

**From:** [Matthew Lennartz](#)  
**To:** [Jaime Hogan](#); [Patrick Hay](#)  
**Cc:** [Tim Sneesby](#); [Shima Niavarani](#)  
**Subject:** RE: [EXTERNAL]Meeting with Matt Lennartz  
**Date:** Friday, 6 May 2022 3:52:00 PM  
**Attachments:** [image001.png](#)  
[image002.gif](#)

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Hi Jaime,

Just tried to call but your phone doesn't have voicemail.

Just checking in that everything is progressing to the June meeting with a recommendation to progress the PP to DPIE for gateway approval / exhibition.

Could you please give me a call or provide a response. Is there any need for a meeting to discuss the PP?

Kind Regards

**Matthew Lennartz**

Executive Manager – Planning and Government



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---

**From:** Matthew Lennartz  
**Sent:** Tuesday, 12 April 2022 6:45 PM  
**To:** Jaime Hogan <[Jaime.Hogan@waverley.nsw.gov.au](mailto:Jaime.Hogan@waverley.nsw.gov.au)>; Patrick Hay <[patrick.hay@waverley.nsw.gov.au](mailto:patrick.hay@waverley.nsw.gov.au)>  
**Cc:** Tim Sneesby <[Tim.Sneesby@waverley.nsw.gov.au](mailto:Tim.Sneesby@waverley.nsw.gov.au)>; Shima Niavarani <[shima.niavarani@waverley.nsw.gov.au](mailto:shima.niavarani@waverley.nsw.gov.au)>  
**Subject:** RE: [EXTERNAL]Meeting with Matt Lennartz

Hi Jamie,

Thanks for our discussion and your written response below.

Also, thank you for confirming that Council will be recommending that the PP proceed to a public exhibition by June. I trust that this means a report to Council in June supporting the PP

proceeding through "Gateway"?

With regard to your query, you would be aware the respective Planning Practice Notes give guidance to the use of SP2 land so it equally addresses your suggestion for consideration of the SP2 (Place of Worship) zone. The Practice Note states that the SP2 Zone should only be applied to major state infrastructure; a strategic site or a site that would be unlikely to be used for different purposes in the future. As outlined clearly in our PP and emails below, none of these provisions applies to this site.

Specifically, PN11-002 states:

***"Infrastructure land that is highly unlikely to be used for a different purpose in the future should be zoned SP2, for example 'cemeteries' and major 'sewage treatment plants.'***

***It may also be appropriate for major state infrastructure or strategic sites such as major 'hospitals,' large campus universities/TAFEs, major dams, power stations, landfill or waste disposal sites, 'correctional centres,' and 'airports.' Areas of Commonwealth land used for Defence purposes should be zoned SP2 (Defence). A small minority of 'schools' across NSW may also be considered a strategic site."***

(NOTE - PN10-001 deals with what schools should be to consider context and states it should be applied to schools that have 20+ha, include facilities for community uses and is of regional significance).

There is no reference that suggests that it should in anyway be considered for the subject site/uses.

To the contrary, PN10-001 specifically addresses the provisions to consider for existing SP zoned land when adopting a new LEP:

***"For infrastructure or services prescribed in all zones and those currently zoned 'special use', (e.g. roads, railway lines, substations, pipelines etc), the appropriate adjacent land zone should generally be used. Applying the adjacent zone type to public infrastructure land follows a basic planning principle of aligning land uses. It is established practice to refer to the zoning of adjoining land when seeking to establish an appropriate zoning for land. In many cases the infrastructure land would have been zoned the same as the adjoining land if it had not been used instead for an infrastructure purpose. This approach avoids the need for spot rezonings when the infrastructure use expands, ceases, is realigned or is downsized in the future. It is preferable that the land use zone be the same as the adjacent zoning, so that future uses are compatible with existing surrounding uses."***

Accordingly, the use of the SP2 land, whether for education or religious uses is not appropriate for this site. The R3 zone however surrounds the site, facilitates the uses continuing/expanding under its zoning provisions and will ensure that appropriate development is secured in the future should the current use expand, cease or downsize in the future.

We would also maintain that just because Council has an incorrect precedent within its LEP, this should not be perpetuated against established planning guidance, particularly to the detriment

of private landowners where the PN specifically focuses the use of SP zones on public infrastructure and facilities well beyond the uses and scale of facilities on the subject site. We are consistently advised as applicants that a n outcome that has been given on a particular development, that may be considered advantageous but does not necessarily comply as per planning controls, cannot be used as justification for another site to automatically secure the same benefit. Accordingly, a precedent of incorrect zoning within your LEP should not be used as a reason to apply the same incorrect zoning elsewhere.

