

**MINUTES OF THE WAVERLEY LOCAL
PLANNING PANEL MEETING HELD BY VIDEO CONFERENCE ON
WEDNESDAY, 27 OCTOBER 2021**

Panel members present:

The Hon Paul Stein (Chair)
Graham Brown
Philippa Frecklington
Penelope Mora (community representative)

Also present:

Mr M Reid	Executive Manager, Development Assessment
Ms A Rossi	Manager, Development Assessment (Central)
Ms B McNamara	Manager, Development Assessment (North/South)
Ms J Zancanaro	Manager, Development Assessment
Ms R Siasoi	Administration Officer

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

*At 12.50pm, the meeting was closed to the public.
At 1.35pm, the Panel reconvened in closed session.
At 3.00pm, the meeting closed.*

**WLPP-2110.A
Apologies**

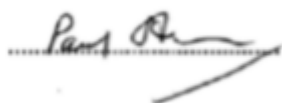
There were no apologies

**WLPP-2110.DI
Declarations of Interest**

The Chair called for declarations of interest, and one was received.
P Mora declared an interest in item WLPP-2110.3 - 38 Queens Park Road, QUEENS PARK NSW 2022 and did not participate in the public meeting or deliberations.

**WLPP-2110.R
Determinations**

The Panel resolved to make the following determinations overleaf.



The Hon Paul Stein
Chairperson

401/350 Oxford Street, BONDI JUNCTION NSW 2022 - Partial enclosure of balcony and new window to bedroom on the western elevation to Unit 401. **(DA-294/2021)**

Report dated 5 October 2021 from the Development and Building Unit.

Council Recommendation: That the development application be APPROVED by the Waverley Local Planning Panel subject to the conditions in Appendix A.

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: Stein, Brown, Frecklington and Mora

Against the Resolution: NIL

No speakers addressed the meeting.

74 Bondi Road, BONDI JUNCTION NSW 2022 - Alterations and additions to existing boarding house for 7 boarding rooms including construction of a new garage with boarding room above fronting Paul Lane at rear. (DA-139/2021)

Report dated 6 October 2021 from the Development and Building Unit.

Council Recommendation: That the development application be APPROVED by the Waverley Local Planning Panel subject to the conditions in Appendix A.

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 as amended by the Panel:

Add Condition 3, subclause (b) and subsequent numbering adjust accordingly

No approval is granted or implied to the enclosure of the first floor front balcony. In this regard the 'full height tinted windows with black frames' are to be deleted and the balcony remain open. Acoustic mitigation measures may be provided to the internal French doors of this balcony.

For the Resolution: Stein, Brown, Frecklington and Mora

Against the Resolution: NIL

REASON: The Panel concurs with the recommendations in the Officer's report and a condition which requires the first floor balcony to be reinstated in a traditional form.

P Bull (on behalf of the applicant) addressed the meeting.

38 Queens Park Road, QUEENS PARK NSW 2022 - Alterations and additions to dwelling house, including new ensuite in existing mezzanine void. (DA-160/2021)

Report dated 7 October from the Development and Building Unit.

Council Recommendation: That the development application be APPROVED by the Waverley Local Planning Panel subject to the conditions in Appendix A.

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.

For the Resolution: Stein, Brown and Frecklington

Against the Resolution: NIL

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

A Boulton (applicant) addressed the meeting.

P Mora declared an interest in this item and did not participate in the Public meeting or deliberations.

1/146 Ramsgate Avenue, NORTH BONDI NSW 2026 - Alterations and additions to Unit 1, including conversion of attic roof space to a mezzanine bedroom. (DA-290/2021)

Report dated 13 October 2021 from the Development and Building Unit.

Council Recommendation: That the development application be APPROVED by the Waverley Local Planning Panel subject to the conditions in Appendix A.

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.

For the Resolution: Stein, Brown, Frecklington and Mora

Against the Resolution: NIL

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

B Swartz (on behalf of the applicant) addressed the meeting.

3 Military Road, NORTH BONDI NSW 2026 - Alterations and additions to approved boarding house (DA-278/2020), including provision of neighbourhood shop at garage level. (DA-203/2021)

Report dated 15 October from the Development and Building Unit.

Council Recommendation: That the development application be granted DEFERRED COMMENCEMENT CONSENT by the Waverley Local Planning Panel subject to the conditions in Appendices A and B.

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 that consent may be granted to the development application that contravenes the floor space ratio development standard. 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 as a deferred commencement consent in accordance with the recommendations in the Officer's report and in accordance with the conditions recommended in the report.

For the Resolution: Stein, Brown, Frecklington and Mora

Against the Resolution: NIL

REASON: The Panel considered the clause 4.15 assessment in the assessment officer's report and was satisfied that the proposal is acceptable and warrants approval.

