

**MINUTES OF THE WAVERLEY LOCAL PLANNING PANEL
MEETING HELD BY VIDEO CONFERENCE ON
WEDNESDAY, 23 MARCH 2022**

Panel members present:

The Hon Paul Stein (Chair)
Philippa Frecklington
Helena Miller
Sandra Robinson (community representative)

Also present:

Ms A Rossi	Manager, Development Assessment (Central)
Ms B McNamara	Manager, Development Assessment (North/South)
Mr D Knight	Senior Assessment Planner
Ms R McGillicuddy	Administration Co-Ordinator

The Panel confirms that references in Development Assessment Reports are taken to be references to State Environmental Planning Policies as consolidated, effective 1 March 2022, pursuant to NSW Planning Circular PS21-007 – Consolidation of State Environmental Planning Policies.

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

*At 1.50pm, the meeting was closed to the public.
At 2.10pm, the Panel reconvened in closed session.
At 3.45pm, the meeting closed.*

WLPP-2203.A

Apologies

There were no apologies

WLPP-2203.DI

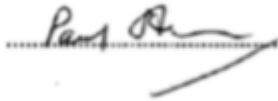
Declarations of Interest

The Chair called for declarations of interest
Item 3 – Sandra Robinson has a conflict of interest and did not take part in this item.

WLPP-2203.R

Determinations

The Panel resolved to make the following determinations overleaf.

A handwritten signature in black ink, appearing to read "Paul Stein", written over a horizontal dotted line. The signature is fluid and cursive.

The Hon Paul Stein
Chairperson

1/16 Forest Knoll Avue, BONDI BEACH NSW 2026 - Alterations and additions to Unit 1 including addition to living areas, extension of deck and relocation of tree PAN-164169 (DA-493/2021)

Report dated 3 March 2022 from the Development and Building Unit.

Council Recommendation: That the application be approved for the reasons contained in the report.

RESOLUTION: 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 that contravenes the floor space ratio development standard. In the opinion of the Panel the objectives of both the zone and the development standard are satisfied and therefore it is in the public interest. 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 recommendations in the Officer's report and recommended conditions.

For the RESOLUTION: STEIN, FRECKLINGTON, MILLER, ROBINSON

Against the RESOLUTION: NIL

REASON: The Panel concurs with the recommendations in the Officer's report.

No persons addressed the Panel.

20 Forest Knoll Avenue, BONDI BEACH NSW 2026 - Demolition of dwelling and construction of two new part 2 and 3 storey dwellings with integrated basement parking - PAN-129718 (DA-313/2021)

Report dated 3 March 2022 from the Development and Building Unit.

Council Recommendation: That the application be approved for the reasons contained in the report.

RESOLUTION: 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 that contravenes the building height and floor space ratio development standards. In the opinion of the Panel the objectives of both the zone and the development standard are satisfied and therefore it is in the public interest. 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 recommendations in the Officer's report and recommended conditions, subject to the following additional condition.

12A. GEOTECHNICAL ENGINEERS REPORT

(NB: condition numbering to be adjusted to remain chronological)

A more comprehensive Geotechnical Engineers Report, regarding the stability of the subject site and stating that damage should not occur to any adjoining premises as a result of the proposed bulk excavation, driven type piles and shoring works, is to be submitted to the Principal Certifying Authority, Council and the owners of adjoining premises. The report is to be submitted prior to the issue of the relevant Construction Certificate and commencement of any such works on the site.

For the RESOLUTION: STEIN, FRECKLINGTON, MILLER, ROBINSON

Against the RESOLUTION: NIL

REASON: The Panel concurs with the recommendations in the Officer's report, however has added a new condition requiring a more comprehensive Geotechnical Report to be submitted prior to the issue of the relevant Construction Certificate and commencement of any such works on the site.

A McDonald, N Lau, R Cheek, T Read, J Webb (Objectors), G Karavanas, M Turco (applicant) addressed the meeting.

5 Kenneth Street, TAMARAMA NSW 2026- Alterations and additions to an existing Residential Flat Building including additions at each floor level, new upper storey addition, landscaping works, a new swimming pool and strata plan update PAN-149697. (DA-413/2021)

Report dated 3 March 2022 from the Development and Building Unit.

Council Recommendation: That the application be approved for the reasons contained in the report.

