

# COUNCIL ASSESSMENT REPORT

<b>Panel Reference</b>	PPSEC-356
<b>DA Number</b>	DA/437/2021/A
<b>LGA</b>	Randwick City Council
<b>Proposed Development</b>	Section 4.55(2) Modification to the approved development to remove deferred commencement condition and amend any further conditions referencing the Noise Masterplan, and minor amendments to Basement Level 01.
<b>Street Address</b>	212 Arden Street COOGEE NSW 2034 227-233 Coogee Bay Road COOGEE NSW 2034 5-7 Vicar Street COOGEE NSW 2034 15A Vicar Street COOGEE NSW 2034
<b>Applicant/Owner</b>	Simmatown Pty Ltd and Cheung Properties Pty Ltd
<b>Date of MOD lodgement</b>	19 December 2024
<b>Total number of Submissions Number of Unique Objections</b>	Total submissions (in opposition): 28 <ul style="list-style-type: none"> <li>Noise impacts and concerns regarding deletion of Noise Masterplan condition.</li> <li>General objection to redevelopment of the site.</li> <li>Building bulk, scale, and height.</li> <li>Pedestrian and traffic safety concerns.</li> <li>Concerns regarding alcohol consumption and smoke emissions.</li> <li>Loss of low income housing.</li> <li>Tree removal concerns.</li> </ul>
<b>Recommendation</b>	Refusal
<b>Regional Development Criteria</b>	Clause 2 Schedule 6 of State Environmental Planning Policy (Planning Systems) 2021: General development over \$30 million.
<b>List of all relevant s4.15(1)(a) matters</b>	<ul style="list-style-type: none"> <li><i>State Environmental Planning Policy (Planning Systems) 2021.</i></li> <li><i>State Environmental Planning Policy (Housing) 2021.</i></li> <li><i>Randwick Local Environmental Plan 2012.</i></li> <li><i>Randwick Development Control Plan 2013.</i></li> </ul>
<b>List all documents submitted with this report for the Panel's consideration</b>	<ul style="list-style-type: none"> <li>Statement of Environmental Effects for Section 4.55(2) Modification (December 2024).</li> <li>DA099 Basement Level 01 Plan, Rev. 17 (16/12/2024).</li> </ul>
<b>Clause 4.6 requests</b>	Not applicable.
<b>Summary of key submissions</b>	<ul style="list-style-type: none"> <li>Acoustic amenity impacts.</li> <li>Deletion of deferred commencement condition relating to a Noise Masterplan.</li> <li>Substantially the same development as originally approved.</li> </ul>
<b>Report prepared by</b>	Julia Warren
<b>Report date</b>	5 March 2025

## Summary of s4.15 matters

Have all recommendations in relation to relevant s4.15 matters been summarised in the Executive Summary of the assessment report?

Yes

## Legislative clauses requiring consent authority satisfaction

Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report?

Yes

*e.g. Clause 7 of SEPP 55 - Remediation of Land, Clause 4.6(4) of the relevant LEP*

## Clause 4.6 Exceptions to development standards

If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report?

Not applicable

## Special Infrastructure Contributions

Does the DA require Special Infrastructure Contributions conditions (S7.24)?

*Note: Certain DAs in the Western Sydney Growth Areas Special Contributions Area may require specific Special Infrastructure Contributions (SIC) conditions*

Not applicable

## Conditions

Have draft conditions been provided to the applicant for comment?

*Note: in order to reduce delays in determinations, the Panel prefer that draft conditions, notwithstanding Council's recommendation, be provided to the applicant to enable any comments to be considered as part of the assessment report*

Not applicable