

Meeting Date: Tuesday 14 February 2017
Location: Council Chambers, Level 1A, 1 Pope Street, Ryde
Time: 5.00pm

Councillors Present: The Mayor, Councillor Pickering and Councillors Etmekdjian (Chairperson), Laxale and Stott.

Apologies: Councillor Yedelian OAM.

Leave of Absence: Councillor Pendleton.

Absent: Councillors Maggio, Salvestro-Martin and Simon.

Note: In the absence of Councillor Yedelian OAM, the Deputy Chairperson – Councillor Etmekdjian chaired the meeting.

Note: The Mayor, Councillor Pickering arrived at the meeting at 6.18pm during consideration of Item 5. He was not present for consideration or voting on Items 1, 2, 3, and 4.

Staff Present: Acting General Manager, Acting Director – Customer and Community Services, Acting Director – Corporate and Organisational Support Services, Acting Director – City Planning and Development, Acting Manager – Assessment, Acting Manager – City Planning, Manager – Risk, Audit and Governance, General Counsel, Senior Coordinator – Major Developments, Senior Coordinator – Development Assessment, Senior Town Planner, Planning Consultant (Creative Planning Solutions), Senior Coordinator – Governance, Governance, Risk and Audit Coordinator and Administration Officer – Councillor Support.

DISCLOSURES OF INTEREST

There were no disclosures of interest.

1 CONFIRMATION OF MINUTES - Meeting held on 6 December 2016

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

RESOLUTION: (Moved by Councillors Stott and Laxale)

That the Minutes of the Planning and Environment Committee 10/16, held on 6 December 2016, be confirmed.

Record of the Voting:

For the Motion: Unanimous

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

- 2 12 EMU STREET, WEST RYDE. LOT 9 DP 27511 AND LOT 8 DP 27511.**
Application pursuant to Section 96(2) of the Environmental Planning and Assessment Act, 1979 to amend the approved demolition, new two-storey dwelling, pavillion, landscaping and fencing. LDA2015/0217. Section 96 No MOD2016/0110.

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

Note: Mariloy Keegan (objector), Peter Keegan (objector) and Horst Klemt (representing Marjorie Hosking – objector) and Doug Cummins (representing the owner) addressed the meeting in relation to this Item.

RECOMMENDATION: (Moved by Councillors Laxale and Stott)

- (a) That Section 96 application to modify Local Development Application No. MOD2016/0110 at 12 Emu Street, West Ryde being LOT 9 DP 27511 AND LOT 8 DP 27511 be refused for the reason that it presents as a three storey building to the rear Winbourne East Street, West Ryde elevation, which contravenes the Ryde DCP 2014.
- (b) That the persons who made submissions be advised of Council's decision.

On being put to the Meeting, Councillor Etmekdjian abstained from the voting and accordingly his vote was recorded Against the Motion.

Record of the Voting:

For the Motion: Councillors Laxale and Stott

Against the Motion: Councillor Etmekdjian

Note: This matter will be dealt with at the Council Meeting to be held on **28 FEBRUARY 2017** as dissenting votes were recorded and substantive changes were made to the published recommendation.

3 1139 VICTORIA ROAD, WEST RYDE. LOT 1 DP 34953. Local Development Application for new two storey boarding house development comprising twelve (12) boarding rooms under State Environmental Planning Policy (Affordable Rental Housing) 2009. (APL2016/0003 to LDA2015/0274).

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

Note: Greg Leather (representing Mawad Investments Pty Ltd – applicant) addressed the meeting in relation to this Item.

Note: A Memorandum from the Acting Director – City Planning and Development dated 14 February 2017 was tabled in relation to this Item and a copy is ON FILE.

RECOMMENDATION: (Moved by Councillors Etmekdjian and Stott)

- (a) That this matter be deferred to Council for consideration.
- (b) That the persons who made submissions be advised of Council's decision.

Record of the Voting:

For the Motion: Councillors Etmekdjian and Stott

Against the Motion: Councillor Laxale

Note: This matter will be dealt with at the Council Meeting to be held on **28 FEBRUARY 2017** as dissenting votes were recorded and substantive changes were made to the published recommendation..

4 24 CHAMPION ROAD, TENNYSON POINT. LOT B DP 387809. Local Development Application for Demolition, new two storey dwelling. LDA2016/0144.

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

Note: Nick Steele (objector), Glen Noble (objector) and Bassam Batshon (applicant) addressed the meeting in relation to this Item.

