

**RECORD OF DEFERRAL**

SYDNEY EASTERN CITY PLANNING PANEL

<b>DATE OF DEFERRAL</b>	5 February 2024
<b>DATE OF PANEL MEETING</b>	1 February 2024
<b>PANEL MEMBERS</b>	Carl Scully (Chair), Doug Lord, Pam Dean-Jones and Jan Murrell
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

Public meeting held by teleconference on 1 February 2024, opened at 11.16am and closed at 1.00pm.

**MATTER DETERMINED**

PPSSEC-239 - Waverley - DA-455/2022 – Bronte Marine Drive, Bronte - Demolition of Bronte Surf Club building and associated structures, and the construction of a new Bronte Surf Life Saving Club and associated community facility upgrades, including upgrades to seawall and pathway access (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 and observed at the site inspection listed at item 8 in Schedule 1.

The Panel agreed to defer the determination of the matter until April. The matter was deferred to allow for the provision and assessment of further information as required by the Coastal Management Act, 2016 (Section 27) and the State Environmental Planning Policy (Resilience and Hazards) 2021 (particularly, Clause 2.9 and 2.12) of as insufficient information has been provided to make an informed determination.

In particular, an analysis and reporting of the impacts of the proposed structure on the beach and details as to how those impacts will be managed and mitigated over the life of the development, are required.

The decision to defer the matter was unanimous.

**ACTIONS**

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

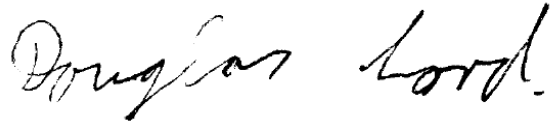
1. The Applicant shall provide the analysis and report of the impacts of the proposed structure on the beach and upload all documentation to the Planning Portal by 28 February 2024.
2. Council is requested to provide an addendum assessment report responding to the matters above, which is to be uploaded to the Planning Portal by within 3 weeks of the upload of the Applicants required information to the Planning Portal.
3. When the updated assessment report is received the Panel will undertake a final briefing on 02 April 2024 **and/or** determine the application by way of electronic determination.

If the outstanding information is not provided by 12 March 2024 the Panel may move to determine the DA based on the information currently at hand.

PANEL MEMBERS

A blue ink signature of Carl Scully, written in a cursive style.

Carl Scully (Chair)

A black ink signature of Doug Lord, written in a cursive style.

Doug Lord

A black ink signature of Pam Dean-Jones, written in a cursive style.

Pam Dean-Jones

A black ink signature of Jan Murrell, written in a cursive style.

Jan Murrell

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSEC-239 – Waverley – DA-455/2022
2	PROPOSED DEVELOPMENT	Demolition of Bronte Surf Club building and associated structures, and the construction of a new Bronte Surf Life Saving Club and associated community facility upgrades, including upgrades to seawall and pathway access
3	STREET ADDRESS	Bronte Marine Drive, Bronte (Lot 7102 DP 1058385)
4	APPLICANT/OWNER	Waverley Council Crown Lands (managed by Waverley Council)
5	TYPE OF REGIONAL DEVELOPMENT	Council related development over \$5 million Crown development over \$5 million
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 (Biodiversity and Conservation) 2021</li> <li>State Environmental Planning Policy (Planning Systems) 2021</li> <li>State Environmental Planning Policy (Resilience and Hazards) 2021</li> <li>Waverley Local Environmental Plan 2012</li> </ul> </li> <li>Draft environmental planning instruments: Draft Remediation of Land SEPP</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>Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i></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: 19 January 2024</li> <li>Written submissions during public exhibition: 95</li> <li>Total number of unique submissions received by way of objection: 45</li> <li>Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>Joel Stuhler, Nick (Michael) Hollo and Helen Wilson</li> <li>Council assessment officer – Angela Rossi</li> <li>Independent Consultants – Margaret Roberts</li> <li>On behalf of the applicant – Robert Saboto, Thomas Halle, Greg Britton and Gary Blumberg</li> </ul> </li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Kick-Off Briefing: 8 December 2024 <ul style="list-style-type: none"> <li><u>Panel members</u>: Jan Murrell (Chair) and Doug Lord</li> <li><u>Council assessment staff</u>: Jo Zancanaro, Angela Ross</li> <li><u>Independent Consultants</u>: Melissa Rodrigues</li> <li><u>Department staff</u>: Carolyn Hunt and Jordan Clarkson</li> </ul> </li> <li>Site inspection and Briefing: 30 March 2023 <ul style="list-style-type: none"> <li><u>Panel members</u>: Carl Scully (Chair) and Alice Spizzo</li> <li><u>Council assessment staff</u>: Jo Zancanaro and Angela Rossi</li> <li><u>Independent Consultants</u>: Melissa Rodrigues and Margaret Roberts</li> </ul> </li> </ul>

		<ul style="list-style-type: none"> <li>○ <u>Applicant</u>: Marcos Gonzalez Puga, David Finnimore, Kimberley Johns, Peter Horton and Robert Sabato,</li> <li>○ <u>Department staff</u>: Lillian Charlesworth and Suzie Jattan</li> </ul> <ul style="list-style-type: none"> <li>• Site Inspection and Council/Applicant Briefing: 28 September 2024 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Carl Scully (Chair), Doug Lord, Pam Dean-Jones and Jan Murrell</li> <li>○ <u>Council assessment staff</u>: Jo Zancanaro and Angela Ross</li> <li>○ <u>Independent Consultants</u>: Melissa Rodrigues</li> <li>○ <u>Applicant</u>: Robert Sabato, Sven Ollmann, James Morgan, David Finnimore, Greg Britton and Thomas Halle</li> <li>○ <u>Department staff</u>: Carolyn Hunt and Lisa Ellis</li> </ul> </li> <li>• Final briefing to discuss Council's recommendation: 01 February 2024 <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Carl Scully (Chair), Doug Lord, Pam Dean-Jones and Jan Murrell</li> <li>○ <u>Council assessment staff</u>: Jo Zancanaro and Angela Rossi</li> <li>○ <u>Independent Consultants</u>: Margaret Roberts and James Carley</li> <li><u>Department staff</u>: Carolyn Hunt and Lisa Ellis</li> </ul> </li> </ul>
9	COUNCIL RECOMMENDATION	Approval (Deferred Commencement)
10	DRAFT CONDITIONS	Attached to the Council Assessment Report