

Our ref: PP-4/2013/A
Your ref: PGR_2013_WAVER_001_00

2 June 2014



Department of Planning and Environment
Metropolitan Delivery (CBD)
GPO Box 39
SYDNEY NSW 2001

Attention: Wayne Williamson

Dear Wayne,

BRONTE RSL AMENDED PLANNING PROPOSAL

Council and the community maintain their opposition to the planning proposal lodged by Winston Langley Burlington and formally request under Section 56(2) of the *Environmental Planning and Assessment Act 1979* that the Minister determine not to proceed with the planning proposal at the Gateway.

Council's position in not supporting the Developers Planning Proposal is that the issues currently under consideration have already been addressed in the Council's own Planning Proposal which has recently been through community consultation, adopted by Council and forwarded to the Department of Planning and Environment for finalisation. The planning controls for the centre have been reviewed on two occasions already, that is, by the recent urban design review undertaken for the centre and secondly by consideration of the DA through an independent body being the Sydney East JRPP.

Notwithstanding the above advice we maintain our position that there are still outstanding matters that require amendment prior to the planning proposal being considered at the Gateway. The matters listed in our correspondence of 11th April 2014 and 14th May 2014 (attached) have been raised at this stage in the process to ensure that any planning proposal that may be publicly exhibited is a genuine reflection of the intended future development for the site.

The applicant has failed to respond to all of the matters in Council's letter. We note previous conversations with Neil McGaffin, General Manager – Metropolitan Delivery and you and your agreement to resolve these outstanding matters as conditions of the Gateway Determination. Council therefore requests that these amendments be made prior to or as conditions of the Gateway Determination.

All correspondence should be addressed to Waverley Council

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The amended planning proposal lodged by Winston Langley Burlington (WLB) on 2nd May 2014 seeks the following changes:

- Permit development for the purposes of a “registered club” as an additional permitted use.
- Amend the applicable development standards to the site as follows:
 - Increase the 13m height limit to 20m; and
 - Increase the FSR of 1:1 up to 2:1.
- Amend Part 6 – Local Variations to include the following site specific variations:
 - Permit an additional 0.5m to increase the height development standard to 20.5m;
 - Permit an additional 0.1:1 of floor space to increase the FSR development standard to 2.1:1.
 - Include a site specific interpretation of “building height” to address the confusion relating to the Standard Instrument definition and provide clarification for where height is proposed to be measured from.

Council has become aware of the proposed liquidation of the Bronte RSL Club Limited in a letter circulated to club members on 20th May 2014. The letter includes a notice of an extraordinary general meeting to be held on 11th June 2014 for the purposes of considering the resolution to “wind up” its operations. The planning proposal includes the dedication of floor to the use of the Bronte RSL Club and numerous references to the inclusion of the RSL Club in the concept plans. In light of this information Council request that the planning proposal be amended to remove the request for “registered clubs” in this zone and remove any reference to the RSL Club. The Department should also await the outcome of the 11th June meeting prior to making any determination on the matter.

Furthermore, it is noted that proposed Local Variations are an inappropriate means to achieve additional floor space and height for specific sites. The planning proposal therefore requires amendment to remove these specific requests and incorporate them into the development standards of the LEP.

Please find attached the Planning Proposal documentation and previous correspondence for the consideration of the LEP Panel, including:

- Letter to David Hynes, Winston Langley Burlington Pty Ltd dated 11th April 2014;
- Letter to Department of Planning and Environment dated 14th May 2014;
- Planning Proposal prepared by Inspire Urban Design & Planning Pty Ltd dated 23rd April 2014 (Revision C);
- Concept architectural plans prepared by Aleksander Design Group dated 20th April 2014;
- Planning Proposal Information Checklist; and
- The Project Timeline.

Should you have any questions or require additional information please do not hesitate to contact Dan Starreveld of Council’s Strategic Town Planning Division on (02) 9369 8053.

Yours Sincerely



Peter Monks
Director – Planning and Environmental Services