

Date of Determination	14 November 2019
Panel Members	Abigail Goldberg (Chair) Michael Leavey (Independent Expert) Eugene Sarich (Independent Expert) Donna Gaskill (Community Representative)
Apologies	NIL
Declarations of Interest	NIL

Public meeting held at the City of Ryde Council Chambers on 14 November 2019 opened at 5:00pm and closed at 5:05pm.

Papers circulated electronically on 7 November 2019.

MATTER DETERMINED

LDA2018/0152 – 121 Church Street & 19 Porter Street, Ryde

Demolition of a single storey warehouse and construction of a part 7/ part 4 storey apartment building comprising of 1 x studio, 4 x 1 bedroom and 16 x 2 bedroom apartments with basement carparking.

The Panel was satisfied with the briefing and site inspections and did not require anyone to address the meeting. It is also noted that no objectors had registered to speak and the applicant was present and raised no objections.

PANEL CONSIDERATIONS AND DECISION

The Panel considered the matters listed at item 6, the material listed at item 7, and the material presented at meetings and briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

DEVELOPMENT APPLICATION

The Panel determined to approve the development application as described in Schedule 1, pursuant to Section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR THE DECISION

The Panel determined to approve the application for the following reasons:

1. The proposal is consistent with the objectives of the B4 Mixed Use zone under RLEP 2014. The development is also consistent with the development standards in RLEP 2014.

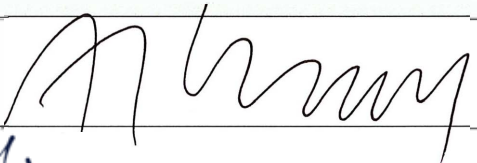

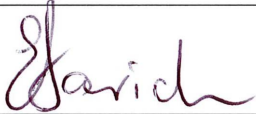
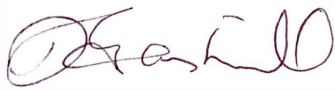
2. The proposal results in breaches to the Apartment Design Guide in respect to building separation and setbacks. Despite the non-compliances, the development will still provide adequate amenity to future residents whilst maintaining amenity to the adjoining residential properties.
3. The proposal is consistent with the desired future character of the area.
4. The proposal is not considered to create likely impacts on the residential amenity of adjoining properties.

CONDITIONS

The development application was approved subject to the conditions in the council assessment report.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during public exhibition.

PANEL MEMBERS	
Abigail Goldberg (Chair)	
Michael Leavey	
Eugene Sarich	
Donna Gaskill	

SCHEDULE 1

1	DA No.	LDA2018/0152
2	Proposal	Demolition of a single storey warehouse and construction of a part 7/ part 4 storey apartment building comprising of 1 x studio, 4 x 1 bedroom and 16 x 2 bedroom apartments with basement carparking
3	Street Address	121 Church street & 19 Porter Street, Ryde
4	Applicant / Owner	Urban Design & Planning / CAP Demolition & Excavation Pty Limited
5	Reason for referral to RLPP	<p>Sensitive Development – Development to which State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development applies.</p> <p>Contentious Development – Development is the subject of 10 or more unique submissions by way of objection</p>
6	Relevant mandatory considerations	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy No 55 – Remediation of Land ○ State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development ○ State Environmental Planning Policy (Building Sustainability Index: BASIX) ○ State Environmental Planning Policy (Infrastructure) 2007 ○ Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Deemed SEPP) ○ Ryde Local Environmental Plan 2014 • Draft environmental planning instruments: Nil • Development control plans: <ul style="list-style-type: none"> ○ Ryde Development Control Plan 2014 • Planning agreements: Nil • Section 7.11 Development Contributions Plan 2007 (Amendment 2010) • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil • Coastal zone management plan: Nil • The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality • The suitability of the site for the development • Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations <p>The public interest, including the principles of ecologically sustainable development</p>
7	Material considered by the Panel	<ul style="list-style-type: none"> • Council assessment report • Written submissions during public exhibition: 12 • Verbal submissions at the public meeting: Nil <p><i>Christian Glyde (applicant) submitted a summary of his presentation to the Panel prior to the meeting</i></p>

8	Meetings, briefings and site inspections by the Panel	<ul style="list-style-type: none"> • Site inspection & briefing: 14 November 2019 <p>Attendees:</p> <ul style="list-style-type: none"> ○ <u>Panel members</u>: Abigail Goldberg (Chair), Michael Leavey, Eugene Sarich, Donna Gaskill ○ <u>Council assessment staff</u>: Sandra Bailey, Sandra McCarry
9	Council Recommendation	Approval subject to conditions
10	Draft Conditions	Attachment 1 to the council assessment report