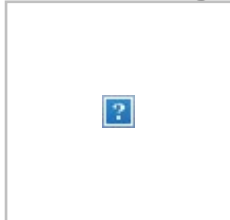
We trust given the very clear and concise evidence that this zoning anomaly can be resolved efficiently and we are happy to meet to discuss this and any other issues further.

Please let me know if you require further information.

Kind Regards

**Matthew Lennartz**

Executive Manager – Planning and Government



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---

**From:** Jaime Hogan <[Jaime.Hogan@waverley.nsw.gov.au](mailto:Jaime.Hogan@waverley.nsw.gov.au)>

**Sent:** Monday, 11 April 2022 3:29 PM

**To:** Matthew Lennartz <[matthewl@meriton.com.au](mailto:matthewl@meriton.com.au)>; Patrick Hay  
<[patrick.hay@waverley.nsw.gov.au](mailto:patrick.hay@waverley.nsw.gov.au)>

**Cc:** Tim Sneesby <[Tim.Sneesby@waverley.nsw.gov.au](mailto:Tim.Sneesby@waverley.nsw.gov.au)>; Shima Niavarani  
<[shima.niavarani@waverley.nsw.gov.au](mailto:shima.niavarani@waverley.nsw.gov.au)>

**Subject:** RE: [EXTERNAL]Meeting with Matt Lennartz

Hi Matthew,

Thanks for the quick chat.

As discussed, we are aiming to report the planning proposal to Flood Street Council within the DPE timeframe of 95 days, which is our June meeting.

At this stage we will recommend that the proposal proceed to public exhibition, however as discussed, given the inconsistency the proposal would create with other places of worship around the LGA that are zoned SP2 Infrastructure (Place of Worship), and the action within the

LSPS, it would be ideal to provide some further justification as to why R3 is preferable for the purposes you are seeking, rather than the SP2 Infrastructure (Place of Worship). I note that the Planning Proposal Report provides the justification that this would be inconsistent with the Practice Note, however it is a precedent that we do have in the Waverley LEP. As discussed, this is not necessary to proceed to exhibition, however it is recommended that this matter is addressed for both the Councillors and the community for the purpose of exhibition.

Please let me know if you have any further questions regarding the timeframe or initial assessment process.

Thanks,

**Jaime Hogan**  
**Principal Strategic Planner**  
**(Mondays and Tuesdays)**

Cnr Paul St and Bondi Rd, Bondi Junction NSW 2022

**P:** 02 9083 8057

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**From:** Matthew Lennartz <[matthewl@meriton.com.au](mailto:matthewl@meriton.com.au)>

**Sent:** Wednesday, 6 April 2022 3:59 PM

**To:** Patrick Hay <[patrick.hay@waverley.nsw.gov.au](mailto:patrick.hay@waverley.nsw.gov.au)>

**Cc:** Jaime Hogan <[Jaime.Hogan@waverley.nsw.gov.au](mailto:Jaime.Hogan@waverley.nsw.gov.au)>; Tim Sneesby <[Tim.Sneesby@waverley.nsw.gov.au](mailto:Tim.Sneesby@waverley.nsw.gov.au)>; Shima Niavarani <[shima.niavarani@waverley.nsw.gov.au](mailto:shima.niavarani@waverley.nsw.gov.au)>

**Subject:** RE: [EXTERNAL]Meeting with Matt Lennartz

Thanks Patrick,

Jamie, please advise as soon as possible on your return.

Regards

**Matthew Lennartz**  
Executive Manager – Planning and Government



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**From:** Patrick Hay <[patrick.hay@waverley.nsw.gov.au](mailto:patrick.hay@waverley.nsw.gov.au)>  
**Sent:** Tuesday, 5 April 2022 11:48 AM  
**To:** Matthew Lennartz <[matthewl@meriton.com.au](mailto:matthewl@meriton.com.au)>  
**Cc:** Jaime Hogan <[Jaime.Hogan@waverley.nsw.gov.au](mailto:Jaime.Hogan@waverley.nsw.gov.au)>; Tim Sneesby <[Tim.Sneesby@waverley.nsw.gov.au](mailto:Tim.Sneesby@waverley.nsw.gov.au)>; Shima Niavarani <[shima.niavarani@waverley.nsw.gov.au](mailto:shima.niavarani@waverley.nsw.gov.au)>  
**Subject:** RE: [EXTERNAL]Meeting with Matt Lennartz

Hi Matthew,

We've received and are reviewing the documents as lodged.

