

RECORD OF DEFERRAL

SYDNEY EASTERN CITY PLANNING PANEL

DATE OF DEFERRAL	Thursday 21 May 2020
PANEL MEMBERS	Carl Scully (Chair), Jan Murrell, Roberta Ryan. Lee Kosnetter, Jeremy Swan
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Public meeting held via Microsoft Teams on 21 May 2020, opened at 11.35am and closed at 1.15pm.

MATTER DEFERRED

PPSSEC-36 – Waverley – DA-125/2012/c at 20 Illawong Avenue, Tamarama – Section 4.55(2) modification to roof design, ground floor entry, façade stairwell, and increase in height, extension of basement parking and penthouse reconfiguration.






REASONS FOR DEFERRAL

The panel agreed to defer the determination of the matter for up to 3 months on the following grounds:

- The applicant needs to undertake a visual impact assessment comparing the approved development versus the proposed one in this modification; taken from a number of key vantage points, both East and West and needs to have regard to the visual impact assessment provided for the 2012 development application (including photomontages showing sight lines).
- The modification application should be referred to the Design Excellence Review Panel for considered advice to this Panel as soon as possible.
- The Panel notes the application was submitted incomplete and key information required for our determination should be submitted to Council for consideration, including a BASIX certificate and design verification certificate signed off by a registered architect.
- The Panel requests a further assessment report which takes into account the above material and has attached to it supporting information relied upon by the applicant which justifies the changes including, but not limited to a wind report.
- The Panel requests that a different assessing officer undertakes the new assessment report and that it be undertaken by a senior planner.
- The Panel requests for an alternative design be prepared to demonstrate the retention of the roof as originally approved, albeit at a higher level.

When this information has been received, the panel will hold another public determination meeting.

The decision to defer the matter was unanimous. The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

PANEL MEMBERS	
 Carl Scully (Chair)	 Roberta Ryan
 Jan Murrell	 Lee Kosnetter
 Jeremy Swan	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSEC-36 – Waverley – DA-125/2012/c
2	PROPOSED DEVELOPMENT	Section 4.55(2) modification to roof design, ground floor entry, façade stairwell, and increase in height, extension of basement parking and penthouse reconfiguration.
3	STREET ADDRESS	20 Illawong Avenue, Tamarama
4	APPLICANT/OWNER	Applicant: Brendon Glendenning Owner: Christine Smetzers
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.55(2) Modification Application
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy 55 - Remediation of Land State Environmental Planning Policy 65 - Design Quality of Residential Flat Development State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 State Environmental Planning Policy (Infrastructure) 2007 State Environmental Planning Policy (State and Regional Development) 2011 Waverley Local Environmental Plan 2012 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Waverley Development Control Plan 2012 Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil Coastal zone management plan: Nil The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality The suitability of the site for the development Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council assessment report: 7 May 2020 Written submissions during public exhibition: 5 Verbal submissions at the public meeting: <ul style="list-style-type: none"> Council assessment officer – Kylie Lucas, Angela Rossi On behalf of the applicant – Brendon Glendenning, Tony Naumovski, Richard Yates, Brian Graham, Peter Blair, Aaron, Stevens, Christine Smetzers, Richard Stapleton
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Site inspection: Due to Coronavirus precautions, the Panel visited the site independently, prior to 21 May 2020. Final briefing to discuss council's recommendation, 21 May 2020, 9.30am. Attendees: <ul style="list-style-type: none"> <u>Panel members</u>: Carl Scully (Chair), Roberta Ryan, Jan Murrell, Lee Kosnetter, Jeremy Swan <u>Council assessment staff</u>: Angela Rossi
9	COUNCIL RECOMMENDATION	Refusal
10	DRAFT CONDITIONS	Not supplied