



**DETERMINATION AND STATEMENT OF REASONS**  
SYDNEY CENTRAL PLANNING PANEL

<b>DATE OF DETERMINATION</b>	Thursday 17 August 2017
<b>PANEL MEMBERS</b>	Maria Atkinson (Chair), Sue Francis, John Roseth
<b>APOLOGIES</b>	Murray Matson, Scott Nash
<b>DECLARATIONS OF INTEREST</b>	None

Public meeting held at Christie Conference Centre 3 Spring Street Sydney on 17 August 2017, opened at 1:30pm and closed at 3:15pm.

**MATTER DETERMINED**

2017SCL036 – Randwick – DA644/2016 at 164-174 Barker Street Randwick (AS DESCRIBED IN SCHEDULE 1)

**PANEL CONSIDERATION AND DECISION**

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

The decision was unanimous.

**REASONS FOR THE DECISION**

The Panel undertook a site inspection, was briefed by Council, considered the assessment report and it supports the Council's recommendation to approve the application.

The proposed development satisfies the relevant statutory assessment criteria and will result in a built form and spatial relationship with the public domain that will be an exemplary addition to the local area.

The Panel considered the applicant's Clause 4.6 variation request and found it to be well founded as it is consistent with the envelope approved pursuant to the Concept Plan approval. The minor exceedances were complemented by significant height reductions within the centre of the site and adjacent to the conservation areas. The Panel determined that the additional height will not result in any additional detrimental amenity impacts.

The Panel noted that the proposed buildings have been designed to limit overshadowing to adjacent properties, as well as the future public park to the south.

The proposal integrates commercial retail land uses which complements the residential development and contributes to providing to the local needs of the community.

## CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report with the following amendments:

- Conditions 2(b) to be amended to read as follows:




*The proposed garbage area at the ground level of the eastern building (E1.2) shall be utilised as a collection point for recycling bins and shall be minimised in size and frontage to ST1 so that the retail frontage of the development is maximised. The final configuration of the collection point shall be determined subject to a Waste Management Plan being submitted to Council's Manager Development Assessment for approval prior to the issuing of construction certificate. The household waste area shall be provided in the basement of the development and the hydrant/booster pumps be located to maximise the retail frontage. The Waste Management Plan shall address the following matters but is not limited to:*

- *Retail waste management requirements & procedures, including compaction rates, frequency of collection, size & number of bins, location of storage and collection, method of waste transfer, and maintenance requirements.*
- *Residential waste management requirements & procedures, including compaction rates, frequency of collection, size & number of bins, location of storage and collection, method of waste transfer, and maintenance requirements.*

- Condition 2(e) be amended to read as follows:

*Planters shall be provided continuously along the north and south edges of the upper level terraces. The Planters are to be provided in accordance with Drawing Reference SK-036, dated 11/08/17. The plant species in the planter boxes shall include 'Pig Face' and other similar ground covers such as 'Blue Chalk Sticks' or similar, as well as low grass/shrub plantings, to create layers as well as visual contrast. The Planters shall be located on common property and an access agreement is to be incorporated in the strata by laws for on-going maintenance purposes. Details of the plant species and access arrangements are to be submitted to Council's Manager Development Assessment for approval prior to the issuing of construction certificate.*

- Condition 2(g) to be deleted.

PANEL MEMBERS	
 Maria Atkinson (Chair)	 Sue Francis
 John Roseth	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017SCL024 – Randwick – DA664/2016
2	PROPOSED DEVELOPMENT	Demolition of the existing structures, construction of 2 x 8 storey shop top housing development within lots E1.1 and E1.2 including retail/commercial tenancies, 128 residential apartments, 2 basement levels of parking with 137 car spaces, an urban plaza, associated site, remediation and landscape works.
3	STREET ADDRESS	30-36 Dangar Street Randwick
4	APPLICANT/OWNER	Cbus Property Sydney Residential Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$20 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>○ State Environmental Planning Policy (State and Regional Development) 2011</li> <li>○ State Environmental Planning Policy No.55 – Remediation of Land</li> <li>○ State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development</li> <li>○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</li> <li>○ Randwick Local Environmental Plan 2012</li> </ul> </li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>○ Randwick Development Control Plan 2012</li> </ul> </li> <li>• Planning agreements: Draft Voluntary Planning Agreement under section 93F</li> <li>• Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil</li> <li>• Coastal zone management plan: Nil</li> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>• The suitability of the site for the development</li> <li>• Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>• The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>• Council assessment report: 25 July 2017</li> <li>• Council memo: 16 August 2017</li> <li>• Amended plans: 16 August 2017</li> <li>• Written submissions during public exhibition: 7</li> <li>• Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>○ On behalf of the applicant: Peter Strudwick</li> </ul> </li> </ul>
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>• Site inspection and briefing meeting: 6 July 2017</li> <li>• Final briefing meeting to discuss council's recommendation, 17 August 2017 at 1:15pm. Attendees: <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Maria Atkinson (Chair), Sue Francis, John Roseth</li> <li>○ <u>Council assessment staff</u>: Names</li> </ul> </li> </ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report