Jaime is leading this and is back from annual leave next week and will get in touch with you to discuss next steps.

Kind Regards,

**Patrick Hay**

**A/Manager Strategic Town Planning**

Cnr Paul St and Bondi Rd, Bondi Junction NSW 2022

**P:** 02 9083 8064 | **F:** 02 9387 1820

**E:** [patrick.hay@waverley.nsw.gov.au](mailto:patrick.hay@waverley.nsw.gov.au)

**W:** [www.waverley.nsw.gov.au](http://www.waverley.nsw.gov.au)



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**From:** Matthew Lennartz <[matthewl@meriton.com.au](mailto:matthewl@meriton.com.au)>  
**Sent:** Tuesday, 5 April 2022 11:44 AM  
**To:** Patrick Hay <[patrick.hay@waverley.nsw.gov.au](mailto:patrick.hay@waverley.nsw.gov.au)>  
**Cc:** Jaime Hogan <[Jaime.Hogan@waverley.nsw.gov.au](mailto:Jaime.Hogan@waverley.nsw.gov.au)>; Tim Sneesby <[Tim.Sneesby@waverley.nsw.gov.au](mailto:Tim.Sneesby@waverley.nsw.gov.au)>  
**Subject:** RE: [EXTERNAL]Meeting with Matt Lennartz  
**Importance:** High

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Hi Patrick,

Is it possible to get an update on this matter this week?

Regards

**Matthew Lennartz**

Executive Manager – Planning and Government



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**From:** Matthew Lennartz  
**Sent:** Friday, 1 April 2022 9:21 AM  
**To:** Patrick Hay <[patrick.hay@waverley.nsw.gov.au](mailto:patrick.hay@waverley.nsw.gov.au)>  
**Cc:** Jaime Hogan <[Jaime.Hogan@waverley.nsw.gov.au](mailto:Jaime.Hogan@waverley.nsw.gov.au)>; Tim Sneesby <[Tim.Sneesby@waverley.nsw.gov.au](mailto:Tim.Sneesby@waverley.nsw.gov.au)>  
**Subject:** RE: [EXTERNAL]Meeting with Matt Lennartz

Thanks Patrick,

Please give me a call if you need to discuss.

Regards

**Matthew Lennartz**

Executive Manager – Planning and Government



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**From:** Patrick Hay <[patrick.hay@waverley.nsw.gov.au](mailto:patrick.hay@waverley.nsw.gov.au)>  
**Sent:** Friday, 1 April 2022 9:15 AM  
**To:** Matthew Lennartz <[matthewl@meriton.com.au](mailto:matthewl@meriton.com.au)>  
**Cc:** Jaime Hogan <[Jaime.Hogan@waverley.nsw.gov.au](mailto:Jaime.Hogan@waverley.nsw.gov.au)>; Tim Sneesby <[Tim.Sneesby@waverley.nsw.gov.au](mailto:Tim.Sneesby@waverley.nsw.gov.au)>  
**Subject:** RE: [EXTERNAL]Meeting with Matt Lennartz

Hi Matthew,

Jaime who was taking charge of this PP is on annual leave, hence she would have not received your voicemail.

Please take this email as an acknowledge of your below request for an update from our end and we will get back to you shortly to provide you with an update.

Kind Regards,

**Patrick Hay**

**A/Manager Strategic Town Planning**

Cnr Paul St and Bondi Rd, Bondi Junction NSW 2022

**P:** 02 9083 8064 | **F:** 02 9387 1820

**E:** [patrick.hay@waverley.nsw.gov.au](mailto:patrick.hay@waverley.nsw.gov.au)

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**From:** Matthew Lennartz <[matthewl@meriton.com.au](mailto:matthewl@meriton.com.au)>  
**Sent:** Thursday, 31 March 2022 3:25 PM  
**To:** Jaime Hogan <[Jaime.Hogan@waverley.nsw.gov.au](mailto:Jaime.Hogan@waverley.nsw.gov.au)>  
**Cc:** George Bramis <[George.Bramis@waverley.nsw.gov.au](mailto:George.Bramis@waverley.nsw.gov.au)>; Tim Sneesby <[Tim.Sneesby@waverley.nsw.gov.au](mailto:Tim.Sneesby@waverley.nsw.gov.au)>; Walter Gordon <[walterg@meriton.com.au](mailto:walterg@meriton.com.au)>  
**Subject:** RE: [EXTERNAL]Meeting with Matt Lennartz  
**Importance:** High

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As per my voicemail, can we please have an update on the progress of this application?

