

Meeting Date: Tuesday 5 November 2013

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

Time: 5.02pm

Councillors Present: Councillor Etmekdjian (Chairperson), The Mayor, Councillor Maggio and Councillors Laxale, Pickering and Yedelian OAM.

Apologies: Councillor Chung.

Absent: Councillor Salvestro-Martin.

Staff Present: Acting Group Manager – Environment and Planning, Service Unit Manager – Assessment, Team Leader – Assessment, Consultant Town Planner, Consultant Landscape Architect, Senior Development Engineer, Business Support Coordinator – Environment and Planning and Section Manager - Governance.

DISCLOSURES OF INTEREST

The Mayor, Councillor Maggio disclosed a Less than Significant Non-Pecuniary interest in Item 2 – 6 Yarwood Street, Marsfield for the reason that he is familiar with the objector, Lindsay Mar.

The Mayor, Councillor Maggio disclosed a Less than Significant Non-Pecuniary Interest in Item 3 – 51 Bayview Street, Tennyson Point for the reason that he is familiar with the applicant through community volunteering commitments.

1 CONFIRMATION OF MINUTES - Meeting held on 15 October 2013

Note: This Item was considered later in the meeting as set out in these Minutes.

2 6 YARWOOD STREET, MARSFIELD - LOT 10 DP 234293

Development Application for demolition and new dual occupancy (attached). LDA2013/0073.

Note: Lindsay Mar (objector), Ronald Chin (objector) and John Khoury (applicant) addressed the Committee in relation to this Item.

Note: The Mayor, Councillor Maggio disclosed a Less than Significant Non-Pecuniary interest in this Item for the reason that he is familiar with the objector, Lindsay Mar.

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

RESOLUTION: (Moved by Councillors Yedelian OAM and Pickering)

- (a) That Local Development Application No. LDA2013/0073 at 6 Yarwood Street, Marsfield being LOT 10 DP 234293 be approved subject to the Deferred Commencement conditions contained in **Attachment 1** with and additional condition to relocate the air conditioning heat pump to the southern side of the building and an amendment to condition 24 to read as follows:

24. 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:*

A – Contribution Type	B – Contribution Amount
<i>Community & Cultural Facilities</i>	<i>\$4,168.81</i>
<i>Open Space & Recreation Facilities</i>	<i>\$10,262.74</i>
<i>Civic & Urban Improvements</i>	<i>\$3,490.45</i>
<i>Roads & Traffic Management Facilities</i>	<i>\$476.02</i>
<i>Cycleways</i>	<i>\$297.40</i>
<i>Stormwater Management Facilities</i>	<i>\$944.96</i>
<i>Plan Administration</i>	<i>\$80.19</i>
<i>The total contribution is</i>	<i>\$19,720.58</i>

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.
- (c) That separate to the Development Application, Council encourages the applicants and their neighbours to undertake their own discussions to see if they can come to an arrangement to improve the solar access to the panels on the property located at 8 Yarwood Street, Marsfield to their mutual agreed outcome.

Record of Voting:

For the Motion: Unanimous

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

3 51 BAYVIEW STREET, TENNYSON POINT - LOT 2 in a Subdivision of LOT 103 DP 1003228. Development application for two storey dual occupancy (attached) including two swimming pools. LDA2012/0478.

Note: John Chetham (on behalf of Leila Hogan) (objector), Robert Hecek (objector) and Tanya Allen, Nicole Porter, Jackie Foristal and Belinda Foristal (applicants) addressed the Committee in relation to this Item.

Note: The Mayor, Councillor Maggio disclosed a Less than Significant Non-Pecuniary Interest in this Item for the reason that he is familiar with the applicant through community volunteering commitments.

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

Note: Documentation provided by the applicant was tabled in relation to this Item and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Laxale and Pickering)

- (a) That LDA2012/0478 at 51 Bayview Street, Tennyson Point being LOT 2 in a Subdivision of LOT 103 DP 10003228 be approved via a Deferred Commencement consent subject to the conditions contained within **Attachment 1** with and an amendment to condition 20 to read as follows:

20. 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:*

A – Contribution Type	B – Contribution Amount
<i>Community & Cultural Facilities</i>	<i>\$4,168.81</i>
<i>Open Space & Recreation Facilities</i>	<i>\$10,262.74</i>
<i>Civic & Urban Improvements</i>	<i>\$3,490.45</i>
<i>Roads & Traffic Management Facilities</i>	<i>\$476.02</i>
<i>Cycleways</i>	<i>\$297.40</i>
<i>Stormwater Management Facilities</i>	<i>\$944.96</i>
<i>Plan Administration</i>	<i>\$80.19</i>
<i>The total contribution is</i>	<i>\$19,720.58</i>

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.

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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.

1 CONFIRMATION OF MINUTES - Meeting held on 15 October 2013

RESOLUTION: (Moved by Councillors Pickering and Yedelian OAM)

That the Minutes of the Planning and Environment Committee 15/13, held on Tuesday 15 October 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.

The meeting closed at 6.02pm.

CONFIRMED THIS 19TH DAY OF NOVEMBER 2013.

Chairperson