



MINUTES OF RANDWICK LOCAL PLANNING PANEL (ELECTRONIC) MEETING HELD ON THURSDAY, 24 NOVEMBER 2022

Present:

Chairperson: Lindsay Fletcher

Expert Members: Jason Perica & Deborah Laidlaw

Community Representatives: Michelle Finegan

Council Officers present:

Coordinator Major Development	Mr S Cox
Coordinator Fast Track	Mr T Ristevski
Executive Planner	Ms A Manahan
Assessment Officer	Ms R Read

Declarations of Pecuniary and Non-Pecuniary Interests

Nil.

The Panel deliberated and voted via an electronic meeting.

The resolution, reasons and voting outcome for the item on the agenda are detailed below:

Development Application Reports

D71/22 Development Application Report - 40-44 Arthur Street, Randwick (DA/3/2021)

RESOLUTION:

- A. The RLPP is satisfied that the matters detailed in clause 4.6(4) of Randwick Local Environmental Plan 2012 have been adequately addressed and that consent may be granted to the development application, which contravenes the building height development standard in Clause 4.3 of Randwick Local Environmental Plan 2012. The concurrence of the Secretary of Planning and Environment has been assumed.
- B. 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/3/2021 for demolition of existing structures across 3 allotments, and construction of a 4 storey mixed-use development comprising a residential flat building with 11 dwellings including affordable housing dwellings and a boarding house with 35 boarding rooms and manager's room, communal areas, two levels of basement parking, lot amalgamation, landscaping and associated works, at Nos. 40-44 Arthur Street Randwick, subject to the development consent conditions attached to the assessment report with the following amendments:
 - 1. Amend Condition 1, and the approved table of plans by:
 - o correcting the date of the issue for A-2700, A-3000, A3200, A-4400 from 15/9/2021 to 15/09/2022

- Including the affordable plan A-4110 Issue L dated 26/10/2022 received 24/11/2022
- 2. Delete condition 2(g)
- 3. Insert new condition 2(g) to read as follows:
 - 2. The approved plans and documents must be amended in accordance with the following requirements:
 - g. The retractable privacy screens on the west facing boarding house rooms are to cover a minimum 33% of the terrace width when fully retracted to protect the privacy of residents in the site to the west.**
- 4. Amend Condition 98 to read as follows:

Affordable Rental Housing Component

98. In order to comply with Clause 13 of SEPP (Affordable Rental Housing) 2009 requiring a minimum 48% of the gross floor area of the residential apartment development (excluding the communal corridors), is to be used for affordable housing dwellings:
- a. The dwellings to be used for the purposes of 'affordable rental housing' in accordance with the provisions of the SEPP (Affordable Rental Housing) 2009 shall be used as such for at least 10 years from the date of the issue of the Occupation Certificate.
 - b. The affordable rental housing component (secured for a minimum of 10 years) must be managed by a registered Community Housing Provider (CHP). Evidence of a contractual arrangement with a CHP must be provided prior to the issue of the Occupation Certificate.
 - c. The CHP must ensure compliance with the occupant restriction and other provisions of the regulatory code established through regulations under the Housing Act 2001.
 - d. A restriction must be registered, before the date of the issue of the occupation certificate, against the title of the property, in accordance with Section 88E of the Conveyancing Act 1919 that will ensure that the requirements a. and b. are met and that the terms of restriction may not be varied without Council's consent.
 - e. Prior to an Occupation Certificate being granted, evidence must be provided to Council demonstrating that the Section 88E covenant has been registered on the title stating that the affordable rental housing component must be used for affordable rental housing and managed by a registered CHP.

REASON:

The Panel has visited or is familiar with the site, considered the written submissions and reviewed the assessment report, including information prepared by Council Officers responding to Panel members questions during the briefing, 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 reasons given in the assessment report and has amended conditions to reflect updated plans and information received and to enhance privacy performance.

CARRIED UNANIMOUSLY.

The meeting closed at 3:24pm.

CONFIRMATION OF MINUTES BY PANEL MEMBERS	
Lindsay Fletcher (Chairperson)	Jason Perica
Deborah Laidlaw	Michelle Finegan