



**MINUTES OF RANDWICK DEVELOPMENT ASSESSMENT PANEL
MEETING OF THE COUNCIL OF THE CITY OF RANDWICK HELD ON
THURSDAY, 14 JUNE 2018 AT 1:03PM**

Present:

Chairperson: Annelise Tuor

Expert Members: Deborah Laidlaw; Julie Savet Ward

Community Representatives: Peter Ryan (South Ward)

Council Officers present:

Acting Manager Development Assessment Mr F Ko
Executive Planner Ms E FitzRoy

Declarations of Pecuniary and Non-Pecuniary Interests

Nil.

Address of RDAP by Councillors and members of the public

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

D49/18 15 SEASIDE PARADE, SOUTH COOGEE (DA/6/2018)

Applicant Mr Rolph Ockert (representing the applicant)

D51/18 15 MARCEL AVENUE COOGEE (DA/366/2017)

Applicant Ms Annaleisa Hampshire (representing the applicant)

D52/18 251 FITZGERALD AVENUE, MAROUBRA (DA/89/2018)

Applicant Mr Russell Prescott (representing the applicant)

D53/18 25 LIGURIA STREET, MAROUBRA (DA/768/2017)

Objector Ms Nell Robertson

Applicant Mr Benajamin Sloan and Mr Matt Lacey (representing the applicant)

The meeting was adjourned at 2.25pm and was resumed at 5.37pm.

Development Application Reports

D48/18 Development Application Report - 9 Willis Street, Kingsford (DA/598/2017)

REASONS

The Panel has visited the site 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.

For the reasons outlined in the assessment report, the Panel supports the exceptions to development standard under Clause 4.6 of Randwick Local Environmental Plan 2012 and adopts the recommendation and reasons in the report.

The Panel notes that the height variation arises from the prior excavation of the garage and the overall height of the development is consistent with the existing developments in the vicinity and the objectives of the development standard under Clause 4.3 of the RLEP.

The Panel notes the difficulty to maintaining solar access to side windows on an east-west orientated lots and in this case the additional overshadowing does not result from a non-complying element of the proposed development. Furthermore, a minimum of 3 hours solar access to part of the roof of the southern adjoining property will be maintained.

RESOLUTION

- A. That the Randwick Development Assessment Panel (RDAP) is satisfied that the matters required to be addressed under Clause 4.6(4) of Randwick Local Environmental Plan 2012 have been demonstrated and that consent may be granted to the Development Application, which contravenes the height development standard under clause 4.3 of Randwick LEP 2012. The Panel assumes the concurrence of the Secretary, Department Planning and Environment.
- B. That the RDAP grants development consent under Sections 4.16 and 4.17 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. DA/598/2017 for alterations and additions to the existing dwelling house, including new first floor addition, at No. 9 Willis Street, Kingsford, subject to the development consent conditions attached to the assessment report.

CARRIED UNANIMOUSLY.

D49/18 Development Application Report - 15 Seaside Parade, South Coogee (DA/6/2018)

REASONS

The Panel has visited the site 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 has determined to defer determination of the development application for the following reasons:

- The store room below pool level has not been included in the GFA calculation and appears to be above existing ground level and therefore the development may exceed the floor space ratio standard under Clause 4.4 of the RLEP and consequently in the absence of a Clause 4.6, the Panel has no power to grant development consent.
- A revised survey plan is required to show the existing ground levels beneath

the proposed pool and associated built form to confirm whether excavation is proposed and to determine the extent of the GFA (above existing ground level) to be included in the FSR calculation.

- The proposed pool and associated built form encroaches into the foreshore building line and from the information available, the proposal would be inconsistent with Clause 14 of the SEPP (Coastal Management) 2018 and Clauses 6.6 and 6.7 of the RLEP. The Panel considers the proposed built form should not encroach on the foreshore building line as the site is highly visible from the foreshore area.
- The Panel is not satisfied on the information available that sufficient steps have been taken to minimise the impact of the pool and associated built form upon the foreshore area consistent with Clause 14 of the SEPP (Coastal Management) 2018 and Clauses 6.6 and 6.7 of the RLEP.
- The architectural documentation of the pool and associated structures is incomplete and inconsistent.

