

**MINUTES OF THE WAVERLEY LOCAL PLANNING PANEL
MEETING HELD BY VIDEO CONFERENCE ON
WEDNESDAY, 23 July 2025**

Panel members present:

David Ryan (Chair)
Kerry Kyriacou
Oliver Klein
Claire Edwards (Community Representative)

Also present:

A Rossi, Executive Manager Development Assessment
B McNamara, Manager Development Assessment
B Magistrale, Manager Development Assessment
J Zancanaro, Manager Development Assessment
N Calvisi, Administration Officer

At the commencement of the public proceedings at 11.05 am, those panel members present were as listed above.

*At 11.47am, the meeting was closed to the public.
At 12.05pm, the Panel reconvened in closed session.
At 13.23pm, the meeting closed.*

WLPP-2507.A

Apologies

There were no apologies.

WLPP-2507.DI

Declarations of Interest

The Chair called for declarations of interest and one was received.

David Ryan advised a conflict of interest in Item WLPP-2507.1 and did not participate in the public meeting or determination for this item.

WLPP-2507.R

Determinations

The Panel resolved to make the following determinations overleaf.



David Ryan
Chairperson

WLPP-2507.1

262 Campbell Parade BONDI BEACH NSW 2026 - Section 4.55(2) modification to delete two levels of basement parking; extension into the private open space at Level 3; alterations at the roof level to provide roof terraces; and internal alterations and various design changes. **(DA-422/2020/B)**

Report 11 July 2025 from the Managers of Development Assessment (MoDA).

Council Recommendation: That the modification application be APPROVED by the Waverley Local Planning Panel subject to modified and new conditions in Appendices A and B.

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

For the RESOLUTION: Kyriacou, Klein, Edwards

Against the RESOLUTION: Nil

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

G Suhr (on behalf of the applicant) addressed the meeting.

David Ryan advised a conflict of interest and did not participate in the public meeting or determination for this item WLPP-2507.1.

WLPP-2507.2

302/56A-60 Penkivil Street BONDJ NSW 2026 - Alterations and additions to existing Unit 308 (Lot 8) to enclose part of the existing balcony. **(DA-122/2025)**

Report 24 June 2025 from the Managers of Development Assessment (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 development standard of the Waverley Local Environment 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 Planning Officer's report and conditions amended by the Panel, as follows:

Delete condition 7

7	HOARDING
	To ensure the site is contained during construction, a hoarding is required for the approved works, which is to be designed and constructed in accordance with the requirements of Safe Work NSW. Where the hoarding is to be erected over the footpath or any public place, the approval of Council's Compliance Unit must be obtained and the applicable fees paid, prior to the erection of the hoarding.
	Condition reason: To ensure safety to the general public.

For the RESOLUTION: Ryan, Kyriacou, Klein, Edwards

Against the RESOLUTION: Nil

REASON: The Panel concurs with the Planning Officer's report. The panel agreed with the applicant's request to delete the condition requiring a hoarding given the nature of the works, but was otherwise satisfied as to the appropriateness of other conditions requested to be altered.

V Zanarini (applicant) addressed the meeting.

2/19 Imperial Avenue BONDI NSW 2026 - Alterations and additions to residential flat building (Unit 2), including attic conversion, new deck, new side dormer, and façade openings. **(DA-131/2025)**

Report dated 11 July 2025 from MoDA

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 set out in the Planning Officer's report and Reasons for Refusal.

For the RESOLUTION: Ryan, Kyriacou, Klein, Edwards

Against the RESOLUTION: Nil

REASON: The Panel generally concurs with the Planning Officer's report. The Panel considered the representations made by the applicant and the architect; however, considered that the development could not be approved in its current form or subject to valid conditions requiring design amendments. Key concerns are the dimensions of the dormer, the pitch of its roof, the lack of consistency of its design and materials with the building, and the presence of the rear deck.

S Roach (on behalf of the applicant) and J Bracewell (applicant) addressed the meeting.

WLPP-2507.4

152 Hastings Parade NORTH BONDI NSW 2026 - Alterations and additions to the dwelling, including an upper floor addition and a new spa. **(DA-47/2025)**

Report 10 July 2025 from the Managers of Development Assessment (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 FSR and height development standards of the Waverley LEP 2012 as:

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

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

For the RESOLUTION: Ryan, Kyriacou, Klein, Edwards

Against the RESOLUTION: Nil

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

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

168-170 Hastings Parade NORTH BONDI NSW 2026 - Conversion of the rooftop lobby to a rumpus with spa and deletion of the swimming pool and pergola in the rear yard. **(DA-369/2021/C)**

Report 8 July 2025 from the Managers of Development Assessment (MoDA).

