

Meeting Date: Tuesday 18 June 2013
Location: Committee Room 2, Level 5, Civic Centre, 1 Devlin Street, Ryde
Time: 5.00pm

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

Apologies: Councillor Salvestro-Martin.

Leave of Absence: Councillor Yedelian OAM.

Absent: Councillor Simon.

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

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

DISCLOSURES OF INTEREST

There were no disclosures of interest.

1 CONFIRMATION OF MINUTES - Meeting held on 4 June 2013

RESOLUTION: (Moved by Councillors Chung and Pendleton)

That the Minutes of the Planning and Environment Committee 9/13, held on Tuesday 4 June 2013, be confirmed, noting Council's resolution of 11 June 2013 which noted that Councillor Salvestro-Martin had declared 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.

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 SHEPHERD STREET, RYDE. LOT C DP 327043. Local Development Application for new two storey attached dual occupancy and inground swimming pools. LDA2013/0001.

Note: Anthony Good (objector) and Peter Hall (applicant's architect) addressed the Committee in relation to this Item.

RESOLUTION: (Moved by Councillors Chung and Maggio)

- (a) That Council defer consideration of Local Development Application No. LDA2013/0001 at 29 Shepherd Street Ryde being LOT C DP 327043 to enable the Group Manager Environment and Planning to undertake a mediation with the applicant and objectors to consider the issues of:

- Setbacks
- Privacy

- (b) That the amended plans be submitted following mediation and re-notified to the neighbouring properties and previous objectors to the original DA.

If the amended plans do not attract any further submissions then the application may be determined by the Group Manager Environment & Planning under delegated authority. Otherwise, a further report shall be presented to the Planning & Environment Committee for determination.

- (c) 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.

3 18 SHEPHERD STREET, RYDE. LOT 70 DP 5887. Local Development Application for new two storey attached dual occupancy. LDA2012/144.

Note: Garry Haddad (objector on behalf of John Moses), Janet Tse (objector) and Peter Hall (applicant's architect) and Raymond El Hazouri (applicant) addressed the Committee in relation to this Item.

Note: A Memorandum from the Group Manager, Environment and Planning was circulated in relation to this matter and a copy is ON FILE.

RECOMMENDATION: (Moved by Councillors Maggio and Chung)

- (a) That Council defer consideration of Local Development Application No. 2012/144 at 18 Shepherd Street being LOT 70 DP5887 to enable the Group Manager Environment and Planning to undertake a mediation with the applicant and objectors to consider the issues of:

- Bulk – limiting the height of the rear dwelling to single storey
- Privacy
- Overshadowing
- Design of open space for front dwelling to be increased

- (b) That the amended plans be submitted following mediation and re-notified to the neighbouring properties and previous objectors to the original DA.

If the amended plans do not attract any further submissions then the application may be determined by the Group Manager Environment & Planning under delegated authority. Otherwise, a further report shall be presented to the Planning & Environment Committee for determination.

- (c) 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: Councillor Pendleton

Note: This matter will be dealt with at the Council Meeting to be held on **25 JUNE 2013** as (select) dissenting votes were recorded and substantive changes were made to the published recommendation

4 68 CHAMPION ROAD, TENNYSON POINT - LOT 21 DP 233234. Local Development Application for extension of boundary fencing within foreshore building line. LDA2013/0080.

Note: Eric Camp (objector) and Deborah Alexiou (applicant) addressed the Committee in relation to this Item.

MOTION: (Moved by Councillors Pendleton and Chung)

- (a) That LDA2013/0080 at 68 Champion Road, Tennyson Point being LOT 21 DP 233234 be refused for the following reasons:

1. The proposed works to the boundary fence do not comply with the controls set out within the Ryde DCP 2010 or the Sydney Harbour Foreshores and Waterways Area Development Control Plan 2005.
2. The proposed works to the boundary fence within the foreshore building line would result in a structure which is considered to be inconsistent with the desired future character for the R2 Low Density Residential zone, and in particular the character of waterfront development in the Tennyson Point area, and wider waterfront area of the Ryde local government area.

3. The proposed fence being of a solid construction does not comply with the Ryde DCP 2010 control in relation to fences forward of the foreshore building line being of an open and permeable construction, and will impede views to and from the waterfront of Glades Bay.
4. In the circumstances of the case, approval of the development is considered not to be in the public interest.

(b) 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 Maggio

Note: This matter will be dealt with at the Council Meeting to be held on **25 JUNE 2013** as dissenting votes were recorded

The meeting closed at 6.19pm.

CONFIRMED THIS 16TH DAY OF JULY 2013.

Chairperson