

# MINUTES OF THE WAVERLEY LOCAL PLANNING PANEL MEETING HELD BY VIDEO CONFERENCE ON WEDNESDAY, 24 NOVEMBER 2021

## Panel members present:

Jacqueline Townsend (Chair)  
Stuart McDonald  
Gabrielle Morrish  
Allyson Small (community representative)

## Also present:

Ms A Rossi	Acting Executive Manager, Development Assessment
Mrs B McNamara	Manager, Development Assessment (North/South)
Ms J Elijah	Acting Manager, Development Assessment (Central)
Mrs J Zancanaro	Acting Manager, Development Assessment
Ms R Siaoosi	Administration Officer

---

*At the commencement of the public proceedings at 12.06 pm, those panel members present were as listed above.*

*At 1.30pm, the meeting was closed to the public.  
At 2.00pm, the Panel reconvened in closed session.  
At 3.10pm, the meeting closed.*

## WLPP-2111.A

### Apologies

There were no apologies

## WLPP-2111.DI

### Declarations of Interest

The Chair called for declarations of interest, and the following were received.  
*G Morrish declared an interest in Items WLPP-2111.7 – DA-423/2021 - 55/107 MacPherson Street, BRONTE NSW 2024 and WLPP-2111.8 - DA-388/2021 - 116-122 Blair Street, NORTH BONDI NSW 2026 and was not present during the Public meeting or deliberations.*

## WLPP-2111.R

### Determinations

The Panel resolved to make the following determinations overleaf.



Jaqueline Townsend  
Chairperson

**14 Lawson Street, BONDI JUNCTION NSW 2022 - Alterations and additions to a dwelling house including a first floor addition to the front portion of the dwelling. (DA-382/2021)**

Report dated 10 November 2021 from the Development and Building Unit.

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

**RESOLUTION:** This development application is refused for the reasons contained in Appendix A of the Officer's report.

**REASON:** The Panel concurs with the reasons for refusal as set out in the Officer's report.

**For the Resolution:** TOWNSEND, MCDONALD MORRISH AND SMALL

**Against the Resolution:** NIL

*S Morrell (on behalf of the applicant) addressed the meeting.*

**3 View Street, QUEENS PARK NSW 2022 - Demolition of existing 2 storey detached dwelling and construction of a 3 storey dwelling, single car garage, pool and pool house in the rear yard. (DA-249/2021)**

Report dated 11 November 2021 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 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, Industry and Environment.

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

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

The Panel noted that the Landscape Plan provides for a number of tree ferns (coin spot tree fern with growth height of 3-7m) to be planted in the south western section of the subject site. These plantings are considered to adequately address amenity and visual impacts to the Arnold Street property to the rear, raised by the speaker objecting to the proposal.

**For the Resolution:** TOWNSEND, MCDONALD MORRISH AND SMALL

**Against the Resolution:** NIL

*N Tsakonas (Objectors), K Nash and T Hancock (on behalf of the applicant) addressed the meeting.*

**10/9 Edward Street, BONDI BEACH NSW 2026 - Alterations and additions to Residential Flat Building including extension to Unit 10 (DA-399/2021)**

Report dated 12 November 2021 from the Development and Building Unit.

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

**RESOLUTION:** This development application is deferred for 14 days to provide the applicant an opportunity to submit an amended Clause 4.6 variation, (based on building height being measured from existing ground level) and a comprehension view loss analysis for consideration.

**REASON:** The Panel notes that the application cannot progress with the errors in the submitted Clause 4.6 and without a comprehensive view loss analysis. This deferral allows the applicant to provide those before a final determination is made.

**For the Resolution** TOWNSEND, MCDONALD MORRISH AND SMALL

**Against the Resolution:** NIL

*K Anderson (Owner), K Samuel (on behalf of the applicant) addressed the meeting.*

**51 Ebley Street, BONDI JUNCTION NSW 2022 - Substantial alterations and additions to dwelling to convert into a new boarding house, including a rear three storey addition. (DA-104/2021)**

Report dated 12 November 2021 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 Motorcycle Parking development standard in the ARH SEPP. 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, Industry and Environment.

The Panel approves the development application in accordance with the recommendation in the Officer's report and recommended conditions.

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

**For the Resolution** TOWNSEND, MCDONALD MORRISH AND SMALL

**Against the Resolution** NIL

*L Hayes (Objector) addressed the meeting.*

**25 Chesterfield Parade, BRONTE NSW 2024 - Alterations and additions to an existing dwelling including the enclosure of the courtyard at ground level. (DA-416/2021)**

Report dated 12 November 2021 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, Industry and Environment.

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

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

**For the Resolution** TOWNSEND, MCDONALD MORRISH AND SMALL

**Against the Resolution:** NIL

*No speakers addressed the meeting.*

**45 Portland Street, DOVER HEIGHTS NSW 2030 - Modification to roof, windows, internal reconfiguration and various other alterations and additions. (DA-16/2021/A)**

Report dated 4 November 2021 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.