RESOLUTION: 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 that contravenes the floor space ratio development standard. In the opinion of the Panel the objectives of both the zone and the development standard are satisfied and therefore it is in the public interest. 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 recommendations in the Officer's report and recommended conditions, amended as follows.

Modify condition 2 to include additional sub clause to read as follows:

(g) The overall height of the subject building shall be reduced by a minimum of 200mm. In this regard, the building height, including roof plant/services shall be limited to RL32.73.

For the RESOLUTION: STEIN, FRECKLINGTON, MILLER

Against the RESOLUTION: NIL

REASON: The Panel concurs with the recommendations in the Officer's report and has added a condition to reduce the overall height of the building by minimum 200mm to assist with view sharing.

R Gavin, (Objectors), David Mitchell (applicant) addressed the meeting.

Sandra Robinson declared a conflict of interest and did not take part in this item.

28 Lyons Street, DOVER HEIGHTS NSW 2030 - Demolition of dwelling and construction of a new two storey dwelling with a basement, integrated garage and swimming pool at rear PAN-136852. (DA-348/2021)

Report dated 1 March 2022 from the Development and Building Unit.

Council Recommendation: That the application be approved for the reasons contained in the report.

RESOLUTION: 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 that contravenes the floor space ratio development standard. In the opinion of the Panel the objectives of both the zone and the development standard are satisfied and therefore it is in the public interest. 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 recommendations in the Officer's report and recommended conditions, subject to the following:

Modify condition 2 to include additional sub clauses to read as follows:

(g) The selection of tree species within the front setback shall be amended to tree species with a mature growth height of 4.5m.

(h) Perimeter planting shall be provided along the eastern side setback of the pool coping, with a minimum soil depth of 600mm and minimum soil width of 600mm. The landscape plan is to be amended to indicate plant number, species and sizes.

For the RESOLUTION: STEIN, FRECKLINGTON, MILLER, ROBINSON

Against the RESOLUTION: NIL

REASON: The Panel concurs with the recommendations in the Officer's report and has added conditions relating to landscaping.

B Meyerowitz, C Schlessinger (Objectors), G Karavanas, J Rooz (applicant) addressed the meeting.

1 Lyons Street, DOVER HEIGHTS NSW 2030 - Alterations and additions to dwelling including first floor addition, internal lift, rooftop terrace and rooftop garden above the existing garage - PAN-174448. (DA-538/2021)

Report dated 13 March 2022 from the Development and Building Unit.

Council Recommendation: That the application be approved for the reasons contained in the report.

RESOLUTION: 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 that contravenes the floor space ratio development standard. In the opinion of the Panel the objectives of both the zone and the development standard are satisfied and therefore it is in the public interest. 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 recommendations in the Officer's report and recommended conditions as amended by the Panel.

Delete Condition 2(a) regarding windows.

For the RESOLUTION: STEIN, FRECKLINGTON, MILLER, ROBINSON

Against the RESOLUTION: NIL

REASON: The Panel concurs with the recommendations in the Officer's report and the conditions amended by the Panel

N Port (on behalf of the applicant) addressed the meeting.

49 Beaumont Street ROSE BAY - Alterations and additions to the rear portion of the ground floor to an existing dwelling - PAN-175013. (DA-541/2021)

Report dated 9 March 2022 from the Development and Building Unit.

Council Recommendation: That the application be approved for the reasons contained in the report.

RESOLUTION: 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 that contravenes the floor space ratio development standard. In the opinion of the Panel the objectives of both the zone and the development standard are satisfied and therefore it is in the public interest. 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 recommendations in the Officer's report and recommended conditions as amended by the Panel.

Delete Condition 11 relating to Stormwater.

For the RESOLUTION: STEIN, FRECKLINGTON, MILLER, ROBINSON

Against the RESOLUTION: NIL

REASON: The Panel concurs with the recommendations in the Officer's report and has deleted Condition 11 as it is unnecessary.

S Fuchs (on the behalf of the applicant) addressed the meeting.

168 & 170 Hastings Pde, NORTH BONDI NSW 2026 - Demolition of building on 168 Hastings Parade and significant alterations and additions of the existing building on 170 Hastings Parade to provide for a single dwelling house with basement parking and swimming pools across both properties. PAN-138617. (DA-369/2021)

Report dated 9 March 2022 from the Development and Building Unit.

