

**MINUTES OF THE WAVERLEY DEVELOPMENT
ASSESSMENT PANEL MEETING HELD AT THE
MARGARET WHITLAM RECREATION CENTRE ON
WEDNESDAY, 23 MAY 2018**

Panel members present:

The Hon Paul Stein (Chair)
Michael Harrison
Gabrielle Morrish
Sandra Robinson

Also present:

Mr A Faruqi	Manager, Development Assessment (North)
Ms B Matlawski	Acting Manager, Development Assessment (South)
Ms K Lucas	Acting Manager, Development Assessment (Central)
Ms R Siaosi	Administration Officer

At the commencement of the public proceedings at 12.14 pm, those Panel members present were as listed above.

At 1.35 pm, the meeting was closed to the public.

At 2.25 pm, the Panel reconvened in closed session.

At 4.10 pm, the meeting closed.

WDAP-1805.A

Apologies

There were no apologies.

WDAP-1805.DI

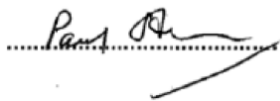
Declarations of Interest

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

1. S Robinson declared a less than significant non-pecuniary interest in Item WDAP-1805.1 – 38–40 Henrietta Street, Waverley – Demolition of existing building and construction of 4 x 2 storey dwellings (2 x semi-detached dwellings facing Henrietta Street and an attached dual occupancy at the rear) and Torrens title land subdivision into 3 allotments and strata subdivision (DA-321/2017). Ms Robinson informed the meeting she is an acquaintance of an objector to this application, and advised that she would not be present for the site inspection, the public submissions, the deliberations of the Panel and the determination of the item.

WDAP-1805.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, crossing the dotted line.

The Hon Paul Stein
Chairperson

WDAP-1805.1

38–40 Henrietta Street, Waverley – Demolition of existing building and construction of 4 x 2 storey dwellings (2 x semi-detached dwellings facing Henrietta Street and an attached dual occupancy at the rear) and Torrens title land subdivision into 3 allotments and Strata subdivision (DA-321/2017)

S Robinson declared a less than significant non-pecuniary interest in this item, and informed the meeting that she is an acquaintance of an objector to this application. Ms Robinson was not present for the site inspection, the public submissions, the deliberations of the Panel and the determination of the item.

Report dated 9 May 2018 from the Development and Building Unit.

DECISION: That the application be approved in accordance with the conditions contained in the report, subject to the addition of condition 2(c), to read as follows:

- 2(c) The breeze block screening to the first floor west elevation to Henrietta Street is to be deleted and amended plans provided.

REASONS: The Panel generally concurs with the planner's report and finds that the variations are well founded. The Panel has added a condition to delete the breeze block screening to the first floor west elevation in order to improve the appearance of the proposal to Henrietta Street and internal amenity to the habitable rooms to that floor.

For the Decision: Stein, Harrison and Morrish.

Against the Decision: Nil.

M Booth (objector) and G Karavanas and K Ng (on behalf of the applicant) addressed the meeting.

WDAP-1805.2

369A Bronte Road, Bronte – Alterations and additions to three terraces including attic additions (DA-516/2017)

Report dated 8 May 2018 from the Development and Building Unit.

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

REASONS: The majority of the Panel generally concurs with the planner's report. The majority had concerns about the cl 4.6 variation, but was satisfied bearing in mind the history of the site and adjacent heritage building. Ms Morrish was not satisfied that the clause 4.6 variation was well founded.

For the Decision: Stein, Harrison, and Robinson.

Against the Decision: Morrish.

WDAP-1805.3

3 Silva Street, Tamarama – Demolition of existing structures; construction of a part two part three storey dwelling house including a swimming pool and lower ground floor garage (DA312/2017)

Report dated 10 May 2018 from the Development and Building Unit.

DECISION: That the application be granted deferred commencement consent in accordance with the conditions contained in the report, subject to the amendment of condition 2, to read as follows:

2. In order to minimise the view loss impact of the development—specifically, to maintain views of the horizon from properties on the northern site of Carlisle Street—the overall roof level of the development shall not extend above RL 44.243. Accordingly, the overall building height of the development shall be reduced by 450 mm.

REASONS: The Panel generally concurs with the planner’s report, in particular the proposed deferred commencement conditions. While the Panel agrees that the overall building height should be reduced by 450 mm, it is of the view that the means to obtain this reduction should be left to the discretion of the applicant.

For the Decision: Stein, Harrison, Morrish and Robinson.

Against the Decision: Nil.

M Fletcher, R Young (objectors) and S Phillips and M Phillips (on behalf of the applicant) addressed the meeting.

WDAP-1805.4

8/47 Sir Thomas Mitchell Road, Bondi Beach – Alterations to existing apartment to convert attic to habitable space to unit 8 (DA-492/2017)

Report dated 9 May 2018 from the Development and Building Unit.

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

REASONS: The Panel notes that the building was erected prior to the LEP prescribing a floor space ratio development standard of 0.9:1. The existing FSR is 1.52:1. The increased GFA is 39.84 sq m, which equates to a total FSR of 1.6:1. Approximately a third of the additional GFA is contained within the existing roof profile. In these circumstances, the Panel considers that the actual increase of FSR is not unreasonable, given the content of the clause 4.6 variation.