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

**For the Resolution** TOWNSEND, MCDONALD MORRISH AND SMALL

**Against the Resolution:** NIL

*G Kirsh (Objectors), J Long (on behalf of the applicant) addressed the meeting.*

**55/107 MacPherson Street, BRONTE NSW 2024 - Alterations and additions to unit 55 within the existing residential flat building including internal works, new internal lift and works to the roof terrace including new pergola. (DA-423/2021)**

Report dated 11 November 2021 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, Industry and Environment.

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

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

**For the Resolution** TOWNSEND, MCDONALD AND SMALL

**Against the Resolution:** NIL

*S Lightfoot (Objector), L Kosnetter (on behalf of the applicant) addressed the meeting.*

*G Morrish declared an interest in this item and did not participate in the Public meeting or deliberations.*



**116-122 Blair Street, NORTH BONDI NSW 2026 - Change of use of two premises at ground floor level to a Neighbourhood Supermarket – (DA-388/2021)**

Report dated 10 November 2021 from the Development and Building Unit.

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

**RESOLUTION:** The Panel approves the development application in accordance with the recommendations in the Officer's report and recommended conditions, amended by the Panel as follows:

Add Condition:

**1A – USE OF PREMISES**

The premises must include access for walk in customers and for them to have unrestricted access to the premises during operating hours and for those customers to directly purchase products from the sales counter by use of cash and electronic purchases.

Amend Condition:

**37. DELIVERIES TO THE SITE**

- (a) Trucks in excess of 6.64 metres long (small rigid vehicle) are not permitted to be used for deliveries to the site.
- (b) All deliveries to the site must occur between the hours of 7am to 5pm Monday to Saturday. No deliveries are permitted on Sunday or Public holidays.

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

**For the Resolution** TOWNSEND, MCDONALD AND SMALL

**Against the Resolution:** NIL

*A Boskovitz, S Kilmurray (Objectors), D Waghorn, D Milham and K Pullinger (on behalf of the applicant) addressed the meeting.*

*G Morrish declared an interest in this item and did not participate in the Public meeting or deliberations.*

**12 Narelle Street, NORTH BONDI NSW 2026 - Alterations and additions to semi-detached dwelling including new first floor addition and parking. (DA-320/2021)**

Report dated 12 November 2021 from the Development and Building Unit.

**Council Recommendation:** That the application be Refused for the reasons contained in the Officer's report.

**RESOLUTION:** The Panel refuses the development application in accordance with the reasons in the Officer's report.

**REASON:** The Panel concurs with the reasons for refusal in the Officer's report.

**For the Resolution** TOWNSEND, MCDONALD, MORRISH AND SMALL

**Against the Resolution:** NIL

*N Lennon (on behalf of the applicant) addressed the meeting.*

**15 Wallace Street, WAVERLEY NSW 2024 - Alterations and additions to a semi-detached dwelling including conversion of the garage to a games room and a new first floor addition. (DA-388/2021)**

Report dated 14 November 2021 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, Industry 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:

Amend Condition:

**2. GENERAL MODIFICATIONS**

The application is approved subject to the following plan amendments;

- (a) The proposed roof material is to match the existing roof material.
- (b) Windows W8 and W10 are to be provided with a privacy screen to a minimum height of 1.6m from the finished floor level.

The amendments are to be approved by the **Principal Certifying Authority** prior to the issue of any Construction Certificate.

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

**For the Resolution** TOWNSEND, MCDONALD, MORRISH AND SMALL

**Against the Resolution:**

*K Yeats (on behalf of the applicant) addressed the meeting.*

**52 Albion Street, WAVERLEY NSW 2024 - Review of refusal, seeking alterations and additions to convert one shop and three dwellings to an attached dual-occupancy development, including a new first floor addition, garages, and Strata subdivision. (DA-114/2021/1)**

Report dated 12 November 2021 from the Development and Building Unit.

**Council Recommendation:** That the review application be Approved for the reasons contained in the report.

**RESOLUTION:** The Panel approves the review application in accordance with the recommendations in the Officer's report.

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

**For the Resolution:** TOWNSEND, MCDONALD, MORRISH AND SMALL

**Against the Resolution:** NIL

*M Swain (on behalf of the applicant) addressed the meeting.*

**12 Bulga Road, DOVER HEIGHTS NSW 2030 - Modification to roof form and extinguish the majority of works approved under DA-335/2020, (DA-335/2020/A)**

Report dated 12 November 2021 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 EP&A Act.

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

**For the Resolution** TOWNSEND, MCDONALD, MORRISH AND SMALL

**Against the Resolution:** NIL

*No speakers addressed the meeting.*

THE MEETING CLOSED AT 3.10PM