

<b>DATE OF DETERMINATION</b>	Thursday, 19 July 2018
<b>PANEL MEMBERS</b>	John Roseth (Chair), Sue Francis, Louise Camenzuli, Stephen Bargwanna
<b>APOLOGIES</b>	Carl Scully, Bill Gawne
<b>DECLARATIONS OF INTEREST</b>	None

Public meeting held at Waverley Council Chambers, corner of Bondi Road and Paul Street on 19 July 2018, opened at 2:00 pm and closed at 4:00 pm.

#### **MATTER DETERMINED**

##### **2018SCL033 – Waverley – DA191/2017**

27 Paul Street and 8-10 Council Street, Bondi Junction

Alterations and additions to an existing heritage listed building at 27 Paul Street, demolition of buildings on 8-10 Council Street and construction of three storey residential flat building with basement car parking to create a total of 16 affordable housing units.

#### **PANEL CONSIDERATION AND DECISION**

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

The Panel determined to approve the development application pursuant to section 4.16 (previously section 80) of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

#### **REASONS FOR THE DECISION**


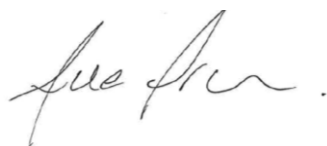


- The proposal provides affordable housing, for which there is great need in the area.
- The proposal is an adaptive re-use of a local heritage item.
- The proposal complies with the SEPP Affordable Rental Housing 2009.
- The Panel has accepted that there are sufficient environmental planning grounds to justify a minor variation of the height control under cl 4.6 of the WLEP 2012.
- The Panel has deleted Condition 2(c) on the grounds that, on balance, the reduction of impact on the neighbours would be outweighed by the negative impact on the proposal.
- The Panel has given consideration to the concerns of the objectors. To the extent that they related to the affordable nature of the development, the Panel notes that the proposal offers all of the dwellings for affordable rental, whereas the SEPP requires only 50%. To the extent that the concerns related to the impact of the proposal, the Panel has altered Condition 65 and added two new conditions.

#### **CONDITIONS**

The development application was approved subject to the conditions in the Council Assessment Report with the following amendments.

- Delete condition 2 (c)
- Additional condition 2 (h)  
“Details of the car stacker pit shall be provided to Council, prior to the issue of the construction certificate.”

- Amend condition 65 – to include 6 and 12 Council Street
- Additional condition 138  
“The car stacker be maintained by a suitably qualified expert, to ensure that it remains effective.”

PANEL MEMBERS	
 John Roseth (Chair)	 Sue Francis
 Louise Camenzuli	 Stephen Bargwanna

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018SCL033 – Waverley – DA191/2017
2	PROPOSED DEVELOPMENT	Alterations and additions to an existing heritage listed building at 27 Paul Street, demolition of buildings on 8-10 Council Street and construction of three storey residential flat building with basement car parking to create a total of 16 affordable housing units.
3	STREET ADDRESS	27 Paul Street and 8-10 Council Street, Bondi Junction
4	APPLICANT/OWNER	Tricon Management Group Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	Private infrastructure and community facilities over \$5 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>Environmental planning instruments: <ul style="list-style-type: none"> <li>State Environmental Planning Policy No 55 – Remediation of Land</li> <li>State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development</li> <li>State Environmental Planning Policy (BASIX) 2004</li> <li>State Environmental Planning Policy (Infrastructure) 2007</li> <li>State Environmental Planning Policy (State and Regional Development) 2011</li> <li>Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005</li> <li>Sydney Regional Environmental Plan (Affordable Rental Housing) 2009</li> <li>Waverley Local Environmental Plan 2012</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: <ul style="list-style-type: none"> <li>Waverley Development Control Plan 2012</li> </ul> </li> <li>Planning agreements: Nil</li> <li>Provisions of the Environmental Planning and Assessment Regulation 2000: Nil</li> <li>Coastal zone management plan: Nil</li> <li>The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>The suitability of the site for the development</li> <li>Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>Council assessment report: 5 July 2018</li> <li>Written submissions during public exhibition: original plans – 44 submissions, amended plans – 23 submissions</li> <li>Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>Object – Gwen Zeller, Elena Gildina (representing body corporate of 37 Paul St), Marisa Guiffre, Marc Schregardus, John Ziegler (representing Elizabeth Ziegler), Jennifer Slade, Richard (25 Paul St).</li> <li>On behalf of the applicant – Rino Criola (Tricon Management)</li> </ul> </li> </ul>
8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Site inspection and briefing meeting 7 June 2018</li> <li>Final briefing meeting to discuss council's recommendation, 19 July 2018 at 12:30 pm. Attendees: <ul style="list-style-type: none"> <li><u>Panel members:</u> John Roseth (Chair), Peter Brennan, Louise Camenzuli, Stephen Bargwanna</li> </ul> </li> </ul>

		<ul style="list-style-type: none"> <li>○ <u>Council assessment staff</u>: Angela Rossi, Jo Zancanaro, Beth Matlawski, Mitchell Reid</li> </ul>
<b>9</b>	<b>COUNCIL RECOMMENDATION</b>	Approval – deferred commencement consent
<b>10</b>	<b>DRAFT CONDITIONS</b>	Attached to the council assessment report