

DETERMINATION AND STATEMENT OF REASONS
SYDNEY EASTERN CITY PLANNING PANEL

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| DATE OF DETERMINATION | 2 April 2025 |
| DATE OF PANEL DECISION | 28 March 2025 |
| DATE OF PANEL MEETING | 28 March 2025 |
| PANEL MEMBERS | Carl Scully (Chair), Alice Spizzo, Susan Budd, Aaron Magner and Dexter Gordon |
| APOLOGIES | None |
| DECLARATIONS OF INTEREST | <p>Marea Wilson declared a conflict of interest as she has previously made a submission to the Panel in objection to the development. She did not participate in the meeting.</p> <p>Danny Said declared a non-pecuniary and not significant conflict, as Mayor of Randwick City Council September 2019- September 2021, as he had met the proprietor of the Coogee Bay Hotel at various Charity functions and discussions on Coogee Bay Road activations. Between September 2021 till present, he has spoken to Mr Chris Chueng once at a charity event in late 2024. He did not participate in the meeting.</p> |

Public meeting held by teleconference on 28 March 2025, opened at 10.02am and closed at 10.52am.

MATTER DETERMINED

PPSSEC-356 - Randwick - DA/437/2021/A - 212 Arden Street, 227-233 Coogee Bay Road, 5-7 and 15A Vicar Street, Coogee - 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 (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 listed at item 8 in Schedule 1.

Application for modification of consent

The Panel determined to refuse the modification application pursuant to section 4.55 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel determined to refuse the application for the reasons numbered 1 to 6 outlined in the Council Assessment Report, but not reason number 7.

The Panel emphasised to the applicant's representative, the importance of complying with the requirements of the deferred commencement conditions A1 in respect of acoustic impact. The Panel also advised the applicant's representative that satisfactory resolution of the acoustic impact deferred commencement condition was expected, and this should be reflected in the final s34 Conciliation conference documentation.

The Panel had regard to the continued community interest in properly managing potential noise impact.

CONDITIONS



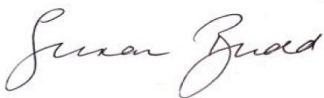


Not applicable

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during public exhibition and heard from all those wishing to address the Panel. The Panel notes that issues of concern included:

- Noise impacts and concerns regarding deletion of Noise Masterplan condition
- General objection to redevelopment of the site
- Building bulk, scale and height
- Pedestrian and traffic safety concerns
- Concerns regarding alcohol consumption and smoke emissions
- Loss of low income housing
- Tree removal concerns

The Panel considers that concerns raised by the community have been adequately addressed in the Assessment Report and that no new issues requiring assessment were raised during the public meeting.

| PANEL MEMBERS | |
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|  Carl Scully (Chair) |  Alice Spizzo |
|  Susan Budd |  Aaron Magner |
|  Dexter Gordon | |

| SCHEDULE 1 | | |
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| 1 | PANEL REF – LGA – DA NO. | PPSSEC-356 - Randwick - DA/437/2021/A |
| 2 | PROPOSED DEVELOPMENT | 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 |
| 3 | STREET ADDRESS | 212 Arden Street, 227-233 Coogee Bay Road, 5-7 and 15A Vicar Street, Coogee |
| 4 | APPLICANT/OWNER | Simmattown Pty Ltd Simmattown Pty Ltd and Cheung Properties Pty Ltd |
| 5 | TYPE OF REGIONAL DEVELOPMENT | Section 4.55(2) Modification Application |
| 6 | RELEVANT MANDATORY CONSIDERATIONS | <ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (Planning Systems) 2021 State Environmental Planning Policy (Housing) 2021 Randwick Local Environmental Plan 2012 Draft environmental planning instruments: Nil 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: 5 March 2025 Written submissions during public exhibition: 28 Verbal submissions at the public meeting: <ul style="list-style-type: none"> Michael Doumani, George Roumanous, Rona Wade and Patrick Cunningham, Jennifer Thomas Council assessment officer – Julia Warren and Barry Mullin On behalf of the applicant – Jacqueline Parker Total number of unique submissions received by way of objection: 28 |
| 8 | MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL | <ul style="list-style-type: none"> Briefing: 27 February 2025 <ul style="list-style-type: none"> <u>Panel members</u>: Carl Scully (Chair), Susan Budd, Aaron Magner and Dexter Gordon <u>Council assessment staff</u>: Julia Warren, Ferdinando Macri, Frank Ko, Barry Mullin, Meryl Bishop <u>Department staff</u>: Carolyn Hunt and Lisa Ellis Final briefing to discuss Council's recommendation: 28 March 2025 <ul style="list-style-type: none"> <u>Panel members</u>: Carl Scully (Chair), Alice Spizzo, Susan Budd, Aaron Magner and Dexter Gordon <u>Council assessment staff</u>: Julia Warren, Meryl Bishop, Barry Mullin, Frank Ko, Angela Manahan, Ferdinando Macri <u>Department staff</u>: Carolyn Hunt and Ilona Ter-Stepanova |

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| 9 | COUNCIL RECOMMENDATION | Refusal |
| 10 | DRAFT CONDITIONS | N/A |