For the Decision: Stein, Harrison, Morrish and Robinson.

Against the Decision: Nil.

WDAP-1805.5

82–84 Curlewis Street, Bondi Beach – Modification to boarding house including alterations to building footprint and height, including offer of a Planning Agreement (DA-334/2016/A)

Report dated 10 May 2018 from the Development and Building Unit.

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

REASONS: The Panel concurs with the planner's report.

For the Decision: Stein, Harrison, Morrish and Robinson.

Against the Decision: Nil.

G Karavanas and M Shapiro (on behalf of the applicant) addressed the meeting.

WDAP-1805.6

150 Brighton Boulevard, North Bondi – Alterations and additions including balcony addition to east and west elevations of existing residential flat building and other associated works (DA-460/2017)

Report dated 9 May 2018 from the Development and Building Unit.

DECISION: That the application be approved in accordance with the conditions contained in the report, subject to the amendment of condition 2(a), to read as follows:

- 2(a) The western front balconies, the roof over the level 03 balcony and the level 01 formed concrete canopy over the entrance are to be setback 4.80 m from the front boundary.

REASONS: The Panel generally agrees with the planner's report, but has amended condition 2(a) to clarify its intent. The small additional height due to the extension of the roof above the balcony is justified under the clause 4.6 variation.

For the Decision: Stein, Harrison, Morrish and Robinson.

Against the Decision: Nil.

J Katkjaer (objector) and A Schultz and J Johnston (on behalf of the applicant) addressed the meeting.

WDAP-1805.7

62 Military Road, Dover Heights – Demolition of existing dwelling and construction of a three storey attached dual occupancy development with swimming pools (DA-286/2017)

Report dated 30 April 2018 from the Development and Building Unit.

DECISION: That the application be approved in accordance with the conditions contained in the report, subject to the amendment of conditions 2 and 3, to read as follows:

2. GENERAL MODIFICATIONS

- (a) The first floor balcony is to extend no further to the rear than the rear building line of the ground floor below.
- (b) The entry forecourt to each dwelling is to be reconfigured to relocate the meter boxes to behind the first set of stairs; the gate is to be relocated to adjacent the garage; and the area previously occupied by the gate and meter box is to be landscaped appropriately, including the planting of the canopy tree. The front fence and gate adjoining the garages are to be lowered to a height of 1.2 m.
- (c) Privacy screening is to be provided between the balconies of each dwelling to a height of 1.7 m, and is to be of a lightweight material or obscure glazing.
- (d) Side and rear boundary fencing is not to exceed 1.8 m in height above the existing ground level.
- (e) The swimming pool equipment is to be housed within an acoustically treated structure.
- (f) The concrete decks, stairs and planter boxes (below the pool deck) located in the rear portion of the town houses are to be deleted and replaced with deep soil landscaped terraces at or near existing ground level.

3. STRATA SUBDIVISION

Should strata subdivision be sought, a separate approval will be required.

REASONS: The Panel is of the view that the proposed landscaping is inadequate and has imposed conditions to enhance landscaping on the site. The clause 4.6 variation relating to height is well founded, and the Panel notes that the portion of the roof that obscures views is below the height standard. Further reducing the height to remove the non-compliant element of the building will not improve views. The Panel is satisfied that the principles enunciated in Tenacity are met.

For the Decision: Stein, Harrison, Morrish and Robinson.

Against the Decision: Nil.

E David, A David, C Beck, C Fry (objectors) and G Karavanas and P Zaverdinos (on behalf of the applicant) addressed the meeting.

WDAP-1805.8

20 Loombah Road, Dover Heights – Demolition, excavation and construction of a new dwelling house with integrated garage and swimming pool (DA-94/2017/1)

Report dated 7 May 2018 from the Development and Building Unit.

DECISION: That the application be deferred to the WDAP meeting on 27 June 2018.

For the Decision: Stein, Harrison, Morrish and Robinson.

Against the Decision: Nil.

K McLellan and T Freeman (on behalf of the applicant) addressed the meeting.

WDAP-1805.9

7 Portland Street, Dover Heights – Demolition of existing dwelling and construction of dual occupancy and two swimming pools (DA-243/2017)

Report dated 8 May 2018 from the Development and Building Unit.

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

REASONS: The Panel concurs with the planner's report.

For the Decision: Stein, Harrison, Morrish and Robinson.

Against the Decision: Nil.

L Adey, D Beasley and T Ventura (on behalf of the applicant) addressed the meeting.

WDAP-1805.10

9 Portland Street, Dover Heights – Alterations and additions to existing dwelling including additional storey (DA-525/2017)

Report dated 7 May 2018 from the Development and Building Unit.

DECISION: That the application be approved in accordance with the conditions contained in the report, subject to the deletion of conditions 39 and 46, and the amendment of condition 2(a), to read as follows:

- 2(a) The conversion of the existing car port to an enclosed garage is not approved and is to be deleted from the plans.

REASONS: The Panel is of the opinion that the conversion of the existing carport to an enclosed garage is not appropriate in this streetscape, and therefore does not approve this aspect of the development. The Panel otherwise concurs with the planner's report.

For the Decision: Stein, Harrison, Morrish and Robinson.

Against the Decision: Nil.

C Polly and N Golfin (on behalf of the applicant) addressed the Panel.

THE MEETING CLOSED AT 4.10 PM.