Please give me a call if you wish to discuss this.

Regards

**Matthew Lennartz**  
Executive Manager – Planning and Government



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**From:** Matthew Lennartz  
**Sent:** Thursday, 10 March 2022 6:47 PM  
**To:** Jaime Hogan <[Jaime.Hogan@waverley.nsw.gov.au](mailto:Jaime.Hogan@waverley.nsw.gov.au)>  
**Cc:** George Bramis <[George.Bramis@waverley.nsw.gov.au](mailto:George.Bramis@waverley.nsw.gov.au)>; Tim Sneesby <[Tim.Sneesby@waverley.nsw.gov.au](mailto:Tim.Sneesby@waverley.nsw.gov.au)>; Walter Gordon <[walterg@meriton.com.au](mailto:walterg@meriton.com.au)>  
**Subject:** RE: [EXTERNAL]Meeting with Matt Lennartz

Thanks Jamie,

Regards

**Matthew Lennartz**  
Executive Manager – Planning and Government





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**From:** Jaime Hogan <[Jaime.Hogan@waverley.nsw.gov.au](mailto:Jaime.Hogan@waverley.nsw.gov.au)>

**Sent:** Thursday, 10 March 2022 5:34 PM

**To:** Matthew Lennartz <[matthewl@meriton.com.au](mailto:matthewl@meriton.com.au)>

**Cc:** George Bramis <[George.Bramis@waverley.nsw.gov.au](mailto:George.Bramis@waverley.nsw.gov.au)>; Tim Sneesby <[Tim.Sneesby@waverley.nsw.gov.au](mailto:Tim.Sneesby@waverley.nsw.gov.au)>; Walter Gordon <[walterg@meriton.com.au](mailto:walterg@meriton.com.au)>

**Subject:** Re: [EXTERNAL]Meeting with Matt Lennartz

Hi Matt,

Thanks for your email and submitting the planning proposal. We have reviewed the documents, and are satisfied with the adequacy of the information provided for lodgement.

We do however believe that this is a Standard (prev. major) planning proposal and will require payment as such to lodge the planning proposal.

We will organise for the Duty Planner and Customer Service to coordinate payment and lodgement with you for this matter.

Thanks,  
Jaime

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**From:** Matthew Lennartz <[matthewl@meriton.com.au](mailto:matthewl@meriton.com.au)>

**Sent:** Thursday, March 10, 2022 4:33:58 PM

**To:** Jaime Hogan <[Jaime.Hogan@waverley.nsw.gov.au](mailto:Jaime.Hogan@waverley.nsw.gov.au)>

**Cc:** George Bramis <[George.Bramis@waverley.nsw.gov.au](mailto:George.Bramis@waverley.nsw.gov.au)>; Tim Sneesby <[Tim.Sneesby@waverley.nsw.gov.au](mailto:Tim.Sneesby@waverley.nsw.gov.au)>; Walter Gordon <[walterg@meriton.com.au](mailto:walterg@meriton.com.au)>

**Subject:** RE: [EXTERNAL]Meeting with Matt Lennartz

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How are you?

Any update on this matter?

Regards

**Matthew Lennartz**

Executive Manager – Planning and Government



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**From:** Matthew Lennartz

**Sent:** Friday, 4 March 2022 10:51 AM

**To:** Jaime Hogan <[Jaime.Hogan@waverley.nsw.gov.au](mailto:Jaime.Hogan@waverley.nsw.gov.au)>

**Cc:** George Bramis <[George.Bramis@waverley.nsw.gov.au](mailto:George.Bramis@waverley.nsw.gov.au)>; Tim Sneesby  
<[Tim.Sneesby@waverley.nsw.gov.au](mailto:Tim.Sneesby@waverley.nsw.gov.au)>

**Subject:** RE: [EXTERNAL]Meeting with Matt Lennartz

Hi Jaime,

Please note that the Planning Proposal document is now uploaded to the Planning Portal.

Notwithstanding the advice below, we have nominated the planning proposal as “minor” on the application form given it “refers to a single allotment spot rezoning generated by a planning anomaly or inconsistency.”

It clearly applies to an individual site and in terms of the existing zoning being an anomaly, not only does the existing SP2 Education zoning not reflect the historic and ongoing use of the site for a religious facility (which is actually prohibited under the SP2 zone), the SP2 zone is incorrectly applied given the provisions of Practice Note PN11-002. The Practice Note instructs on the application of all zones and says that the SP2 Zone should only be applied to major state infrastructure; a strategic site or a site that would be unlikely to be used for different purposes in the future. None of these provisions apply to this site.

