



## MINUTES OF RANDWICK LOCAL PLANNING PANEL MEETING OF RANDWICK CITY COUNCIL HELD ON THURSDAY, 14 MAY 2020 AT 1.10PM

### Present:

|                                      |                               |
|--------------------------------------|-------------------------------|
| <b>Chairperson:</b>                  | Annelise Tuor                 |
| <b>Expert Members:</b>               | Janette Murrell & Peter Romey |
| <b>Community Representatives:</b>    | Kerri Hamer                   |
| <b>Council Officers present:</b>     |                               |
| Manager Development Assessment       | Mr F Ko                       |
| Coordinator Major Assessment         | Mr William Jones              |
| Personal Assistant to the Manager DA | Ms Andrea Halcro              |

### Declarations of Pecuniary and Non-Pecuniary Interests

Nil.

### Address of RLPP by Councillors and members of the public

Deputations were received in respect of the following matters:

|                   |   |
|-------------------|---|
| D20/20            | 97 COOGEE BAY ROAD, COOGEE (DA/269/2019)          |
| <b>Objector</b>   | Paul Cheika                                       |
| D22/20            | 18-20 SURFSIDE AVENUE, CLOVELLY (DA/381/2019)     |
| <b>Objector</b>   | Grant McCarthy                                    |
| <b>Objector</b>   | David Haskew                                      |
| <b>Applicant</b>  | Philip Leamon                                     |
| D23/20            | 236 ALISON ROAD, RANDWICK (DA/56/2019)            |
| <b>Objector</b>   | Cr Kathy Neilson                                  |
| <b>Objector</b>   | Philip North, Weir Phillips Heritage and Planning |
| <b>Objector</b>   | Ian Andrews                                       |
| <b>Applicant</b>  | Lewis Adey  |
| D25/20            | 18 DOLPHIN STREET, RANDWICK (DA/371/2019)         |
| <b>Objector</b>   | Mathew Mornington-West                            |
| <b>Objector</b>   | James Vesper                                      |
| <b>Objector</b>   | Nick Kiossoglou                                   |
| <b>Applicant</b>  | Dr Gary Shiels                                    |
| <b>Applicant</b>  | Mr Merdad Shetab (Architect)                      |
| D26/20            | 50 PINE AVENUE, LITTLE BAY (DA/581/2019)          |
| <b>Councillor</b> | Cr Kathy Neilson                                  |
| <b>Objector</b>   | Adrienne Pearson                                  |
| <b>Applicant</b>  | Anne Lee  |

**Applicant** Kylie Christian, Department of Planning, Industry and Environment

**After the above speakers had addressed the panel, the public meeting was closed at 4.08pm. The Panel then continued to deliberate and vote on each matter via Microsoft Teams.**

**Panel deliberations and voting concluded at 7.21pm.**

### **Urgent Business**

Nil.

### **Development Application Reports**

#### **D20/20 Development Application Report - 97 Coogee Bay Road, Coogee (DA/269/2019)**

##### **RESOLUTION:**

That the RLPP grant consent under Sections 4.16 and 4.17 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. DA/269/2019 for demolition of existing structures, construction of a 4 storey residential flat building with basement car parking, comprising 7 dwellings including 2 Affordable Rental Housing dwellings, 9 car park spaces, landscaping and associated works at No. 97 Coogee Bay Road, Coogee, subject to the development consent conditions attached to the assessment report.

##### **REASON:**

The Panel has inspected the site from the street / public domain, has 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 supports the application for the reasons given in the assessment report.

