

**MINUTES OF THE WAVERLEY LOCAL
PLANNING PANEL MEETING HELD AT THE
WAVERLEY COUNCIL CHAMBER ON
WEDNESDAY, 24 JULY 2019**

Panel members present:

The Hon Paul Stein (Chair)
Penelope Mora
Jan Murrell
Richard Thorp

Also present:

Ms A Rossi	Manager, Development Assessment (Central)
Ms B McNamara	Manager, Development Assessment (North/South)
Ms R Siaoisi	Administration Officer

At the commencement of the public proceedings at 12.00 pm, those panel members present were as listed above.

At 2.00pm, the meeting was closed to the public.

At 2.35pm, the Panel reconvened in closed session.

At 4.00pm, the meeting closed.

WLPP-1907.A

Apologies

There were no apologies

WLPP-1907.DI

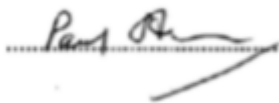
Declarations of Interest

The Chair called for declarations of interest and none were received

WLPP-1907.R

Determinations

The Panel resolved to make the following determinations overleaf.



The Hon Paul Stein
Chairperson

WLPP-1907.1

2 Blenheim Street, Queens Park - Demolition of existing dwelling and ancillary domestic structures, and the construction of a four storey plus basement residential flat building comprising 7 dwellings, including 3 affordable rental housing units (DA-236/2018)

Report dated 12 July 2019 from the Development and Building Unit.

Recommendation: That the application be granted deferred commencement consent in accordance with the conditions contained in the report.

DECISION: The determination by the Panel is to approve of the application as a deferred commencement consent subject to the conditions recommended in the report as amended by the Panel as follows:

Deferred Commencement conditions:

1. The entire upper level (third floor on plan) shall be deleted, including all access thereinto.
2. The front wall including glazing line of the face of the building on the second floor level on the plans shall be set back a further 1m from Blenheim Street.
3. The aluminium louvres on the ground and first floor of the front façade shall be replaced with single storey sliding aluminium louvres.
4. The section drawing (Plan DA13) should be updated and improved to describe ceilings, bulkheads, concrete roof insulation and balcony drainage, setdowns to concrete balconies, sunshading, roof gutters, lift wall acoustic separation (to Units 4,6 and 7), basement pump-out tank.
5. Cross-section details at 1:20 scale describing the roof, walls, windows, balconies and the like shall be provided.

REASONS: The Panel is of the opinion that the entire top most floor should be deleted and the second floor level should be set back by a further 1m.

With these amendments the Panel is of the view that a better transition is achieved and a better streetscape result.

For the Decision: Stein, Mora, Murrell and Thorp

Against the Decision: Nil.

P Watchman, S Pepper and B Widerberg (objectors), J Askin (on behalf of the applicant) addressed the meeting.

WLPP-1907.2

Unit 1407 (lot 127), 80 Ebley Street, Bondi Junction - Installation of vergola awning to existing balcony of unit 1407 (DA-157/2019)

Report dated 8 July 2019 from the Development and Building Unit.

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

DECISION: The application be approved in accordance with the conditions in the Officer's report.

REASONS: The Panel has viewed the site, considered submissions and the Clause 4.15 assessment in the Assessment Officer's report. The Panel finds the clause 4.6 variation to be well founded. For the reasons in the report, the Panel was satisfied the proposal is acceptable and warrants approval.

For the Decision: Stein, Mora, Murrell and Thorp

Against the Decision: Nil.

No speakers addressed the meeting.

WLPP-1907.3

21 Fletcher Street, Tamarama - Alterations and additions to dwelling including attic extension, internal reconfiguration, new windows and pool over garage at rear (DA-122/2019)

Report dated 10 July 2019 from the Development and Building Unit.

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

DECISION: That the Panel finds the clause 4.6 variations to be well founded and approves the application in accordance with the conditions contained in the officer's report.

REASONS: The Panel has viewed the site, considered submissions and the Clause 4.15 assessment in the Assessment Officer's report. For the reasons in the report, the Panel was satisfied the proposal is acceptable and warrants approval.

For the Decision: Stein, Mora, Murrell and Thorp

Against the Decision: Nil.

D Krauss (on behalf of the applicant) addressed the meeting.

WLPP-1907.4

9/45 Sir Thomas Mitchell Road, Bondi Beach - Alterations and additions to roof space of existing residential flat building to convert into attic addition associated with unit 9 (DA-8/2019)

Report dated 9 July 2019 from the Development and Building Unit.

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

DECISION: The Waverley Local Planning panel exercising the functions of council as consent authority is satisfied that the matters required to be addressed under Clause 4.6 (4) of Waverley LEP 2012 have been demonstrated and that consent may be granted to the development application which contravenes the floor space ratio and height development standard. The Panel concurs on behalf of and as the delegate of the Secretary Department of Planning and Environment.

The Panel approves the development application in accordance with the summary and conclusions and recommendations in the officer's report subject to the recommended conditions.

REASONS: The Panel has viewed the site, and the Clause 4.15 assessment in the Assessment Officer's report. For the reasons in the report, the Panel was satisfied the proposal is acceptable and warrants approval.

