

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

Panel members present:

The Hon Paul Stein (Chair)
Jan Murrell
Sandra Robinson
Ian Stapleton

Also present:

Mr A Faruqi	Manager, Development Assessment (North)
Mr L Kosnetter	Manager, Development Assessment (South)
Ms A Rossi	Manager, Development Assessment (Central)
Ms R Siaoosi	Administration Officer

At the commencement of the public proceedings at 12.17 pm, those panel members present were as listed above.

At 2.26 pm, the meeting was closed to the public.

At 3.05 pm, the Panel reconvened in closed session.

At 5.10 pm, the meeting closed.

WDAP-1803.A

Apologies

There were no apologies

WDAP-1803.DI

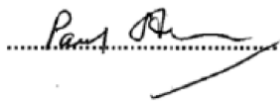
Declarations of Interest

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-1803.7 – 252–262 Campbell Parade, Bondi Beach – Demolition of buildings and construction of a four- and five-storey mixed use building with basement parking (DA-560/2016), and informed the meeting that she was involved in an application with similar site characteristics in proximity to the site. Ms Robinson 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-1803.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-1803.1

34–38 Bondi Road, Bondi Junction – Demolition and construction of residential flat building (DA-123/2016)

Report dated 20 March 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(a), 2(c), 2(d)(iii) and 65(b) to read as follows:

- 2(a) An appropriate treatment to ‘soften’ the visual impact of the adjoining semi-detached wall is to be incorporated into the plans. This must take the form of a pergola-style structure over the driveway, with associated landscaping on the roof of the pergola designed to create a vertical green edge to the wall of 40 Bondi Road, and is to be submitted to, and approved by, the Waverley Design Excellence Panel.
- 2(c) The blank wall of the retained semi-detached dwelling at 40 Bondi Road is to be repaired as necessary to a high quality finish, including waterproof metal cladding, in consultation with owner of the property. All costs are to be borne by the proponent.
- 2(d)(iii) The proposed full height fixed metal louvres to the ‘open’ communal hallways to the apartments at levels 2 and 3 are to be detailed on the plans demonstrating that they achieve a suitable level of privacy, being limited in opening direction and/or extent, to minimise overlooking into 40 Bondi Road.
- 65(b) Vegetation and proposed landscaping/fencing must not hinder sight lines to and from the vehicular crossings to motorists, pedestrians and cyclists on Bondi Road.

REASONS: The Panel accepts the variations sought to the development standards as well founded and satisfying cl 4.6 of the Waverley Local Environmental Plan 2012.

The Panel generally accepts the planning consultant’s report, and has made modifications to the conditions to provide greater certainty. The Panel is satisfied that the development complies with the setback controls and provides appropriate privacy protection measures as indicated in the conditions of consent.

For the Decision: Stein, Murrell, Robinson and Stapleton.

Against the Decision: Nil.

A Southan, A Cafarelli (on behalf of C Cafarelli) (objectors) and R Olsson (on behalf of the applicant) addressed the meeting.

WDAP-1803.2

32 Spring Street, Bondi Junction – Amending DA to the approved mixed use development (DA-569/2015/A) to include: additional ground floor retail space; additional commercial space on level one; 10 additional one bedroom residential apartments; modifications to apartment layouts within the southern wing of the approved development; and an offer to enter into a planning agreement for the additional gross floor area (DA-427/2017)

Report dated 15 March 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 accepts the variations sought to the development standards as well founded and satisfying cl 4.6 of the Waverley Local Environmental Plan 2012.

The Panel accepts the planning officer's report and is of the view that the inclusion of the additional site provides for a better planning outcome for this consolidated development site.

For the Decision: Stein, Murrell, Robinson and Stapleton.

Against the Decision: Nil.

E Leis and A Hipwell (on behalf of the applicant) addressed the meeting.

WDAP-1803.3

20–22 Llandaff Street, Bondi Junction – Demolition of existing buildings and construction of new residential flat building with 26 units, basement parking and offer to enter into a planning agreement (DA-101/2017)

Report dated 20 March 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.

REASONS: The Panel accepts the variations sought to the development standards as well founded and satisfying cl 4.6 of the Waverley Local Environmental Plan 2012.

The Panel accepts the planning officer's report and approves the application as a deferred commencement consent subject to the conditions in the report. The Panel accepts the reduced parking rate is in accordance with the Council's DCP and is appropriate.

