

DATE OF DECISION	15 November 2019
PANEL MEMBERS	Carl Scully (Chair), John Roseth, Sue Francis, Stephen Bargwanna and Bill Gawne
APOLOGIES	None
DECLARATIONS OF INTEREST	None

REZONING REVIEW

2019ECI016 – Waverley - RR_2019_WAVER_001_00 at 94 Carrington Road, 203-209 and 223-227 Bronte Road Waverley (AS DESCRIBED IN SCHEDULE 1)

Reason for Review:

- ☐ The council has notified the proponent that the request to prepare a planning proposal has not been supported
- ☒ The council has failed to indicate its support 90 days after the proponent submitted a request to prepare a planning proposal or took too long to submit the proposal after indicating its support

PANEL CONSIDERATION AND DECISION

The Panel considered: the material listed at item 4 and the matters raised and/or observed at meetings and site inspections listed at item 5 in Schedule 1.

Based on this review, the Panel determined that the proposed instrument:

- ☐ **should** be submitted for a Gateway determination because the proposal has demonstrated strategic and site specific merit
- ☒ **should not** be submitted for a Gateway determination because the proposal has
 - ☒ not demonstrated strategic merit
 - ☐ has demonstrated strategic merit but not site specific merit

The decision was unanimous



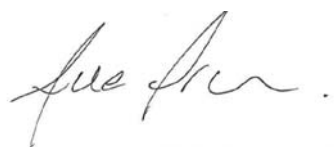
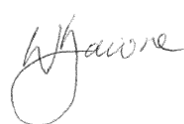

REASONS FOR THE DECISION

In the Panel's view the site is too small to have any strategic significance, so the question of strategic merit does not really arise. Noting that the Eastern City District Plan includes among its priorities the identification, conservation and enhancement of environmental heritage (Priority E6, Objective 13), the Panel considers that the proposal fails in this respect as it visually overpowers the existing scale of the Charing Cross Centre.

The proposal also lacks site-specific merit for the same reason. The proposed maximum height of 18m is excessive for this area. It is a height that is allowed only in the Bondi Junction centre within the Waverley local government area. It is not appropriate for Charing Cross.

The Panel notes that the Council's planning staff has prepared a planning proposal for this site. The elected Council has not endorsed this proposal, so it cannot proceed to Gateway. In the Panel's opinion that proposal's maximum height of 13m (or thereabouts) is more appropriate for the site. The Panel also considers that the site of the proposal should be expanded southwards to include the nearby Legion Club and other appropriate land. This may then result in the proposal having strategic merit and allow for an increase in the FSR on the expanded site. The Panel believes that a solution is possible that satisfies the planning requirements as well as provides sufficient incentive for the proponent to proceed.

Accordingly, the Panel would encourage the proponent to discuss the matter with the Council (and Department) with the view to preparing and submitting an amended Planning Proposal addressing the concerns raised here and those legitimately raised by the Local Planning Panel.

PANEL MEMBERS	
 Carl Scully (Chair)	 John Roseth
 Sue Francis	 Bill Gawne
 Stephen Bargwanna	

SCHEDULE 1		
1	PANEL REF – LGA – DEPARTMENT REF - ADDRESS	2019ECI016 – Waverley - RR_2019_WAVER_001_00 at 94 Carrington Road, 203-209 and 223-227 Bronte Road Waverley
2	LEP TO BE AMENDED	Waverley Local Environmental Plan 2012
3	PROPOSED INSTRUMENT	The rezoning review request seeks to amend the Waverley Local Environmental Plan 2012 to increase the maximum permissible building height and floor space ratio (FS) controls for 94 Carrington Road, 203-209 and 223-227 Bronte Road Waverley
4	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Rezoning review request documentation Briefing report from Department of Planning and Environment
5	BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Site inspection: 3 October 2019 <ul style="list-style-type: none"> Panel members in attendance: Carl Scully (Chair), John Roseth, Sue Francis, Stephen Bargwanna, Bill Gawne Department of Planning, Infrastructure and Environment (DPIE) staff in attendance: Laura Locke, Simon Ip Briefing with Department of Planning, Industry and Environment (DPIE): 7 November 2019 at 11.30am <ul style="list-style-type: none"> Panel members in attendance: Carl Scully (Chair), John Roseth, Sue Francis, Stephen Bargwanna, Bill Gawne DPE staff in attendance: Laura Locke, Pengfei Cheng Briefing with Council & Proponent: 7 November 2019 at 12pm <ul style="list-style-type: none"> Panel members in attendance: Carl Scully (Chair), John Roseth, Sue Francis, Stephen Bargwanna, Bill Gawne DPIE staff in attendance: Laura Locke, Pengfei Cheng Council representatives in attendance: George Bramis, Tim Sneesby, Patrick Conor, Hugh Johnston, Anne McGovern Proponent representatives in attendance: Daniel Whitten, Stephen Gouge, Chris Grinham, Stephen Moore, Graham Brooks