Note: An email with four photographs from Nick and Alana Steele dated 13 February 2017 was tabled in relation to this Item and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Stott and Laxale)

- (a) That Local Development Application No. LDA2016/144 at 24 Champion Road, Tennyson Point being LOT B DP 387809 be approved subject to the **ATTACHED** conditions (**ATTACHMENT 1**).

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

Record of the Voting:

For the Motion: Unanimous

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

5 6 AND 10 CLERMONT AVENUE AND 7, 8 AND 9 JENNIFER STREET, RYDE - LOT Y AND X IN DP 418160 AND LOTS 7, 8 AND 9 DP 28069. Development Application – Demolition including tree removal; staged construction of seniors housing development comprising a residential care facility and in-fill self-care housing over basement parking. LDA2016/0051.

Note: Tony Catalano (objector), Kevin Page (objector) and Mark Handley (representing Engine Room Venture Management – applicant) addressed the meeting in relation to this Item.

Note: A Memorandum from the Acting Director – City Planning and Development dated 13 February 2017 together with a letter dated 10 November 2016 from Ausgrid was tabled in relation to this Item and a copy is ON FILE.

Note: A Memorandum from the Acting Director – City Planning and Development dated 14 February 2017 was tabled in relation to this Item and a copy is ON FILE.

Note: An email from Tina and Tony Catalano dated 13 February 2017 was tabled in relation to this Item and a copy is ON FILE.

Note: Plans from Tony Catalano were tabled in relation to this Item and a copy is ON FILE.

Note: A document outlining an Alternate Resolution for this Item from Kevin Page was tabled in relation to this Item and a copy is ON FILE.

Note: Councillor Stott left the meeting at 6.16pm.

ADJOURNMENT

The Chairperson, Councillor Etmekdjian adjourned the meeting due to a lack of quorum, the time being 6.16pm.

Councillors Present: Councillors Etmekdjian (Chairperson) and Laxale.

Apologies: Councillor Yedelian OAM.

Leave of Absence: Councillor Pendleton.

Absent: Councillors Maggio, Salvestro-Martin, Simon and Stott.

Note: The Mayor, Councillor Pickering arrived at the meeting at 6.18pm.

MEETING RECONVENED

The Meeting reconvened at 6.18pm on Tuesday, 14 February 2017 in the Council Chambers, Level 1A, 1 Pope Street, Ryde.

The following Councillors were present:

The Mayor, Councillor Pickering and Councillors Etmekdjian (Chairperson) and Laxale.

Apologies: Councillor Yedelian OAM.

Leave of Absence: Councillor Pendleton.

Absent: Councillors Maggio, Salvestro-Martin, Simon and Stott.

Staff Present: Acting General Manager, Acting Director – Customer and Community Services, Acting Director – Corporate and Organisational Support Services, Acting Director – City Planning and Development, Acting Manager – Assessment, Acting Manager – City Planning, Manager – Risk, Audit and Governance, General Counsel, Senior Coordinator – Major Developments, Senior Coordinator – Development Assessment, Senior Town Planner, Planning Consultant (Creative Planning Solutions), Senior Coordinator – Governance, Governance, Risk and Audit Coordinator and Administration Officer – Councillor Support.

Note: Councillor Stott returned to the meeting at 6.20pm.

ADJOURNMENT

RESOLUTION: (Moved by Councillor Etmekdjian and the Mayor, Councillor Pickering)

That the meeting be adjourned to reconvene following the opening of the Ryde Civic Hub Committee Meeting on Tuesday, 14 February 2017 in the Council Chambers, Level 1A, 1 Pope Street, Ryde the time being 6.29pm.

Record of Voting:

For the Motion: Unanimous

Councillors Present: The Mayor, Councillor Pickering and Councillors Etmekdjian (Chairperson), Laxale and Stott.

Apologies: Councillor Yedelian OAM.

Leave of Absence: Councillor Pendleton.

Absent: Councillors Maggio, Salvestro-Martin and Simon.

MEETING RECONVENED

The Meeting reconvened at 6.30pm on Tuesday, 14 February 2017 in the Council Chambers, Level 1A, 1 Pope Street, Ryde.

The following Councillors were present:

The Mayor, Councillor Pickering and Councillors Etmekdjian (Chairperson), Laxale and Stott.

Apologies: Councillor Yedelian OAM.

Leave of Absence: Councillor Pendleton.

Absent: Councillors Maggio, Salvestro-Martin and Simon.

