

MINUTES OF THE WAVERLEY LOCAL PLANNING PANEL MEETING HELD BY VIDEO CONFERENCE ON WEDNESDAY, 26 OCTOBER 2022

Panel members present:

Jaqueline Townsend (Chairperson)
Peter Brennan
Gabrielle Morrish
Penelope Mora (community representative)

Also present:

Ms A Rossi	Manager, Development Assessment (Area 1)
Ms B McNamara	Manager, Development Assessment (Area 3)
Mr B Magistrale	Manager, Development Assessment (Area 2)
Ms R Siaoosi	Administration Officer

At the commencement of the public proceedings at 12.10 pm, those panel members present were as listed above.

*At 1.25pm, the meeting was closed to the public.
At 2.00pm, the Panel reconvened in closed session.
At 4.45pm, the meeting closed.*

WLPP-2210.A

Apologies

There were no apologies

WLPP-2210.DI

Declarations of Interest

The Chair called for declarations of interest, and one was received.
P Brennan advised a conflict of interest and did not participate in the public meeting or determination for item WLPP-2210.2 259 Military Road, DOVER HEIGHT NSW 2030

WLPP-2210.R

Determinations

The Panel resolved to make the following determinations overleaf.



Jaqueline Townsend

Chairperson

WLPP-2210.1

7 Albion Street, WAVERLEY NSW 2024 - Alterations and additions to existing building (shop top housing) including rear addition and balcony, internal fitout to Pharmacy and signage. (DA-81/2022)

Report dated 7 October 2022 from the Development and Building Unit.

Council Recommendation: That the application be APPROVED in accordance with the conditions 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 and Environment.

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:

Amend Condition 2(f) to read as follows:

A schedule of conservation works to the street frontage and overall internal fabric is to be provided. Where original windows are proposed to be removed these are to be reused in the new works to the rear areas of the building, including fire safety upgrade works required in condition 15 of this consent.

For the RESOLUTION: Townsend, Brennan, Morrish and Mora

Against the RESOLUTION: Nil

REASON: The Panel concurs with the recommendations in the Planning Officer's report and note that waste management and fire safety upgrade conditions adequately addressed concerns raised by the submitter.

M Main – Charing Cross Precinct (Objectors), M Soloman (on behalf of the applicant) addressed the meeting.

WLPP-2210.2

259 Military Road, DOVER HEIGHT NSW 2030 - Modification to alter internal layout, setbacks, windows and removal of condition 2. (DA-473/2021/A)

Report dated 13 October 2022 from the Development and Building Unit.

Council Recommendation: That the application be APPROVED in accordance with the conditions contained in the report.

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

For the RESOLUTION: Townsend, Morrish and Mora

Against the RESOLUTION: Nil

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

M Berman and H Bachmann (on behalf of the applicant) addressed the meeting.

P Brennan (Panel member) advised a conflict of interest and did not participate in the public meeting or determination for this item.

WLPP-2210.3

251 Old South Head Road, BONDI NSW 2026 - Alterations and additions to a Residential Flat Building (RFB) including internal reconfiguration, balcony additions and construction of an additional upper level for the exclusive use of unit 2. (DA-220/2022)

Report dated 13 October 2022 from the Development and Building Unit.

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

RESOLUTION: The Panel decided to defer this matter to allow the applicant to consider the submission of amended plans that would remove the shadow impact on adjoining properties, and to provide Council Officers with documentary evidence of the portion of the building that is owner occupied for the past 5 years prior to the lodgement of the Development Application (in accordance with SEPP Housing 2021). The applicant will also need to provide a revised clause 4.6 submission in relation to any amended plans.

On receipt of the information, Council is to prepare in a timely manner, a supplementary report for the Panel with recommended conditions of consent. The matter is to be referred to this Panel for an electronic determination.

The applicant has 14 days to submit the necessary documents. In the absence of receipt, the Panel may determine on the information before it.

For the RESOLUTION: Townsend, Brennan, Morrish and Mora

Against the RESOLUTION: Nil

REASON: The Panel saw merit in the design but is concerned with the amenity impact on the neighbours.

Mr WH Nanni (the applicant) addressed the meeting.

WLPP-2210.4

46 Hewlett Street, BRONTE NSW 2024 - Alterations and additions to an existing residential flat building including three hardstand car spaces and conversion of existing garages to a ground floor unit and additional strata lot (DA-199/2022)

Report dated 10 October 2022 from the Development and Building Unit.

Council Recommendation: That the application be APPROVED in accordance with the conditions 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 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 and Environment.

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

For the RESOLUTION: Townsend, Brennan, Morrish and Mora

Against the RESOLUTION: Nil

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

M Lakeman, Kenny Wright (Objectors), E Gescheit and P Israel (on behalf of the applicant) addressed the meeting.

