



**MINUTES OF PLANNING COMMITTEE MEETING OF THE COUNCIL
OF THE CITY OF RANDWICK HELD ON TUESDAY, 8 APRIL 2008 AT
6:41 P.M.**

Present:

The Mayor, Councillor B Notley-Smith (East Ward)

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| North Ward | - Councillors J Kenny, P Tracey & M Woodsmith |
| South Ward | - Councillor R Belleli |
| East Ward | - Councillor M Matson (Deputy Chairperson) |
| West Ward | - Councillors B Hughes & S Nash (Chairperson) |
| Central Ward | - Councillors A Andrews & T Seng |

Officers present:

General Manager	Mr R Brownlee
Director City Services	Mr J Frangoples
Director City Planning	Ms S Truuvert
Director Governance & Financial Services	Mr G Banting
Manager Development Assessment	Mr K Kyriacou
Manager Administrative Services	Mr D Kelly
Media Officer	Ms A Power

Apologies/Granting of Leave of Absences

Apologies were received from Crs Bastic, Daley, Procopiadis, Sullivan and White.

RESOLVED: (Mayor, Cr B Notley-Smith/Matson) - that the apologies received from Crs Bastic, Daley, Procopiadis, Sullivan and White be accepted and leave of absence from the meeting be granted.

Confirmation of the Minutes

**CONFIRMATION OF THE MINUTES OF THE PLANNING COMMITTEE MEETING
HELD ON TUESDAY 11 MARCH 2008**

PL16/08

RESOLUTION: (Belleli/Kenny): that the Minutes of the Planning Committee Meeting held on Tuesday 11 March 2008 (copies of which were circulated to all Councillors) be and are hereby confirmed as a correct record of the proceedings of that meeting.

Declarations of Pecuniary and Non-Pecuniary Interests

Nil.

Address of Council by Members of the Public

Prior to consideration of the Agenda by the Committee, deputations were received in respect of the following matters:

Item D14/08 **1-9 Pine Avenue, Little Bay (Deferred)**

Objector Mr Timothy Dalton

Applicant Mr Mike Pinnell

Item D15/08 **42 Cliffbrook Parade, Clovelly**

Objector Mrs Carolyn Matthews

Applicant Mr Anthony Betros (on behalf of applicant)

Item D17/08 **212 Arden Street, Coogee**

Objector Ms Rona Wade (on behalf of Coogee Precinct Committee)

The meeting was adjourned at 7.10 pm and ws resumed at 7.30 pm.

Urgent Business

Nil.

Development Application Reports

D14/08 Development Application Report - 1-9 Pine Avenue, Little Bay (DA/915/2007)

PL17/08 **RESOLUTION: (Belleli/Andrews)**

THAT Council as the responsible authority refuse development consent under Section 80 of the Environmental Planning and Assessment Act 1979 (as amended) to Development Application No. DA/915/2007 for the erection of a four storey mixed commercial/retail and residential development comprising of 60 dwellings and 2 levels of car parking for 105 vehicles, strata subdivision and associated works at 1-9 Pine Avenue, Little Bay, for the following reasons: -

1. the proposed development does not comply with Clause 30A (4) of the Randwick Local Environmental Plan 1998 which prescribes maximum wall and storey height standards, and the SEPP No.1 Objection submitted in relation to these standards is not well founded as the increase in building height will result in a visually intrusive building;
2. the proposed height, bulk, scale and form of the proposed development is unsuitable for the subject site in that it detracts from the heritage significance of adjoining and surrounding heritage items as identified in the Prince Henry Conservation Management Plan, and the existing coastal and bushland setting of the Prince Henry site as identified in the Prince Henry Master Plan;
3. the proposed built form, scale and design will adversely affect the visual amenity of the streetscape due to the non-compliant and excessive wall height of the proposal to Pine Avenue and given the proximity and

- predominant character of existing residential development in the locality;
4. the proposed development does not meet the objectives, and performance criteria/controls contained in Clause 7.2 – Precinct P2 of the Development Control Plan – Prince Henry Site as the proposal fails to comply with the setback requirements of the DCP;
 5. the proposed development will adversely affect the amenity of the Flowers Wards buildings/complex due to overshadowing;
 6. the proposed development has an excess in the number of dwelling units that is inconsistent with the provision of the Prince Henry Master Plan; and
 7. approval of the proposal would not be in the public interest and would set an undesirable precedent because it will result in an excessively high, bulky and intrusive development that will detract from the visual character of the locality, the heritage significance of adjoining and surrounding heritage items and the Prince Henry Heritage Conservation Area.

