

DATE OF DETERMINATION	19 December 2025
DATE OF PANEL DECISION	18 December 2025
DATE OF PANEL BRIEFING	16 December 2025
PANEL MEMBERS	Carl Scully (Chair), Alice Spizzo, Susan Budd, Marea Wilson and Danny Said
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 2 December 2025.

MATTER DETERMINED

PPSSEC-393 - Randwick - DA/591/2025 - 399, 399A, 401-405 Anzac Parade, 2 & 4 Sturt Street, 19-21 Bunnerong Road, Kingsford - Integrated development for the demolition of existing structures to enable the construction of a mixed-use development comprising two towers above a common podium (9-14 storeys), ground floor commercial uses (retail), community facility, a place of worship, loading dock, one level of basement parking (23 car spaces), roof terraces, plant facilities, landscaping, public domain augmentation, and co-living student accommodation development (530 rooms) (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 the site inspection listed at item 8 in Schedule 1.

Application to vary a development standard:

Following consideration of written requests from the applicant, made under s.4.6 (3) of the Randwick Local Environmental Plan 2012 (LEP) and State Environmental Planning Policy (Housing) 2021 (Housing SEPP), the Panel is satisfied that the applicant has demonstrated that:

- compliance with cl.4.3 and 6.17 (Height of Buildings) of the LEP, cl.4.4 and 6.17 (Floor Space Ratio) (FSR) of the LEP, s.68(2)(a) (FSR) of the Housing SEPP and cl.6.19 (Non-residential FSR) of the LEP is unreasonable or unnecessary in the circumstances because the proposed development meets the relevant objectives of the development standards, is consistent with the character and scale of the adjoining development and desired future character of the area; and
- there are sufficient environmental planning grounds to justify contravening the development standards as the proposed redistribution of massing across the site is supported by the Design Review Panel as achieving a superior urban design outcome for the Kingsford Triangle site. There are no unreasonable adverse amenity impacts (visual, solar, view, privacy) arising from the variations to the development standards, which are largely imperceptible from the streetscape. While the amount of non-residential floor space for Part A of the site is less than required by the relevant standards, the development as a whole provides for a diverse mix of non-residential uses and creates activation of the main street frontages.

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 uphold the Clause 4.6 variations to building height, floor space ratio and non-residential floor space ratio and 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.

- Amend Condition to read as follows:

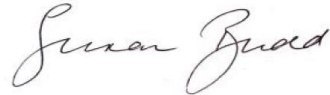
45. Parking Allocation and Design

Prior to lodging the Stage 3 Construction Certificate, the applicant must submit to Council for approval, and have approved, the proposed parking allocation for the development site. The parking allocation must be in accordance with the approved Transport Impact Assessment, 2481, Rev A, prepared by JMT Consulting (23 October 2025), with 20 car parking spaces for the church and commercial development and 3 car parking spaces for the use of co-living management. Any future stratum subdivision must demonstrate compliance with the approved parking allocation. The Construction Certificate plans must demonstrate compliance with the approved parking allocation. Condition Reason: To ensure that the parking allocation and design comply with Council requirements.

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 overshadowing of roof-top solar in mid-winter.

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 (Patrick) Scully ,	 Danny Said
 Alice Spizzo	 Marea Wilson
 Susan Budd	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSEC-393 - Randwick - DA/591/2025
2	PROPOSED DEVELOPMENT	Integrated development for the demolition of existing structures to enable the construction of a mixed-use development comprising two towers above a common podium (9-14 storeys), ground floor commercial uses (retail), community facility, a place of worship, loading dock, one level of basement parking (23 car spaces), roof terraces, plant facilities, landscaping, public domain augmentation, and co-living student accommodation development (530 rooms)
3	STREET ADDRESS	399, 399A, 401-405 Anzac Parade, 2 & 4 Sturt Street, 19-21 Bunnerong Road, Kingsford
4	APPLICANT/OWNER	Avenor 22 Pty Ltd Trustees Church of Christ The Owners - Strata Plan No. 16502 The Owners - Strata Plan No. 61481 The Owners - Strata Plan No. 21936 Nagova Pty Ltd - Hurstville
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	• Environmental planning instruments: ○ State Environmental Planning Policy (Biodiversity and Conservation) 2021 ○ State Environmental Planning Policy (Housing) 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: Nil • Development control plans: ○ Randwick Development Control Plan 2013 and Randwick Kensington and Kingsford Town Centres DCP 2020 • Planning agreements: Nil, noting Letter of Offer made by applicant to provide the community infrastructure to form part of a formal Voluntary Planning Agreement as proposed in the draft deferred commencement condition • 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	• Council Assessment Report: 1 December 2025 • S.4.6 variation: Clause 4.3 and 6.17 of Randwick Local Environmental Plan 2012 (Building Height), Clause 4.4 and 6.17 of Randwick Local Environmental Plan 2012; Section 68(2)(a) of State Environmental Planning Policy (Housing) 2021 (Floor Space Ratio) Assessment Report: [PPSSEC-393] [01/12/2025] Page 2, Clause 6.19 of Randwick Local Environmental Plan 2012 (Non-Residential Floor Space Ratio) • Written submissions during public exhibition: 7 • Total number of unique submissions received by way of objection: 1

8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	• Site inspection: 16 December 2025 ○ <u>Panel members</u>: Carl Scully (Chair), Alice Spizzo, Susan Budd, Marea Wilson and Danny Said ○ <u>Council assessment staff</u>: Ferdinando Macri • Applicant Briefing: 16 December 2025 ○ <u>Panel members</u>: Carl Scully (Chair), Alice Spizzo, Susan Budd, Marea Wilson and Danny Said ○ <u>Council assessment staff</u>: Ferdinando Macri ○ <u>Applicant representatives</u>: James Paver, Peter O’Meagher, Benjamin Dutton, Jasmine Foster, Andrew Harvey, Stewart Doran, Nick Hatzi, Adrian Strudwick-Barker and Peter Clemesha ○ <u>Department Staff</u>: Carolyn Hunt and Ilona Ter-Stepanova • Final briefing to discuss Council’s recommendation: 16 December 2025 ○ <u>Panel members</u>: Carl Scully (Chair), Alice Spizzo, Susan Budd, Marea Wilson and Danny Said ○ <u>Council assessment staff</u>: Ferdinando Macri ○ <u>Department Staff</u>: Carolyn Hunt and Ilona Ter-Stepanova
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report