

**MINUTES OF THE WAVERLEY LOCAL PLANNING PANEL
MEETING HELD BY VIDEO CONFERENCE ON
WEDNESDAY, 24 September 2025**

Panel members present:

Jacqueline Townsend (Chair)
Kerry Kyriacou
Mary-Lynne Taylor
Claire Edwards (Community Representative)

Also present:

B Magistrale, A/Executive Manager Development Assessment
B McNamara, Manager Development Assessment
J Zancanaro, Manager Development Assessment
O Navratil, A/Manager Development Assessment
N Calvisi, Administration Officer

At the commencement of the public proceedings at 11.02 am, those panel members present were as listed above.

*At 11.30am, the meeting was closed to the public.
At 11.39am, the Panel reconvened in closed session.
At 12.23pm, the meeting closed.*

WLPP-2509.A

Apologies

There were no apologies.

WLPP-2509.DI

Declarations of Interest

The Chair called for declarations of interest and one were received.
Mary-Lynne Taylor advised a conflict of interest in Item WLPP-2509.6 and did not participate in the public meeting or determination for this item.

WLPP-2509.R

Determinations

The Panel resolved to make the following determinations overleaf.



**Jacqueline Townsend
Chairperson**

154 Macpherson Street BRONTE NSW 2024 - Change of use from a dual occupancy to a single dwelling and associated alterations and additions and landscaping works. **(DA-289/2025)**

Report dated 10 September 2025 from MoDA.

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(3) of Waverley LEP 2012 have been demonstrated and that consent may be granted to the development application that contravenes the **floor space ratio (FSR) and height development standards** of the Waverley LEP 2012 as:

- (a) compliance with the development standard is unreasonable or unnecessary in the circumstances, and*
- (b) there are sufficient environmental planning grounds to justify the contravention of the development standard.*

The Panel approves the development application in accordance with the Planning Officer's report.

For the RESOLUTION: Townsend, Kyriacou, Taylor, Edwards

Against the RESOLUTION: Nil

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

G Karavanas, B Litera (on behalf of the applicant) addressed the meeting.

10 Mackenzie Street BONDI JUNCTION NSW 2022 - Alterations and additions to terrace dwelling including a rear addition, attic conversion and landscaping. **(DA-319/2025)**

Report dated 12 September 2025 from MoDA.

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(3) of Waverley LEP 2012 have been demonstrated and that consent may be granted to the development application that contravenes the **floor space ratio (FSR) development standard** of the Waverley LEP 2012 as:

- (a) compliance with the development standard is unreasonable or unnecessary in the circumstances, and*
- (b) there are sufficient environmental planning grounds to justify the contravention of the development standard.*

The Panel approves the development application in accordance with the Planning Officer's report.

For the RESOLUTION: Townsend, Kyriacou, Taylor, Edwards

Against the RESOLUTION: Nil

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

17 Gaerloch Avenue TAMARAMA NSW 2026 - Alterations to the front façade of the residential flat building including replacement of the window/door openings and associated parapet works.
(DA-271/2025)

Report dated 9 September 2025 from MoDA.

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(3) of Waverley LEP 2012 have been demonstrated and that consent may be granted to the development application that contravenes the **height development standard** of the Waverley LEP 2012 as:

- (a) compliance with the development standard is unreasonable or unnecessary in the circumstances, and*
- (b) there are sufficient environmental planning grounds to justify the contravention of the development standard.*

The Panel approves the development application in accordance with the Planning Officer's report subject to the following change to condition 8:

8.	BCA REPORT TO BE SUBMITTED WITH CONSTRUCTION CERTIFICATE
	The BCA Report (Fire Safety) and documentation prepared by Accurate Fire & Building Consulting, report number 2502 dated 4 February 2025, and received by Council on 24 June 2025, is to be submitted with the Construction Certificate and taken into consideration by the certifier when assessing with fire safety upgrade of the whole building. <i>The Certifier may consider an approved alternative solution to each of the recommended upgrades provided the same level of fire safety is achieved.</i>
	Condition reason: To all works are in accordance with the relevant standards.

For the RESOLUTION: Townsend, Kyriacou, Taylor, Edwards

Against the RESOLUTION: Nil

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

J Dowse (on behalf of the applicant) addressed the meeting.

WLPP-2509.4

285 Birrell Street TAMARAMA NSW 2026 - Alterations and additions to dwelling, including internal reconfiguration and associated landscaping works. **(DA-343/2025)**

Report dated 10 September 2025 from MoDA.

