

**Meeting Date:** Tuesday 12 April 2016  
**Location:** Committee Room 2, Level 5, Civic Centre, 1 Devlin Street, Ryde  
**Time:** 5.00pm

**Councillors Present:** Councillors Pendleton (Chairperson), Etmekdjian, Pickering, and Yedelian OAM.

Note: Councillor Pickering arrived at the meeting at 5.12pm during the public participation on Item 2. He was not present for consideration of Item 1.

**Apologies:** Councillor Simon.

**Leave of Absence:** Councillor Chung.

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

**Staff Present:** Acting Director – City Strategy and Planning, Acting Manager – Assessment, Manager – Environment, Health and Building, Solicitor, Senior Coordinator – Development Assessment, Assessment Officer – Town Planner, Senior Development Engineer, Acting Senior Coordinator – Community Engagement, Heritage Officer, Business Support Coordinator – City Strategy and Planning, Senior Coordinator – Governance and Governance, Risk and Audit Coordinator.

### **DISCLOSURES OF INTEREST**

There were no disclosures of interest.

### **1 CONFIRMATION OF MINUTES - Meeting held on 8 March 2016**

Note: Councillor Pickering was not present for consideration or voting on this Item.

**RESOLUTION:** (Moved by Councillors Etmekdjian and Pendleton)

That the Minutes of the Planning and Environment Committee 2/16, held on 8 March 2016, 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 2 CLIVE ROAD, EASTWOOD. LOT 78 DP 8043. Local Development Application for alterations and first floor addition to dwelling and new secondary dwelling. LDA2015/0381.**

Note: Helge Sangkuhl (objector), Allan Beeston (objector), Coralie Jensen (objector), and Ken Sonjes (representing the applicant) addressed the meeting in relation to this Item.

Note: Councillor Pickering arrived at the meeting at 5.12pm during the public participation on this Item.

Note: Photographs of the streetscape were tabled by the Acting Director - City Strategy and Planning in relation to this Item and a copy is ON FILE.

Note: Documentation containing three (3) photographs and an elevation plan from Coralie Jensen was tabled in relation to this Item and a copy is ON FILE.

**RECOMMENDATION:** (Moved by Councillors Yedelian OAM and Pickering)

- (a) That consideration of this application be deferred for a mediation to be undertaken by the Acting Director - City Strategy and Planning between the applicant and the objectors, with the aim of providing a more appropriate design of the first floor addition to the existing dwelling.
- (b) That if the matter can be resolved through the mediation process, the Acting Director - City Strategy and Planning be delegated the authority to determine the application.

**Record of Voting:**

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **26 APRIL 2016** as substantive changes were made to the published recommendation.

**3 115 ROWE STREET, EASTWOOD. LOT A DP 407059. Local Development Application for erection of a new building containing a pub (comprising bar/dining areas, alfresco dining and seating areas, bar with outdoor gaming) at ground floor with three (3) levels of parking above (containing 45 parking spaces), signage, alterations and additions to rear of the existing Eastwood Hotel. LDA2015/0263.**

Note: Sergeant Kerry Bernard (objector representing the NSW Police Local Area Command) addressed the meeting in relation to this Item.

Note: An A3 aerial photograph was tabled by the Acting Director - City Strategy and Planning 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. 2015/263 at 115 Rowe Street, Eastwood being LOT A in Deposited Plan 407059 (Car park) and LOT 1 & 2 in Deposited Plan 304384 (Eastwood Hotel) be refused for the following reasons:

- The proposal is inconsistent with the objectives of the B4 Mixed Use zoning applying to the land under Ryde LEP 2014, most notably the first two objectives:
  - The pub is considered incompatible with the adjoining land uses. The pub will result in the suburb of Eastwood having 4 of 9 hotel licences within the Ryde Local Government Area (LGA). Three out of the four hotel licences would be on Rowe Street and the fourth (Landmark Hotel) is within 300m, on the western side of Eastwood Train Station. This would contribute to a cluster of pubs/hotels and result in adverse alcohol related harm onto the population of Eastwood.
  - The pub will result in shortfall of ninety three (93) car parking spaces and increase the demand for already limited on street car parking and contribute to traffic congestion within Rowe Street and the Eastwood Town Centre.
- The proposal is inconsistent with Part 4.1 (Eastwood Town Centre) of the Ryde Development Control Plan 2014, most notably:
  - Contrary to section 3.4.1 (Parking design and location) of the DCP, the proposed building fails to adequately screen the three levels of car parking (above ground), creating an undesirable streetscape element within Rowe Street and the Eastwood Town Centre.
  - Contrary to section 3.6 (Signage) of the DCP, the proposed flush walls signs, no. 7 and no. 8 are located above the awning and inconsistent with other business identification signage types within Rowe Street.
    - The overall area (sqm) of sign no. 7 and No. 8 exceed the maximum prescribed area of 5sqm, having a signage area of 5.4sqm and 6.8sqm respectively.
    - The proposed under awning signs are 450mm in height, contrary to the control which restricts the maximum height of the signs to 300mm.
- The proposal is inconsistent with Part 8.2 (Stormwater) of the Ryde Development Control Plan 2014, most notably:
  - The proposal fails to provide details of a drainage easement that is required to be created.

