

DETERMINATION AND STATEMENT OF REASONS

SYDNEY CENTRAL PLANNING PANEL

DATE OF DETERMINATION	Thursday 24 August 2017
PANEL MEMBERS	Maria Atkinson (Chair), John Roseth, Bill Gawne
APOLOGIES	Stephen Bargwanna
DECLARATIONS OF INTEREST	Sue Francis declared a conflict has her firm is providing planning consulting to the applicant.

Public meeting held at Waverley Council on 24 August 2017, opened at 12:50pm and closed at 1:35pm.

MATTER DETERMINED (AS DESCRIBED IN SCHEDULE 1)

2017SCL011– Waverley – DA569/2015/A at 109-119 Oxford Street and 34-42 Spring Street Bondi Junction

PANEL CONSIDERATION AND DECISION

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to approve the development application as described in Schedule 1 pursuant to sections 96 of the *Environmental Planning and Assessment Act 1979*.

The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel undertook a site inspection, was briefed by Council and supports the Council Assessment Report's recommendation to approve the application. The reasons for the decision of the Panel were:

- The modification to add two additional floors comprised of 18 residential apartments is substantially the same as the approved development and is acceptable with regard its performance against the Waverley Local Environmental Plan 2012 and Waverley Development Control Plan 2012.
- The development is consistent with desired future character of the Bondi Junction centre and provides much needed residential accommodation.

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report.

PANEL MEMBERS	
 Maria Atkinson (Chair)	 John Roseth
 Bill Gawne	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017SCL011 – Waverley – DA569/2015/A
2	PROPOSED DEVELOPMENT	Modification of approved mixed use development, including provision of two additional floor levels comprising 18 units and an additional basement level, and an offer to enter into a planning agreement.
3	STREET ADDRESS	109-119 Oxford Street and 34-42 Spring Street Bondi Junction
4	APPLICANT OWNER	Mercury 21 Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Section 96(2) Modification Application
6	RELEVANT MANDATORY CONSIDERATIONS	- Environmental planning instruments: - State Environmental Planning Policy No.55 – Remediation of Land - State Environmental Planning Policy No.65 – Design Quality of Residential Development - State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 - State Environmental Planning Policy (Infrastructure) 2007 - State Environmental Planning Policy (State and Regional Development) 2011 - Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Deemed SEPP) - Waverley Local Environmental Plan 2012 - Draft environmental planning instruments: Nil - Development control plans: - Waverley Development Control Plan 2012 - Planning agreements: Waverley Planning Agreement Policy 2014 - Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil - 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: 10 August 2017 - Written submissions during public exhibition: 7 - Verbal submissions at the public meeting: - On behalf of the applicant – Andrew Starr, Elia Leis
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	- Site inspection: 24 August 2017 - Final briefing meeting to discuss council's recommendation, 24 August 2017 at 12:00pm. Attendees: <u>Panel members</u>: Maria Atkinson (Chair), John Roseth, Bill Gawne <u>Council assessment staff</u>: Ben Magistrale, Lee Kosnetter
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report