**CARRIED UNANIMOUSLY.**

#### **D21/20 Development Application Report - 13/20 Glebe Street, Randwick (DA/616/2019)**

##### **RESOLUTION:**

- A. That Randwick Local Planning Panel (RLPP), as the consent authority, support the variation to Clause 4.4 (Floor space ratio) of Randwick Local Environmental Plan 2012 (RLEP 2012) for DA/616/2019 under the provisions of Clause 4.6 (Exceptions to development standards). The concurrence of the Secretary of the Department of Planning, Industry and Environment may be assumed; and
- B. That RLPP, as the consent authority, grant development consent to DA/616/2019 under Sections 4.16 and 4.17 of the Environmental Planning and Assessment Act 1979, as amended, subject to the conditions set out in the assessment report, amended as follows:

##### **Amend the following condition:**

###### **Amendment of Plans & Documentation**

2. The approved plans and documents must be amended in accordance with the following requirements:
  - a) Privacy measures shall be shown to the new windows at the basement level along the northern elevation of Unit 13 to ensure adequate visual privacy for occupants.
  - b) A sun shading device shall be provided to the western façade of the new glass bi-fold doors at the basement level to ensure adequate sun shading to the living room.

- c) Storage areas shall be shown throughout Unit 13, including underneath the staircase, demonstrating a minimum of 8m<sup>3</sup> to ensure adequate internal storage space for occupants.
- d) The rear private open space to Unit 13 shall have a maximum depth of 5m to allow for extra communal open space (in-line with the approval for the neighbouring Unit 14). The fencing of the private open space shall be reduced to a maximum height of 1.2m and screen planting having a depth of 500mm shall be incorporated along the western, northern and southern sides of the private open space.
- e) A landscape plan prepared by a qualified professional (i.e. a registered member of either AILD, AILA or similar) shall be submitted to, and be approved by Council's Manager of Development Assessment, prior to the commencement of site works and must detail the following:
  - A Planting Plan & Plant Schedule which includes proposed species, botanic and common names, pot size at the time of planting, quantity, location, dimensions at maturity and any other details needed to describe the works;
  - A predominance of species that are not reliant on high quantities of moisture and fertilizer for survival;
  - A high quality selection and arrangement of decorative species throughout the communal areas so as to cater to the future amenity needs of occupants. The planting shall include hedging around the front boundary to screen waste bins.
  - Furniture and equipment to be placed in the communal area shall be dimensioned and detailed on the plans.

**REASON:**

The Panel has 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 no submissions were received.

The Panel supports the application for the reasons given in the assessment report, subject to amendments to condition 2 in relation to privacy and landscaping.

**CARRIED UNANIMOUSLY.****D22/20      Development Application Report - 18-20 Surfside Avenue, Clovelly  
(DA/381/2019)**

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**RESOLUTION:**

That the RLPP refuse consent under Sections 4.16 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. 381/2019 for demolition of existing dwellings at 18 & 20 Surfside Avenue, retention of garages at 20 Surfside Avenue, boundary adjustment between both properties, construction of new part 2 and part 3 storey dwelling at 18 Surfside Avenue, swimming pool to rear, new vehicular access and associated works at No. 18 and 20 Surfside Avenue, Clovelly for the following reasons:

1. The RLPP is not satisfied that the matters detailed in clause 4.6(4) of Randwick Local Environmental Plan 2012 have been adequately addressed and consent cannot be granted to the development application, which contravenes the minimum subdivision lot size development standard in Clause 4.1 of Randwick Local Environmental Plan 2012.
2. In particular, the RLPP is not satisfied that the proposal is in the public interest because it is inconsistent with Clause 4.1 objective (a) of the Randwick LEP: to minimise any likely adverse impact of subdivision and development on the amenity of neighbouring properties; and (c) to ensure that lot sizes are able to accommodate development that is suitable for its purpose. The proposed lot for 20 Surfside Avenue is below the standard and the proposed retention of the 5 x garages and crossovers would further limit the potential of this lot to minimise amenity impacts.

3. The proposed garage located at 18 Surfside Avenue, if it were to be developed individually, would have an unacceptable impact upon the streetscape, and the pair of semi-detached dwellings. The development application as proposed does not provide reasonable certainty that the garage would be developed in conjunction with DA/829/2015.)