For the Decision: Stein, Murrell, Robinson and Stapleton.

Against the Decision: Nil.

L Goodman (objector), E Leis, P Thalys and A Kavanagh (on behalf of the applicant) addressed the meeting.

WDAP-1803.4

18–20 Allens Parade, Bondi Junction – Demolition (part and full) of existing dwellings and construction of four dwellings and Torrens title subdivision into four lots (DA-258/2017)

Report dated 19 March 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 2A, to read as follows:

2A. HERITAGE CONSERVATION

A maximum amount of the original fabric is to be retained in 18 Allens Parade, and a schedule is to be provided to the satisfaction of Council's heritage architect as to the extent or retained fabric. Details are to be provided and approved prior to the issue of a construction certificate, or any demolition works.

REASONS: The Panel accepts the variations sought to the development standards as well founded and satisfying cl 4.6 of the Waverley Local Environmental Plan 2012.

The majority of the Panel generally accepts the planning officer's report, noting the replacement building and additions to the contributory building will form a cohesive addition to the conservation area, consistent with the zoning and height development standard. The majority view is that the development achieves a reasonable planning outcome within this conservation area and does not create unreasonable amenity impacts.

The minority view was that Council's original advice to the applicant, that the demolition of the building at 20 Allens Parade was not supported, remains appropriate. The proposal involves unnecessary demolition of components of the conservation area without it having been demonstrated that alternative renovations and restoration of the buildings were not possible.

For the Decision: Stein, Murrell and Robinson.

Against the Decision: Stapleton

R Travers (objector) and G Karavanas and M Hay (on behalf of the applicant) addressed the meeting.

WDAP-1803.5

105 Hewlett Street, Bronte – Demolition and construction of a new dwelling house with integrated double garage and swimming pool (DA-377/2017)

Report dated 15 March 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 2A, to read as follows.

2A. SCHEDULE OF EXTERNAL FINISHES

A corrected and complete schedule of materials and finishes is to be provided to Council prior to the issue of a construction certificate.

REASONS: The Panel accepts the variations sought to the development standards as well founded and satisfying cl 4.6 of the Waverley Local Environmental Plan 2012.

The Panel is satisfied that the development is of an appropriate scale in the context of this site. View sharing has been achieved through modulation of the building responding to the topography of the site. In this location, there is a degree of mutual overlooking that exists, is accepted and is inevitable in this context.

For the Decision: Stein, Murrell, Robinson and Stapleton.

Against the Decision: Nil.

C Shai-Hee, T Danzey (on behalf of M Danzey) (objectors) and G Karavanas, N Thioulouse and T Williams (on behalf of the applicant) addressed the meeting.

WDAP-1803.6

21 Thompson Street, Tamarama – Alterations and additions to the approved dwelling house and change of use to a dual occupancy (DA-404/2017)

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

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

1. The variation to the development standard for the floor space ratio is excessive, and is not well founded or in the public interest, being 185% above the standard, having regard to cl 4.6 of the Waverley Local Environmental Plan 2012.
2. The proposal represents an overdevelopment of the site.
3. A portion of the additional floor space is located within an area that has been excavated without consent.
4. Retrospective approval cannot be granted for that part of the excavation works that was undertaken without consent. This is evident in the comparison drawings, in particular the elevations, sections and plans that compare the proposed development to the 'outline of previous submittal', as shown in red outline.
5. The proposal is contrary to the public interest or orderly development.

NOTE: The Panel advises that the details of the excavation of this site are to be forwarded to Council's Compliance Team for investigation and appropriate action.

For the Decision: Stein, Murrell, Robinson and Stapleton.

Against the Decision: Nil.

M Donnan, G Garrick, G Beard, M McHugh (objectors), and P Tesoriero and J Cottee (on behalf of the applicant) addressed the meeting.

WDAP-1803.7

252–262 Campbell Parade, Bondi Beach – Demolition of buildings and construction of a four- and five-storey mixed use building with basement parking (DA-560/2016)

S Robinson declared a less than significant non-pecuniary interest in this item, and informed the meeting that she was involved in an application with similar site characteristics in proximity to the site. She was not present for the site inspection, the public submissions, the deliberations of the Panel and the determination of the item.

