

## DETERMINATION AND STATEMENT OF REASONS

### SYDNEY EASTERN CITY PLANNING PANEL

<b>DATE OF DETERMINATION</b>	20 April 2023
<b>DATE OF PANEL DECISION</b>	20 April 2023
<b>DATE OF PANEL MEETING</b>	20 April 2023
<b>PANEL MEMBERS</b>	Carl Scully, Alice Spizzo, Joanne McCafferty
<b>APOLOGIES</b>	Amelia Thorpe, Kathy Nielson, Danny Said
<b>DECLARATIONS OF INTEREST</b>	Nil

Papers circulated electronically on 12 April 2023.

#### MATTER DETERMINED

PPSSEC-267 - DA/20/2021/D - RANDWICK –177-197 Anzac Parade, Kensington, S4.56 Modification

Application of approved development to amend the development consent granted by the NSW Land and Environment Court, where the development will remain substantially the same as the development that was originally approved. The modification sought to the approved development is to amend the original architectural plans including the basement, ground, and upper floor plans to facilitate minor internal design changes (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 4.55 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

#### REASONS FOR THE DECISION


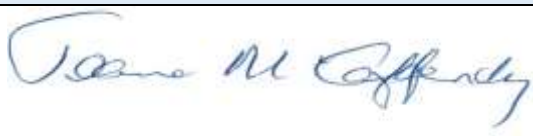

- The proposed modifications are considered to result in a development that is substantially the same as the previously approved development.
- The modified development will not result in significant adverse environmental impacts upon the amenity and character of the locality.
- The proposal is consistent with the relevant objectives contained within the SEPP ARH, RLEP 2012 and the relevant requirements of the RDCP 2013 and the K2K DCP 2020.
- The proposal is consistent with the specific objectives of the B2 Local Centre zone in that it shall maintain its contribution to the range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area; encourage employment opportunities; maximises public transport, provides residential development that is well-integrated with, and supports the primary business function of, the zone; provides a high standard of urban design; and protects the amenity of surrounding residents

#### CONDITIONS

The Modification Application was approved subject to the conditions in the council assessment report.

## CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel notes there were no submissions made during public exhibition.

PANEL MEMBERS	
 Carl Scully	 Joanne McCafferty
 Alice Spizzo	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSEC-267 - DA/20/2021/D -
2	PROPOSED DEVELOPMENT	S4.56 Modification Application of approved development to amend the development consent granted by the NSW Land and Environment Court, where the development will remain substantially the same as the development that was originally approved. The modification sought to the approved development is to amend the original architectural plans including the basement, ground, and upper floor plans to facilitate minor internal design changes
3	STREET ADDRESS	177-197 Anzac Parade, Kensington
4	APPLICANT/OWNER	Applicant - Taylah Brito (Urbis Pty Ltd) c/o Cedar Pacific and UniLodge Owner - Cedar Pacific Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	S4.56 Modification Application
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"><li>• State Environmental Planning Policy (State and Regional Development) 2011.</li><li>• State Environmental Planning Policy (Affordable Rental Housing 2009)</li><li>• State Environmental Planning Policy (Planning Systems) 2021.</li><li>• Randwick Local Environmental Plan 2012. • Randwick Development Control Plan – Section E6 Kensington and Kingsford Town Centres.</li><li>• Planning agreements: Nil</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</li></ul>

		sustainable development
7	<b>MATERIAL CONSIDERED BY THE PANEL</b>	<ul style="list-style-type: none"> <li>• Council Assessment Report: 4 April 2023</li> <li>• Amended Architectural Plans</li> <li>• Revised Cost Estimate</li> <li>• Updated BASIX certificate</li> <li>• Written submissions during public exhibition:</li> </ul>
8	<b>MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL</b>	<ul style="list-style-type: none"> <li>• 20 April 2023 – Site Inspection</li> <li>• 20 April 2023 - Final briefing to discuss council's recommendation: <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Carl Scully, Alice Spizzo, Joanne McCafferty</li> <li>○ <u>Council assessment staff</u>: Ferdinando Macri, Scott Cox</li> <li>○ <u>Applicant representatives</u>: Taylah Brito, Christopher Croucamp Michael Aquilina, Murray Donaldson, Tim Pryor, Zara Bennett</li> </ul> </li> </ul>
9	<b>COUNCIL RECOMMENDATION</b>	Approval
10	<b>DRAFT CONDITIONS</b>	Attached to the Council Assessment Report