**CARRIED UNANIMOUSLY.**

**D23/20 Development Application Report - 236 Alison Road, Randwick (DA/56/2019)**

**RESOLUTION:**

- A. That the RLPP, is satisfied that the matters detailed in cl 4.6(4) of Randwick Local Environmental Plan 2012 have been adequately addressed and consent may be granted to the development application which contravenes the development standard in Clause 30(h) of the SEPP ARH relating to motorcycle parking. The concurrence of the Secretary of the Department of Planning, Industry & Environment may be assumed.
- B. That the RLPP grant consent under Sections 4.16 and 4.17 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. 56/2019 for alterations and additions to ground and first floor level of existing 7 room boarding house including bicycle parking, 2 new single boarding rooms, conversion of an existing double room into 2 x single rooms, communal room and associated works, at No. 236 Alison Road Randwick, subject to the development consent condition in the assessment report, amended as follows:

**Amend the following condition:**

**Amendment of Plans & Documentation**

2. The approved plans and documents must be amended in accordance with the following requirements:
  - a. The proposed works within the front setback shall be amended as follows:
    - the bicycle racks shall be relocated to the motorcycle space. No motor cycles shall be parked in this space.
    - landscaping treatment shall be provided that is sympathetic to the decorative elements of the pair of semi-detached dwellings and the adjoining heritage conservation area.
    - The eastern side pedestrian path forward of the building line shall be increased to be a minimum width of 850mm measured from the eastern side boundary, excluding the south-eastern corner of the front fence.
    - The front fence shall be retained.
  - b. An awning roof structure shall be installed to provide weather protection between the underside of the level 1 bathroom and the south facing entry doorway of the communal room to enable weather protected access. The awning structure shall be made of lightweight material and be setback in line with the eastern elevation of the communal room
  - c. The ground level laundry shall be relocated adjacent to or within the communal room, and the communal room bathroom shall be relocated to the southern end of the communal room.
  - d. The 2 x existing bedrooms at the ground floor towards the rear shall be amended to reflect the same configuration as the 2 x boarding rooms above.
  - e. The following windows must have a minimum sill height of 1.6m above floor level, or alternatively, the window/s are to be fixed and be provided with translucent, obscured, frosted or sandblasted glazing below this specified height:
    - The new 1<sup>st</sup> floor, east-facing windows; and
    - All new 1<sup>st</sup> floor, north-facing boarding room windows.

Details shall be submitted to council's Manager Development assessment for approval prior to a CC being issued.

**REASON:**

The Panel has inspected the site from the street and / public domain, has 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 supports the application for the reasons given in the assessment report. In particular, the Panel has considered the submissions in relation to the rear setback, and notes the R3 Medium Density Residential zoning of the site, and that the rear setback will not be inconsistent with the desired future character of the area. The Panel has also considered the Applicant's solar access diagrams and those solar diagrams submitted by the objector, and is satisfied that the level of solar access is compliant.

The Panel has amended condition 2 in order to further improve the amenity of occupants of the proposed development.

**CARRIED UNANIMOUSLY.****D24/20 Development Application Report - 24 Austral Street, Malabar (DA/18/2020)****RESOLUTION:**

That the RLPP grant consent under Sections 4.16 and 4.17 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. 18/2020 for ground floor alterations and additions to existing semi-detached dwelling, including a new awning and inground swimming pool at No. 24 Austral Street, Malabar, subject to the development consent conditions attached to this report.

**REASON:**

The Panel has 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 there were no submissions received.

The Panel supports the application for the reasons given in the assessment report.

**CARRIED UNANIMOUSLY.****D25/20 Development Application Report - 18 Dolphin Street, Randwick (DA/371/2019)****RESOLUTION:**

That the RLPP grant consent under Sections 4.16 and 4.17 of the Environmental Planning and Assessment Act 1979, as amended, to Development Application No. 371/2019 for demolition of existing structures and construction of 6 x 3 storey multi dwelling housing with roof terraces, basement parking and storage, landscaping and associated works, at No. 18 Dolphin Street, Randwick, subject to the development consent conditions attached to the assessment report, amended as follows:

**Amend the following conditions:****Amendment of Plans & Documentation**

2. The approved plans and documents must be amended in accordance with the following requirements:
  - a. The following window/s must have a minimum sill height of 1.6m above floor level, or alternatively, the window/s are to be fixed and be provided with translucent, obscured, frosted or sandblasted glazing below this specified height:
    - All windows in the western façade at the first floor and second floor levels.
    - All windows in the eastern façade at the first floor level.

