

Meeting Date: Tuesday 20 November 2012
Location: Committee Room 2, Level 5, Civic Centre, 1 Devlin Street, Ryde
Time: 4.05pm

Councillors Present: Councillors Simon (Chairperson), Chung, Maggio, Pendleton and Salvestro-Martin.

Councillors Maggio and Salvestro-Martin arrived at 5.43 pm and did not attend inspections.

Apologies: Nil.

Leave of Absence: Councillor Yedelian OAM.

Staff Present: Group Manager – Environment & Planning, Service Unit Manager – Assessment, Service Unit Manager – Environmental Health & Building, Service Unit Manager – Governance, Consultant Town Planner, Team Leader – Assessment, Team Leader – Drainage Engineers, Senior Town Planner, 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 6 November 2012

RESOLUTION: (Moved by Councillors Pendleton and Salvestro-Martin

That the Minutes of the Planning and Environment Committee 12/12, held on Tuesday 6 November 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.

2 208-214 BLAXLAND ROAD, RYDE. LOT 1 DP 1135185, Part LOTS 12-13 DP 6046. Application pursuant to Section 96(2) of the Environmental Planning & Assessment Act, 1979, to amend the approved three storey residential flat building.

Report: The Committee inspected the property at 208-214 Blaxland Road, Ryde.

RESOLUTION: (Moved by Councillors Chung and Salvestro-Martin)

(a) That the application MOD 2012/41 for modification of Local Development Application No. LDA2008/0630 for demolition of the existing buildings and the construction of a three storey residential flat building comprising 24 units, including basement car parking and landscape works at 208 – 214 Blaxland Road Ryde be approved subject to the deletion of condition 1, its replacement with the following, and by the addition of condition 154:

1. Development is to be carried out in accordance with the following:

(a) Plans No. SK01B to SK08B (inclusive), SK12B, SK14B to SK17B (inclusive) and SK22B dated 18/05/2009, SK09 and SK10, dated 27/08/2008 and SK11A dated 13/03/2009 prepared by Mackenzie Architects, BASIX Certificate number: 238665M dated 19 March 2009, Acoustic Study prepared by Acoustic Logic Consultancy (Report 2008560/0508A/R0/HM) dated 5 August 2008 and support information submitted to Council forming part of the Deferred Commencement Development Consent dated 14 July 2009.

(b) As amended by:

- Distinctive edging on plans SK01D dated 26 October 2011, SK02D dated 25 October 2011, SK05C – SK08C dated 11 October 2011, prepared by Mackenzie Architects,
- Plan SK23C dated 18 October 2011, prepared by Mackenzie Architects,
- Basix Certificate 388670M dated 25 July 2011,
- Noise Impact Assessment prepared by Acoustic Logic dated 18 October 2011.

And support information submitted to Council as part of MOD2011/103.

(c) As amended by distinctive colouring on plans WAE01 – WAE04, WAE08 dated 15.02.2012, plans WAE05A – WAE07A dated 28.06.2012 prepared by Mackenzie Architects.

154. All balustrades or parts of balustrades (except balustrades to unit 24) are to be of solid (non see through) material as shown on the approved plans referred to in Condition 1(a) & 1(b) or the solid parts shall be of opaque (non see through) glass.

- (b) That the objector be advised of the decision.
- (c) That the Manager Environmental Health & Building issue a penalty notice for the breach of the Development Consent.

Record of Voting:

For the Motion: Unanimous

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

3 50 FARNELL STREET, WEST RYDE. LOT 19 DP 30394. Local Development Application for Demolition, construct multi-dwelling housing containing 4 strata titled dwellings. LDA2012/0137.

Report: The Committee inspected the property at 50 Farnell Street, West Ryde.

Note: Mr Anthony Scott (objector on behalf of Hollscott Corporation Pty Ltd) and Mr Andrew Martin (on behalf of the applicant) addressed the Committee in relation to this Item.

RECOMMENDATION: (Moved by Councillors Chung and Salvestro-Martin

- (a) That Local Development Application No. 2012/137 at No. 50 Farnell Street, West Ryde, being LOT 19 in DP 30394, be approved subject to the **ATTACHED** conditions (Attachment 2).
- (b) That the persons who made submissions be advised of Council's decision.

Record of Voting:

For the Motion: Councillors Chung, Salvestro-Martin, Simon and Maggio

Against the Motion: Councillor Pendleton

Note: This matter will be dealt with at the Council Meeting to be held on **27 NOVEMBER 2012** as dissenting votes were recorded and substantive changes were made to the published recommendation.

4 66A PELLISIER ROAD, PUTNEY. LOT B DP 419543. Local Development Application for new dual occupancy. LDA2012/0106.

Report: The Committee inspected the property at 66A Pellisier Road, Putney.

