

Meeting Date: Thursday 12 April 2018

Location: Council Chambers, Level 1A, 1 Pope Street, Ryde

Time: 5.00pm

Panel Members Present: Steve O'Connor (Chair), Eugene Sarich (Independent Expert), Mark Shanahan (Independent Expert) and Rob Senior (Community Representative).

Staff Present: Acting Director – City Planning and Development, Acting Manager – Assessment, Senior Coordinator – Major Development, Senior Coordinator – Development Engineering Services, Senior Town Planner, Consultant Landscape Architect, Senior Coordinator – Technical Support and Senior Coordinator – Governance

1. CONFIRMATION OF MINUTES – NONE

2. DECLARATIONS OF INTEREST

There were no Declarations of Interest.

OTHER BUSINESS

3. LOCAL PLANNING PANEL – GUIDELINES

The Panel adopted the City of Ryde Local Planning Panel Guidelines – Unanimous

4. LOCAL PLANNING PANEL – MEETING SCHEDULE

The Panel adopted the Local Planning Panel Meeting Schedule - Unanimous

5. CODE OF CONDUCT – LOCAL PLANNING PANEL MEMBERS

The Panel Members acknowledged receipt of the Code of Conduct for Local Planning Panel Members – Adopted - Unanimous

DEVELOPMENT APPLICATION

6. **34-40 CHURCH STREET, RYDE. Demolition and construction of a 6 storey mixed use development comprising of 31 residential apartments with three retail/commercial tenancies on the ground floor and three levels of basement parking for 54 vehicles. LDA2017/0094**

Date of Determination	12 April 2018
Panel Members	Steve O'Connor (Chair) Eugene Sarich (Independent Expert) Mark Shanahan (Independent Expert) Rob Senior (Community Representative)
Apologies	NIL
Declarations of Interest	NIL

Public meeting held at the City of Ryde Council Chambers on 12 April 2018 opened at 5:00pm and closed at 6:00pm.

MATTER DETERMINED

LDA2017/00094 – 34 to 40 Church Street, Ryde

The following people addressed the meeting:

1. Sandra Bailey (SC – Major Development) – provided intro about application
2. Feris Merhi (Applicant) – registered but did not speak
3. Robert Del Pizzo (Architect on behalf of Applicant) – registered but did not speak

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 the matters observed at site inspections listed at item 8 in Schedule 1.

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

The decision was unanimous.

REASONS FOR THE DECISION


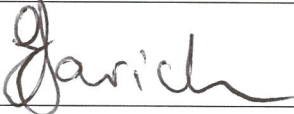

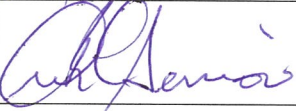
The reasons for the decision of the Panel were:

- 1) The proposal is consistent with the objectives of the B4 Mixed Use zone under RLEP 2014. The development is also permissible and complies with the development standards under RLEP 2014.
- 2) The proposal is consistent with the desired future character of the site and it creates an 8 metre wide future laneway which will function as part of the future street network.

- 3) The Panel accepts that the existing building has not been identified as a heritage item under RLEP 2014 and that the retention of the façade by the building as required by RDCP 2014 was not considered feasible by a Structural Engineer. The design of the podium has incorporated facebrick and highlighted architectural detailing in contrasting brickwork, which will ensure that the development has an appropriate contextual fit with surrounding development.
- 4) The Panel also accepts that the development does not comply with the DCP requirement for active uses along the street frontages. An active frontage along Gowrie Street could not be achieved due to the slope of the site and the need to provide a substation and plant room. This is not considered to create any likely impacts to the streetscape.
- 5) The proposal results in three minor breaches to the Apartment Design Guide in respect to Building Separation, extent of communal open space and balcony size. Despite these non-compliances, the development will still achieve acceptable residential amenity and building massing.
- 6) The proposal is not considered to create likely impacts on the residential amenity of adjoining properties.
- 7) The proposal will provide additional housing for the existing and future residents of the City of Ryde at a time of high unmet housing need, consistent with aim 1.2(2)(a) of Ryde LEP 2014.

CONDITIONS

The development application was approved subject to the conditions in the Council Assessment.

