

Meeting Date: Tuesday 4 June 2013

Location: Committee Room 2, Level 5, Civic Centre, 1 Devlin Street, Ryde

Time: 5.05pm

Councillors Present: Councillors Pendleton (Chairperson), Chung, Salvestro-Martin and The Mayor, Councillor Petch.

Note: The Mayor, Councillor Petch arrived at the meeting at 5.39pm and was present for consideration for Item 2 only. He left the meeting at 5.47pm and did not return.

In the absence of Councillor Simon, the Deputy Chairperson – Councillor Pendleton chaired the meeting.

Apologies: Councillor Maggio.

Leave of Absence: Councillors Simon and Yedelian OAM.

Staff Present: Group Manager – Environment and Planning, Service Unit Manager – Assessment, Service Unit Manager – Environmental Health and Building, Team Leader – Fast Track Team, Executive Officer – Assessment, Team Leader – Fast Track Team, Assessment Officer, Consultant Town Planner (Creative Planning Solutions), Team Leader – Building Compliance, Section Manager - Governance and Councillor Support Coordinator.

DISCLOSURES OF INTEREST

Councillor Chung disclosed a Less than Significant Non-Pecuniary interest in Item 3 - 52A Pellisier Road, Putney - LDA2013/0012, for the reason that he is familiar with an objector.

AMENDMENT BY RESOLUTION OF COUNCIL ON 11 JUNE 2013 – CONSIDERED AT PART OF CONFIRMATION OF THESE MINUTES

Note: Councillor Salvestro-Martin disclosed a Less than Significant Non-Pecuniary Interest in Item 2 – 29 Vimiera Road, Eastwood – LOT 10 DP 4574 – BC2013/0003, for the reason that a speaker on the matter is known to him.

The Mayor, Councillor Petch disclosed a Significant Non-Pecuniary interest in Item 3 - 52A Pellisier Road, Putney - LDA2013/0012, for the reason that he is a neighbour and knows both the applicant and objector in the matter.

1 CONFIRMATION OF MINUTES - Meeting held on 21 May 2013

Note: The Mayor, Councillor Petch was not present for consideration of this Item.

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

That the Minutes of the Planning and Environment Committee 8/13, held on Tuesday 21 May 2013, 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 VIMIARA ROAD, EASTWOOD - LOT 10 DP 4574. Building Certificate Application for unauthorised building works to the existing dwelling, including a first floor addition, extensions to the rear of the dwelling and demolition. BC2013/0003.

Note: Ian Mooney (objector), George Raymond (objector on behalf of himself and Derek and Lina Raymond), Lachlan Roots (objector) and Stefano Laface (applicant on behalf of Pyramid Consulting) addressed the Committee in relation to this Item.

Note: Correspondence was tabled by George Raymond and a copy is ON FILE.

Note: Councillor Salvestro-Martin disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that a speaker on the matter is known to him.

ADJOURNMENT

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

That the Planning and Environment Committee Meeting adjourn for five (5) minutes, the time being 5.42pm.

Record of Voting:

For the Motion: Unanimous

In accordance with Clause 4.2.5 of the Code of Meeting Practice, The Chairperson, Councillor Pendleton adjourned the meeting to Tuesday, 4 June 2013, to reconvene at 5.47pm in Committee Room 2, Level 5, Civic Centre, 1 Devlin Street, Ryde, the time being 5.42pm.

The following Councillors were present:

The Mayor, Councillor Petch and Councillors Pendleton, Chung and Salvestro-Martin.

MEETING RECONVENED

The Meeting reconvened at 5.47pm on Tuesday, 4 June 2013 in Committee Room 2, Level 5, Civic Centre, 1 Devlin Street, Ryde.

The following Councillors were present:

The Mayor, Councillor Petch and Councillors Pendleton, Chung and Salvestro-Martin.

Apologies: Councillor Maggio.

Leave of Absence: Councillors Simon and Yedelian OAM.

Staff Present: Group Manager – Environment and Planning, Service Unit Manager – Assessment, Service Unit Manager – Environmental Health and Building, Team Leader – Fast Track Team, Executive Officer – Assessment, Team Leader – Fast Track Team, Assessment Officer, Consultant Town Planner (Creative Planning Solutions), Team Leader – Building Compliance, Section Manager - Governance and Councillor Support Coordinator.