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(3) of Waverley LEP 2012 have been demonstrated and that consent may be granted to the development application that contravenes the **floor space ratio (FSR) development standard and height development standards** of the Waverley LEP 2012 as:

- (a) compliance with the development standard is unreasonable or unnecessary in the circumstances, and*
- (b) there are sufficient environmental planning grounds to justify the contravention of the development standard.*

The Panel approves the development application in accordance with the Planning Officer's report.

For the RESOLUTION: Townsend, Kyriacou, Taylor, Edwards

Against the RESOLUTION: Nil

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

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

3 Park Parade BONDJ NSW 2026 - Internal and external alterations and additions to units 3, 4 and 13 and the common areas of the existing residential flat building. **(DA-310/2025)**

Report dated 8 September 2025 from MoDA.

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(3) of Waverley LEP 2012 have been demonstrated and that consent may be granted to the development application that contravenes the **floor space ratio (FSR) development standard** of the SEPP (Housing) 2021, Chapter 6 Low and mid-rise housing as:

- (a) compliance with the development standard is unreasonable or unnecessary in the circumstances, and*
- (b) there are sufficient environmental planning grounds to justify the contravention of the development standard.*

The Panel approves the development application in accordance with the Planning Officer's report subject to the following changes to conditions 1 and 2:

1.

APPROVED PLANS AND DOCUMENTATION

The development must be in accordance with:

(a) Architectural Plans prepared by Studio Shand of Project No 2439 including the following:

Plan Number and Revision	Plan description	Plan Date	Date received by Council
DA001	Site Plan - Proposed	27/06/2025	15/07/2025
DA010	LG – Ex/Demo	27/06/2025	15/07/2025
DA011	LG - Proposed	10/07/2025	15/07/2025
DA020	GF – Ex/Demo	27/06/2025	15/07/2025
DA021	GF - Proposed	10/07/2025	15/07/2025
DA110	Northern Elevation – Ex/Demo	10/07/2025	15/07/2025
DA111	Northern Elevation – Proposed	10/07/2025	15/07/2025
DA120	Southern Elevation – Ex/Demo	10/07/2025	15/07/2025
DA121	Southern Elevation – Proposed	10/07/2025	15/07/2025
DA130	Eastern and Western Elevation – Ex/Demo	10/07/2025	15/07/2025
DA131	Eastern and Western Elevation – Proposed	10/07/2025	15/07/2025
DA200	Section A – Proposed	10/07/2025	15/07/2025
A931 Rev A	Signage + Entry Letterboxes	09/07/2025	17/07/2025

(b) Landscape Plan and documentation prepared by Studio Shand, dated 27/06/2025 and received by Council on 3/07/2025.

	<p>(c) BASIX Certificates.</p> <p>(d) The Site Waste and Recycling Management Plan (SWRMP) Part 1 received by Council on 15/07/2025.</p> <p>Except where amended by the following conditions of consent.</p>
	<p>Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.</p>
2.	<p>GENERAL MODIFICATIONS</p>
	<p>The application is approved subject to the following plan amendments:</p>
	<p>(a) The proposal is to be amended to include ceiling or wall-mounted fans in all new habitable rooms for unit 13. The same is to be indicated on the DA plans.</p>
	<p>Condition reason: To comply with the Ecologically Sustainable Development controls of the Waverley Development Control Plan 2022.</p>
	<p>(b) The proposal is to be amended to delete the paving from the rear setback of the residential flat building to retain the existing landscaped area at the subject site.</p>
	<p>Condition reason: To comply with the Landscaping controls of the Waverley Development Control Plan 2022.</p>
	<p>The amendments are to be approved by the Principal Certifying Authority prior to the issue of any Construction Certificate.</p>

For the RESOLUTION: Townsend, Kyriacou, Taylor, Edwards

Against the RESOLUTION: Nil

REASON: The Panel concurs with the Planning Officer's report. Condition 2(b) has been deleted given the orientation of the grassed area. Permeable paving is a suitable solution to the shaded area.

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

WLPP-2509.6

46 Blake Street DOVER HEIGHTS NSW 2030 - Alterations and additions to dwelling house including construction of rear pergola and reconstruction of the rear garage. **(DA-192/2025)**

Report dated 8 September 2025 from MoDA.

Council Recommendation: That the development application be APPROVED by the Waverley Local Planning Panel subject to the conditions in Appendix A, including conditions requiring the deletion of the proposed pergola.

RESOLUTION: The Panel approves the development application in accordance with the Planning Officer's report.

For the RESOLUTION: Townsend, Kyriacou, Edwards

Against the RESOLUTION: Nil

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

T Moody (objector) addressed the meeting.

Mary-Lynne Taylor advised a conflict of interest and did not participate in the public meeting or determination for this item WLPP-2509.6.

1-3 Kimberley Street VAUCLUSE NSW 2030 - New enclosed pergola and privacy screen to private rooftop terrace. **(DA-240/2025)**

Report dated 10 September 2025 from MoDA.

