



DETERMINATION AND STATEMENT OF REASONS
SYDNEY EASTERN CITY PLANNING PANEL

DATE OF DETERMINATION	Thursday 13 December 2018
PANEL MEMBERS	John Roseth (Chair), Sue Francis, Peter Brennan, Murray Matson, Christie Hamilton
APOLOGIES	Carl Scully, Brendan Roberts
DECLARATIONS OF INTEREST	None

Public meeting held at Fraser Suites Sydney 488 Kent Street Sydney on 13 December 2018, opened at 3pm and closed at 3.10pm.

MATTER DETERMINED

2018SCL024 – Randwick – DA773/2017 at 181-191 Maroubra Road Maroubra (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 briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The proposal, except for a minor variation of the building height development standard, complies with the controls applying to the site and with the desired future character of the locality.



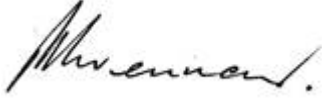


The Panel notes that the proposal exceeds the height development standard over a small proportion of the roof area in order to allow equitable access to the roof terrace area. This variation is in response to a written submission by the applicant under cl 4.6 of the Randwick LEP 2012. The Panel accepts the cl 4.6 variation provided by the applicant where sufficient environmental planning grounds have been established to justify the variation. The proposal is consistent with the objectives of the zone and of the height development standard itself and that the access to the roof terrace results in a better environmental planning outcome.

In all other respect the Panel considers the proposal acceptable and accepts the recommendation of the assessment report.

The Panel notes that there was one written submission to the application, which has been satisfactorily dealt with. There were no objectors at the public meeting on 13 December 2018.

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report.

PANEL MEMBERS	
 John Roseth (Chair)	 Sue Francis
 Peter Brennan	 Murray Matson
 Christie Hamilton	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018SCL024 – Randwick – DA773/2017
2	PROPOSED DEVELOPMENT	Demolition of the existing buildings and construction of a part 6, part 7 storey shop top housing development in two built forms, comprising 9 retail shops at the ground floor level with 65 residential units above, and 3 levels of basement parking for 136 cars.
3	STREET ADDRESS	181-191 Maroubra Road, Maroubra
4	APPLICANT/OWNER	Applicant: Sgammotta Architects Owner: The Owners - Strata Plan No. 11011
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy (State and Regional Development) 2011 ○ State Environmental Planning Policy No.55 Remediation of Land ○ State Environmental Planning Policy (Building Sustainability Index BASIX) 2004 ○ State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development ○ Randwick Local Environmental Plan 2012 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Randwick Comprehensive Development Control Plan 2014 ○ Randwick City Council Development Contributions Plan • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil • Coastal zone management plan: Nil • The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality • The suitability of the site for the development • Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations • The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Council assessment report: 15 November 2018 • Written submissions during public exhibition: 1 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ On behalf of the applicant – Max Sgammotta
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Site inspection and briefing: 7 June 2018 • Final briefing to discuss council's recommendation, 13 December 2018 at 2.30pm. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: John Roseth (Chair), Sue Francis, Peter Brennan, Murray Matson Christie Hamilton ○ <u>Council assessment staff</u>: Frank Ko
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report