls. The likely impacts from the Application as detailed in this report are accordingly unacceptable.

The Panel notes that the applicant is willing to propose further design amendments to address the concerns of Council and local residents. We note that the applicant has requested deferral, however the Panel considers there are alternate pathways to achieve a satisfactory resolution. The issues requiring resolution are not insignificant, and in the circumstances of this application, the Panel considers it appropriate to refuse the proposal.

CARRIED UNANIMOUSLY.

The meeting closed at 2:38pm.

CONFIRMATION OF MINUTES BY PANEL MEMBERS	
Steven Layman (Chairperson)	Stephen Alchin
Michael Leavey	Zofia Kuypers