

**PLANNING PROPOSAL AUTHORITY  
RECORD OF DECISION PUBLIC MEETING POST  
EXHIBITION AND FINALISATION**  
STRATEGIC PLANNING PANEL OF THE  
SYDNEY EASTERN CITY PLANNING PANEL

<b>DATE OF DETERMINATION</b>	17 May 2023
<b>DATE OF BRIEFING</b>	16 May 2023
<b>PANEL MEMBERS</b>	Carl Scully (Chair), John Brockhoff and Glennis James
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None. Note: Waverley Council do not have nominated local council members

Public meeting held by public teleconference on 16 May 2023, opened at 2:01pm and closed at 3:15pm. Papers circulated electronically on 12 May 2023.

**PLANNING PROPOSAL**

PP-2022-676 – Waverley LGA – at 34 Flood Street, Bondi (as described in Schedule 1).

**PANEL CONSIDERATION AND DECISION**

The Panel considered: the material listed at item 4, and the material presented at the briefing and site inspection listed at item 5 in Schedule 1.

As the Planning Proposal Authority, the Panel determined to recommend to the Minister that the proposed instrument, as described in Schedule 1, should be made with an amendment set out below.

The Panel decision was 2-1 in favour, against the decision was John Brockhoff.

**REASONS FOR THE DECISION**

The Panel noted the Department's Post-Exhibition Report and met with the Department, Applicant, Council and members of the community in a public meeting.

The majority of the Panel concurred with the Department that the proposal demonstrated strategic and site-specific merit, the conditions of the Gateway had been met, agency and community consultation had occurred in accordance with the Gateway Determination and submissions raised had been adequately addressed and as a result the proposal warranted support.


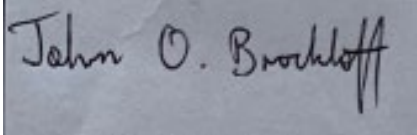
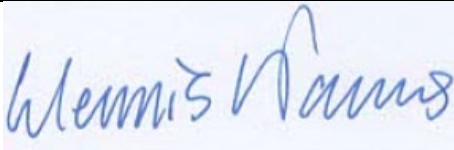
The majority of the Panel in supporting the rezoning to a R3 Medium Density Residential zone, requests the Department in preparing the LEP Amendment to consider a site specific provision protecting community/educational/religious facilities at basement and ground level.

John Brockhoff disagreed with the majority decision. Mr Brockhoff supported the retention of the SP2 Infrastructure (Educational Establishment) zone with a local clause to assure permissibility of existing and other community uses. This would best implement the strategic direction of the Waverley LSPS to provide space for important community infrastructure in a manner that would be protected from future competing residential uses.

## 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 loss of community and social infrastructure; heritage significance of the building; land ownership; current and future uses of the site; and zoning history of the site, locality and similar infrastructure.

The Panel considers that concerns raised by the community have been adequately addressed in the Department's Report and in the Panel's Determination.

PANEL MEMBERS	
 Carl Scully (Chair)	 John Brockhoff
 Glennis James	

SCHEDULE 1		
1	PANEL REF – LGA – PLANNING PROPOSAL NO. - ADDRESS	PP-2022-676 – Waverley LGA – at 34 Flood Street, Bondi.
2	LEP TO BE AMENDED	Waverley Local Environmental Plan (LEP) 2012
3	PROPOSED INSTRUMENT	Planning proposal to amend the Waverley Local Environmental Plan (LEP) 2012 by changing the land zoning from Zone SP2 Infrastructure (Educational Establishment) to Zone R3 Medium Density Residential and applying a Minimum Lot Size of 325m <sup>2</sup> consistent with adjoining lands.
4	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>• DPE Post Exhibition Report, 7 May 2023</li> <li>• Written submissions during public exhibition: 27</li> <li>• Verbal submissions at the Panel’s public meeting 2:01pm – 3:15pm, 16 May 2023: <ul style="list-style-type: none"> <li>○ James Weirick, Binyomin Smith, Polly Siedler, Penelope Seidler &amp; Velvel Lederman</li> <li>○ On behalf of the applicant – Matthew Lennartz, Meriton on behalf of Kanimbla Properties (No. 10) Pty Ltd</li> <li>○ On behalf of Waverley Council – Tim Sneesby</li> </ul> </li> <li>• Total number of unique submissions received by way of objection: 24</li> </ul>
5	SITE INSPECTION & BRIEFINGS BY THE PANEL	<ul style="list-style-type: none"> <li>• Site Inspection: 10:30am – 10.50am, 16 May 2023 <ul style="list-style-type: none"> <li>○ <b>Panel members:</b> Carl Scully (Chair), John Brockhoff &amp; Glennis James</li> <li>○ <b>DPE staff:</b> Louise McMahon, Renee Ezy, Simon Ip, Ayva Hamed &amp; Lisa Kennedy</li> <li>○ The proponent (Matthew Lennartz &amp; Ashna Aggarwal) provided access within and around the site</li> <li>○ <b>Key Issues Discussed:</b> Existing use of site, heritage values &amp; adjoining local character.</li> </ul> </li> <li>• Panel Briefing: 1:43pm – 2:00pm, 16 May 2023 <ul style="list-style-type: none"> <li>○ <b>Panel members:</b> Carl Scully (Chair), John Brockhoff &amp; Glennis James</li> <li>○ <b>DPE staff:</b> Louise McMahon, Renee Ezy, Simon Ip, Ayva Hamed, Lisa Kennedy &amp; Mary Francis</li> <li>○ <b>Key Issues Discussed:</b> Overview of proposal, exhibition process, and submissions – zoning, heritage significance, over-development of the site.</li> </ul> </li> <li>• Panel Determination: 3:15pm – 3:47pm, 16 May 2023 <ul style="list-style-type: none"> <li>○ <b>Panel members:</b> Carl Scully (Chair), John Brockhoff &amp; Glennis James</li> <li>○ <b>DPE staff:</b> Louise McMahon, Renee Ezy, Simon Ip, Ayva Hamed, Lisa Kennedy &amp; Mary Francis</li> </ul> </li> </ul>