

DETERMINATION AND STATEMENT OF REASONS

SYDNEY EASTERN CITY PLANNING PANEL

DATE OF DETERMINATION	3 June 2022
DATE OF PANEL DECISION	2 June 2022
DATE OF PANEL MEETING	2 June 2022
PANEL MEMBERS	Carl Scully (chair), Jan Murrell, Chris Wilson and Jeremy Swan
APOLOGIES	None
DECLARATIONS OF INTEREST	Lee Kosnetter declared a potential perceived conflict of interest and he will not be taking part in this meeting.

Papers circulated electronically on 24 May 2022.

MATTER DETERMINED

PPSSEC-197 - DA-533/2017/C – Waverley - 28-42 Bronte Road, 84 Ebley Street, Bondi Junction (as described in Schedule 1). Modification to approved shop top housing, Modifications to club and retail tenancies on ground and first floor levels of approved shop top housing development.

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 listed at item 8 in Schedule 1.

The Panel determined to approve the application of modification consent pursuant to section 4.56 of the Environmental Planning and Assessment Act 1979 subject to an additional two conditions and a typographical error in Condition 1 to correct the reference to the date the plans were lodged.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel determined to approve the modification application for the reasons outlined in the Council Assessment Report. The panel is satisfied this is substantially the same development as original consented by the Court and as previously modified. The Panel considers the modification will not have adverse environmental impacts subject to the addition of two conditions in relation to the heritage façade presentation to Bronte Road to maintain the heritage significance.



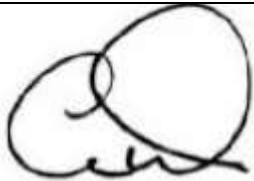

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered 2 written submissions made during the public exhibition of the proposal.

Issues raised included:

- Location of club entry on Bronte Road will impact amenity of neighbouring properties
- Multiple modifications to approved development

The Panel considers that concerns raised in the submissions have been adequately addressed in the Assessment Report.

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

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSEC-197 - Waverley Council - DA-533/2017/C
2	PROPOSED DEVELOPMENT	Section 4.56 modification to approved layout and façade including a new commercial entry lobby fronting Bronte Road, reconfiguration of retail tenancies and amendment to shopfront openings to Bronte Road.
3	STREET ADDRESS	28-42 Bronte Road and 84 Ebley Street, Bondi Junction
4	APPLICANT/OWNER	Darren Beasley, C/- Capital Corporation Bondi Pty Ltd/ Bondi Junction-Waverley RSL Sub Branch Club 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"> SEPP (Planning Systems) 2021 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: 17 May 2022 Architectural Plans

		<ul style="list-style-type: none"> • Statement of Environmental Effects • Copy of submissions • 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"> • Final briefing to discuss council's recommendation: 02 June 2022 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Carl Scully (chair), Jan Murrell, Chris Wilson and Jeremy Swan ○ <u>Council assessment staff</u>: Peggy Wong ○ <u>Applicant representative</u>: Darren Beasley, Lisa-Maree Carrigan, George McKenzie, Bill Stinson, Noura Thaha.
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report