- b. The northern front setback of the landscaped podium roof to the vehicular entrance and fire hydrant shall be increased from 0.9m to 2m measured from the front boundary.
- c. The northern front setback of the second 'step' comprising deep soil shall be increased from 0.9m to 2m measured from the front boundary. This deep soil area shall comprise suitable vegetation screening.
- d. The deep soil area to the west of the northern pedestrian stair shall be provided with two 'steps' in-line with the 'steps' to the east of the pedestrian stair. The northern front setback of the second 'step' shall be increased from 0.9m to 2m measured from the front boundary. This deep soil area shall comprise suitable vegetation screening.
- e. The northern front fence and trafficable area to the north of Unit 1 shall be deleted and replaced with landscaping.
- f. The Heath Street and Dolphin Street elevations shall be provided with additional fenestration for passive street surveillance and articulation to both frontages, and solar access to Dolphin Street.
- g. A west-facing highlight window shall be provided to the ground floor kitchens for each unit with a minimum sill height of 1.6m measured above the ground floor level of each respective unit. The kitchens shall be subsequently reconfigured so the additional windows can be accommodated.
- h. Vegetation screening shall be provided along the entire eastern and southern boundaries that will reach a mature height of at least 3m. A planter of sufficient size to accommodate this landscaping shall be provided on top of the OSD and RWT.
- i. A pedestrian access shall be provided as part of the existing "3 foot wide" right of way along the southern boundary, which grants access to 20 and 22 Dolphin Street. The landscape plans shall be amended accordingly.
- j. The letterboxes fronting Heath Street shall be relocated to front Dolphin Street.

Details in relation to the above requirements shall be submitted to Council's Manager Development Assessment for approval prior to the issue of a Construction Certificate.

#### **Green Roofs**

3. All green roofs shall be non-trafficable and accessed for maintenance purposes only. Details of waterproofing, planter depths and landscape species shall be submitted to Council's Manager Development Assessment for approval prior to the issue of a Construction Certificate.

#### **REASON:**

The Panel has inspected the site from the street / public domain, has 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 supports the application for the reasons given in the assessment report. In particular, the Panel notes that the proposal is below the permissible FSR and building height standards, and provides greater setbacks than required and is consistent with the anticipated desired future character of the R3 Medium Density Development zone.

The Panel has amended conditions 2 and 3 to improve the amenity for occupants and compatibility of the development with its context.

#### **CARRIED UNANIMOUSLY.**

### **D26/20      Development Application Report - 50 Pine Avenue, Little Bay (DA/581/2019)**

#### **RESOLUTION:**

That the RLPP defer Development Application No. DA/581/2019 pursuant to Section 4.16 (3) of the Environmental Planning & Assessment Act 1979, for demolition of existing sandstone cross at front of Nurses' Memorial Chapel at No. 50 Pine Avenue, Little Bay to enable further consideration

of the reuse options for the cross and its components within the site, as well as information on consultation that has occurred with relevant stakeholders.

The information shall be submitted to the Council by 12 June 2020, otherwise the application will be determined on the information currently provided. Following receipt of this information, the Panel will determine the application under Clause 26 of Schedule 2 of the EP&A Act (electronically), unless the Chair determines that a further public meeting is required.

**REASON:**

The Panel has 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.

In response to the submissions received, the Panel defers the determination until the further information is received to address the above concerns.

**CARRIED UNANIMOUSLY.**

The meeting closed at 7:21pm.

| CONFIRMATION OF MINUTES BY PANEL MEMBERS |             |
|--|-------------|
| Annelise Tuor (Chairperson)              | Jan Murrell |
| Peter Romey                              | Kerri Hamer |