



**MINUTES OF RANDWICK LOCAL PLANNING PANEL OF THE  
COUNCIL OF THE CITY OF RANDWICK HELD ON THURSDAY,  
11 OCTOBER 2018 AT 1:06PM**

**Present:**

<b>Chairperson:</b>	Lindsay Fletcher
<b>Expert Members:</b>	Kara Krason; Oliver Klein
<b>Community Representatives:</b>	Kerri Hamer (Central Ward)

**Council Officers present:**

Acting Manager Development Assessment	Mr F Ko
Executive Planner	Ms E Fitzroy
Senior Administrative Coordinator	Ms J Hartshorn

**Declarations of Pecuniary and Non-Pecuniary Interests**

Nil.

**Address of RLPP 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:

D76/18 132-134 ALISON RD, RANDWICK (DA/617/2017)

**Applicant** Mr Brad Inwood (Architect for applicant)

D77/18 928-930 ANZAC PARADE, MAROUBRA (DA/806/2017)

**Applicant** Mr Max Sgammotta (Architect for applicant)

D78/18 146 CARRINGTON ROAD, COOGEE (DA/106/2018)

**Councillor** Mayor, Cr Kathy Neilson  
**Objector** Mr Philip Kite  
**Objector** Mr Brian Uy

D79/18 138 COOGEE BAY ROAD, COOGEE (DA/84/2018)

**Councillor** Mayor, Cr Kathy Neilson  
**Objector** Ms Alice Kalambokas  
**Objector** Mr David Eldridge  
**Applicant** Mr Lee Kosnetter (representing the applicant)

D80/18 54-56 MEEKS STREET, KINGSFORD (DA/807/2017)

**Objector** Mr Kane Williams  
**Applicant** Mr Max Sgammotta (Architect for applicant) - pp

D81/18 20 GLEN AVENUE, RANDWICK (DA/678/2017)

**Councillor** Mayor, Cr Kathy Neilson

D82/18 46 DUTRUC STREET, RANDWICK (DA/5/2018)

**Councillor** Mayor, Cr Kathy Neilson  
**Objector** Ms Wendy Montgomery-Scott  
**Applicant** Mr Aleksandar Jelacic (Architect for applicant)

The meeting was adjourned at 2.10pm and was resumed at 5.40pm.

### **Development Application Reports**

#### **D76/18 Development Application Report - 132-134 Alison Rd, Randwick (DA/617/2017)**

##### **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.

The panel notes that the alterations including the new balconies will improve the residential amenity and will not adversely impact on surrounding properties or heritage significance of the item.

The panel considers that the appearance of the development (particularly the garage and bin storage area) needs to be upgraded given the increased intensity of use and visibility from the public domain.

Subject to the changes detailed above, the Panel supports the exceptions to development standards under Clause 4.6 of Randwick Local Environmental Plan 2012 and adopts the recommendation in the report.

##### **RESOLVED:**

- A. That the RLPP 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 development standard in Clause 4.4 of Randwick Local Environmental Plan 2012. The concurrence of the Director of the Department of Planning & Environment may be assumed.
- B. That the RLPP, as the consent authority, 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/617/2017 for alterations and additions to the existing residential flat building including new rear balconies for Units 3, 8 and 13, at No. 132-134 Alison Road, Randwick, subject to the development consent conditions attached to the assessment report with the following amendments:

##### **Amend conditions 2 and 3 as follows:**

2. The approved plans and documents must be amended in accordance with the following requirements:
  - a. A privacy screen having a height of 1.6m (measured above deck floor

level) shall be provided to the full length of the western sides of the 1<sup>st</sup> and 2<sup>nd</sup> floor level rear decks.

Privacy screen/s must be constructed with either:

- Translucent or obscured glazing (The use of film applied to the clear glass pane is unacceptable);
- Fixed lattice/slats with individual openings not more than 30mm wide;
- Fixed vertical or horizontal louvres with the individual blades angled and spaced appropriately to prevent overlooking into the private open space or windows of the adjacent dwellings.

- b. To improve the appearance of the development from the public domain, the detached garage and bin storage facility at the rear of the site shall be upgraded to the satisfaction of the Manager of Development Assessment.

### **Heritage**

3. Existing unpainted surfaces of the main building, e.g. brickwork/stonework, are to remain unpainted, and no applied finishes are to be used.

**CARRIED UNANIMOUSLY.**

## **D77/18 Development Application Report - 928-930 Anzac Parade, Maroubra (DA/806/2017)**

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### **REASONS:**

The Panel has visited the site, considered the submissions (including the late submission received in lieu of a presentation) 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 considers that the application cannot be determined for the following reasons:

1. The applicant has not submitted sufficient information for the Panel to conclude that the requirements under clause 7 of SEPP 55 have been satisfied.
2. It has come to the attention of the panel that the notification of the development contained an inaccurate description and therefore the proposal must be re-notified prior to determination.