The departments website states that “Planning practice notes provide updated commentary, guidance, and advice for planning matters generally relating to principle local environmental plans and the Standard Instrument”.

Accordingly, while we are lodging the site-specific PP as per Council’s instruction, it is our strong

view that the comprehensive LEP review must follow the PN and should rectify the anomaly without the need for a site-specific PP. While we acknowledge the Waverley LSPS is specific about keeping SP1 and SP2 zones to “protect and preserve” land for community use (even where land is privately owned), it is clearly inconsistent with the PN and compromises the fair expectations of private landowners.

Please let me know if you need anything further and we look forward to a positive outcome.

Regards

**Matthew Lennartz**

Executive Manager – Planning and Government



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**From:** Jaime Hogan <[Jaime.Hogan@waverley.nsw.gov.au](mailto:Jaime.Hogan@waverley.nsw.gov.au)>

**Sent:** Friday, 11 February 2022 3:23 PM

**To:** Matthew Lennartz <[matthewl@meriton.com.au](mailto:matthewl@meriton.com.au)>

**Cc:** George Bramis <[George.Bramis@waverley.nsw.gov.au](mailto:George.Bramis@waverley.nsw.gov.au)>; Tim Sneesby  
<[Tim.Sneesby@waverley.nsw.gov.au](mailto:Tim.Sneesby@waverley.nsw.gov.au)>

**Subject:** RE: [EXTERNAL]Meeting with Matt Lennartz

Hi Matthew,

Thank you for your email and notice regarding the upcoming planning proposal.  
Could you please send us an email as well once you have uploaded to the Planning Portal.

I note that the LEP Making Guidelines identify this proposal as a Standard proposal: *To change the land use zone where the proposal is consistent with the objectives identified in the LEP for that proposed zone.* The Standard proposal aligns with our current ‘Major’ planning proposal fee. I will confirm this translation internally and provide an update upon lodgement.

Thanks, and have a great weekend.

**Jaime Hogan**

**A/Executive Manager, Urban Planning, Policy and Strategy**

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*Waverley Council acknowledges the Bidjigal and Gadigal people who traditionally occupied the Sydney Coast and we pay our respects to Elders past, present and future.*

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**From:** Matthew Lennartz <[matthewl@meriton.com.au](mailto:matthewl@meriton.com.au)>

**Sent:** Friday, 11 February 2022 2:20 PM

**To:** Jaime Hogan <[Jaime.Hogan@waverley.nsw.gov.au](mailto:Jaime.Hogan@waverley.nsw.gov.au)>

**Cc:** George Bramis <[George.Bramis@waverley.nsw.gov.au](mailto:George.Bramis@waverley.nsw.gov.au)>

**Subject:** [EXTERNAL]Meeting with Matt Lennartz

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Hi Jaime,

I've had a quick chat with George this morning about Flood Street.

As per Council's advice, we are preparing a Planning Proposal that aligns with our submission on the broader LEP Review by Council (attached).

Subject to the attached submission, some phone discussions with George and our meeting on 14.12.21, we had sought a written response from Council responding to the submission and confirming the verbal advice received.

I understand that Council is very busy and given the new PP Guidelines require pre-lodgement meetings/advice, I have covered what we understood from Council to cover this requirement below.

- The proposed zoning change could not be facilitated through the broader LEP review process as it seeks a change that would create new residential land;
- Any change would require a site-specific planning proposal for 34 Flood Street;
- The PP will need to address the requirements of all state, regional and local strategic planning policies and relevant guidelines;
- The PP will need to demonstrate that the site can be reasonably developed under the proposed zoning change;
- Meriton to review Council's Planning Agreement Guidelines. We have done this and as we

are not seeking an amendment to the density controls, it is not applicable.

Upon review by Meriton and our planning consultants, we did not see the requirement for any detailed technical assessments given the very minor nature of the planning proposal with all technical assessments to be undertaken in any future development application (Architectural, traffic, drainage, landscape etc).

Please note that we expect to lodge within 2 weeks so please give me a call if you need to discuss anything further. As per other recent PP's we have done in other LGA's, we will upload to the portal and wait for a response from Council on fees (we assume it would be minor).

Please call if you need to discuss and have a great weekend.

Regards

**Matthew Lennartz**

Executive Manager – Planning and Government



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