

DETERMINATION AND STATEMENT OF REASONS

SYDNEY EASTERN CITY PLANNING PANEL

DATE OF DETERMINATION	28 February 2024
DATE OF PANEL DECISION	27 February 2024
DATE OF PANEL BRIEFING	27 February 2024
PANEL MEMBERS	Carl Scully (Chair), Amelia Thorpe, Glennis James, Marea Wilson Joanne McCafferty
APOLOGIES	Alice Spizzo
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 16 February 2024.

MATTER DETERMINED

PPSSEC-238 - Randwick - DA/483/2022 at 2, 4, 6 Girawah Place, Matraville – Construction of three buildings ranging in height between 5 and 7 storey containing a mixed use industrial, warehouse and recreational development with 2 basement levels for parking, storage and plant areas (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.

Development application

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 Panel determined to approve the application for the reasons outlined in the Council Assessment, Addendum and Supplementary Reports.

CONDITIONS

The Development Application was approved subject to the conditions in the Council Supplementary Assessment Report with the following amendments.






- Amend Deferred Commencement Condition A1 to read as follows:
A1. The building on Lot 1 is to be modified to introduce an 4m setback to the eastern boundary on Levels 3, 4 and 5. The displaced floor area associated with the gym tenancy on Level 3, the outdoor play area of the child care centre on Levels 3 and 4 and the indoor recreation tenancy on Level 5 may be relocated outside the 4m setback. An overall increase in the GFA proposed as a consequence of relocating floor area is not permitted.
- Delete Deferred Commencement Condition A3 and insert the wording as a new Condition 1A
- Delete Deferred Commencement Condition A4
- Amend Deferred Commencement Condition A5 to remove the second sentence
- Delete Deferred Commencement Condition A6 and insert the wording as a new Condition 1B

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during public exhibition. The Panel notes that issues of concern included:

- Visual privacy and security
- Visual impact
- Appropriateness and cumulative impact of proposing sensitive land uses
- Traffic generation and safety
- Acoustic assessment

The Panel considers that concerns raised by the community have been adequately addressed in the Assessment Reports. The Panel notes that in addressing these issues appropriate conditions have been imposed.

PANEL MEMBERS	
 Carl Scully (Chair)	 Amelia Thorpe
 Glennis James	 Marea Wilson
 Joanne McCafferty	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSEC-238 - Randwick - DA/483/2022
2	PROPOSED DEVELOPMENT	Construction of three buildings ranging in height between 5 and 7 storey containing a mixed use industrial, warehouse and recreational development with 2 basement levels for parking, storage and plant areas
3	STREET ADDRESS	Lot 2 DP 261143 2 Girawah Place Matraville Lot 1 DP 219847 4 Girawah Place, Matraville Lot 3 DP 271143 6 Girawah Place, Matraville
4	APPLICANT/OWNER	Applicant - Agy Dassakis (Spirecorp) Owner – Spirecorp Pty Ltd
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 (Biodiversity and Conservation) 2021 State Environmental Planning Policy (Planning Systems) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 Randwick Local Environmental Plan 2012 Draft environmental planning instruments: <ul style="list-style-type: none"> Draft Remediation of Land SEPP Draft SEPP (Environment) Draft Randwick Comprehensive Planning Proposal Development control plans: <ul style="list-style-type: none"> Randwick Development Control Plan 2013 Planning agreements: Nil Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> 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: 7 September 2023 Addendum Council Assessment Report: 16 January 2024 Written submissions during public exhibition: 2 Total number of unique submissions received by way of objection: 2
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Kick Off Briefing: 24 November 2022 <ul style="list-style-type: none"> <u>Panel members</u>: Carl Scully (Chair), Jan Murrell <u>Council assessment staff</u>: Isobella Lucic, Tony Ristevski <u>Applicant Representatives</u>: Agy Dassakis, Steve Hawkesley, Jeff Mead, Troy Loveday, John Wilkin <u>Department staff</u>: Carolyn Hunt Site inspection: 6 April 2023 <ul style="list-style-type: none"> <u>Panel members</u>: Carl Scully (Chair), Alice Spizzo, Joanne McCafferty <u>Apologies</u>: Amelia Thorpe, Kathy Neilson <u>Council assessment staff</u>: Isobella Lucic, Scott Cox

		<ul style="list-style-type: none"> ○ <u>Applicant Representatives:</u> Jeff Mead, Agy Dassakis, Steve Hawkesley, Dom Bennett, Devon Claremont, Troy Loveday ○ <u>Department staff:</u> Lillian Charlesworth, Suzie Jattan <ul style="list-style-type: none"> • Council Briefing: 21 September 2023 <ul style="list-style-type: none"> ○ <u>Panel members:</u> Carl Scully (Chair), Amelia Thorpe, Glennis James, Marea Wilson, Joanne McCafferty ○ <u>Council assessment staff:</u> Frank Ko ○ <u>Council's Consultant Planners:</u> Darren Laybutt, Margaret Roberts ○ <u>Department staff:</u> Carolyn Hunt, Louisa Agyare, Lisa Ellis • Applicant Briefing: 21 September 2023 <ul style="list-style-type: none"> ○ <u>Panel members:</u> Carl Scully (Chair), Amelia Thorpe, Glennis James, Marea Wilson, Joanne McCafferty ○ <u>Applicant Representatives:</u> Agy Dassakis, Jeff Mead, Steve Hawkesley, Toby Raffael, Dominic Bennett, Devon Claremont ○ <u>Council assessment staff:</u> Frank Ko ○ <u>Council's Consultant Planners:</u> Darren Laybutt, Margaret Roberts ○ <u>Department staff:</u> Carolyn Hunt, Louisa Agyare, Lisa Ellis • Council Briefing: 23 January 2024 <ul style="list-style-type: none"> ○ <u>Panel members:</u> Carl Scully (Chair), Amelia Thorpe, Glennis James, Marea Wilson ○ <u>Council assessment staff:</u> Angela Manahan ○ <u>Council's Consultant Planner:</u> Darren Laybutt ○ <u>Department staff:</u> Carolyn Hunt, Lisa Ellis • Applicant Briefing: 23 January 2024 <ul style="list-style-type: none"> ○ <u>Panel members:</u> Carl Scully (Chair), Amelia Thorpe, Glennis James, Marea Wilson ○ <u>Applicant Representatives:</u> Agy Dassakis, Jeff Mead, Steve Hawkesley, Toby Raffael, Dominic Bennett, Devon Claremont ○ <u>Council assessment staff:</u> Angela Manahan ○ <u>Council's Consultant Planner:</u> Darren Laybutt ○ <u>Department staff:</u> Carolyn Hunt, Lisa Ellis • Final briefing to discuss Council's recommendation: 27 February 2024 <ul style="list-style-type: none"> ○ <u>Panel members:</u> Carl Scully (Chair), Amelia Thorpe, Glennis James, Marea Wilson, Joanne McCafferty ○ <u>Council assessment staff:</u> Angela Manahan ○ <u>Council's Consultant Planner:</u> Darren Laybutt ○ <u>Department staff:</u> Carolyn Hunt, Lisa Ellis
9	COUNCIL RECOMMENDATION	Approval (Deferred Commencement)
10	DRAFT CONDITIONS	Attached to the Council Supplementary Assessment Report