In addition, the Panel is of the view that the northern edge of the deck at RL 18.55 should be setback a minimum of 900mm from the adjacent boundary to improve the amenity of the adjoining neighbour and provide greater separation between built forms.

The applicant is to submit amended plans by 6 July 2018 to address the above matters and the Panel will then determine the application. In the event that the applicant does not wish to submit amended plans then the Panel will determine the application in its current form.

RESOLUTION

That the RDAP defers the determination under Sections 4.16 of the Environmental Planning and Assessment Act 1979, as amended, of Development Application No. DA/6/2018 for demolition of all structures on site and construction of a new part one to part four storey dwelling house with double garage, rear swimming pool, associated site and landscaping works, at No. 15 Seaside Parade, South Coogee for the reasons mentioned above.

CARRIED UNANIMOUSLY.

D50/18 Development Application Report - 60 Holmes Street, Maroubra (DA/233/2018)

REASONS

The Panel has visited the site 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.

For the reasons outlined in the assessment report, the Panel adopts the recommendation in the report with the amendment to Condition 9(a) to ensure the increase in the floor level does not result in an increase to the overall height of the building.

The Panel notes that whilst the proposal does not comply with the numerical controls (setbacks and landscaped area) in the RDCP 2013, the development is largely within the existing deck and awning footprint and does not result in any material increase in impacts.

RESOLUTION

That the RDAP grants development consent under Sections 4.16 and 4.17 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. 233/2018 for ground level alterations and additions to the existing dwelling and new internal access stairs to the existing attic storeroom, at No.60

Holmes Street Maroubra, subject to the development consent conditions attached to the assessment report with the following amendment:

Condition 9(a) to read:

- a) The floor level of the proposed rear additions shall be raised to a minimum of **RL 28.40 AHD** with no increase to the overall height of the development.

CARRIED UNANIMOUSLY.

D51/18 Development Application Report - 15 Marcel Avenue Coogee (DA/366/2017)

REASONS

The Panel has visited the site 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.

For the reasons outlined in the assessment report, the Panel supports the exceptions to development standard under Clause 4.6 of Randwick Local Environmental Plan 2012 and adopts the recommendation in the report. The Panel notes the non-compliance with the building height is result from the topography of the site and the extension does not exceed the ridge height of the existing building.

To reduce the visual impact of the elevated pool structure, conditions have been added to require screening of the underside of the pool structure and the reduction to the height of the balustrade. Furthermore, the condition in relation to the chimney has been amended to reflect that it may not be feasible to retain the obsolete chimney.

RESOLUTION

- A. That the Randwick Development Assessment Panel (RDAP) is satisfied that the matters required to be addressed under Clause 4.6(4) of Randwick Local Environmental Plan 2012 have been demonstrated and that consent may be granted to the Development Application, which contravenes the height development standard under clause 4.3 of Randwick LEP 2012. The Panel assumes the concurrence of the Secretary, Department Planning and Environment.
- B. That the RDAP grants development consent under Sections 4.16 and 4.17 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. 366/2017 for alterations and additions to the existing dwelling comprising new rear decks including a plunge pool, replacement of the existing garage with a new garage, conversion of attic space into habitable space, and minor internal alterations, at No. 15 Marcel Avenue Coogee, subject to the development consent conditions attached to the assessment report and the following amended conditions:

Add Condition 2 (c) to read:

2. c) In order to screen the underside of the pool structure, a screen shall be installed around the periphery of the underside of the basement level deck to ensure the underside of the pool is not visible from the surrounding properties.

Add Condition 54 to read:

54. The height of the balustrade surrounding the pool and associated deck area shall be reduced to comply with the minimum requirements of the

Swimming Pools Act 1992.

