

Date of Determination	10 October 2019
Panel Members	Marcia Doheny (Chair) Eric Armstrong (Independent Expert) Jane Fielding (Independent Expert) Peter Graham OAM (Community Representative)
Apologies	NIL
Declarations of Interest	NIL

Public meeting held at the City of Ryde Council Chambers on 10 October 2019 opened at 5:05pm and closed at 6:05pm.

Papers circulated electronically on 3 October 2019.

MATTER DETERMINED

LDA2019/0128 – 2 Waratah Street, Eastwood

New multi-dwelling housing development containing three (3) dwellings - 1 x 2 storey, 5 bedroom dwelling at the front and 2 x single storey, 3 bedroom dwellings at the rear as well as strata subdivision.

The following people addressed the meeting:

1. Jane Tompsett (Assessing Officer – application intro)
2. Catherine Stanyer (registered) – Maxwell Stanyer (spoke at the meeting) - (objector)
3. Eric Zhou (objector)
4. Mark Merhi (applicant)

PANEL CONSIDERATIONS AND DECISION

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

DEVELOPMENT APPLICATION

The Panel determined to defer the development application. The applicant is requested to submit amended plans which improve the solar access to dwellings 1 and 2, noting that the deletion of bedroom one from dwelling 2 and the replacement of the kitchen and driveway would achieve that objective.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel determined to defer the application for the following reason:

- The development, although complying with the relevant provisions of RLEP 2014 and Ryde DCP, the Panel is concerned that the solar access to the living areas of dwellings 1 and 2 is inadequate and further consideration needs to be given to options for improving that solar access.


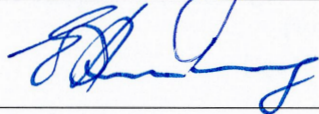
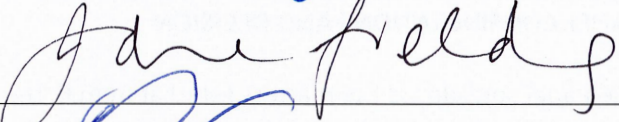
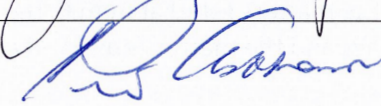
CONDITIONS

Not applicable

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during public exhibition and heard from all those wishing to address the panel. The panel notes that issues of concern included:

The panel considers that concerns raised by the community have been adequately addressed in the assessment report and that no new issues requiring assessment were raised during the public meeting.

PANEL MEMBERS	
Marcia Doheny (Chair)	
Eric Armstrong	
Jane Fielding	
Peter Graham OAM	

SCHEDULE 1

1	DA No.	LDA2019/0128
2	Proposal	New multi-dwelling housing containing 3 dwellings and strata subdivision.
3	Street Address	2 Waratah St Eastwood
4	Applicant / Owner	GM Building Group / Feris, Ellen M, Mark A and Giovanna Merhi
5	Reason for referral to RLPP	Contentious Development – Development is the subject of 10 or more unique submissions by way of objection
6	Relevant mandatory considerations	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ○ State Environmental Planning Policy No. 55 – Remediation of Land ○ State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 ○ Ryde Local Environmental Plan 2014 • Draft environmental planning instruments: <ul style="list-style-type: none"> ○ Draft Remediation of Land State Environmental Planning Policy ○ Draft Environment SEPP • Development control plans: <ul style="list-style-type: none"> ○ Ryde Development Control Plan 2014 • 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 <p>The public interest, including the principles of ecologically sustainable development.</p>
7	Material considered by the Panel	<ul style="list-style-type: none"> • Council assessment report • Written submissions during public exhibition: 18 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ In support – NIL ○ In objection – Catherine Stanyer & Eric Zhou ○ Council assessment officer – Jane Tompsett ○ On behalf of the applicant – Mark Merhi <p>Eric Zhou provided an additional submission to support his verbal presentation</p>
8	Meetings, briefings and site inspections by the Panel	<ul style="list-style-type: none"> • Site inspection: 10 October 2019

		<ul style="list-style-type: none"> • Briefing: 10 October 2019 <p>Attendees:</p> <ul style="list-style-type: none"> ○ <u>Panel members</u>: Marcia Doheny (Chair), Eric Armstrong, Jane Fielding, Peter Graham OAM ○ <u>Council assessment staff</u>: Jane Tompsett, Sandra Bailey
9	Council Recommendation	Approval
10	Draft Conditions	Attachment 1 to the council assessment report