

**MINUTES OF THE WAVERLEY DEVELOPMENT  
ASSESSMENT PANEL MEETING HELD AT THE  
WAVERLEY COUNCIL CHAMBERS ON  
WEDNESDAY, 11 DECEMBER 2013**

**Panel Members Present:**

The Hon Paul Stein QC AM (Chair)  
Mr G Newhouse  
Mr B Sargeant  
Mr I Stapleton  
Ms A Thomas

**Also Present:**

Mr P Bull	Area Assessment Manager (South)
Mr A Faruqi	Area Assessment Manager (North)
Mr L Kosnetter	Executive Planner

**Administrative Support:**

Mrs J Reid	Governance & Integrated Planning Officer
Mr M Simmons	Governance & Integrated Planning Officer

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*At the commencement of the public proceedings at 11.13am those present were as listed above.*

*At 1.03pm the meeting was closed to the public.*

*At 1.50pm the Panel reconvened in closed session.*

**WDAP-1312.A**

**Apologies**

There were no apologies.

**WDAP-131.DI**

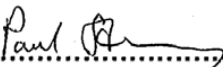
**Declarations of Interest**

The Chair called for any Declarations of Interest and none were received.

**WDAP – 1312.R**

**Determinations**

The Panel resolved to make the following determinations:

  
.....  
**Chairperson**

**WDAP-1312.1**

**Grafton Street, Bondi Junction – Creation of an additional lot and part road closure (DA-451/2013)**

Report dated 26 November 2013 from the Development and Building Unit.

**DECISION** That the application be approved in accordance with the conditions contained in the report, subject to additional conditions as follows:

**1A. EASEMENT**

*A right of way to the public (for pedestrians and cyclists) is to be created over the area marked F1 on the draft linen plan, having a minimum of 1.5 metres in width.*

**1B. RIGHT OF ACCESS TO BE MAINTAINED**

*A right of pedestrian and vehicular access is maintained to Lot 1 in DP738398 and Lot A in DP 440268 until those lots are consolidated with the Lots to the west.*

**For the Decision:** Newhouse, Sargeant, Stein, Stapleton and Thomas.

**Against the Decision:** Nil.

**WDAP-1312.2**

**Waverley College, 137-139 Birrell Street, Waverley – Alterations and additions to Waverley College (DA-239/2013)**

Report dated 26 November 2013 from the Development and Building Unit.

**DECISION:** That the application be approved in accordance with the conditions contained in the report, subject to additional conditions as follows:

**1A. LANDSCAPE MASTERPLAN**

*A landscape masterplan for the whole site is to be submitted to and approved by the Director of Planning and Environmental Services prior to the issue of a Construction Certificate.*

**3. GENERAL MODIFICATIONS**

- (a) *In respect of 'The Grange' heritage item a plan is required which respects and provides an appropriate context and setting for this significant heritage item, for example an expanded landscape curtilage to the item and a resolution is required to the conflict between pedestrians and vehicles. In addition, the design is to ensure visual and acoustic privacy of the neighbouring residential properties to the north of the carpark.*

[Previous conditions 3a-c become 3b-d as a result]

**And amendment to the following conditions, to read as follows:**

## **2. NO WORKS APPROVED FOR THE CONLON BUILDING**

*This consent does not allow for the proposed works to the Conlon Building. Any works to this building are to be subject to a separate Development Application and is to be accompanied by a Statement of Heritage Impact including a schedule of proposed works.*

## **4. GENERAL MODIFICATIONS – TAS BUILDING**

*The proposed TAS building shall be amended as follows:*

- (a) *The TAS building is to be setback a minimum of 2 metres from the Birrell Street frontage to retain the existing sandstone fencing and soft landscaping within the front setback area.*

*The amendments shall be submitted for the approval of Council prior to the issue of a Construction Certificate under the Environmental Planning and Assessment Act 1979.*

## **8. GENERAL MODIFICATIONS – CARRINGTON ROAD CAR PARK**

*Deleted.*

## **17. TREE REMOVAL AND PRUNING**

*Approval is given under this development consent for the following tree works to be undertaken to trees within the subject property:*

- *The proposed new car park at 12A – 14 Carrington Rd has 1 Conifer sp 1 unknown species (coffee tree?) and a Melaleuca sp. In the rear of 14 Carrington Rd are a row of around 20 Cupressocyparis leylandii, all can be removed under this development.*

*Demolition of existing structures & construction of new TAS building. Trees on the western side of the new building are.*

- *4 small Grevillea sp, 2 Syzygium australe, 2 Ficus microcarpa can be removed under this development.*

*Demolition of existing structures & construction of new TAS building. Trees on the South side of the new building are.*

