

<b>DATE OF DETERMINATION</b>	20 May 2024
<b>DATE OF PANEL DECISION</b>	20 May 2024
<b>DATE OF PANEL BRIEFING</b>	14 May 2024
<b>PANEL MEMBERS</b>	Carl Scully (Chair), Amelia Thorpe, Susan Budd, Joanne McCafferty and Marea Wilson
<b>APOLOGIES</b>	Alice Spizzo
<b>DECLARATIONS OF INTEREST</b>	None

Papers circulated electronically on 3 May 2024.

**MATTER DETERMINED**

PPSSEC-315 – Randwick – DA/887/2018/B – 150-162 Barker Street, 1 Jane Street and & 8-20 Young Street, Randwick – Section 4.55(2) - Modification to the approved development to include a new supermarket, relocate the loading area, additional level of basement parking, new through site link, reduced apartment yield from 131 to 111, external façade changes and adjusted floor levels (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 briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

**Application for modification of consent**

The Panel is satisfied that the application is substantially the same development and the reasons for the original approval have been taken into consideration for this determination.

The Panel determined to approve the modification application pursuant to section 4.55(2) 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 Report.

**CONDITIONS**

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

- Insert new Condition 2A, that reads as follows:
  - The 14 visitor bike parking spaces shown on the ground level plan shall be relocated to an alternate publicly accessible and sheltered area at ground level. The amended location is to be submitted to and approved by Council’s Manager Development Assessment prior to the release of any construction certificate related to the N1 Development.
  - The required fire hydrants shall be enclosed by a suitably accessible screen to the satisfaction of Council’s Manager Development Assessment. Details of the screening enclosure are to be submitted to and approved by Council’s Manager Development Assessment prior to the release of any construction certificate related to the N1 Development.

It was noted that there was a duplication in Council's assessment report recommendation, in the dot point above Conditions 160-169, being '143A, B, C and 151A' which is to be removed, so that the dot point reads as follows:



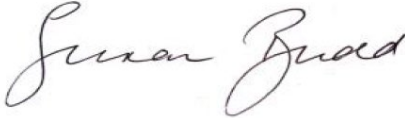


- Add the following Environmental Health conditions 160-169 (Operational):

#### 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:

- Acoustic impacts
- Traffic impacts
- Streetscape character
- Safety risk for children
- Economic feasibility, traffic congestion and trolleys being littered

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

PANEL MEMBERS	
 Carl Scully (Chair)	 Amelia Thorpe
 Susan Budd	 Joanne McCafferty
 Marea Wilson	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSEC-315 – Randwick – DA/887/2018/B
2	PROPOSED DEVELOPMENT	Section 4.55(2) - Modification to the approved development to include a new supermarket, relocate the loading area, additional level of basement parking, new through site link, reduced apartment yield from 131 to 111, external façade changes and adjusted floor levels
3	STREET ADDRESS	150-162 Barker Street, 1 Jane Street and & 8-20 Young Street, Randwick
4	APPLICANT/OWNER	Cbus Property Sydney Residential Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.55(2) Modification Application
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 (Planning Systems) 2021</li> <li>○ State Environmental Planning Policy No 65 (Design Quality of Residential Apartment 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 2013</li> <li>○ Newmarket</li> </ul> </li> <li>• Planning agreements: Nil</li> <li>• Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i></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: 3 May 2024</li> <li>• Written submissions during public exhibition: 2</li> <li>• Total number of unique submissions received by way of objection: 2</li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>• Briefing: 14 May 2024 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Carl Scully (Chair), Susan Budd, Amelia Thorpe, Joanne McCafferty, and Marea Wilson</li> <li>○ <u>Council assessment staff</u>: Ferdinando Macri, Angela Manahan, Joseph Edmonds, Max Di Rosario, William Joannides</li> <li>○ <u>Department staff</u>: Carolyn Hunt and Lisa Ellis</li> </ul> </li> <li>• Site inspection: 14 May 2024 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Carl Scully (Chair), Susan Budd, Amelia Thorpe, Joanne McCafferty, and Marea Wilson</li> <li>○ <u>Council assessment staff</u>: Ferdinando Macri, Angela Manahan, Joseph Edmonds and Max Di Rosario</li> </ul> </li> <li>• Applicant Briefing: 14 May 2024 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Carl Scully (Chair), Susan Budd, Amelia Thorpe, Joanne McCafferty, and Marea Wilson</li> <li>○ <u>Applicant representatives</u>: Rosie Sutcliffe, Pip Williams, Helen Rosen and Rachel Yabsley</li> </ul> </li> </ul>

		<ul style="list-style-type: none"> <li>○ <u>Council assessment staff</u>: Ferdinando Macri, Angela Manahan, Joseph Edmonds, Max Di Rosario and William Joannides</li> <li>○ <u>Department staff</u>: Carolyn Hunt and Lisa Ellis</li> </ul> <ul style="list-style-type: none"> <li>● Final briefing to discuss council’s recommendation: 14 May 2024 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Carl Scully (Chair), Susan Budd, Amelia Thorpe, Joanne McCafferty, and Marea Wilson</li> <li>○ <u>Council assessment staff</u>: Ferdinando Macri, Angela Manahan, Joseph Edmonds and William Joannides</li> <li>○ <u>Department staff</u>: Carolyn Hunt and Lisa Ellis</li> </ul> </li> </ul>
<b>9</b>	<b>COUNCIL RECOMMENDATION</b>	Approval
<b>10</b>	<b>DRAFT CONDITIONS</b>	Attached to the Council Assessment Report