Note: Mr Don Bailey (objector on behalf of residents of 66, 70, 72 and 74 Pellisier Road and 4a and 8 McGowan Road), Mr Mark Grodzicky (on behalf of Liz Grodzicky - owner) and Mr Peter Hall (applicant's architect) addressed the Committee in relation to this Item.

Note: A document from Mr Don Bailey dated 20 November 2012 was tabled in relation to this Item and a copy is ON FILE.

MOTION: (Moved by Councillors Maggio and Chung)

- (a) That Local Development Application No. 2012/106 at No. 66A Pellisier Road, Putney, being LOT B DP 419543, be deferred for the Group Manager Environment and Planning to undertake a mediation with the applicant and objectors to bring the dual occupancy into closer compliance with DCP 2010 and a further report be presented to the Planning and Environment Committee within three (3) months.
- (b) That the persons who made submissions be advised of Council's decision.

Record of Voting:

For the Motion: Councillors Chung and Maggio

Against the Motion: Councillors Salvestro-Martin, Simon and Pendleton

The Motion was LOST and the matter was AT LARGE.

MOTION: (Moved by Councillors Simon and Pendleton)

- (a) That Local Development Application No. 2012/106 at No. 66A Pellisier Road, Putney, being LOT B DP 419543, be approved subject to the ATTACHED conditions (Attachment 2).
- (b) That the persons who made submissions be advised of Council's decision.

Record of Voting:

For the Motion: Councillors Simon and Pendleton

Against the Motion: Councillors Salvestro-Martin, Chung and Maggio

The Motion was LOST and the matter was AT LARGE.

Note: This matter will be dealt with at the Council Meeting to be held on **27 NOVEMBER 2012** as the matter is AT LARGE.

5 64 PELLISIER ROAD, PUTNEY. LOT 102, DP 86680. Local Development Application for alterations and additions to the existing dwelling and new cabana. LDA2011/0493.

Report: The Committee inspected the property at 64 Pellisier Road, Putney.

Note: Ms Mary Ruggeri (objector), Mr Mark Wakeham (objector on behalf of Marion Wakeham), Mr Mark Grodzicky (objector) and Mr Vito Ignazzi (on behalf of the applicant) addressed the Committee in relation to this Item.

Note: Correspondence and photographs from Mark and Elizabeth Grodzicky dated 20 August 2012 was tabled in relation to this Item and a copy is ON FILE.

Note: Photographs from Vito Ignazzi dated 20 August 2012 was tabled in relation to this Item and a copy is ON FILE.

RECOMMENDATION: (Moved by Councillors Maggio and Chung)

- (a) Local Development Application No. LDA2011/493 for alterations and additions to the existing dwelling and construction of a cabana at No. 64 Pellisier Road, Putney be approved as a deferred commencement subject to amended plans. The amended plans and supporting information shall incorporate the following details:
- i. Reduction of balcony/terrace. The Ground Floor balcony/terrace immediately adjoining the family and dining room shall be reduced by a minimum of 4 metres from the rear and the surplus area be replaced with roofing material to the lower ground floor level below and is not to be accessible.
 - ii. Setback of proposed additions from northern boundary. The proposed additions must be stepped back to be in line with the existing kitchen and dining room side wall (this will equate to a setback of about 1 metre from the northern (side) boundary).
 - iii. Tree Management Plan – adjoining Fig Tree:
The submission of a report and plans from a suitably qualified practicing Arborist which provides details of management of impacts on the adjoining Fig Tree. The report shall include details of the following matters:
 - Details (including a site plan and photographs) regarding investigation to determine the location of the structural roots of the adjoining Fig Tree.
 - Structural Plans of columns of the proposed additions in relation to the structural roots of the adjoining Fig Tree (based on the investigations above) – which minimises construction impacts on the Fig Tree.
 - Structural Plans – cabana: The cabana is to be constructed with pier and beam or other construction methods which minimises impacts within the Tree Protection Zone of the Fig Tree. Subfloor infill walling is not acceptable.
 - Proposed physical management of the Fig Tree before, during and post construction, to ensure its longevity.
 - That any proposed pruning of the Fig Tree be limited to 10% of the tree canopy as supervised by an arborist.

- (b) Upon submission of satisfactory details to Council regarding the above matters, the General Manager be the delegated authority to make the consent operational subject to standard conditions of consent to be provided at the Ordinary Meeting of Council 27 November 2012.
- (c) That the persons who made submissions be notified of Council's decision.

Record of Voting:

For the Motion: Councillors Chung, Simon, Pendleton and Maggio

Against the Motion: Councillor Salvestro-Martin

Note: This matter will be dealt with at the Council Meeting to be held on **27 NOVEMBER 2012** as dissenting votes were recorded and substantive changes were made to the published recommendation.

The meeting closed at 7.05 pm.

CONFIRMED THIS 4TH DAY OF DECEMBER 2012.

Chairperson