Written submission from Mr Sweeney of 43 Read Street, Bronte was received and considered by the Panel prior to determining the application.

458 Bronte Road, BRONTE NSW 2024 - Alterations and additions to semi-detached dwelling including new 3 storey addition to the rear, construction of a new carport and swimming pool, and landscape works. (DA-94/2022)

Report dated 12 October 2022 from the Development and Building Unit.

Council Recommendation: That the application be APPROVED in accordance with the conditions 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 and Environment.

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

For the RESOLUTION: Townsend, Brennan, Morrish and Mora

Against the RESOLUTION: Nil

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

M Burns (on behalf of the applicant) addressed the meeting.

108 Ramsgate Avenue, BONDI BEACH NSW 2026 - Demolition of existing building and construction of a new three storey residential flat building with attic level, basement level parking, tree removal and swimming pool at rear. (DA-45/2022)

Report dated 10 October 2022 from the Development and Building Unit.

Council Recommendation: That the application be APPROVED in accordance with the conditions contained in the report.

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.

Amend Condition 2(a) to read as follows:

To reduce privacy impacts upon windows on the adjoining property to the east, privacy screens are to be provided on the eastern side elevations of the rear balconies and designed to mitigate overlooking to adjoining properties. The privacy screens are to be of a lightweight material (such as timber or obscure glazing) and be a minimum of 1.6m high when measured from the finished floor level of the balcony. The rear balconies at Level 1 and Level 2 are to be reduced in width and depth by 600mm.

For the RESOLUTION: Townsend, Brennan, Morrish and Mora

Against the RESOLUTION: Nil

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

C Perkins and A Osborne on behalf Ms A D Osborne, 8/77-79 Brighton BVD, BONDI BEACH NSW 2026 (Objectors), G Karavanas and Brian Meyerson (on behalf of the applicant) addressed the meeting.

2/21 William Street, ROSE BAY NSW 2029 - Review of refusal of alterations and additions to Unit 2 within the existing multi-dwelling housing development. (DA-15/2022/1)

Report dated 10 October 2022 from the Development and Building Unit.

Council Recommendation: That the application be APPROVED in accordance with the conditions contained in the report.

RESOLUTION: This section 8.2 review of the original determination is reversed. 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 and floor space ratio 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 and Environment.

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

For the RESOLUTION: Townsend, Brennan, Morrish and Mora

Against the RESOLUTION: Nil

REASONS: The Panel concurs with the reasons for approval in the Officer's report.

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

102 Bondi Road, BONDI JUNCTION NSW 2022 - Alterations and additions to dwelling including attic conversion with front dormer windows and rear addition, and a new swimming pool. (DA-104/2022)

Report dated 12 October 2022 from the Development and Building Unit.

Council Recommendation: That the application be APPROVED in accordance with the conditions 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 and height development standards. In the opinion of the Panel the objectives of both the zone and the development standards 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 and Environment.

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

For the RESOLUTION: Townsend, Brennan, Morrish and Mora

Against the RESOLUTION: Nil

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

No speakers addressed the meeting.

Bondi Pavilion, Queen Elizabeth Drive, Bondi Beach, NSW 2026 - Use of premises (Shop 1) as a Cafe (Surfish Cafe) and associated internal fit-out and outdoor seating (DA-37/2022)

Report dated 10 October 2022 from the Development and Building Unit.

Council Recommendation: That the application be APPROVED in accordance with the conditions contained in the report.

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 as follows:

Amend Condition 122.

Notwithstanding condition 121 (Hours of Operation) of this consent and subject to condition 123 (Review condition permitting review of extended trading hours) of this consent, the premises may trade as follows ("the extended trading hours"):

Monday to Saturday: 6.00am – 7.00am and 11.00pm

Sunday: 6.00am – 7.00am and 10.00pm

For the RESOLUTION: Townsend, Brennan, Morrish and Mora

Against the RESOLUTION: Nil

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

Leading Senior Constable Jaime Zahra (Objector) addressed the meeting.

Bondi Beach and Park Reserve Trust (Reserve No. 500048) and Biddigal Reserve (within Ben Buckler Park / Ray O'Keefe Reserve) (Reserve No. 94356) - Use of temporary events within Bondi Beach, Park and Biddigal Reserve. (DA-255/2022)

Report dated 13 October 2022 from the Development and Building Unit.

Council Recommendation: That the application be APPROVED in accordance with the conditions contained in the report.

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

For the RESOLUTION: Townsend, Brennan, Morrish and Mora

Against the RESOLUTION: Nil

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

No speakers addressed the meeting.

THE MEETING CLOSED AT 4.45PM