

## DETERMINATION AND STATEMENT OF REASONS

### SYDNEY EASTERN CITY PLANNING PANEL

<b>DATE OF DETERMINATION</b>	22 April 2021
<b>PANEL MEMBERS</b>	Jan Murrell (Chair), Roberta Ryan, Sue Francis, Jeremy Swan
<b>APOLOGIES</b>	Carl Scully
<b>DECLARATIONS OF INTEREST</b>	Lee Kosnetter declared a reasonably perceived, non-pecuniary conflict of interest as he has and will provide consulting services to property owners of surrounding sites. Accordingly, Lee did not participate in the Panel on this matter.

Papers circulated on 13 April 2021

#### MATTER DETERMINED

PPSSEC-102 – Waverley – DA-533/2017/1/A at 28-42 Bronte Road and 84 Ebley Street, Bondi Junction – (as described in Schedule 1)

#### 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 briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

#### Development application

The panel determined to approve the development application pursuant to section 4.56 of the *Environmental Planning and Assessment Act 1979*.

The decision was Unanimous.

#### REASONS FOR THE DECISION

The Panel accepts that the modification is substantially the same as approved and that the amendments cause no detrimental impact internally or externally. The Panel determined to approve the application for the reasons outlined in the Council Officer's assessment report, subject to the deletion of the recommended Condition 2 (j).

- The Panel is satisfied that the current design as approved provides an appropriate façade for this heritage building.
- The Panel was not persuaded to delete Condition 2 (i) and the deletion of the access must be achieved by submission of an amended plan to Council.
- The Panel accepts in Condition 2 that the amendments should be undertaken prior to the issue of any construction certificate.

#### CONDITIONS





The development application was approved subject to the conditions in the Council Officer's assessment report with the above outlined amendments.

#### CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during public exhibition. The Panel notes that issues of concern included:

- Height
- Increase in density
- Traffic and parking
- Overshadowing
- Proposed rooftop outdoor cinema and firepit

The Panel considers that concerns raised by the community have been adequately addressed in the assessment of the matter.

PANEL MEMBERS	
 Jan Murrell (Chair)	 Roberta Ryan
 Sue Francis	 Jeremy Swan

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSEC-102 – Waverley – DA-533/2017/1/A
2	PROPOSED DEVELOPMENT	Section 4.56 modification to approved layout and façade, increase number of apartments from 78 to 81, increase in floor space, divide retail tenancies, delete rooftop pool and provision of an outdoor cinema, and enlarge and alter roof top plant area.
3	STREET ADDRESS	28-42 Bronte Road and 84 Ebley Street, Bondi Junction
4	APPLICANT/OWNER	Lucy Ford, C/- Capital Corporation Bondi Pty Ltd/ Bondi Junction-Waverley RSL Subbranch Club Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.56 Modification Application
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>Environmental planning instruments: <ul style="list-style-type: none"> <li>State Environmental Planning Policy No. 55 – remediation of Land</li> <li>State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development</li> <li>State Environmental Planning Policy (BASIX) 2004</li> <li>State Environmental Planning Policy (State and Regional Development) 2011</li> <li>State Regional Environmental Plan (Sydney Harbour Catchment) 2005</li> <li>Waverley Local Environmental Plan 2012</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: <ul style="list-style-type: none"> <li>Waverley Development Control Plan 2012</li> </ul> </li> <li>Planning agreements: Nil</li> <li>Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil</li> <li>Coastal zone management plan: Nil</li> <li>The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>The suitability of the site for the development</li> <li>Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>Council assessment report: 13 April 2021</li> <li>Written submissions during public exhibition: 6</li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Panel members visited the site independently, prior to 22 April 2021</li> <li>Final briefing to discuss council's recommendation: 22 April 2021 <ul style="list-style-type: none"> <li><u>Panel members</u>: Jan Murrell (Chair), Roberta Ryan, Sue Francis, Jeremy Swan</li> <li><u>Council assessment staff</u>: Jo Zancanaro, Angela Rossi</li> <li><u>Applicant representatives</u>: Lucy Ford, Alister Eden, Jim Hunter, Noura Thaha, Lisa-Maree Carrigan, Simon Wilkes</li> </ul> </li> </ul>
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report