- The proposal fails to demonstrate that any building, eave or permanent structure (existing and/or proposed) does not encroach the deemed drainage easement.
    - The proposal fails to specify the location of new drainage pits.
  - The proposal is inconsistent with Part 9.1 (Signage) of the Ryde Development Control Plan 2014, most notably:
    - Contrary to section 4.0, two projecting wall signs are proposed (no. 1 and no. 2) which are prohibited signage types throughout the City of Ryde.
    - The proposal fails to provide adequate detail with regards signage content material, colour and illumination concerning all signs proposed.
  - The proposal is inconsistent with Part 9.3 (Car parking) of DCP 2014 of the Ryde Development Control Plan 2014, most notably:
    - The proposed development provides an inadequate number of car parking spaces for staff, patrons and other building users. The proposal results in a shortfall of ninety three (93) car parking spaces.
    - The proposal will result in adverse localised traffic congestion and impact upon pedestrian safety as a result of the shortfall in off street car parking spaces.
  - The development is Inconsistent with SEPP 64: Advertising & Signage, most notably:
    - The proposal is inconsistent with Schedule 1 of SEPP 64 in that it is not compatible with the character of the area;
  - The proposal will have significant adverse alcohol-related social impacts and increase the risk of alcohol related harm.
  - The proposal will adversely impact upon the amenity, safety and security of the local community, particularly within the Eastwood Town Centre.
  - The Plan of Management is inadequate, failing to address the management of patrons affected by alcohol between the existing Eastwood Hotel and the proposed hotel.
    - The plan of management fails to identify who will be responsible for monitoring patrons within the passageway between the two hotels.
  - In the circumstances of the case, approval of the development is not in the public interest.
- (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 PLANNING PROPOSAL - 87 BOWDEN STREET RYDE - DELLINA PALM COTTAGE**

Note: Suellen Hazell and Doriana Donnelly (representing Meadowbank Residents Group) addressed the meeting in relation to this Item.

Note: An online petition titled 'Save 87 Bowden Street Residents' Committee – Signature 12 Apr 2016' together with a comments document from Doriana Donnelly were tabled in relation to this Item and copies are ON FILE.

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

- (a) That Council endorse forwarding the planning proposal for 87 Bowden Street, Ryde (LOT 17 DP 663261) to receive a gateway determination in accordance with Section 56 of the Environmental Planning and Assessment Act 1979 and that the Ministers delegation enabling Council to determine the LEP be requested.
- (b) That Council endorse that, in the event of a gateway determination being issued pursuant to Section 56 of the Environmental Planning and Assessment Act 1979, the proposal be placed on public exhibition in accordance with the Community Engagement Consultation Program and a further report be presented to Council following the completion of the exhibition period.

**Record of Voting:**

For the Motion: Unanimous

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

**5 DRAFT AFFORDABLE HOUSING POLICY- RESULTS OF COMMUNITY ENGAGEMENT**

Note: Greg South (representing Link Housing) and Nathan Moulds (representing the Salvation Army) addressed the meeting in relation to this Item.

**RESOLUTION:** (Moved by Councillors Pickering and Etmekdjian)

- (a) That Council adopt the "City of Ryde Affordable Housing Policy 2016-2031".
- (b) That Council prepare a Planning Proposal to amend Ryde Local Environmental Plan 2014 to include affordable housing provisions as outlined in the City of Ryde Affordable Housing Policy.

- (c) That Council invite Lane Cove and Hunters Hill Councils (JRA Partners) to participate in expanding the Affordable Housing Policy to address affordable / key worker housing within their local government areas.
- (d) That the Mayor write to the Minister for Planning advocating an amendment to State planning policies requiring the mandatory delivery of affordable housing in the development and rezoning of land.
- (e) That Council adopt an interim position in relation to the delivery of affordable housing as part of the development and planning process with:
  - 2 % of dwellings in new residential and mixed use developments be affordable housing.
  - 4 % of dwellings constructed on land to be rezoned to permit residential / mixed use development be affordable housing.

**Record of Voting:**

For the Motion: Unanimous

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

**6 PEDESTRIAN ACCESS AND MOBILITY PLAN - TOP RYDE CENTRE AND NORTH RYDE SMALL CENTRES**

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

- (a) That Council endorses the exhibition of the Draft Top Ryde Centre & North Ryde Small Centres Pedestrian Access and Mobility Plan for a period of 28 days.
- (b) That subject to (a), a further report be submitted for Council to determine the Draft Pedestrian Access and Mobility Plan after the public exhibition period has finished and all submissions have been considered.

**Record of Voting:**

For the Motion: Unanimous

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

**7 EASTWOOD PLAZA - SMOKE FREE ZONE**

**RECOMMENDATION:** (Moved by Councillors Pickering and Yedelian OAM)

- (a) That Council endorse the implementation of Eastwood Plaza as a 'Smoke Free Zone'.

- (b) That the local chambers, local businesses, and the individuals who made submissions during the trial will be advised of Council's decision.
- (c) That the change is to be promoted through Council's regular media channels.

**Record of Voting:**

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **26 APRIL 2016** as Councillor **PERRAM** requested that the matter be referred to the next Council Meeting.

The meeting closed at 6.03pm.

CONFIRMED THIS 10TH DAY OF MAY 2016.

Chairperson