

DETERMINATION AND STATEMENT OF REASONS

SYDNEY EASTERN CITY PLANNING PANEL

DATE OF DETERMINATION	21 October 2021
PANEL MEMBERS	Carl Scully (Chair), Jan Murrell, Chris Wilson, Jeremy Swan
APOLOGIES	Roberta Ryan
DECLARATIONS OF INTEREST	Lee Kosnetter declared a conflict of interest and did not participate. Lee represents the Easts Group (applicant) on various matters.

Meeting held by videoconference on 21 October 2021, opened at 11am and closed at 11:23am.

MATTER DETERMINED

PPSSEC-144 – Waverley - DA-533/2017/1/B – 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 modification application pursuant to section 4.56 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel determined to approve the application for the reasons outlined in the Council Officer's assessment report in accordance with section 4.15(1).

- The panel is satisfied the modification is substantially the same as the development for which consent was originally granted and it has been notified and submissions have been considered.
- The panel has considered the reasons for the granting of the original application in making its determination and is satisfied it warrants approval.
- The panel is satisfied the modifications will not create adverse impacts.

CONDITIONS

The modification application was approved subject to the conditions in the Council Officer's assessment report with the following amendments.




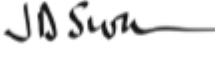
- That an additional condition of consent be imposed to provide that restricted access between the residential lift lobby and the back of house be available to staff and authorised personnel only.

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
- Visual and acoustic privacy
- Traffic and parking
- Overshadowing
- Anti-social behaviour
- Reduced size of Club RSL for its members

The Panel considers that concerns raised by the community were addressed in the original approval as no new issues arising from the modification were raised.

PANEL MEMBERS	
 Carl Scully (Chair)	 Jan Murrell
 Chris Wilson	 Jeremy Swan

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSEC-144 – Waverley – DA-533/2017/1/B
2	PROPOSED DEVELOPMENT	Section 4.56 modification to approved layout and façade, decrease in the number of apartments from 81 to 80, alterations to unit configuration and other minor amendments
3	STREET ADDRESS	28-42 Bronte Road and 84 Ebley Street, Bondi Junction
4	APPLICANT/OWNER	Darren Beasley, C/- Capital Corporation Bondi Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.56 Modification Application
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy No. 55 – Remediation of Land State Environmental Planning Policy No. 65 – Design Quality of Residential Flat Development State Environmental Planning Policy (BASIX) 2004 State Environmental Planning Policy (Sydney Harbour Catchment) 2005 Waverley Local Environmental Plan 2012 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Waverley Development Control Plan 2012 Planning agreements: Nil 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	<ul style="list-style-type: none"> Council assessment report: 29 September 2021 Written submissions during public exhibition: 2 Total number of unique submissions received by way of objection: 2
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Site inspection: panel members visited the site independently prior to 21 October 2021 Final briefing to discuss Council's recommendation: 21 October 2021 11:01am -11.11am <ul style="list-style-type: none"> <u>Panel members</u>: Carl Scully (Chair), Chris Wilson, Jan Murrell, Jeremy Swan <u>Council assessment staff</u>: Jo Zancanaro, Angela Rossi <u>Applicant representatives</u>: Darren Beasley, Noura Thaha, Alister Eden, Simon Wilks
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Officer's assessment report