- *3 unknown species (Pittosporum?) can be removed under this development.*

*Demolition of existing structures & construction of new TAS building. Trees on the Eastern side of the new building are, 4 Cinnamomum camphora tree, these tree will be impacted by the new building.*

***No approval is granted for the removal of 4 Cinnamomum camphora trees located on the east side of the TAS building***

- *Pruning within 1.5m of the scaffold from the new building is allowed. Any pruning greater than 150mm are to be assessed by a qualified arborist before any pruning is undertaken and in accordance with other relevant conditions of consent.*

**For the Decision:** Newhouse, Sargeant, Stein, Stapleton and Thomas.

**Against the Decision:** Nil.

*M. Glendenning (on behalf of the Applicant) addressed the meeting.*

### **WDAP-1312.3**

#### **350 Bronte Road, Bronte – Ground floor extension, internal alterations and garage to heritage listed dwelling (DA-531/2012/A)**

Report dated 26 November 2013 from the Development and Building Unit.

**DECISION:** That the application be approved in accordance with the conditions contained in the report, subject to the amendment of the following conditions:

#### **41. GENERAL MODIFICATIONS**

- (b) *The roof top garden / terrace is to be in accordance with the plans submitted to Council on 11/12/13, reference 'B CONDITION MODIFIED', with the addition of landscape planter boxes and screen planting within the area identified as 'flat concrete roof' on this plan.*
- (e) *A 1.8 metre high privacy screen (above the finished floor level of the garage roof terrace) is to be provided to the north and west side (up to the stair) of the trafficable portion of the terrace over the garage in the location identified in the plan referred to in (b) above. The privacy screen is to prevent direct overlooking to neighbouring rear yards and the rear of dwellings on High Street.*

**And subject to the following additional conditions:**

- (f) *Perimeter fencing to the remaining northern garden is to be limited to 1.8m in height above the proposed ground level.*
- (g) *The reconstructed verandah roof on the east side of the proposed kitchen is to return in a hip onto the east wall of the kitchen.*

**For the Decision:** Newhouse, Sargeant, Stein, Stapleton and Thomas.

**Against the Decision:** Nil.

*D. Haertsch, Architect, (on behalf of the Applicants) and R. Massey and L. Monaco (the Applicants) addressed the meeting.*

**WDAP-1312.4**

**11 Busby Parade, Bronte – Additional storey and alterations to dwelling (DA-267/2013)**

Report dated 26 November 2013 from the Development and Building Unit.

**DECISION:** That the application be granted deferred commencement consent in accordance with the conditions contained in the report, subject to additional conditions as follows:

***DEFERRED COMMENCEMENT MATTERS:***

4. *The new deck identified on the ground floor plan 'Plan 1.03' be reduced in depth by 500mm to 2.5m and the proposed fin wall on the eastern side of the deck be extended to the full depth of the deck (2.5m), built in masonry construction, and to a height of 2.1m above the finished deck level.*
5. *The basement floor plan 'Plan 1.02' is to be amended in accordance with the plans submitted to Waverley Development Assessment Panel on 11/12/13 notated as 'Deck reduction – lower ground floor plan'.*

**And subject to the amendment of conditions as follows:**

**2. GENERAL MODIFICATIONS**

*(c) A 1.8m high lattice privacy screen (or the like) is to be provided to the full depth of the eastern and western sides of the southern (rear) deck / balcony at the first floor level, in order to maintain the privacy of the adjoining properties.*

**For the Decision:** Newhouse, Sargeant, Stein, Stapleton and Thomas.

**Against the Decision:** Nil.

*J. Elias and A. Kelsey (Objectors) and J. Comino and M. Swain (on behalf of the Applicant) addressed the meeting.*

**WDAP-1312.5**

**Bondi Park, Queen Elizabeth Drive, Bondi Beach – Shore Thing Music Concert New Years Eve 2013 (DA-198/2013)**

Report dated 25 November 2013 from the Development and Building Unit.

**DECISION:** That the application be approved in accordance with the conditions contained in the report, subject to the amendment of conditions as follows:

**1. APPROVED DEVELOPMENT**

*The development must be in accordance with:*

(a) *Drawing Nos:*

- i. *Event entry Plan;*
- ii. *Event entry Detail;*
- iii. *Bondi Park area;*
- iv. *Bondi Pavillion and Park – site evac*
- v. *Bondi Pavillion and Beach (2 plans);*
- vi. *Bondi Beach & Surrounds – Litter Collection NYE & NYD*

*Dated 16-4-13, and received by Council on 16 May 2013; and as amended by:*

- vii. *QED Crowd Management Zone;*
  - viii. *Promenade Crowd Management Zone;*
  - ix. *Bondi Park Crowd Management Zone;*
  - x. *Beach Bar Crowd Management Zone;*
- Dated 6-11-13, and received by Council on 6 November 2013; and as amended by*