Amend Condition 3 (c) to read:

3. c) The existing chimney shall be retained or reinstated if feasible. The details of chimney retention or reasons for removal must be submitted to and approved Council's Manager Development Assessment prior to a Construction Certificate being issued.

CARRIED UNANIMOUSLY.

D52/18 Development Application Report - 251 Fitzgerald Avenue, Maroubra (DA/89/2018)

REASONS

The Panel has visited the site 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.

For the reasons outlined in the assessment report, the Panel supports the exceptions to development standard under Clause 4.6 of Randwick Local Environmental Plan 2012 and adopts the recommendation and reasons in the report.

In order to maintain the streetscape amenity, the Panel has included amendments to conditions to provide landscaping along street frontage and to minimise the impact of the waste storage area.

RESOLUTION

- A. That the Randwick Development Assessment Panel (RDAP) is satisfied that the matters required to be addressed under Clause 4.6(4) of Randwick Local Environmental Plan 2012 have been demonstrated and that consent may be granted to the Development Application, which contravenes the floor space ratio standard under clause 4.4 of Randwick LEP 2012. The Panel assumes the concurrence of the Secretary, Department Planning and Environment.
- B. That the RDAP grants development consent under Sections 4.16 and 4.17 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. 89/2018 for the demolition of existing structures, construction of a three storey residential flat building containing 7 dwellings and basement garage at No. 251 Fitzgerald Avenue, Maroubra, subject to the development consent conditions attached to the assessment report and the following amended conditions:

Amend Condition 2 to read:

2. The ground floor plan shall be amended to remove the planter adjoining the western façade of the building and include an access path from the private court adjoining the living room of Apartment 3 to the rear private yard area. Furthermore, the ground floor plan shall be amended to include a landscaping strip comprised of screen planting of a minimum of 1.5m in depth along the front boundary of the private courtyard of Apartment 1. This area shall be maintained as communal open space.

Amend Condition 26 to read:

26. The waste storage areas shall be sized to contain a total of 10 x 240 litre bins (comprising 4 garbage, 4 recycled & 2 green waste bins) and with adequate provisions for access to all bins. Details showing compliance are to be included in the construction certificate. The refuse area shown on

drawing nos. A0002 and A2101 (Issue E) shall not be increased in size and the extent of the landscape area within the front setback area shall be maintained.

CARRIED UNANIMOUSLY.

**D53/18 Development Application Report - 25 Liguria Street, Maroubra
(DA/768/2017)**

REASONS

The Panel has visited the site and surrounds, considered the 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 notes that the applicant was not willing to accept a council recommended condition to reduce the height of the proposed pergola to RL 26.7 (AHD).

The panel is of the opinion that the application cannot be supported in its current form for the following reasons:

1. The landscape master plan and sectional elevation submitted do not provide adequate detail to properly assess the proposal, including the potential view loss from adjoining properties.
2. On the basis of the information provided it appears that the development would result in unacceptable view sharing impacts and is therefore inconsistent with Clause 5.6 of Part C1 of the Randwick Comprehensive Development Control Plan 2013.

In the circumstance of the current proposal, the Clause 4.6 exception to vary the floor space ratio standard in Clause 4.4 of the RLEP is not considered to be satisfactory.

Should a new proposal be submitted, a new clause 4.6 exception to a development standard will be required.

The Panel refuses the application for the above reasons.

RESOLUTION

That the RDAP refuses development consent under Section 4.16 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. DA/768/2017 for alterations and additions to the existing dwelling house including enclosure of the ground floor alfresco area, new deck with pergola to western side of the pool, associated site and landscape upgrade works, at No. 25 Liguria Street, Maroubra for the following reasons:

1. The landscape master plan and sectional elevation submitted do not provide adequate detail to properly assess the proposal, including the potential view loss from adjoining properties.
2. On the basis of the information provided it appears that the development would result in unacceptable view sharing impacts and is therefore inconsistent with Clause 5.6 of Part C1 of the Randwick Comprehensive Development Control Plan 2013.

CARRIED UNANIMOUSLY.

The meeting closed at 5.46pm.

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CHAIRPERSON