

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

14 May 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

I write in relation to the amended planning proposal for the Bronte RSL lodged by Winston Langley Burlington (WLB) on 24th March 2014.

The amended planning proposal has been reviewed by Council officers and a letter sent to WLB on 11th April 2014 requesting the application be amended prior to forwarding it to the Gateway (Attachment 1).

On 2nd May 2014, WLB lodged an amended planning proposal which addressed some of the matters raised in the letter. There are however a number of matters which remain outstanding and require resolution prior to the issue of a Gateway Determination. Please read the following in conjunction with the corresponding item numbers in the attached letter and amended planning proposal and concept plans dated 23rd April 2014.

1. Additional permitted use in Schedule 1 – Council has requested the Bronte RSL Club be specifically named in the Schedule to ensure the ongoing community use of the site. The applicant has noted that only the use should be included in the Schedule as the alternative would unfairly restrict the future use of the site. It is noted that the Department and Parliamentary Counsel have supported specifically naming the North Bondi RSL Club through the housekeeping LEP which provides some certainty for the community and Council. Permitting "Registered Clubs" generally within a local village centre opens up an intensity of development not expected within the B1 Neighbourhood Centre zone.
2. Identifying the site with red (page 28) – The planning proposal continues to identify the site in the height and FSR maps with a red box. When viewed alongside the corresponding map legends, the community could incorrectly interpret the proposed changes to be 35 or 38 metres and an FSR of 3:1. This is a simple amendment that would remove uncertainty in the documentation if placed on public exhibition.
3. As above.

4. FSR of 2.1:1 as an additional local provision (page 29) – The planning proposal has been corrected to reflect 2:1 as a base development standard on the map. In addition to this, the planning proposal includes a request for an additional local provision under Part 6 of the LEP to permit a building on the site up to an FSR of 2.1:1 and a height of 20.5m. It is not the intention of local provisions to enable site specific development standards that are duplicated in the one LEP. All development standards should be located in the same part of the LEP as is the case for every other site in the LGA. There is a potential to set an undesirable precedent for height and floor space ratio variations to be placed in Part 6 for future sites.

The proposed development standards of 20.5m in height and an FSR of 2.1:1 should be included within the LEP with new colour identifiers and an update to the corresponding map legends so the community are very clear with what the developer is proposing for the site.

5. As above.

6. Addressed.

7. Include notation indicating plans are “concept only” – Applicant notes that the plans clearly relate to the planning proposal however this notation is not prominent enough. The planning proposal relates only to use, height and floor space. To include such detailed plans without a clear annotation that this building is in no way binding for any future development application will be confusing for the community. The concept plans appear to seek variations to other Council policies which have not been assessed.

8. Addressed.

9. Additional item concerning setbacks – The applicant stated in an email to the Department on 25th February 2014 that they were amending the plans to increase the eastern side setbacks as requested by Council. It is advised that the concept plans do not reflect these setback changes and this should also be done prior to the planning proposal proceeding to the Gateway.

In conclusion, the Council requires the above amendments to be made prior to the planning proposal being considered by the Department for a Gateway Determination. Should the planning proposal proceed we request that the matters above be included as conditions of the Gateway Determination.

Yours Sincerely



Peter Monks
Director – Planning and Environmental Services

CC: David Hynes, Winston Langley Burlington

Our ref: PP-4/2013-A

11 April 2014

David Hynes
Winston Langley Burlington
Level 1
339 Military Road
CREMORNE NSW 2090



Dear David,

**BRONTE RSL AMENDED PLANNING PROPOSAL
REQUEST FOR ADDITIONAL INFORMATION**

I write in response to your email dated 2nd April 2014.

I note that Council has received confirmation from Planning and Infrastructure NSW that it is the Relevant Planning Authority.

In light of your response to the request for fees I can confirm that the fees paid to Council at lodgement will cover the standard post Gateway Determination tasks. The fees do not cover any additional work that may be required beyond the scope of the public exhibition which may include the engagement of professional consultants, the requirement to re-exhibit the planning proposal and other additional work generated throughout this process.

Council has conducted a preliminary assessment of the amended planning proposal and identified some amendments and additional information that require your action. This information is required for the purposes of ensuring the information that is placed on public exhibition is consistent and understandable for the community, and include:

Planning Proposal prepared by Inspire Urban Design & Planning Pty Ltd dated 24 March 2014

1. The planning proposal includes no reference to amending Schedule 1 – Additional permitted uses to allow the future use of the site to include a "Registered Club (Bronte Returned Services Club only)". For the purposes of the amended planning proposal is the intention that:
 - (a) Amendments will be made to this planning proposal to include "Registered Club (Bronte Returned Services Club only)" in Schedule 1; or
 - (b) The development will not include an RSL Club and will comply with permitted uses for the B1 – Neighbourhood Centre zone.
2. Figure 11 (pg. 26) identifies the subject site with red which, when read in conjunction with the legend, could be either interpreted as 35m or 38m and is to be amended to another colour or identifier.

3. Figure 12 (pg. 27) also identifies the subject site with red and could be interpreted as 3:1 and is to be amended to another colour or identifier.
4. Point 3 (pg. 27) refers to a Floor Space Ratio of 2.1:1 and is inconsistent with Figure 12 which states "Amend FSR to 2:1". This text is to be amended to 2:1.

Planning Proposal Plans prepared by Aleksander Design Group dated 6 March 2014

5. Plans PP01-PP18 indicate a built form that is non-compliant with the proposed development standards of 20m. The proposed 20m height plane must be included as an easily identified thick red line on all of the plans. Any part of the building that does not comply with the proposed height of 20m needs to be amended.
6. PP-10 is to be amended to replace the 45° to 32° as identified in Figure 69 of Waverley Development Control Plan 2012 (Amendment No 2). Changes to the built form at the rear of the site may be required.
7. Include a note on Plans PP01-PP18 which states "Concept plans only – Indicative of potential future building".

Additional Information

8. Submission of a gross floor area plan showing the areas calculated in line with the definition for "gross floor area" within Waverley Local Environmental Plan 2012 and compliant with the proposed 2:1 floor space ratio.

The above amendments are requested on the basis that the plans are not genuinely reflective of the aims of the planning proposal or the site specific controls that apply to the site in Council's planning policies and plans.

Should you have any queries in relation to the matters above please contact me (02) 9369 8273.

Yours sincerely



Peter Monks
Director – Planning and Environmental Services