

DETERMINATION AND STATEMENT OF REASONS

SYDNEY EASTERN CITY PLANNING PANEL

DATE OF DETERMINATION	22 November 2023
DATE OF PANEL DECISION	21 November 2023
PANEL MEMBERS	Carl Scully (Chair), Amelia Thorpe, Alice Spizzo, and Jan Murrell
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 2 November 2023.

MATTER DETERMINED

PPSSEC-275 – Waverley – DA-482/2017/B – 59-75 Grafton Street, Bondi Junction - Modification to alter internal apartment layout, reduction in units from 78 to 63, increase in communal open space, facade design and various other alterations (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 listed at item 8 in Schedule 1.

Application for modification of consent

The Panel is satisfied that the application is substantially the same development and the reasons for the original approval have been taken into consideration for this determination. The Panel has also had regard to the submission received.

The Panel determined to approve the modification application pursuant to section 4.55(2) of the *Environmental Planning and Assessment Act 1979*.

The Panel is satisfied that the modification warrants approval on a merit assessment and determined to approve the application.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel determined to approve the application for the reasons outlined in the Council Assessment Report.

The modification application will result in an improved built form outcome.

CONDITIONS

The Development Application was approved subject to the conditions in the Council Assessment Report with the following amendments:

- Condition 109 is amended by deleting the following and renumbering accordingly:





(h) All waste and recycling bins must only be placed out on Council footpath for collection no earlier than 5:30 p.m. on the day prior to the designated waste collection day and retrieved from the kerbside as early as possible.

CONSIDERATION OF COMMUNITY VIEWS

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

- View impacts
- Façade/elevation design
- Area character
- Property value

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

PANEL MEMBERS	
 Carl Scully (Chair)	 Amelia Thorpe
 Alice Spizzo	 Jan Murrell

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSEC-275 – Waverley – DA-482/2017/B
2	PROPOSED DEVELOPMENT	Modification to alter internal apartment layouts, reduction in units from 78 to 63, modified facade design, increase in floor space and various other alterations.
3	STREET ADDRESS	59-75 Grafton Street, Bondi Junction
4	APPLICANT OWNER	Andrew Urquhart Clygen Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.55(2) 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 (Sustainable Buildings) 2022 State Environmental Planning Policy (Design Quality of Residential Apartment Development) 2002 State Environmental Planning Policy (Transport and Infrastructure) 2021 State Environmental Planning Policy (Biodiversity and Conservation) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (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 2022 Planning agreements: Yes 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: 1 November 2023 <ul style="list-style-type: none"> Architectural Plans Copy of submissions Letter of Concurrence – Sydney Trains Written submissions during public exhibition: one (1) Total number of unique submissions received by way of objection: one (1)
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Briefing: 8 August 2023 <ul style="list-style-type: none"> <u>Panel members</u>: Carl Scully (Chair) <u>Applicant Briefing</u>: Andrew Urquhart, William Smart, Sandra Robinson, Greg Shand <u>Council assessment staff</u>: Kylie Lucas and Bridget McNamara <u>Department staff</u>: Carolyn Hunt and Lisa Ellis Site inspection: 12 October 2023 <ul style="list-style-type: none"> <u>Panel members</u>: Carl Scully (Chair) and Alice Spizzo <u>Council assessment staff</u>: Kylie Lucas and Bridget McNamara

		<ul style="list-style-type: none"> • Applicant Briefing: 16 November 2023 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Carl Scully (Chair), Amelia Thorpe, Alice Spizzo, and Jan Murrell ○ <u>Applicant representatives</u>: Sandra Robinson, Andrew Urquhart, Greg Shand, William Smart and Geoffrey Goerling ○ <u>Council assessment staff</u>: Kylie Lucas and Bridget McNamara ○ <u>Department staff</u>: Carolyn Hunt, Louisa Agyare, and Lisa Ellis • Final briefing to discuss council's recommendation: 16 November 2023 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Carl Scully (Chair), Amelia Thorpe, Alice Spizzo and Jan Murrell ○ <u>Council assessment staff</u>: Kylie Lucas and Bridget McNamara ○ <u>Department staff</u>: Carolyn Hunt, Louisa Agyare, and Lisa Ellis
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report