MOTION: (Belleli/Andrews): CARRIED UNANIMOUSLY - SEE RESOLUTION.

**D15/08 Development Application Report - 42 Cliffbrook Parade, Clovelly
(DA/347/2007/A)**

PL18/08

RESOLUTION: (Woodsmith/Matson) that Council as the consent authority, refuse its consent under Section 96 of the Environmental Planning and Assessment Act 1979 as amended to modify Development Consent No DA/347/07 for permission to carry out alterations and additions to the existing multi unit housing development as it is not in the public interest and the proposed development will have an adverse effect on the amenity of the neighbouring property.

MOTION: (Woodsmith/Matson): CARRIED – SEE RESOLUTION.

Cr Andrews requested that his name be recorded as opposed to the resolution.

**D16/08 Development Application Report - 34 Cowper Street, Randwick
(DA/829/2007)**

PL19/08

RESOLUTION: (Andrews/Matson)

That Council as the consent authority refuse development consent under Section 80 and 80A of the Environmental Planning and Assessment Act 1979 (as amended) to Development Application No.829/07 for permission to erect a new garage structure at 34 Cowper Street Randwick for the following reasons;

1. The proposal does not comply with Clause 31 of RLEP 1998 and will result in a significant loss of landscaping to the front of the site that will detract from the aesthetic qualities of the subject site and its contribution to streetscape character.
2. The proposed garage does not comply with the objectives and performance requirements of the Development Control Plan for Multi Unit Housing in that the garage structure will be visually obtrusive and will detract from both the appearance of the building and the local streetscape, and the removal of the soft landscaping area within the front of the site will not enhance and contribute to the character of the locality.

MOTION: (Andrews/Matson) CARRIED - SEE RESOLUTION.

**D17/08 Development Application Report - 212 Arden Street, Coogee
(DA/423/2005/E)**

(Note: A rescission motion on this item was submitted to the General Manager in accordance with Council's Code of Meeting Practice.)

PL20/08

RESOLUTION: (Woodsmith/Matson):

that Council as the responsible authority refuse its consent under Section 96 of the Environmental Planning and Assessment Act 1979 (as amended) to modify Development Consent No. 423/2005 for permission to replace three existing fixed windows on Coogee Bay Road frontage of the Coogee Bay Hotel with new bi-fold windows for 212 Arden Street, Coogee, for the following reasons:

1. this proposal is not in the public interest in that it: -
 - (a) represents an overdevelopment of the predominate use of the site, i.e the selling of alcohol;
 - (b) is likely to alienate the usage of the footpath away from the broader body of beach users and shoppers;
 - (c) the close proximity of drinkers at the windows will be likely to intimidate some sections of the community when they are using the footpath;
 - (d) is likely to encourage an undesirable congregation of drinkers on the footpath around the windows; and
2. the proposal does not meet with the objectives of the General Business zoning of the Council, (zone No. 3A); namely: -
 - (a) Clause 13(i)(a) - to maintain the viability of existing business centres;
 - (b) Clause 13(i)(b) – to facilitate the development of land in places identified by the Council as suitable to be used as business centres for commercial, retail, residential and community purposes by providing and enhancing pedestrian and public open space for shoppers and workers; and by enhancing the employment opportunities concerning the needs of the local and regional community; and
 - (c) Clause 13(i)(c) – to minimise the impact of development on adjoining nearby residential zones.

MOTION: (Woodsmith/Matson): CARRIED – SEE RESOLUTION.

AMENDMENT: (Andrews/Seng) that this matter be deferred for consideration of a further report by Council officers listing all hotels and licenced premises in the Randwick area with open bifold windows or outdoor drinking areas. **LOST.**

Miscellaneous Reports

Nil.

Closed Session

Nil.

Notices of Rescission Motions

A rescission motion on 212 Arden Street, Coogee was submitted to the General Manager in accordance with Council's Code of Meeting Practice and will be considered at the next available meeting.

The meeting closed at 8.19 pm.

The minutes of this meeting were confirmed at the Planning Committee Meeting of the Council of the City of Randwick held on Tuesday, 13 May 2008.

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CHAIRPERSON