Staff Present: Acting General Manager, Acting Director – Customer and Community Services, Acting Director – Corporate and Organisational Support Services, Acting Director – City Planning and Development, Acting Manager – Assessment, Acting Manager – City Planning, Manager – Risk, Audit and Governance, General Counsel, Senior Coordinator – Major Developments, Senior Coordinator – Development Assessment, Senior Town Planner, Planning Consultant (Creative Planning Solutions), Senior Coordinator – Governance, Governance, Risk and Audit Coordinator and Administration Officer – Councillor Support.

RECOMMENDATION: (Moved by Councillors Laxale and Stott)

- (a) That Local Development Application No. LDA2016/0051 at 6 and 10 Clermont Avenue and 7, 8 and 9 Jennifer Street, Ryde be approved subject to the **ATTACHED** conditions – see **Attachment 1** with the following amendments:
- i. That the Construction Traffic Management Plan (Condition 64) and Noise Management Plan (Condition 86) are to be made available by the applicant to the local residents on request.
 - ii. That the Construction Traffic Management Plan (Condition 64) is to include a new point IX *“That parking for construction workers is to be provided on site wherever possible throughout the staging of the development and a detailed plan is to be provided”*.

iii. Condition 163 be amended to include:

- That the Applicant is to advise of any changes to telecommunications in Jennifer Street and Clermont Avenue throughout the development to the local residents.

iv. That Condition 7 be amended to reduce the building activities on the site so works cease at 6pm Monday to Friday and 1pm Saturday.

v. That Deferred Commencement Condition No. 2 be amended to read as follows:

Electricity Substation. The electricity substation (presently shown facing Clermont Avenue and located on the western side of the driveway leading to the basement) shall be relocated in an easterly direction to at least 10 metres from the north eastern corner of No 4 Clermont Avenue along the Clermont Avenue frontage. Such relocation shall occur in accordance with the requirements of any Utility Provider (such as Ausgrid, Sydney Water etc). In this regard, full details of the new location of the substation, as well as required landscaping and/or screening of the electricity substation shall be submitted to Council. Details shall include:

- Details clearly showing the new location of the substation;
- Details of the landscaping to be used to screen the substation, including species type, and number to be planted, expected height at maturity, and pot sizes;
- Details of any structure to be erected to provide a physical screen to the substation, including colours and external materials to be used in construction.

vi. That Condition 50 be amended to read as follows:

A – Contribution Type	B – Contribution Amount
<i>Community & Cultural Facilities</i>	\$17,479.99
<i>Open Space & Recreation Facilities</i>	\$43,031.90
<i>Civic & Urban Improvements</i>	\$14,636.01
<i>Roads & Traffic Management Facilities</i>	\$1,996.46
<i>Cycleways</i>	\$1,247.07
<i>Stormwater Management Facilities</i>	\$3,963.85
<i>Plan Administration</i>	\$336.22
The total contribution is	\$82,691.50

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 Interim Update (2014), effective from 10 December 2014.

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.

The contribution must be paid **prior to the issue of any Construction Certificate**. Payment may be by EFTPOS (debit card only), CASH or a BANK CHEQUE made payable to the **City of Ryde**. Personal or company cheques will not be accepted.

A copy of the Section 94 Development Contributions Plan may be inspected at the Ryde Customer Service 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 the Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **28 FEBRUARY 2017** as substantive changes were made to the published recommendation.

6 MACQUARIE PARK CAR PARKING CONTROLS

RESOLUTION: (Moved by The Mayor, Councillor Pickering and Councillor Stott)

- (a) That Council adopt and exercise the delegation issued by the Minister for Planning to make the amendments described in this report to Ryde Local Environmental Plan 2014.
- (b) That Council adopt amendments to Ryde Development Control Plan Part 4.5 and Part 9.3 as shown in **ATTACHMENT 2** and **ATTACHMENT 3**.
- (c) That Council give public notice in the local newspaper of its decision with respect to the draft amending Ryde Development Control Plan (RDCP) 2014 within 28 days of its decision, and provide the Secretary of the Department of Planning and Environment with a copy of the plan in accordance with the Environmental Planning and Assessment Regulation 2000.
- (d) That the adopted amendments to the RDCP come into effect 14 days from publication of the public notice.

- (e) That Council notify all community members who made a submission regarding the planning proposal of its decision.

Record of the 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 7.05pm.

CONFIRMED THIS 14TH DAY OF MARCH 2017.

Chairperson