Council Recommendation: That the modification application be APPROVED by the Waverley Local Planning Panel subject to modified and new conditions in Appendices A and B.

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

For the RESOLUTION: Ryan, Kyriacou, Klein, Edwards

Against the RESOLUTION: Nil

REASON: The Panel concurs with the Planning Officer's report. The Panel noted that the assessment report had incorrectly identified the site's zoning as R2 Low Density Residential and this has been corrected to R3 Medium Density Residential zoning, and the objectives of that zone have been considered in the deliberations on this item.

G Suhr (on behalf of the applicant) addressed the meeting.

10 Craig Avenue VAUCLUSE NSW 2030 - Alterations and additions to create a secondary dwelling at the rear and other internal reconfigurations. **(DA-675/2024)**

Report 8 July 2025 from the Managers of Development Assessment (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 FSR and height development standards of the Waverley LEP 2012 as:

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

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

For the RESOLUTION: Ryan, Kyriacou, Klein, Edwards

Against the RESOLUTION: Nil

REASON: The Panel concurs with the Planning Officer's report. The Panel acknowledges that a request was made for reconsideration of the stormwater condition number 14, however, there is flexibility in this condition's wording for stormwater details to be addressed post consent.

A Betros (on behalf of the applicant) addressed the meeting.

30 Kenilworth Street BONDJ JUNCTION NSW 2022 - Demolition of the rear garage and construction of a new garage with secondary dwelling above. **(DA-676/2024)**

Report 9 July 2025 from the Managers of Development Assessment (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 minimum lot size development standard for secondary dwellings under clause 53(2)(a) of State Environmental Planning Policy (Housing) 2021 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 as amended by the Panel to insert condition 2.(b) as follows:

2.	GENERAL MODIFICATIONS
	The application is approved subject to the following plan amendments;
	(a) Four separate planter boxes are to be installed on the external bottom edge of the windows of the laneway development that faces Kenilworth Lane. The planter is to have a minimum width of 1.5m and is to include appropriate overhanging plant species that will withstand the northerly sun.
	Condition reason: To comply with the laneway design provisions under the Waverley Development Control Plan 2022.
	<i>(b) The privacy screens to W.01-W.04 facing Kenilworth Lane shall be designed to prevent overlooking of properties across Kenilworth Lane.</i>
	<i>Condition reason: To protect the visual privacy of neighbouring properties.</i>
	The amendments are to be approved by the Principal Certifying Authority prior to the issue of any Construction Certificate.

For the RESOLUTION: Ryan, Kyriacou, Klein, Edwards

Against the RESOLUTION: Nil

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

9-11 Lugar Street BRONTE NSW 2024 - Demolition of semi-detached dwellings and construction of a new dwelling house, with basement garage, swimming pool, detached studio, tree removal, and amalgamation of 2 lots into one lot. **(DA-678/2024)**

Report 14 July 2025 from the Managers of Development Assessment (MoDA).

Council Recommendation: That the development application be GRANTED DEFFERED COMMENCEMENT CONSENT by the Waverley Local Planning Panel subject to the conditions in Appendix 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(3) 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 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 as amended by the Panel to delete deferred commencement consent condition 1 (c) and amend deferred commencement consent condition 2 as follows:

1. BASEMENT GARAGE, FRONT BUILDING SETBACKS AND VEHICULAR ACCESS

- (a) The scale of the basement is to be reconfigured to reduce the amount of excavation proposed in accordance with deferred commencement consent conditions 1(b)-1(f).
- (b) The basement level is to be amended to achieve a maximum floor to ceiling height of 2.1m.
- ~~(c) The front setbacks (measured from the street boundary of the site) are to be amended to achieve a minimum setback of:~~
 - ~~(a) Basement – to be amended to match the ground floor;~~
 - ~~(b) Ground floor – 5.46m; and~~
 - ~~(c) First floor – 6.62m.~~
- (d) In satisfying the traffic engineering requirement in item 1(f) below, the amended plans should explore an alternative location for the car parking spaces within the basement to be located closer to the garage door to reduce the depth of the basement level excavation, unless Council's Executive Manager, Infrastructure Services (or delegate) determines that the basement level cannot achieve an alternative location for car parking spaces.
- (e) In satisfying the traffic engineering requirement in item 1(f) below, the amended plans should reduce the width of the driveway to increase the amount of front open space and landscaped area unless Council's Executive Manager, Infrastructure Services (or delegate) determines that the width cannot be reasonably reduced to achieve compliant car parking and access.