Council Recommendation: That the application be approved for the reasons contained in the report.

RESOLUTION: 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 that contravenes the height of buildings and floor space ratio development standards. In the opinion of the Panel the objectives of both the zone and the development standards are satisfied and therefore it is in the public interest. 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 recommendations in the Officer's report and recommended conditions as amended by the Panel.

Delete Condition 2(a) relating to carparking.

For the RESOLUTION: STEIN, FRECKLINGTON, MILLER, ROBINSON

Against the RESOLUTION: NIL

REASON: The Panel concurs with the recommendations in the Officer's report subject to the deletion of Condition 2(a). The Panel notes that the development will result in a significant reduction in off street car parking spaces on the site.

A Haddow & L Kosnetter (on behalf of the applicant) addressed the meeting.

68 Chaleyer Street, ROSE BAY NSW 2029 - Review of decision seeking alterations and additions to semi-detached dwelling including new front car space and external spiral stair at rear. PAN-171486 (DA-219/2021/1)

Report dated 9 March 2022 from the Development and Building Unit.

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

RESOLUTION: The Review application is refused and the original decision to refuse the development application DA-219/2021 is affirmed for the reasons set out in Appendix A to the officers report.

REASON: This section 8.2 review of the original determination is confirmed. The Panel sees no reason to change the decision.

For the RESOLUTION: STEIN, FRECKLINGTON, MILLER, ROBINSON

Against the RESOLUTION: NIL

P Kastengren (Objector), M Neustein (on behalf of the applicant) addressed the meeting.

105 Hewlett Street, BRONTE NSW 2024 - Modification to increase building height, removal of columns and changes to driveway levels PAN-168027. (DA-265/2019/A)

Report dated 9 March 2022 from the Development and Building Unit.

Council Recommendation: That the modification application be approved for the reasons contained in the report.

RESOLUTION: The Panel approves the modification application in accordance with the recommendations in the Officer's report and recommended conditions.

The Panel is satisfied that the modification application is substantially the same development; has been notified appropriately; and the Panel has considered the submissions and taken into account the reasons the consent authority granted consent that is sought to be modified in accordance with the EPA Act.

For the RESOLUTION: STEIN, FRECKLINGTON, MILLER, ROBINSON

Against the RESOLUTION: NIL

REASON: The Panel concurs with the recommendations in the Officer's report. The Panel notes that unauthorised works have been carried out and this is being followed up by Council's Compliance unit. The applicant/architect expressed a willingness to address the issues raised by the objector and is encouraged by the Panel to follow through with these undertakings.

T McKechnie (Objector), T Williams (Applicant) & G Karavanas (on behalf of the applicant) addressed the meeting.

152 Blair Street, NORTH BONDI NSW 2026 - Alterations and additions to a semi-detached dwelling, including first floor addition, garage and patio above at front PAN-177389 (DA-12/2022)

Report dated 10 March 2022 from the Development and Building Unit.

Council Recommendation: That the application be approved for the reasons contained in the report.

RESOLUTION: 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 that contravenes the height development standard. In the opinion of the Panel the objectives of both the zone and the development standard are satisfied and therefore it is in the public interest. 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 recommendations in the Officer's report and recommended conditions.

For the RESOLUTION: STEIN, FRECKLINGTON, MILLER, ROBINSON

Against the RESOLUTION: NIL

REASON: The Panel concurs with the recommendations in the Officer's report.

61 Reina Street, NORTH BONDI NSW 2026 - Alterations and additions to semi-detached dwelling including first floor extension PAN-163161. (DA-485/2021)

Report dated 13 March 2022 from the Development and Building Unit.

Council Recommendation: That the application be approved for the reasons contained in the report.

RESOLUTION: 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 that contravenes the height development standard. In the opinion of the Panel the objectives of both the zone and the development standard are satisfied and therefore it is in the public interest. 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 recommendations in the Officer's report and recommended conditions.

For the RESOLUTION: STEIN, FRECKLINGTON, MILLER, ROBINSON

Against the RESOLUTION: NIL

REASON: The Panel concurs with the recommendations in the Officer's report.

M Durante (Applicant) R Bloch (on behalf of the applicant) addressed the meeting.

THE MEETING CLOSED AT 3.45PM