*xi. Crowd Management Zones;*  
*Dated 10-12-13, and received by Council on 11 December 2013; and as amended by*

*xii. Event Exit and Bus Bays;*  
*Dated 29-11-13, and received by Council on 11 December 2013.*

*All prepared by 'Mi5 – Media + Events'.*

**2. HOURS OF OPERATION – ONE YEAR CONSENT**

*The hours of operation of the actual event (excluding bump in/bump out time) being restricted to:*

- i) *New Years Eve 2013, being between 8.00pm on 31 December 2013 to 2.00am on 1 January 2014.*

*The event 'assembly' preparation may commence with deliveries from 5.00pm, 28 December up to 31 December 2013. The event 'removal' may commence immediately after the event up to 6.00pm, 3 January 2014.*

**And the addition of the following conditions and advisory notes:**

**2A. PLAN OF MANAGEMENT**

*The Plan of Management attached to the lease documentation forms part of this consent. Any breach of the Plan of Management is considered a breach of this Development Consent.*

**ADVISORY NOTE**

*All future applications for this event should be lodged by 1 June in the year of the proposed event to allow for a sufficient review of the event by the Council and the Police operations based on experience from the previous year.*

**In addition, the Panel recommends the following to Council:**

**ADVISORY NOTES TO COUNCIL:** The Panel makes the following recommendations to the Council:

1. The Panel recommends to Council that authorised officers attend the event (including bump-in and on the day of the event) to ensure compliance with the conditions of consent and the Plan of Management attached to the Lease.
2. The Panel recommends to Council that it develops a comprehensive Event Plan of Management, in consultation with potential future users of the Park and appropriate stakeholders including the Police, for the holding of events which includes any statutory approvals which may be required, with the object of achieving the safest and best outcomes for the park and the community.

**For the Decision:** Newhouse, Sargeant, Stein, Stapleton and Thomas.

**Against the Decision:** Nil.

*Senior Constable R Pazderka (Objector) and another Objector addressed the meeting.*

**WDAP-1312.6**

**64 Lamrock Avenue, Bondi Beach – Demolition of boarding house and construction of a dual occupancy (DA-332/2013)**

Report dated 26 November 2013 from the Development and Building Unit.

**DECISION:** That the application be approved in accordance with the conditions contained in the report, subject to the following additional conditions:

**3. GENERAL MODIFICATIONS**

*(b) The attic roof area identified in DA05 and DA06 is to be deleted and any attic space is to be confined within the main hipped roof over both dwellings.*

**And amendment of the following conditions:**

**16. STORMWATER MANAGEMENT**

*Certification is to be provided from a suitably qualified professional, that the stormwater and groundwater system has been designed in accordance with the Water Management Technical Guidelines. Stormwater and groundwater system details are to be submitted in accordance with the Waverley Development Control Plan 2012.*

*The following On-Site Detention details shall be provided:*

- 1. Details of pumps including duty and standby,*
- 2. Details of Discharge Control pit (DCP),*
- 3. Details of stormwater collection and disposal system from rear lawn and pebble path area.*

*Refer to Waverley Council Water Management Technical Guidelines for further information. The above information is required to be submitted to Council's Technical Services Department for approval prior to the issue of a Construction Certificate.*

**For the Decision:** Newhouse, Sargeant, Stein, Stapleton and Thomas.

**Against the Decision:** Nil.

*T. Cowan and C Flynn (Objectors) and G. Karavanas, Town Planner, (on behalf of the Applicant) addressed the meeting.*



**WDAP-1312.7**

**33 Wallis Parade, North Bondi – Modification including new hardstand carspace and changes to the existing façade, new bin storage and timber path (DA-159/2011/B)**

Report dated 26 November 2013 from the Development and Building Unit.

**DECISION:** That the application be refused for the matters detailed below:

1. The proposal fails to satisfy the objective and controls in the Waverley Development Control Plan 2012, with respect to the following provisions:
  - a. Part C1, Section 1.5 Streetscape and Visual Impact, given the disruption of the front facade of the semi-detached dwelling.
  - b. Part C1, Section 1.10 Vehicular Access and Parking, with respect to the size, location, orientation and presentation of the car space.
  - c. Part C1, Section 1.11 Landscaping and Open Space, with respect to the lack of landscaping within the front yard area.
2. The proposal results in an unacceptable streetscape outcome.
3. The proposal results in a reduction in kerbside parking where parking is at a premium.
4. Given the above, the proposal is not in the public interest.

**For the Decision:** Newhouse, Sargeant, Stein, Stapleton and Thomas.

**Against the Decision:** Nil.

**THE MEETING CLOSED AT 3.55PM**