

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

LDA2018/0500 – 13-15 Farm Street, Gladesville

Construction of a part 3/part 4 storey residential apartment building containing 21 dwellings over basement parking for 26 vehicles - under the provisions of the State Environmental Planning Policy (Affordable Rental Housing) 2009.

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 a deferred commencement 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 as a deferred commencement for the following reasons:

- The proposal complies with the principal development standards applicable to the development under Rude LEP 2014, the AHSEPP and SEPP65.

- The variation to the width of living rooms under the ADG in four of the apartments is justified as:
 - a) There is no impact on the amenity of the occupants of these apartments due to the apartment layout and ability of living rooms to adequately provide for a variety of household needs.
 - b) Strict compliance would result in taking from other units within the same elevation, and impacting the amenity of those units.
 - c) The development otherwise complies with the other relevant provisions of the ADG with a high level of amenity provided throughout the development.
- The proposal is consistent with the desired future character of the area.
- The proposal is not considered to create likely impacts on the residential amenity of adjoining properties.
- The proposal will provide a variety of housing options for the existing and future residents in City of Ryde at a time when housing demands are limited, consistent with aim 1.2(2)(a) of Ryde LEP 2014 including the provision of 5 units as affordable rental accommodation.
- The proposal will deliver new affordable rental housing as a result of the incentives under the floor space ratio bonus and non-discretionary development standards applicable to the subject development.

CONDITIONS

The development application was approved subject to the conditions in the council assessment report with the following amendments:

Addition of new **condition 148**:

148 Access to communal open space. The communal open space is not to be used between the hours of 10pm and 7am.

Amend the wording of **condition 48(a) – amendment in red**:

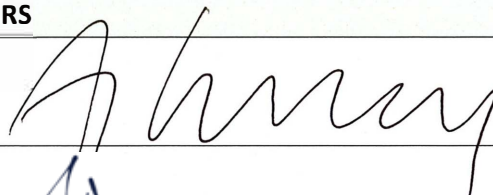
The applicant must install and maintain surveillance cameras and recorders to monitor and record all common entrance and exit points to the buildings. The cameras should include the foyer area to the buildings including the area around the mail boxes as mail theft in unit complexes in the Sydney Metropolitan area is a reoccurring crime. The cameras should also monitor the 50 metre vicinity outside the building **in respect to the footpath area in Farm Road and The Avenue**. CCTV cameras should also cover any communal areas, lifts, public spaces and the basement car parks. Recordings should be made twenty four (24) hours a day seven (7) days a week.

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.	LDA2018/0500
2	Proposal	Construction of a part 3/part 4 storey residential apartment building containing 21 dwellings over basement parking for 26 vehicles - under the provisions of the State Environmental Planning Policy (Affordable Rental Housing) 2009
3	Street Address	13-15 Street, Gladesville
4	Applicant / Owner	Farm Road Developments Pty Ltd
5	Reason for referral to RLPP	Sensitive Development – Development to which State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development applies.
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 (Affordable Rental Housing) 2009 ○ 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: 5 • Verbal submissions at the public meeting: Nil

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
9	Council Recommendation	Approval – Deferred Commencement
10	Draft Conditions	Attachment 1 to the council assessment report