

DATE OF DEFERRAL	8 December 2021
PANEL MEMBERS	Jan Murrell (Chair), Brian Kirk, Stephen Davies, Christie Hamilton, Murray Matson
APOLOGIES	Carl Scully
DECLARATIONS OF INTEREST	None

Public meeting held by videoconference on 2 December 2021, opened at 10.30am and closed at 11.30am

MATTER DEFERRED

PPSSEC-117 – Randwick - DA/642/2020 at 11-19 Frenchmans Rd, Randwick - Proposed development as amended seeks approval for demolition of existing structures including existing aged care facility, construction of a 4 storey building for the purposes of seniors housing with ancillary uses comprising 86 beds (77 rooms) and 2 independent units, rooftop terrace, basement car parking for 18 vehicles, lot consolidation, landscaping and associated works (variations to FSR and building height of the Randwick LEP 2012) (the RLEP).

REASONS FOR DEFERRAL

The Panel agreed to defer determination of the matter for the following reasons.

Firstly, the Assessment Report is incomplete. To allow a determination, the report must address the relevant planning instruments and provisions for the subject site. In this regard it is noted that under subclause 24(1)(b) of the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (the Seniors Housing SEPP) a 'site compatibility certificate' is not necessary because the use is permissible with consent in the R3 zone and the development is to be assessed under its provisions which prevail over the LEP. A further matter that requires consideration is the State Environmental Planning Policy (Housing) 2021 (the Housing SEPP) which was gazetted 26 November 2021, and while the Housing SEPP contains a savings provision that requires already lodged DA's to be determined under the previous controls, at the same time an assessment was not carried out and it is a relevant matter, under Section 4.15(1)(a)(ii) of the *Environmental Planning and Assessment Act 1979*, for the Panel to consider.

Secondly, this deferment provides the Applicant with the opportunity to amend its plans and documentation, including where necessary new cl.4.6 written requests under the relevant controls, to resolve issues to ameliorate impacts on neighbouring properties to ensure appropriate setbacks and to allow the facility to be viewed within a landscaped setting.

The Panel, as does the Council and the community, recognizes the need for this facility to be upgraded to meet the community's needs and expectations and this requires a balanced approach to provide an appropriate built form outcome for the site.

The Panel requires the Applicant to engage in discussions with the Council's planners within the next two weeks and prepare preliminary plans and information to be submitted to Council by 14 January 2022. Council is required to carry out its assessment within 2 weeks of the receipt of revised information and forward to the Secretariat by 27 January, to allow distribution to Panel members to allow a Panel briefing to be held with the Council's planner and the applicant on 3 February 2022. The revised plans and documentation will then be renotified and publicly exhibited. Following exhibition, a report is to then be submitted for the Panel's determination at a public meeting to be convened 29 March 2022.

If revised information from the Applicant is not provided within the above time frame, the Panel may move to determine the DA based on the current plans with an addendum to the assessment report.


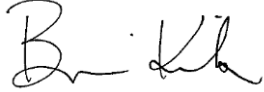



Prior to making its decision to defer the matter the Panel heard from:

- o Community members - Cameron Ireland and Jessica Kurosaki
- o Council assessment officer – Sohail Faridy
- o On behalf of the applicant – Marian Higgins, Anthony Boskovitz, Nick Winberg

The decision to defer the matter was unanimous.

Further dates:

- Briefing: 3 February 2022
- Determination: 29 March 2022

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 Stephen Davies	 Christie Hamilton
 Murray Matson	