

DATE OF DECISION	Thursday 13 December 2018
PANEL MEMBERS	Carl Scully (Chair), John Roseth, Sue Francis, Stephen Bargwanna, Bill Gawne
APOLOGIES	None
DECLARATIONS OF INTEREST	None

REZONING REVIEW

2018ECI002 – Waverley – RR_2018_WAVER_001_00 at 122 Bronte Road Bondi Junction (AS DESCRIBED IN SCHEDULE 1)

Reason for Review:

- ☒ The council has notified the proponent that the request to prepare a planning proposal has not been supported
- ☐ The council has failed to indicate its support 90 days after the proponent submitted a request to prepare a planning proposal or took too long to submit the proposal after indicating its support

PANEL CONSIDERATION AND DECISION

The Panel considered: the material listed at item 4 and the matters raised and/or observed at meetings and site inspections listed at item 5 in Schedule 1.

Based on this review, the Panel determined that the proposed instrument:

- ☐ **should** be submitted for a Gateway determination because the proposal has demonstrated strategic and site specific merit
- ☒ **should not** be submitted for a Gateway determination because the proposal has
 - ☐ not demonstrated strategic merit
 - ☒ has demonstrated strategic merit but not site specific merit

The decision was unanimous.

REASONS FOR THE DECISION

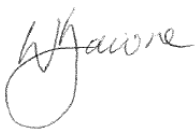
The Panel accepts that the Planning Proposal has strategic merit. It is close to Bondi Junction as well as several bus routes. The existence of the heritage item and the desire for it to be restored and integrated into any development is desirable. Several sites along Birrell Street and Bronte Road have apartment buildings of up to 4 storeys, while others can be developed as apartments. It is therefore an appropriate location for a mixed-use zone which would allow, inter alia, residential development and serviced apartments.

The Panel considers, however, that the Planning Proposal as sought to be reviewed by the Panel, has no site-specific merit. The site, while on a prominent corner, is also close to several conservation areas. A proposed height limit of 28m would allow a building that would visually overpower those areas and would be inconsistent with the desired future character of nearby areas which are zoned for intensification. Moreover, the proposed height limit of 28m and FSR of 5:1 would allow an even bigger building than that shown on the diagrams which accompany the Planning Proposal.

While the Panel does not support the proposed FSR and height limit of the Planning Proposal before it, it does support the change of use to a B4 Mixed Use zone. The Panel notes that the existing heritage-related provisions in the Waverley LEP would allow other uses on the site using the heritage incentive provisions but nevertheless consider that a change of the zoning would perhaps be clearer in indicating that the site is no longer required for a special use.

In summary, the Panel does not recommend the Planning Proposal before it progress to Gateway. However, if the Department's delegate considers that a Planning Proposal changing the zoning of the site to B4 Mixed Use has merit, the Panel would recommend the adoption of a height limit that would be achieved by the continuation of the existing parapet line of the Telephone Exchange and a FSR which would be appropriate for a building that continues that line (and is probably five storeys high).

The basis for the Panel's view is that a building of that height already exists adjoining the site and also that the Telephone Exchange is such an uncharacteristic built form that the more it can be obscured and ideally integrated into any development of the subject site, the better for the visual environment around the site. The Panel takes this view on the basis that the heritage item be restored to the 1926 built form which incorporated a door on the corner (see heritage report).

PANEL MEMBERS	
 Carl Scully (Chair)	 Sue Francis
 John Roseth	 Stephen Bargwanna
 Bill Gawne	

SCHEDULE 1		
1	PANEL REF – LGA – DEPARTMENT REF - ADDRESS	2018ECI002 – Waverley – RR_2018_WAVER_001_00 at 122 Bronte Road Bondi Junction
2	LEP TO BE AMENDED	Waverley Local Environmental Plan 2012
3	PROPOSED INSTRUMENT	The rezoning review request seeks to amend the Waverley Local Environmental Plan 2012 to rezone the site, increase the maximum permissible floor space ratio and building height controls for 122 Bronte Road Bondi Junction.
4	MATERIAL CONSIDERED BY THE PANEL	- Rezoning review request documentation - Briefing report from Department of Planning and Environment
5	MEETINGS AND SITE INSPECTIONS BY THE PANEL	Site inspection: 13 December 2018 - Panel members in attendance: Carl Scully (Chair), John Roseth, Sue Francis, Stephen Bargwanna, Bill Gawne - Department of Planning and Environment (DPE) staff in attendance: Brendan Metcalfe, Lawren Drummond, Melissa Halloran, Ben Reid Briefing with Department of Planning and Environment (DPE): 13 December 2018, 10.35am. - Panel members in attendance: Carl Scully (Chair), John Roseth, Sue Francis, Stephen Bargwanna, Bill Gawne - Department of Planning and Environment (DPE) staff in attendance: Brendan Metcalfe, Lawren Drummond, Melissa Halloran Briefing with Council and Proponent: 13 December 2018, 11am - Panel members in attendance: Carl Scully (Chair), John Roseth, Sue Francis, Stephen Bargwanna, Bill Gawne - Department of Planning and Environment (DPE) staff in attendance: Brendan Metcalfe, Lawren Drummond, Melissa Halloran - Council representatives in attendance: Jaime Hogan, Tim Sneesby, Peter Monks - Proponent representatives in attendance: Nik Wheeler, Murray Donaldson, Ben Raymond, Jeremy Reymond, Brian Meyerson, Amanda Stollery, Kate Paterson