

WAVERLEY LOCAL PLANNING PANEL 27 FEBRUARY 2019 MEETING

Panel members:

The Hon R.N. (Angus) Talbot (Chair)
Penelope Mora
Jan Murrell
Richard Thorp

At the Waverley Local Planning Panel meeting on 27 February 2019, the Panel resolved to adjourn item number WLPP 1902.6 for 75 Hardy Street, Dover Heights, application reference DA-112/2018, which proposed the demolition of the existing dwelling and the construction of a three storey dwelling plus secondary dwelling, both with vehicle garaging, fencing and associated works.

The decision is quoted below.

DECISION: *Adjourned. The Panel is not satisfied that the requisite legal requirements have been met in respect of the written request to vary the development standards. The further consideration of the application is adjourned to enable the applicant to address this question within 21 days.*

On 25 March 2019, the Panel Chairperson was electronically provided a copy of the applicant's Clause 4.6 statements requesting to vary the height and floor space ratio and development standards in the WLEP 2012.

The panel has resolved as follows;

DECISION

The Waverley Local Planning Panel, exercising the functions of Council as consent authority, is satisfied the applicant's revised written requests demonstrate that the matters required to be addressed under Clause 4.6 of Waverley LEP 2012 are satisfied. Compliance with the standards is unreasonable and unnecessary and there are sufficient environmental planning grounds to justify contravening the development standards. The panel further considers the proposed development to be in the public interest because it is consistent with the objectives of the standards and the zone and consent may be granted to the development application. In this regard the Panel concurs on behalf of, and as the delegate of the Secretary, Department of Planning and Environment.

The Panel on a merits assessment approves the development application in accordance with the Clause 4.15 assessment recommendations and conditions in the officer's report subject to the additional conditions as follows:

61 Roof Structures.

No structures or devices [including, without limitation, plant, equipment, air conditioning, ventilation] are to be placed on any part of the approved roof or extending beyond the limits of the approved walls of the building.

62 Use of Roof

The proposed roof shall only be used by persons associated with maintenance of the dwelling.

63 Non-reflective Roof

The proposed roof shall be of dull, non-reflective colours and materials. Details showing compliance with this condition shall be submitted to Council for its consideration and approval prior to issuing of the Construction Certificate.

REASONS

The Panel has visited the site, considered submissions, both written and oral. The panel also has the benefit of a survey and is satisfied that the development provides for adequate view sharing. The panel has determined the proposal is acceptable in the public interest and warrants approval.

Decision was unanimous.

The Hon R.N. (Angus) Talbot
Chairperson

Dated: 4/4/2019