- (f) Additional information is to be submitted to Council for the approval of the Executive Manager, Infrastructure Services (or delegate), as follows:
- (a) In order to minimise the loss of on street parking, the proposed layback/gutter crossing shall be reduced in width. In this regard, swept wheel path drawings, prepared by a suitably qualified and experienced traffic engineering consultant, showing the swept wheel path of vehicles entering and exiting the basement garage from Lugar Street.
 - (b) The swept wheel path drawings shall:
 - (i) Be drawn for the B85, standard design vehicle as described in AS/NZS 2890.1: 2004 Part 1 Off Street Car Parking.
 - (ii) Accurately show the kerb and gutter, driveways and vehicles parked kerbside on Lugar Street both opposite and to the immediate north and south of the proposed driveway.
 - (iii) Show the minimum length of driveway layback considered necessary to gain satisfactory access to and from the proposed basement garage.
 - (iv) Show the minimum length of opening and clearances required at the property boundary to cater for the design vehicle swept wheel path.
 - (v) Accurately show the length of the Council's kerb and gutter remaining between the southern side wing of the existing driveway at No.7 and the northern side wing of the proposed driveway at No.9-11.
 - (vi) Accurately show the length of the Council's kerb and gutter remaining between the northern side wing of the existing driveway at No.13 and the southern side wing of the proposed driveway at No.9-11.
 - (c) The driveway across Council's footpath shall be designed and constructed to retain a minimum clearance of 1.5 metres from the nearest face of the pole to any part of the driveway, including the layback, as to allow room for future pole replacements and as per Ausgrid advice. Ausgrid should be further consulted for any deviation to this distance.

2. VISUAL PRIVACY

- (a) Privacy mitigation measures are required at level 1 to window 'W19' along the northern elevation. These measures are to include translucent glass for its full height or a privacy screen that is fixed and at an angle to mitigate overlooking to the adjoining property at ~~13~~ 7 Lugar Street.
- (b) The level 1 rear balcony is to be amended as follows:
 - (a) 1.5m maximum depth; and
 - (b) Privacy screening to the south elevation that continues to along 1.3m of the west elevation from the end of curve. Privacy screening is to be of a fixed and designed at an angle to mitigate overlooking to the adjoining property at 13 Lugar Street.

For the RESOLUTION: Ryan, Kyriacou, Klein, Edwards

Against the RESOLUTION: Nil

REASON: The Panel generally concurs with the Planning Officer's report. Deferred commencement consent condition 1(c) is deleted at the request of the applicant as the Panel is satisfied that the intent of the relevant provisions of the DCP is adequately met by the proposed setbacks.

R Rozental (applicant) addressed the meeting.

424 Bronte Road BRONTE NSW 2024 - S4.55(2) modification of approved alterations and additions to dwelling house, including a rebuild of the garage. **(DA-23/2024/B)**

Report 11 July 2025 from the Managers of Development Assessment (MoDA).

Council Recommendation: That the modification application be APPROVED by the Waverley Local Planning Panel subject to modified in Appendices A.

RESOLUTION: The Panel approves the development application in accordance with the recommendations in the Planning Officer's report and recommended conditions as amended by the Panel to condition 1(b) relating to updating references to the most recent landscape plans as follows:

- (b) Landscape Plan No. LD_01 **(dated 20/02/2025)**, 02,—03 & 04 **(dated 29/11/2023)** and documentation prepared by Nicholas Pembroke Design, ~~dated 29/11/2023~~ and received by Council on ~~22/01/2024~~ **28/04/2025**.

For the RESOLUTION: Ryan, Kyriacou, Klein, Edwards

Against the RESOLUTION: Nil

REASON: The Panel concurs with the Planning Officer's report. The Panel considered the representation made by the objector; however, the Panel believes the concerns raised are adequately addressed by the conditions of consent.

M Hufton(objector) and G Karavanas (on behalf of the applicant) addressed the meeting.