For the Decision: Stein, Mora, Murrell and Thorp

Against the Decision: Nil.

K Payne (on behalf of the applicant) addressed the meeting.

WLPP-1907.5

Bondi Beach Public Bar, Retail, 154 Curlewis Street, Bondi Beach - Modification to delete condition 59 to permit low level entertainment (DA-413/2015/C)

Report dated 10 July 2019 from the Development and Building Unit.

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

DECISION: The Waverley Local Planning panel exercising the functions of council as consent authority is satisfied that the matters required to be addressed under Clause 4.6 (4) of Waverley LEP 2012 have been demonstrated and that consent may be granted to the development application which contravenes the floor space ratio and height development standard. The Panel concurs on behalf of and as the delegate of the Secretary Department of Planning and Environment.

The Panel approves the development application in accordance with the summary and conclusions and recommendations in the officer's report subject to the conditions recommended in the report as amended by the Panel as follows:

59. ENTERTAINMENT NOISE

- a) Musical instruments or amplified sound in the form of DJs, live bands, performers (*with the exception of drums and percussion instruments*) are ~~not~~ permitted on the premises ~~without the written approval of Council, which may be granted subject to conditions~~ subject to the recommendations contained within the Amplified Music Noise Impact Assessment (Document Reference 20180435.2/1012A/R1/JL) Revision 1 dated 12/12/2018 prepared by Acoustic Logic and received by Council on 11 December 2018 being implemented and certified as implemented and/or completed by a suitably qualified acoustic consultant.

b) *One year trial for musical instruments or amplified sound*

Irrespective of sub clause (a), the musical instruments or amplified sound within the premises may operate for a one (1) year trial period as follows:

The trial period starts from the date the applicant notifies the Council of compliance to its satisfaction with condition 59(a) and approval ceases on the first anniversary of that date. A further development application or Section 4.55 application may be lodged before the expiration date for Council's consideration for the continuation of the use.

Council's consideration of this further application will take into account the:

- i. number and nature of substantiated complaints regarding the operation of the premises;*
- ii. compliance with conditions of consent; and*

- iii. *any other matters considered relevant to the environmental evaluation of the premises.*

REASONS: The Panel has visited the site, considered submissions and the Clause 4.15 assessment in the Assessment Officer's report. For the reasons in the report, the Panel was satisfied the proposal is acceptable and warrants approval.

For the Decision: Stein, Mora, Murrell and Thorp

Against the Decision: Nil.

A Coffey, A Boskovitz and B White (objectors), J Lidis (on behalf of the applicant) addressed the meeting.

WLPP-1907.6

515 Old South Head Road, Rose Bay - Demolition of the existing structures on site and construction of a four storey mixed use building (DA-7/2019)

Report dated 11 July 2019 from the Development and Building Unit.

Recommendation: That the application be refused in accordance with the reasons contained in the report.

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

REASONS: The Panel has viewed the site, and the Clause 4.15 assessment in the Assessment Officer's report. For the reasons in the report, the Panel were not satisfied the proposal is acceptable and warrants approval.

For the Decision: Stein, Mora, Murrell and Thorp

Against the Decision: Nil.

B Duzenman (objector), L Kosnetter and M Shapiro (on behalf of the applicant) addressed the meeting.

WLPP-1907.7

4 George Street, Dover Heights - Alterations and additions to the existing 3 storey dwelling house, including a pool and landscaping (DA-58/2019).

Report dated 8 July 2019 from the Development and Building Unit.

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

DECISION: The Panel approves the development application in accordance with the summary and conclusions and recommendations in the officer's report subject to the recommended conditions amended by the Panel as follows:

- 2(b)** The proposed new balustrades to the roof over the "kids play room" is to be deleted, as use of this area would impact negatively on privacy of the adjoining site.

REASONS: The Panel has visited the site, considered submissions and the Clause 4.15 assessment in the Assessment Officer's report. For the reasons in the report, the Panel was satisfied the proposal is acceptable and warrants approval.

For the Decision: Stein, Mora, Murrell and Thorp

Against the Decision: Nil.

W Owers, J Bull and L McKenzie (on behalf of the applicant) addressed the meeting.

WLPP-1907.8

22 Kimberley Street, Vaucluse - Alterations and additions to dwelling house including a first floor addition (DA-17/2019)

Report dated 8 July 2019 from the Development and Building Unit.

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

DECISION: That the application be refused for the following reasons contained below.

REASONS:

1. The application is contrary to the height development standard and the clause 4.6 variation written request has not been substantiated.
2. The Panel does not consider that the objectives of the zone and standard have been met and accordingly the variation is not in the Public interest.
3. Inadequate information in relation to view loss and view sharing have been provided to allow a proper assessment.

For the Decision: Stein, Mora, Murrell and Thorp

Against the Decision: Nil.

M Silver, L Silver, T Moody, L Faulkner, L Forbath (objectors) and C Mendoza, J Prats (on behalf of the applicant) addressed the meeting.

WLPP-1907.PP

Planning Proposals

The Panel has provided confidential advice on planning proposals presented at this meeting.

THE MEETING CLOSED AT 4.00 PM.