

**Meeting Date:** Tuesday 5 February 2013  
**Location:** Committee Room 2, Level 5, Civic Centre, 1 Devlin Street, Ryde  
**Time:** 4.07pm

**Councillors Present:** Councillors Pendleton (Chairperson), Chung, Maggio and Yedelian OAM.

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

**Apologies:** Councillor Salvestro-Martin

**Leave of Absence:** Councillor Simon.

**Staff Present:** Group Manager – Environment and Planning, Service Unit Manager – Assessment, Service Unit Manager – Environmental Health and Building, Service Unit Manager – Governance, Team Leader – Assessment, Senior Town Planner, Assessment Officer – Town Planner, Team Leader – Development Engineers, Executive Building Surveyor, Business Support Coordinator – Environment and Planning and Councillor Support Coordinator.

### **DISCLOSURES OF INTEREST**

Councillor Maggio disclosed a Significant Non-Pecuniary Interest in Item 2 – 1106 Victoria Road, West Ryde – LDA2012/0251 for the reason that he knows the owners of the property.

Councillor Chung disclosed a Significant Non-Pecuniary Interest in Item 2 – 1106 Victoria Road, West Ryde – LDA2012/0251 for the reason that he had a prior close affiliation with the applicant.

### **1 CONFIRMATION OF MINUTES - Meeting held on 4 December 2012**

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

That the Minutes of the Planning and Environment Committee 14/12, held on Tuesday 4 December 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 1106 VICTORIA ROAD, WEST RYDE. LOT C DP 389182. Local Development Application for the change of use from a single dwelling to an attached dual occupancy. LDA2012/0251.**

Note: Councillor Maggio disclosed a Significant Non-Pecuniary Interest in this Item for the reason that he knows the owners of the property.

Note: Councillor Chung disclosed a Significant Non-Pecuniary Interest in this Item for the reason that he had a prior close affiliation with the applicant.

Note: Councillor Chung left the meeting at 4.46pm and did not participate in the debate or voting on this Item.

Note: A Memorandum dated 4 February 2013 from the Group Manager – Environment and Planning was tabled in relation to this Item and a copy is ON FILE.

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

**RECOMMENDATION:** (Moved by Councillors Yedelian OAM and Maggio.)

That Local Development Application No. LDA2012/0251 at 1106 Victoria Road, West Ryde be approved as a Deferred Commencement Consent subject to the **ATTACHED** conditions (Attachment 2), with condition 10 (Section 94 Contribution) to be removed.

**Record of Voting:**

For the Motion: Councillors Maggio and Yedelian OAM

Against the Motion: Councillor Pendleton

Note: This matter will be dealt with at the Council Meeting to be held on **12 FEBRUARY 2013** as dissenting votes were recorded and substantive changes were made to the published recommendation

**3 13 SMITH STREET RYDE. LOT 13 DP 5558. Local Development Application for demolition, construction of a part 4/part 5 storey residential flat building with 16 apartments and basement car parking for 18 vehicles, and strata subdivision. LDA2012/0185.**

Report: The Committee inspected the property at 13 Smith Street, Ryde.

Note: Councillor Chung returned to the meeting at 5.01pm.

Note: A Memorandum dated 4 February 2013 from the Group Manager – Environment and Planning was tabled in relation to this Item and a copy is ON FILE.

Note: Anthony Vaccaro (objector) and Adam Byrnes (on behalf of the applicant) addressed the Committee in relation to this Item.

**RESOLUTION:** (Moved by Councillors Maggio and Chung)

- (a) That Local Development Application No. LDA2012/0185 at 13 Smith Street Ryde being LOT 13 DP 5558 be approved subject to the **ATTACHED** conditions (Attachment 1) with condition 28 to be amended to read as follows:

28. **Section 94.** A monetary contribution for the services in Column A and for the amount in Column B shall be made to Council prior to the issue of any **Construction Certificate**:

<b>A – Contribution Type</b>	<b>B – Contribution Amount</b>
Community & Cultural Facilities	\$35,953.87
Open Space & Recreation Facilities	\$88,510.93
Civic & Urban Improvements	\$30,104.47
Roads & Traffic Management Facilities	\$4,106.60
Cycleways	\$2,564.98
Stormwater Management Facilities	\$8,153.43
Plan Administration	\$691.64
<b>The total contribution is</b>	<b>\$170,085.93</b>

These are contributions under the provisions of Section 94 of the Environmental Planning and Assessment Act, 1979 as specified in Section 94 Development Contributions Plan 2007 (2010 Amendment) adopted by City of Ryde on 16 March 2011.

The above amounts are current at the date of this consent, and are subject to **quarterly** adjustment for inflation on the basis of the contribution rates that are applicable at time of payment. Such adjustment for inflation is by reference to the Consumer Price Index published by the Australian Bureau of Statistics (Catalogue No 5206.0) – and may result in contribution amounts that differ from those shown above.

A copy of the Section 94 Development Contributions Plan may be inspected at the Ryde Planning and Business Centre, 1 Pope Street Ryde (corner Pope and Devlin Streets, within Top Ryde City Shopping Centre) or on Council's website <http://www.ryde.nsw.gov.au>.

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

**Record of Voting:**

For the Motion: Unanimous

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

**4 10 RIVER AVENUE, CHATSWOOD WEST. LOT 53 DP 16042. Local Development Application for the erection of an outbuilding at the rear. LDA2012/0269.**

Note: A Memorandum dated 5 February 2013 from the Group Manager – Environment and Planning was tabled in relation to this Item and a copy is ON FILE.

**RESOLUTION:** (Moved by Councillors Maggio and Chung)

That Local Development Application No. 2012/0269 at 10 River Road, Chatswood West, being LOT 53 DP 16042 be approved subject to the conditions in **Attachment 2** and the following condition as included in the circulated memorandum:

31A **Safe site access** Safe and suitable access shall be provided between the rear of the dwelling and the approved cabana structure.

**Record of Voting:**

For the Motion: Unanimous

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

**5 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.**

Note: Geraldine Killalea (objector) and John Stuart and Robert Pufflett (on behalf of the owner and applicant) addressed the Committee in relation to this Item.

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

- (a) That Local Development Application No. 2012/0015 for 16 Punt Road, Gladesville, be approved subject to the **ATTACHED** conditions (Attachment 1).
- (b) That the persons who made submissions be advised of Council's decision.
- (c) That the staff involved be congratulated.

**Record of Voting:**

For the Motion: Unanimous

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

The meeting closed at 5.20 pm.

CONFIRMED THIS 19TH DAY OF FEBRUARY 2013.

Chairperson