### **RESOLVED:**

- A. That the RLPP defers determination of Development Application No. 806/2017 for Demolition of existing structure, construction of part 3 part 6 storey shop-top housing development in 2 building forms with 26 dwellings, 4 commercial premises and 2 levels of basement car parking for 45 cars with associated works at No. 928-930 Anzac Parade Maroubra pending:
- a) Re-notification of the development application; and
  - b) Provision of additional information to address the requirements of SEPP 55.
- B. That the applicant submit the required information within 1 month of this resolution.
- C. That the application be referred to a future meeting of the RLPP for determination once the matters detailed in item A have been addressed

**CARRIED UNANIMOUSLY.****D78/18 Development Application Report - 146 Carrington Road, Coogee  
(DA/106/2018)****REASONS:**

The Panel has visited the site, 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 considers that the development in its current form has merit, however, is not satisfied that variation to the RLEP height and FSR controls are justified in the circumstances. Therefore the Panel considers that determination of the application should be deferred pending amended plans being submitted that:

1. Comply with the RLEP FSR control
2. Comply with the RLEP Building height control of 9.5m
3. Reduce the size of the level 2 balconies in accordance with recommended conditions 2a, b and c
4. Relocate the air conditioning plant and equipment to the basement level.

The panel expects that these changes will also have the effect of reducing the extent of the DCP wall height non-compliance.

**RESOLVED:**

A. That the RLPP defers determination of Development Application No. 106/2018 for demolition of existing structures, construction of 3 storey residential flat building containing 5 dwellings, basement car parking for 7 vehicles, landscaping and associated works, at No. 146 Carrington Road, Randwick, pending amended plans being submitted that:

1. Comply with the RLEP FSR control
2. Comply with the RLEP Building height control of 9.5m
3. Reduce the size of the level 2 balconies in accordance with recommended conditions 2a, b and c
4. Relocate the air conditioning plant and equipment to the basement level.

B. That the applicant submit the required information within 1 month of this resolution.

C. That the application be referred back to the Panel for determination (possibly electronic determination) once the matters detailed in item A have been addressed.

**CARRIED UNANIMOUSLY.****D79/18 Development Application Report - 138 Coogee Bay Road, Coogee  
(DA/84/2018)****REASONS:**

The Panel has visited the site, 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.

Subsequent to the adjournment of the public meeting, the applicant advised in writing that they would accept a condition for the use of the outbuilding as a garage only.

They also accepted a condition requiring the substitution of the concrete roof with a new light weight roof.

Subject to condition 2 being amended as detailed below and condition 41(a) being added, the panel adopts the recommendation in the report for the reasons outlined in the assessment report.

**RESOLVED:**

That the RLPP grant development consent under Sections 4.16 and 4.17 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. DA/84/2018 for Demolition of existing garage and construction of new garage and associated retaining walls at 138 Coogee Bay Road, Coogee, subject to the development consent conditions attached to the assessment report with the following amendments:

**Amend condition 2 as follow:**

2. The approved plans and documents must be amended in accordance with the following requirements:
  - a. The terrace area above the garage including the associated timber stairs, privacy screens, metal balustrades and planter box shall be deleted. The proposed concrete slab roof shall be replaced with a light weight roof that does not exceed RDCP height control.
  - b. The store room and bin storage area shall be deleted
  - c. The new garage shall be setback a minimum of 900mm from the eastern side boundary.

**Add new condition 41a:**

- 41 a. The garage must only be used for the purposes specified in the development consent.

**CARRIED UNANIMOUSLY.**

**D80/18 Development Application Report - 54-56 Meeks Street, Kingsford (DA/807/2017)**

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**REASONS:**

The Panel has visited the site, 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 the generally favourable comments from the DEP and considers that there may be scope to accommodate additional floor space on the top level of the building. However; the panel isn't satisfied that there are sufficient environmental planning grounds to justify non-compliance with the FSR control.

A more skillful design that complies with the FSR control, retains the communal open space and clearly demonstrates that the extent of any additional shadowing is compliant with the relevant controls may be acceptable.

In its present form, the development does not warrant approval.

The Panel refuses the application for the reasons given below.

**RESOLVED:**

That the RLPP refuse development consent under Section 4.16 of the Environmental

Planning and Assessment Act 1979, as amended, to Development Application No. DA/807/2017 for alterations and additions to the existing part 2 and part 3 storey residential flat building to allow an additional 4 dwellings at the second floor, 4 additional at-grade car parking spaces, new vehicular entrance off the laneway, landscaping and associated site works., at No. 54-56 Meeks Street, Kingsford, for the following reasons:

1. The proposal is not adequately consistent with the objectives of the R3 Medium Density Residential zone pursuant to the Randwick Local Environmental Plan 2012, in that the development has not adequately demonstrated that it will protect the amenity of residents.
2. The proposal reduces the provision of communal open space and accordingly will reduce the amenity of the adjoining residential apartment and adversely impact on the streetscape.
3. Adequate regard has not been given to some of the design quality principles as part of the State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development.
4. Communal open space and storage does not comply with the design criteria, objectives and design guidance as part of the Apartment Design Guide, which will result in poor residential amenity.
5. The variation request pursuant to Clause 4.6 of the Randwick Local Environmental Plan 2012 relating to non-compliance with Clause 4.3 height of buildings is not supported as the applicant's request has not adequately addressed the matters required under Clause 4.6.
6. The variation request pursuant to Clause 4.6 of the Randwick Local Environmental Plan 2012 relating to non-compliance with Clause 4.4 floor space ratio is not supported as the proposed development is not in accordance with the relevant objectives of the floor space ratio development standard and the R3 Medium Density Residential zone and has not demonstrated that there are sufficient environmental planning grounds to justify the variation.
7. The proposed development does not comply with controls contained in the Randwick Comprehensive Development Control Plan 2013 with regards to provision of bicycle parking, landscaped open space, design requirements for communal open space, external wall height, maximum permitted wall lengths and provision of sun shading devices.
8. The proposed development will result in adverse visual amenity impacts to surrounding properties.
9. The proposed development will result in unnecessary additional overshadowing of eastern and western adjoining properties as a result of the non-compliant building height and floor space ratio.

**CARRIED UNANIMOUSLY.**

**D81/18 Development Application Report - 20 Glen Avenue, Randwick  
(DA/678/2017)**

**REASONS:**

The Panel has visited the site, 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 refuses the application for the reasons given below.

**RESOLVED:**

That the RLPP refuse development consent under Section 4.16 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. 678/2017 for partial demolition of existing dwelling house and other ancillary structures and erection of a residential flat building with 4 units at No. 20 Glen Avenue, Randwick for the following reasons:

1. The proposed development fails to satisfy the relevant design quality principles under Schedule 1 of the State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development.
2. The proposed development fails to comply with the relevant provisions of the Apartment Design Guide.
3. The proposed development fails to satisfy the relevant objectives of the R3-Medium Residential zone pursuant to Randwick Local Environmental Plan 2012.
4. The proposed development does not comply with the development standard for building height under Clause 4.3 of the Randwick Local Environmental Plan 2012 and a Clause 4.6 written submission has not been submitted for the amended proposal.
5. The proposed development does not comply with the development standard for floor space ratio under Clause 4.4 of the Randwick Local Environmental Plan 2012 and a Clause 4.6 written submission has not been submitted.
6. The proposed development fails to satisfy the relevant provisions under Parts B3, B4, B7 and C2 of the Randwick Comprehensive Development Control Plan 2013.

**CARRIED UNANIMOUSLY.**

**D82/18 Development Application Report - 46 Dutruc Street, Randwick  
(DA/5/2018)**

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**REASONS:**

The Panel has visited the site, 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 the verbal submission by the architect seeks deferment of the application in order to submit new plans for a different form of development. However, it is not appropriate to defer this application as the concept and use proposed would require a new application.

The Panel refuses the application for the reasons given below.

**RESOLVED:**

That the RLPP refuse development consent under Section 4.16 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. 5/2018 for the demolition of all structures and the construction of four semi-detached dwellings, including Torrens title subdivision into four allotments, associated site and landscaping works, at No. 46 Dutruc Street, Randwick, for the following reasons:

1. The proposed development fails to satisfy the relevant objectives of the R3-

Medium Residential zone pursuant to Randwick Local Environmental Plan 2012.

2. The proposed development does not comply with the development standard and objectives for building height under Clause 4.3 (2A) of Randwick Local Environmental Plan 2012 and a written submission under clause 4.6 has not been submitted for the amended proposal.
3. The proposed development fails to satisfy the provisions in relation to heritage conservation under Clause 5.1 of the Randwick Local Environmental Plan 2012.
4. The development is not satisfactory with respect to the provisions of Clause 6.4 - Stormwater Management and Clause 6.10 - Essential Services of Randwick Local Environmental Plan 2012.
5. The proposed development fails to satisfy the relevant provisions under Parts B2, B6, B7, B8 and C1 of the Randwick Comprehensive Development Control Plan 2013.

**CARRIED UNANIMOUSLY.**

**D83/18 Development Application Report - 216 Fitzgerald Avenue, Maroubra (DA/624/2018)**

**REASONS:**

The Panel has visited the site, 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.

For the reasons outlined in the assessment report, the Panel adopts the recommendation in the report.

**RESOLVED:**

That the RLPP grants development consent under Sections 4.16 and 4.17 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. 624/2018 for the Torrens title subdivision of an approved part 2, part 3 storey attached dual occupancy into two lots, at No. 216 Fitzgerald Avenue, Maroubra subject to the development consent conditions attached to the assessment report.

**CARRIED UNANIMOUSLY.**

**Miscellaneous Reports**

Nil.

The meeting closed at 6.05pm.

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**CHAIRPERSON**