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

- (a) That BC2013/0003 at 29 Vimiera Road, Eastwood being LOT 10 DP 4574 be refused for the following reasons:
1. The alterations and additions result in a dwelling which is inconsistent with the desired future character for the R2 Low Density Residential zone, and in particular the character of the streetscape in the immediate area.
 2. The alterations and additions create a significant visual impact to the streetscape and public domain with a poor design outcome in terms of form, massing, integration and materiality.
 3. The alterations and additions do not integrate with the form or character of the existing dwelling house on site.
 4. In the circumstances of the case, approval of the development is not in the public interest.
 5. The applicant has not demonstrated full compliance with the requirements of the National Construction Code Series - Building Code of Australia (BCA).

6. The roof water is not suitably discharged into an approved drainage system as required by the BCA. Documentary evidence has not been submitted demonstrating that the proposed drainage system complies with the Council's Development Control Plan 2010 (DCP).

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

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **11 JUNE 2013** as substantive changes were made to the published recommendation

3 52A PELLISIER ROAD, PUTNEY. LOT 2 DP 859984. Development Application for alterations and first floor additions to the existing dwelling, and new swimming pool. LDA2013/0012.

Note: Kylie and Tony Gillies (objectors), Norm Fletcher (objector on behalf of Annette Marsh), Annette Marsh (objector), Gary Dilles (objector), Stewart Macpherson (objector), George Rofail (applicant) and Michael Yousef (on behalf of the applicant) addressed the Committee in relation to this Item.

Note: Councillor Chung disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that he is familiar with an objector.

Note: The Mayor, Councillor Petch disclosed a Significant Non-Pecuniary interest in this Item for the reason that he is a neighbour and knows both the applicant and objector in the matter. He left the meeting at 5.47pm and was not present for consideration or voting on this Item.

Note: Photographs provided by Annette Marsh were tabled and a copy is ON FILE.

Note: Correspondence provided by George Rofail was tabled and a copy is ON FILE.

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

- (a) That LDA2013/0012 at 52A Pellisier Road, Putney be deferred to enable the applicant to submit amended plans that provide a more skilful design that improves view sharing opportunities for neighbours and relocates the pool further away from the dwelling and lowers the pool coping height.
- (b) That upon receipt of the amended plans required in part A, the plans are renotified to neighbours and all previous objectors.
If no further objections are received, then the application can be determined by the Group Manager Environment and Planning. If further objections are received, then a further report will be prepared for the consideration of the Planning and Environment Committee.

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

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **11 JUNE 2013** as substantive changes were made to the published recommendation.

4 52 DARVALL ROAD, EASTWOOD. LOT 10 DP 13514. Local Development Application for the use of existing building as a secondary dwelling and an outbuilding. LDA2013/0100.

Note: Guiping (David) Zhao (objector), Sebastiano Laguzza (objector) and Junjian Lin (Wendy You) (applicant) addressed the Committee in relation to this Item.

RECOMMENDATION: (Moved by Councillors Chung and Pendleton)

- (a) That Local Development Application No. LDA2013/0100 at 52 Darvall Road Eastwood be approved subject to the **ATTACHED** conditions (Attachment 3).
- (b) That Council inspect the property on at least two occasions over 24 months to ensure compliance with the consent.
- (c) That the Group Manager Environment and Planning write to the Building Professionals Board expressing Council's concern regarding this matter and to request an urgent response to the complaint.
- (d) That the persons who made submissions be advised of Council's decision.

Record of Voting:

For the Motion: Councillors Chung and Pendleton

Against the Motion: Councillor Salvestro-Martin

Note: This matter will be dealt with at the Council Meeting to be held on **11 JUNE 2013** as dissenting votes were recorded and substantive changes were made to the published recommendation.

- 5 3-5 TRELAWNEY STREET, EASTWOOD. Part LOT B & LOT A DP 401296. New mixed use development: a building with six retail/commercial tenancies (534m²); 57 apartments (13X1 bedrooms, 44X2 bedrooms) and basement parking, and strata subdivision. LDA2011/0611.**

Note: Andy Ludvik (applicant) addressed the Committee in relation to this Item.

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

- (a) That Local Development Application No. 2011/0611 for the construction and strata subdivision of a mixed use development consisting of a building with six retail/commercial tenancies, 57 residential apartments and basement parking for 107 cars at 3-5 Trelawney Street, Eastwood be approved subject to the **ATTACHED** conditions (Attachment 1).
- (b) That Council accept the Voluntary Planning Agreement (Reference No. PJAC_100970_017.DOC) made by N & G Projects Pty Ltd in conjunction with the approval of LDA2011/0611.
- (c) That the persons who made submissions be advised of Council's decision.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **11 JUNE 2013** as it is outside the Committee's delegations

The meeting closed at 7.26pm.

CONFIRMED THIS 18TH DAY OF JUNE 2013.

Chairperson