

DATE OF DEFERRAL	24 November 2023
DATE OF PANEL MEETING	21 November 2023
PANEL MEMBERS	Carl Scully (Chair), Amelia Thorpe, Alice Spizzo, Michael Nagi, Joe Awada
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Public meeting held by teleconference on 21 November 2023, opened at 2:32pm and closed at 3.43pm.

MATTER DETERMINED

PPSSEC-216 – Bayside – DA-2022/237 at 277 The Grand Parade, Ramsgate Beach - Demolition of existing structures and construction of a six (6) storey mixed-use development comprising retail uses, hotel accommodation, food and drink premises, basement, basement car parking, tree removal and signage zones (as described in Schedule 1).

REASONS FOR DEFERRAL

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

The Panel agreed with the concerns expressed in the assessment report regarding bulk/scale, height, setbacks, context and associated amenity impacts to the neighbours and beach side location. However, the Panel was of the view that these matters may be able to be resolved with design changes to the proposal. Accordingly, the Panel was of the view that it was appropriate to defer determination of the application and invite the applicant to submit revised plans and supporting documentation for one further consideration and determination by the Panel.

To address these concerns, the applicant is invited to undertake the following changes:

- Ensure all pedestrian access to the supermarket is to and from Ramsgate Road, with windows to The Grand Parade at the supermarket level;
- Ensuring the upper levels of the building above the fourth storey fully comply with the 24m setback from the southern boundary(s);
- In order to reduce the bulk of the proposal, reduction of one level;
- Increase the setback of the southern podium wall by at least 1.5m from the southern boundary(s)

In addition to the above, the outstanding information as outlined in the assessment report under the Part 1 i) of the Recommendation needs to be provided, related to the revised proposal, as well as other supporting plans and information.

To ensure an efficient and effective process, the Panel requests that the applicant and Council representatives meet to constructively engage and resolve issues prior to lodging any detailed plans and reports.

The Panel requests that a Council/Applicant briefing be scheduled for 14 March 2024, with Council providing a briefing report.

The matter is to be deferred until after a Council/Applicant briefing, with any outstanding information and an amended assessment report and determination to follow as soon as practicable thereafter.






The decision to defer the matter was unanimous.

ACTIONS

To allow for the progression of the Development Application to determination, the Panel directed that:

1. The Applicant shall provide amended information to address the reasons for recommending refusal outlined in Council's Assessment Report and upload all documentation to the Planning Portal by 15 February 2024, being 4 weeks prior to the Council/Applicant briefing.
2. Noting the application lodged on 10 August 2022 is likely to be amended, a formal written request to amend the application is required to be uploaded to Planning Portal by the Applicant by 15 February 2024 outlining:
 - a. Particulars sufficient to indicate the nature of the change of the development, as required under section 37 of the Environmental Planning and Assessment Regulation 2021
 - b. updated technical reports relied on in the amended application.
3. A Council/Applicant briefing with the Panel is to be scheduled for 14 March 2024, where a date for determination will be set.
4. Council is requested to provide an addendum assessment report responding to the matters above, which is to be uploaded to the Planning Portal 2 weeks prior to the determination.
5. When the updated assessment report is received the Panel will hold a Final Public Determination Meeting. This meeting is tentatively scheduled to be held by videoconference (Teams) and will be scheduled at the Council/Applicant briefing in March.

If the outstanding information is not provided by 15 February 2024 the Panel may move to determine the DA based on the information currently at hand.

PANEL MEMBERS	
 Carl Scully (Chair)	 Amelia Thorpe
 Alice Spizzo	 Michael Nagi
 Joe Awada	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSEC-216 – BAYSIDE – DA-2022/237
2	PROPOSED DEVELOPMENT	Demolition of existing structures and construction of a six (6) storey mixed-use development comprising retail uses, hotel accommodation, food and drink premises, basement, basement car parking, tree removal and signage zones
3	STREET ADDRESS	277 The Grand Parade, Ramsgate Beach
4	APPLICANT OWNER	Richard Cridland (Bronxx) MOSIDE PTY LTD
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> Environmental Planning and Assessment Act 1979 Environmental Planning and Assessment Regulation 2021 State Environmental Planning Policy (Planning Systems) 2021 SEPP (Transport and Infrastructure) 2021 SEPP (Resilience and Hazards) 2021 SEPP (Industry and Employment) 2021 SEPP (Biodiversity and Conservation) 2021 Standard Instrument (Local Environmental Plans) Order 2006 Bayside Local Environmental Plan 2021 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Bayside Development Control Plan 2021 Planning agreements: Nil Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> 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: 6 November 2023 Clause 4.6 variation requests – Height of Buildings (cl. 4.3 of the Bayside Local Environmental Plan 2021) Written submissions during public exhibition: Seventy-four (74) Verbal submissions at the public meeting: <ul style="list-style-type: none"> Lisa Owens, and Wayne Trewella Council's Consultant Planner - Jason Perica On behalf of the applicant – Jeff Mead Total number of unique submissions received by way of objection: Seventy-three (73)
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Briefing: 6 October 2022 <ul style="list-style-type: none"> <u>Panel members</u>: Carl Scully (Chair), Jan Murrell <u>Council assessment staff</u>: Patrick Nash, Marta Gonzalez-Valdes and Jason Perica <u>Applicant representatives</u>: Troy Loveday, Matthew Hughes, Ciaran Goodman, Charles Peters, Jaye, Angelica Rojas

		<ul style="list-style-type: none"> ○ <u>Department staff</u>: Jane Gibbs, Suzie Jattan and Jordan Clarkson • Briefing: 14 March 2023 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Carl Scully (Chair), Alice Spizzo, Amelia Thorpe, Michael Nagi ○ <u>Council assessment staff</u>: Marta Gonzalez-Valdes and Andrew Ison ○ <u>Council's Consultant Planner</u>: Jason Perica ○ <u>Applicant representatives</u>: Jeff Mead, Charles Peters, Angelica Rojas, Ciaran Goodman, Matthew Hughes ○ <u>Department staff</u>: Lillian Charlesworth and Suzie Jattan • Site inspection: 21 November 2023 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Carl Scully (Chair), Amelia Thorpe, Alice Spizzo, Joe Awada ○ <u>Council assessment staff</u>: Marta Gonzalez-Valdes, Luis Melim and Felicity Eberheart ○ <u>Council's Consultant Planner</u>: Jason Perica • Final briefing to discuss council's recommendation: 21 November 2023 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Carl Scully (Chair), Alice Spizzo, Michael Nagi, Joe Awada ○ <u>Council assessment staff</u>: Marta Gonzalez-Valdes, Luis Melim and Felicity Eberheart ○ <u>Council's Consultant Planner</u>: Jason Perica ○ <u>Department staff</u>: Carolyn Hunt and Lisa Ellis
9	COUNCIL RECOMMENDATION	Refusal
10	DRAFT CONDITIONS	N/A