

**Meeting Date:** Tuesday 6 November 2012  
**Location:** Committee Room 2, Level 5, Civic Centre, 1 Devlin Street, Ryde  
**Time:** 4.05pm

**Councillors Present:** Councillors Simon (Chairperson), Pendleton, Salvestro-Martin and Yedelian OAM.

Councillor Salvestro-Martin arrived at 5.27pm and was not present for consideration of Item 1.

**Apologies:** Councillor Chung.

**Absent:** Councillor Maggio.

**Staff Present:** Group Manager – Environment & Planning, Service Unit Manager – Assessment, Service Unit Manager – Environmental Health & Building, Service Unit Manager – Governance, Team Leader – Drainage Engineers, Senior Town Planner, Team Leader – Fast Track Team, Consultant Town Planners – Architectus Group, Business Support Coordinator – Environment & Planning and Councillor Support Coordinator.

### **DISCLOSURES OF INTEREST**

There were no disclosures of interest.

### **1 CONFIRMATION OF MINUTES - Meeting held on 16 October 2012**

**RESOLUTION:** (Moved by Councillors Yedelian OAM and Pendleton)

That the Minutes of the Planning and Environment Committee 11/12, held on Tuesday 16 October 2012, be confirmed.

#### **Record of Voting:**

For the Motion: Unanimous

Note: This is now a resolution of Council in accordance with the Committee's delegated powers.

**2 29 DEVLIN STREET, RYDE. LOTS 5 & 6 DP 83504. Application under Section 82A of the EP&A Act 1979, to review Council's determination of LDA2011/0521 for construction of a Residential Flat Building (APL2012/0001)**

Report: The Committee inspected the property at 29 Devlin Street, Ryde.

Note: A Memorandum from Council's Team Leader – Major Developments, dated 2 November 2012 was tabled in relation to this item and a copy is ON FILE.

Note: Robert Del Pizzo (on behalf of the applicant) addressed the Committee in relation to this Item.

**RESOLUTION:** (Moved by Councillors Salvestro-Martin and Simon)

- (a) That Section 82A Review No. APL 2012/0001 at 29 Devlin Street, Ryde being Lots 5 & 6 Section E in DP 83504 be approved subject to '**deferred commencement**' in accordance with Section 80(3) of the EP&A Act and subject to the **ATTACHED** conditions (Attachment 3) and the memorandum from Council's Team Leader – Major Developments, dated 2 November 2012.

*'Deferred commencement' means the consent will not become operative until the Applicant has satisfied the requirements listed in Schedule 'A' of the consent. All issues shall be satisfactorily resolved within a period of six (6) months from the 'Determination Date', that is shown on the consent. Upon compliance with the issues under Schedule 'A', and written confirmation from Council to that effect, then the consent shall become operative from a "Date of Endorsement" (to be included on the written notification) subject to the conditions listed in Schedule 'B' and any additional conditions arising from the requirement of Schedule 'A'.*

- (b) The following deferred commencement conditions will be imposed on the DA:

**Part 1**

1. The Applicant is to seek new BASIX and ABSA Certificates. The BASIX and ABSA Certificates must satisfy the requirements of these Certificates and Council.
2. A Demolition Plan must be provided for the demolition of the existing building and structures on site to the satisfaction of Council in accordance with:
  - a. Australian Standard AS 2601 – 1991 – The Demolition of Structures; and
  - b. *"Demolition Report for an existing Two and Three-Storey building located at 29 Devlin Street, Ryde"* (prepared by Architex dated 15th August 2011) submitted as part of Development Application APL 2012/0001.

**Part 2**

3. A detailed site investigation report is prepared and submitted for Council's consideration. The detailed site investigation report must comply with the Guidelines for Consultants reporting on Contaminated Sites (EPA, 1997) and demonstrate that the site is suitable for the proposed use, or that the site can be remediated to the extent necessary for the proposed use. If remediation is required, the report should also set out the remediation options available for the site and whether the work is considered to be category 1 or category 2 remediation works.  
Council may require a site audit of the detailed investigation report. If requested by Council, the proponent must submit a site audit summary report from an accredited site auditor under the Contaminated Land Management Act 1997 verifying the information contained in the detailed site investigation.

(c) That the persons who made submissions be advised of Council's decision.

**Record of Voting:**

For the Motion: Unanimous

This is now a resolution of Council in accordance with the Committee's delegated powers.

**3 16 PUNT ROAD, GLADESVILLE. LOT 502 DP 732745. Local Development Application for alterations and additions to seniors housing (residential care facility): additional facilities including new office, meeting room, change room, and laundry. LDA2012/0015**

Report: The Committee inspected the property at 16 Punt Road, Gladesville.

Note: A document from Geraldine Killalea, dated 6 November 2012 was tabled in relation to this item and a copy is ON FILE.

Note: A document from Brian Hurley, dated 6 November 2012 was tabled in relation to this item and a copy is ON FILE.

Note: Brian Hurley, Warren Bell and Geraldine Killalea (objectors), Margaret Merlin (on behalf of the owner) and Rob Pufflett (applicant) addressed the Committee in relation to this Item.

**RECOMMENDATION:** (Moved by Councillors Yedelian OAM and Salvestro-Martin)

That Local Development Application No. 2012/0015 for 16 Punt Road be deferred for mediation with the Group Manager – Environment & Planning, applicant and objectors in regard to reducing the overshadowing impacts on the adjoining residents to achieve closer compliance with Council's Development Control Plan 2010. That a further report be provided to the Planning & Environment committee within three months.

**Record of Voting:**

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **13 NOVEMBER 2012** as substantive changes were made to the published recommendation.

**4 2 OXFORD STREET GLADESVILLE. LOT B DP 359817. Local Development Application for construction of a carport / storeroom at the rear of the property. LDA2012/0200**

Report: The Committee inspected the property at 2 Oxford Street, Gladesville.

Note: John Russell (owner and applicant) addressed the Committee in relation to this Item.

**RESOLUTION:** (Moved by Councillors Salvestro-Martin and Yedelian OAM)

That Local Development Application No. LDA2012/0200 at 2 Oxford Street, Gladesville be approved as a Deferred Commencement Consent subject to the **ATTACHED** conditions (Attachment 2).

**Record of Voting:**

For the Motion: Unanimous

This is now a resolution of Council in accordance with the Committee's delegated powers.

**5 33 DICKSON AVENUE WEST RYDE. LOT 215 DP 13292. Local Development Application for construction of a double garage at the rear of the site. LDA2012/0235**

Report: The Committee inspected the property at 33 Dickson Avenue, West Ryde.

Note: Peter Hall (on behalf of the applicant) addressed the Committee in relation to this Item.

**RESOLUTION:** (Moved by Councillors Yedelian OAM and Salvestro-Martin)

That Local Development Application No. LDA2012/0235 at 33 Dickson Avenue West Ryde be approved as a Deferred Commencement Consent subject to the **ATTACHED** conditions (Attachment 2).

**Record of Voting:**

For the Motion: Unanimous

This is now a resolution of Council in accordance with the Committee's delegated powers.

The meeting closed at 6.44 pm.

CONFIRMED THIS 20TH DAY OF NOVEMBER 2012.

Chairperson