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(3) of Waverley LEP 2012 have been demonstrated and that consent may be granted to the development application that contravenes the **height of buildings development standard** of the *Waverley Local Environmental Plan 2012* as:

- (a) compliance with the development standard is unreasonable or unnecessary in the circumstances, and*
- (b) there are sufficient environmental planning grounds to justify the contravention of the development standard.*

The Panel approves the development application in accordance with the recommendations in the Planning Officer's report.

For the RESOLUTION: Townsend, Kyriacou, Taylor, Edwards

Against the RESOLUTION: Nil

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

WLPP-2509.8

17 Pindari Road DOVER HEIGHTS NSW 2030 - Section 4.56 modification to DA-345/2021 to extend the useable area of the roof top terrace. (DA-345/2021/D)

Report dated 12 September 2025 from MoDA.

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

RESOLUTION: This modification application is refused for the reasons set out in the Planning Officer's report and Reasons for Refusal.

For the RESOLUTION: Townsend, Kyriacou, Taylor, Edwards

Against the RESOLUTION: Nil

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

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

78 Chaleyer Street ROSE BAY NSW 2029 - Demolition of existing residential flat building to construct new 3 storey attached dual occupancy with garages, swimming pool and associated landscaping.
(DA-156/2025)

Report dated 15 September 2025 from MoDA.

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 Planning Officer's report subject to the following change to condition 2:

2.	GENERAL MODIFICATIONS
	The application is approved subject to the following plan amendments;
	(a) Privacy mitigation measures are required at level 1 to kitchen window 'W2-07' and 'W2-08' along the western elevation. These measures are to include translucent glass for its full height or a privacy screen that is fixed and at an angle to mitigated overlooking to the adjoining property at 76 Chaleyer Street, Rose Bay.
	Condition reason: To ensure visual privacy.
	(b) Proposed boundary fencing and lattice screening exceeding 1.8 metres in height as measured from existing ground level is to be deleted from the proposal. The amended plans are only to demonstrate boundary fencing with a maximum height of 1.8 metres (measured from existing ground level), where the fence height limit may only be averaged in relation to the portion of sloping topography as set out by section 1.4 under Part C1 of the Waverley Development Control Plan 2022.
	Condition reason: To ensure compliant boundary fencing.
	(c) The proposal is to be amended to ensure front setbacks as measured from the front building line are compliant as follows:
	i. The front <i>and side</i> awnings <i>is are</i> to be deleted from the proposal; <i>and</i>
	ii. The ground level is to be amended to achieve a front setback of 4.55 metres; and
	iii. The master bedroom is to be reduced to ensure that the window complies with the 4.55 metre setback, or alternatively, the window is to be amended to be flush with the front building line to achieve a 4.55 metre front setback.
	Condition reason: To ensure the front building line is consistent with the streetscape.

	(d) The landscape plan is to be amended reduce hardstand by at least 0.375m ² within the front setback area and ensure that this is provided as landscaped area.
	Condition reason: To ensure compliance with the minimum front landscaped area.
	The amendments are to be approved by the Executive Manager, Development Assessment or delegate prior to the issue of any Construction Certificate. An electronic copy of the amended plans or additional information (see website for electronic document requirements) addressing this condition, including a covering letter shall be provided to Council for review.

For the RESOLUTION: Townsend, Kyriacou, Taylor, Edwards

Against the RESOLUTION: Nil

REASON: The Panel concurs with the Planning Officer's report. Condition 2(c)(i) is changed to reduce visual impact on the neighbours' amenity and increase access to light for the occupants of the development. Condition 2(c)(ii) is deleted as it is unnecessary due to the existing setback of the building on the subject site.

N Greenfield (objector) and J Loe (on behalf of the applicant) addressed the meeting.

WLPP-2509.10

2/17 Gilbert Street DOVER HEIGHTS NSW 2030 - Alterations and additions to one half of the existing attached dual occupancy dwelling, including second floor addition with balcony, first floor extension and associated internal modifications. **(DA-217/2025)**

Report dated 11 September 2025 from MoDA.

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(3) of Waverley LEP 2012 have been demonstrated and that consent may be granted to the development application that contravenes the **floor space ratio (FSR) and height development standards** of the Waverley LEP 2012 as:

- (a) compliance with the development standard is unreasonable or unnecessary in the circumstances, and*
- (b) there are sufficient environmental planning grounds to justify the contravention of the development standard.*

The Panel approves the development application in accordance with the Planning Officer's report.

For the RESOLUTION: Townsend, Kyriacou, Taylor, Edwards

Against the RESOLUTION: Nil

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

THE MEETING CLOSED AT 12.23pm