

**MINUTES OF THE WAVERLEY DEVELOPMENT  
ASSESSMENT PANEL MEETING HELD AT THE  
WAVERLEY COUNCIL CHAMBERS ON WEDNESDAY,  
28 FEBRUARY 2018**

**Panel members present:**

The Hon Paul Stein (Chair)  
Peter Brennan  
Stuart MacDonald  
Gabrielle Morrish  
Jan Murrell

**Also present:**

Mr L Kosnetter	Acting Executive Manager, Building Waverley
Mr A Faruqi	Manager, Development Assessment (North)
Ms A Rossi	Manager, Development Assessment (Central)
Ms E Finnegan	Senior Development Assessment Officer
Ms R Siaoisi	Administration Officer

---

*At the commencement of the public proceedings at 11.06 am, those panel members present were as listed above.*

*At 11.53 am, the meeting was closed to the public.*

*At 1.20 pm, the Panel reconvened in closed session.*

*At 1.33 pm, the meeting closed.*

**WDAP-1802.A**

**Apologies**

There were no apologies

**WDAP-1802.DI**

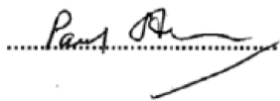
**Declarations of Interest**

The Chair called for declarations of interest and the following was received:

1. S MacDonald declared an interest in Item WDAP-1802.2 – 8 Blake Street, Rose Bay – Demolish existing dwelling and garage and construction of two-storey dual occupancy development each with a swimming pool and strata subdivision (DA-379-2016), and informed the meeting that his company is currently doing work with the architect for this DA.

**WDAP-1802.R**  
**Determinations**

The Panel resolved to make the following determinations overleaf.

A handwritten signature in black ink, appearing to read "Paul Stein", is written over a horizontal dotted line. A long, sweeping horizontal stroke extends from the end of the signature to the right.

The Hon Paul Stein  
**Chairperson**

## **WDAP-1802.1**

### **1 Kippara Road, Dover Heights – Alterations and additions including a roof terrace (DA-487/2017)**

Report dated 12 February 2018 from the Development and Building Unit

**DECISION:** That the application be refused for the following reasons:

1. The clause 4.6 variation in relation to height of the building is not well founded.
2. The proposed roof terrace has an adverse impact on the views from a number of neighbours' properties and does not comply with section 1.1 of Part C1 of Waverley DCP 2012. In particular, it is noted that the subject property currently enjoys spectacular views from a number of locations within the building.
3. The proposed roof terrace does not comply with section 1.8 of Part C1 of Waverley DCP 2012, Planning Control (e)(i) with regards to the development not being contiguous with sites that include roof terraces.
4. The proposed roof terrace does not comply with section 1.8 of Part C1 of Waverley DCP 2012, Planning Control (e)(ii) with regards to loss of amenity to adjoining properties.
5. The proposed roof terrace does not comply with section 1.8 of Part C1 of Waverley DCP 2012, Planning Control (e)(iii) with regards to the area of the proposed roof terrace exceeding the minimum requirement of 15 sqm.
6. The proposed roof terrace will have unacceptable impacts on the neighbouring properties, in particular the iconic views enjoyed only from the upper level of 15 Loombah Road: *Environmental Planning and Assessment Act, s 79C(1)(b)*.
7. The proposed roof terrace is contrary to the public interest: *Environmental Planning and Assessment Act, s 79C(1)(e)* and it will create an undesirable precedent in the locality.

**For the Decision:** Stein, Brennan, McDonald, Morrish, Murrell.

**Against the Decision:** Nil.

*T Moody, A Sclavenitis, S Smith and S Nafte (objectors) and R Kitchen (on behalf of the applicant) addressed the meeting.*

## **WDAP-1802.2**

### **8 Blake Street, Rose Bay – Demolish existing dwelling and garage and construction of two-storey dual occupancy development each with a swimming pool and strata subdivision (DA-379-2016/A)**

*S MacDonald declared an interest in this item, and informed the meeting that his company is currently doing work with the architect for this DA. He was not present during the public submissions, the deliberations of the Panel and the determination of the item.*

Report dated 5 February 2018 from the Development and Building Unit.

**DECISION:** That the application be approved in part subject to the following additional condition:

- 2(g) The proposed modification on the first floor extending the building towards the rear

by 1.2 metres, along with the extension of the balconies, is not approved.

*REASONS: The proposed first floor extension towards the rear has an unreasonable impact on the privacy of the adjoining premises at 6 Blake Street. The proposed extension exacerbates the non-compliance with the existing first floor rear building line and will have a visual and bulk related impact upon adjoining properties.*

**For the Decision:** Stein, Brennan, Morrish, Murrell.

**Against the Decision:** Nil.

*D Barrack (objector) and S Hanson (on behalf of the applicant) addressed the meeting.*

#### **WDAP-1802.3**

**67–69 Penkivil Street, Bondi – Modification to approved residential flat building including internal reconfiguration, additional bay windows, enlarged basement and attic level with offer to enter a Planning Agreement (DA-531/2015/A)**

Report dated 15 February 2018 from the Development and Building Unit.

**DECISION:** That the application be approved in accordance with the conditions contained in the report.

**For the Decision:** Stein, Brennan, McDonald, Morrish, Murrell.

**Against the Decision:** Nil.

*B Meyerson and E Rubenstein (on behalf of the applicant) addressed the meeting.*

#### **WDAP-1802.4**

**110 Lamrock Avenue, Bondi Beach – Alterations and additions to an existing mixed use building, including internal alterations, window changes and new storage to rear (retrospective works) (DA-121/2017).**

Report dated 13 February 2018 from the Development and Building Unit.

**DECISION:** That the application be approved in accordance with the conditions contained in the report subject to condition 1(a) of Schedule A – Retrospective Works being amended to read as follows:

- 1(a) The storage room along the rear boundary (south eastern corner) of the site and associated roof and pergola. The area shall be returned to communal open space with the paving and slab removed and appropriate soft landscaping substituted in the space.

*REASONS: To enhance the amenity of the area for the benefit of residents of the building.*

**For the Decision:** Stein, Brennan, McDonald, Morrish, Murrell.

**Against the Decision:** Nil.

*C Di Veroli (on behalf of the applicant) addressed the meeting.*

**THE MEETING CLOSED AT 1.33 PM.**