V Vishney (on behalf of the applicant) addressed the meeting.

4 Victory Street, ROSE BAY NSW 2029 - Modification to extend upper levels and outdoor terrace to approved dual occupancy development. (DA-305/2017/C)

Report dated 12 October from the Development and Building Unit.

Council Recommendation: That the modification application be REFUSED by the Waverley Local Planning Panel for the reasons contained in Appendix A.

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

For the Resolution: Stein, Brown, Frecklington and Mora

Against the Resolution: NIL

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

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

20 Wentworth Street, DOVER HEIGHTS NSW 2030 - Demolition of existing structure and construction of a dwelling with integrated parking, swimming pool at rear and tree removal. (DA-207/2021)

Report dated 18 October from the Development and Building Unit.

Council Recommendation: That the development application be APPROVED by the Waverley Local Planning Panel subject to the conditions in Appendix A.

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 as amended by the Panel:

Amend Condition 2(b)

- (b) The proposed rear decking and pool are not permitted to cantilever over the cliff edge (not permitted past the inaccessible rock cliff indicated on the Survey Plan.) No change is permitted to the existing natural rock and landscaping in this area.

For the Resolution: Stein, Brown, Frecklington and Mora

Against the Resolution: NIL

REASON: The Panel concurs with the recommendations in the Officer's report and notes that the applicant confirmed that the condition requiring the setback of the pool and deck was acceptable.

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

122 Hastings Parade, NORTH BONDI NSW 2026 - Demolition of dwelling and construction of a new three storey dwelling with integrated basement parking. (DA-297/2021)

Report dated 12 October from the Development and Building Unit.

Council Recommendation: That the development application be APPROVED by the Waverley Local Planning Panel subject to the conditions in Appendix A.

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.

For the Resolution: Stein, Brown, Frecklington and Mora

Against the Resolution: NIL

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

G Karavanas and B Stafford (on behalf of the applicant) addressed the meeting.

14 St Thomas Street, BRONTE NSW 2024 - Alterations and additions to residential flat building, including construction of an additional apartment at roof level and 2 x triple car stackers. (DA-228/2021)

Report dated 14 October from the Development and Building Unit.

Council Recommendation: That the development application be REFUSED by the Waverley Local Planning Panel for the reasons contained in Appendix A.

RESOLUTION: This development application is refused for the reasons contained in Appendix A in the Officer's report as amended by the Panel, as follows:

Amend reason for refusal 5(a)

- (a) A Rental and Sales Report to accurately assess the effect of the proposal on existing affordable rental units of the residential flat building on the site with respect to Part 3 of *State Environmental Planning Policy (Affordable Rental Housing) 2009*.

For the Resolution: Stein, Brown, Frecklington and Mora

Against the Resolution: NIL

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

R Nunez Delgado, D Dempsey on behalf of L Viselle (Objectors), D Waghorn (on behalf of the applicant) addressed the meeting.

241 Bondi Road, BONDI NSW 2026 - Alterations and additions to an existing Residential Flat Building (RFB), including conversion of two ground floor apartments to commercial premises and front extensions and balconies on the first and second floor levels. (DA-223/2021)

Report dated 12 October from the Development and Building Unit.

Council Recommendation: That the development application be APPROVED by the Waverley Local Planning Panel subject to the conditions in Appendix A.

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 and height 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, 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(b) to read as follows:

(b) The thickness of the vertically proportioned frames on the ground and first floors on the northern elevation are to be increased by combining of the columns. The thickness of the top beam is to be increased to match the thickness of the columns.

For the Resolution: Stein, Brown, Frecklington and Mora.

Against the Resolution: NIL

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

C Haughton (on behalf of the applicant) addressed the meeting.

1 Bondi Road, BONDI JUNCTION NSW 2024 - Change of use to formalise the conversion of a dwelling to a wellness centre (business premises). (DA-277/2021)

Report dated 12 October from the Development and Building Unit.

Council Recommendation: That the development application be APPROVED by the Waverley Local Planning Panel subject to the conditions in Appendix A.

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

For the Resolution: Stein, Brown, Frecklington and Mora

Against the Resolution: NIL

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

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

2A Edmund Street, QUEENS PARK & 17-21 Victoria Street, QUEENS PARK NSW 2024 - Demolition of existing structures; construction of a two storey residential flat building, containing affordable housing dwellings and rooftop communal open space; and tree removal. (DA-63/2021)

Report dated 15 October from the Development and Building Unit.

Council Recommendation: That the development application be APPROVED by the Waverley Local Planning Panel subject to the conditions in Appendix A.

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

For the Resolution: Stein, Brown, Frecklington and Mora

Against the Resolution: NIL

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

R Sabato (on behalf of the applicant) addressed the meeting.

THE MEETING CLOSED AT 3.00PM