Report dated 19 March 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 addition of deferred commencement conditions 1(i) and (j), and the amendment of deferred commencement condition 1(a), to read as follows:

- 1(a) The uppermost level (fifth storey identified as 'level 03' on plans) of the building and the unit it contains (nominated as Apt 10 on the plans) is not approved and shall be deleted from the proposal. The building (including height of the street wall of the proposal and the roof level) shall not extend above RL 19.3. Only the roof plant/services, including the lift overrun, mechanical plant (i.e. carpark discharge) and AC condensers as indicated on the plans shall be permitted to extend above RL 19.3. The area on the roof utilised for plant is to be as minimal as possible. The lift and stairs shall extend only to level 02 of the building (as nominated on the plans) and shall not extend to the roof. The roof plant/services must not exceed RL 20.3 and are to be located in the centre of the roof. The plant room shown on level 03 plan shall be relocated to level 02.
- 1(i) Accepting the suitability in this case of using a new architectural vocabulary for the exterior of the building, the submission of a revised fenestration design more influenced by the fenestration patterns of the characteristic buildings in Campbell Parade is required. The characteristic buildings generally have more regular (less random) alignment of rectangular windows.
- 1(j) With reference to DA-0701/17, the glazing is to be located a minimum of 100 mm back from the external wall face of the building, and the use of raised architraves be confirmed and shown on all relevant drawings.

REASONS: The Panel is of the view that, with the deletion of the uppermost level (which is accepted by the applicant), reasonable view sharing is achieved. The Panel is satisfied that the development is an appropriate replacement building in the context of the Campbell Parade conservation area and the architectural vocabulary is acceptable. However, the Panel has added further conditions to the deferred commencement condition to improve the appropriateness of the building in its context.

For the Decision: Stein, Murrell and Stapleton.

Against the Decision: Nil.

P Joel, J Rubenstein, S Griffiths (on behalf of M Hughes and J Hughes) (objectors), E Leis (applicant) and C Brown addressed the meeting.

WDAP-1803.8

120 Hastings Parade, North Bondi – Demolition of existing dwelling, Torrens title subdivision and construction of a dual occupancy with secondary dwellings to the rear on each lot (DA-436/2017)

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

DECISION: That the application be refused for the reasons contained in the report.

For the Decision: Stein, Murrell, Robinson and Stapleton.

Against the Decision: Nil.

R Lisztes (objector) and E Huang (on behalf of the applicant) addressed the meeting.

WDAP-1803.9

11 Nancy Street, North Bondi – Demolition of existing dwelling and construction of two-storey attached dual occupancy development with strata subdivision (DA-422/2017)

Report dated 13 March 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 accepts the variations sought to the development standards as well founded and satisfying cl 4.6 of the Waverley Local Environmental Plan 2012.

The Panel accepts the planning officer's report given that the overall envelope, bulk and scale of the building is appropriate and commensurate with surrounding development.

For the Decision: Stein, Murrell, Robinson and Stapleton.

Against the Decision: Nil.

S Karpin (owner) and A Vrankovic (applicant) addressed the meeting.

WDAP-1803.10

5 Murrivier Road, North Bondi – Demolition of existing dwelling and construction of two-storey dual occupancy with strata subdivision (DA-400/2017)

Report dated 8 March 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 accepts the variations sought to the development standards as well founded and satisfying cl 4.6 of the Waverley Local Environmental Plan 2012.

The Panel accepts the planning officer's report given that the overall envelope, bulk and scale of the building is appropriate and commensurate with surrounding development.

For the Decision: Stein, Murrell, Robinson and Stapleton.

Against the Decision: Nil.

N Nakache and E Gescheit (on behalf of the applicant) addressed the meeting.

WDAP-1803.11

3 Craig Avenue, Vaucluse – Demolition of existing dwelling and construction of part two- and part three-storey building with roof terrace (DA-355/2017)

Report dated 13 March 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 accepts the variations sought to the development standards as well founded and satisfying cl 4.6 of the Waverley Local Environmental Plan 2012.

The Panel accepts the planning officer's report given that the overall envelope, bulk and scale of the building is appropriate and commensurate with surrounding development.

For the Decision: Stein, Murrell, Robinson and Stapleton.

Against the Decision: Nil.

THE MEETING CLOSED AT 5.10 PM.