PANEL MEMBERS	
Steve O'Connor (Chair)	
Eugene Sarich	
Mark Shanahan	
Rob Senior	

SCHEDULE 1		
1	DA Number	LDA2017/0094
2	Site Address	34-40 Church Street, Ryde
3	Proposal	Demolition and construction of a 6 storey mixed use development comprising of 31 residential apartments with three retail/commercial tenancies on the ground floor and three levels of basement parking for 54 vehicles.
4	Applicant / Property Owner	Feris Merhi / Vache Vartanian and Araxi Emilian
5	Reason for Referral to IHAP	Sensitive Development – Development to which SEPP 65 – Design Quality of Residential Apartment Development applies.
6	Relevant Mandatory Conditions	Refer to Attachment 1 of Assessment Report
7	Material Considered by the Panel	Assessment Officer's Report & draft conditions of consent
8	Meetings & Site Inspection by the Panel	Site inspection and briefing meeting on 12 April 2018
9	Recommendation	Deferred Commencement Approval

DEVELOPMENT APPLICATION

7. 140-144 CULLODEN ROAD, MARSFIELD. Construction of a part 3/part 4 storey residential apartment building containing 33 apartments with associated basement parking for 32 vehicles. LDA2017/0191

Date of Determination	12 April 2018
Panel Members	Steve O'Connor (Chair) Eugene Sarich (Independent Expert) Mark Shanahan (Independent Expert) Rob Senior (Community Representative)
Apologies	NIL
Declarations of Interest	NIL

Public meeting held at the City of Ryde Council Chambers on 12 April 2018 opened at 5:00pm and closed at 6:00pm.

MATTER DETERMINED

LDA2017/00191 – 140 to 144 Culloden Road, Marsfield

The following people addressed the meeting and submitted a supporting document for the Panel's consideration:

1. Sandra McCarry – Senior Town Planner – provided application intro
2. Daniel Mullane (objector on behalf of 146 Culloden Rd)
3. Kit Meng Michele Lou (objector)
4. Mayor, Councillor Jerome Laxale (objecting)
5. Felicia Huang & Paul Buljevic (PBD Architects - Applicant)

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 the matters observed at site inspections listed at item 8 in Schedule 1.

The Panel determined to **approve the application** as described in Schedule 1, pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979, subject to condition 66 being amended to read as follows:

66. Waste and Service Vehicle Access – Civil Drawings. *Suitably prepared civil drawings demonstrating access arrangements for waste and delivery service vehicles must be submitted to and approved by Council prior to the issue of any Construction Certificate. The plans must ensure that proposed driveways at Culloden Road are compatible with boundary levels, Culloden road gutter and kerb levels at the time of the construction certificate is to be issued.*

And the addition of:

Condition 1(c) *The basement carpark is to be extended 2.4m towards the south east beneath the garbage turning area to allow for 6 motorcycle parking spaces.*

The decision was unanimous.


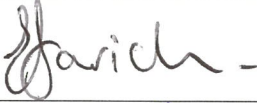

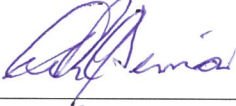
REASONS FOR THE DECISION

The reasons for the decision of the Panel were:

- 1) The Panel accepts that the variation to the height control requested under Clause 4.6 of the RLEP is justified for the following reasons:
 - a) The development will be viewed as a 3 storey building along the Culloden Road and Waterloo Road frontages and as viewed from Waterloo Park.
 - b) The development is consistent with the desired future character of the locality.
 - c) The development will not result in overshadowing that would adversely impact the adjoining properties.
 - d) The non-compliance in height does not result in an exceedance in the floor space ratio.
 - e) The breach in height is due to the slope of the site with the site having a fall from the north-eastern corner to the south-western corner of approximately 10%.
- 2) The proposal is consistent with the objectives of the R4 High Density zone under RLEP 2014. The development is also consistent with the development standards in RLEP 2014 with the exception of height. As detailed above, the Panel is of the view that the height variation is acceptable.
- 3) The proposal results in minor breaches to the Apartment Design Guide in respect to building depth, 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 property to the north.
- 4) The proposal is consistent with the desired future character of the area.
- 5) The proposal is not considered to create likely impacts on the residential amenity of adjoining properties.
- 6) The proposal will provide additional housing for the existing and future residents of the City of Ryde at a time of high unmet housing need, consistent with aim 1.2(2)(a) of Ryde LEP 2014.

CONDITIONS

The development application was approved subject to the conditions in Attachment 1 of the Assessment Report.

PANEL MEMBERS	
Steve O'Connor (Chair)	
Eugene Sarich	
Mark Shanahan	
Rob Senior	

SCHEDULE 1		
1	DA Number	LDA2017/0191
2	Site Address	140-144 Culloden Road, Marsfield
3	Proposal	Construction of a part 3/part 4 storey residential apartment building containing 33 apartments with associated basement parking for 32 vehicles.
4	Applicant / Property Owner	Linmas Holdings Pty Ltd / The Owners Strata Plan 16430
5	Reason for Referral to IHAP	Sensitive Development – Development to which SEPP 65 – Design Quality of Residential Apartment Development applies. Development applications seeking to depart by more than 10% from a development standard.
6	Relevant Mandatory Conditions	Refer to Attachment 1 of Assessment Report
7	Material Considered by the Panel	Assessment Officer's Report & draft conditions of consent
8	Meetings & Site Inspection by the Panel	Site inspection and briefing meeting on 12 April 2018
9	Recommendation	Approval