

Meeting Date: Thursday 9 August 2018
Location: Council Chambers, Level 1A, 1 Pope Street, Ryde
Time: 5.00pm

Panel Members Present: Marcia Doheny (Chair), Jennifer Bautovich (Independent Expert), Russell Olsson (Independent Expert) and Peter Graham OAM (Community Representative).

Staff Present: Manager –Development Assessment, Consultant Town Planner, Senior Coordinator – Development Engineering Services, Senior Coordinator – Technical Support and Senior Coordinator – Civic Support

Apologies: Director – City Planning and Environment.

Public meeting held at the City of Ryde Council Chambers on 9 August 2018 opened at 5:05pm and closed at 5:25pm.

1. DECLARATIONS OF INTEREST

There were no Declarations of Interest.

MATTER DETERMINED

2. 527 Victoria Road, Ryde – LDA2018/0196 Three storey boarding house- under SEPP (Affordable Rental Housing)

Date of Determination	9 August 2018
Panel Members	Marcia Doheny (Chair) Jennifer Bautovich (Independent Expert) Russell Olsson (Independent Expert) Peter Graham OAM (Community Representative)
Apologies	NIL
Declarations of Interest	NIL

The following people addressed the meeting:

1. Kerry Gordon (Consultant Town Planner – provided introduction)
2. Peter Watkins (objector – Principal of St Charles Primary School Ryde)
3. James D'Souza (objector on behalf of residents at 529 Victoria Rd, Ryde))

PANEL CONSIDERATIONS AND DECISION

The Panel considered 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 **refuse** 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

A. The reasons for the decision of the Panel were:

1. The proposed development provides an inadequate amount of onsite parking and is inconsistent with the requirements of Clause 29 of State Environmental Planning Policy (Affordable Rental Housing).
2. The proposed development is uncharacteristic of development in the vicinity of the site, having an inadequate front setback, angled front façade, undercroft parking design and flat roof and as such does not satisfactorily address the character test contained at Clause 30A of State Environmental Planning Policy (Affordable Rental Housing).
3. The proposed development has an uncharacteristic landscape setting as viewed from Victoria Road and fails when assessed against Clause 29 of State Environmental Planning Policy (Affordable Rental Housing). The requirements of RMS for vehicular access and the security measures identified in the submitted Crime Prevention Through Environmental Design report would further reduce the landscape setting of the development. The elongated pedestrian path required due to the excavation of the site further reduces the landscape setting of the development.
4. The site is affected by the 1% AEP Storm Event. The stormwater design does not adequately address the 1% AEP Storm Event and as such the proposal has not adequately addressed Clauses 6.3 and 6.4 of the LEP.
5. The application provides inadequate information to allow assessment of compliance with Clause 102 of State Environmental Planning Policy (Infrastructure).
6. The application provides inadequate vehicular access from Victoria Road with RMS requiring a 5.5m wide driveway for a minimum 6m depth into the site.
7. The proposed development provides for an inadequate level of amenity for the boarding room, having a poor outlook due to the use of highlight windows as privacy measures.

8. The design makes inadequate provision for the protection of privacy of adjoining properties, with the windows at the entry of a number of boarding rooms (103, 104, 105, 203, 204 and 205) overlooking windows of adjoining properties, the balconies to the first and second floor at the rear overlooking 2 Cressy Road and the external communal open space requiring screening to ensure visual and acoustic privacy to neighbouring properties. Further, the open, external corridor to the ground floor along the boundary with 529 Victoria Road will result in unacceptable acoustic impacts upon that property.
9. The proposed design provides for an inappropriate street address for the property with convoluted pedestrian path, no front door and poorly designed undercroft parking area, which all reduce the security of the development.
10. The design makes inadequate provision for onsite storage of garbage providing neither a garbage enclosure nor a separate garbage room as required by Part 7.2 of the DCP.
11. The proposal result in the removal of a Jacaranda at the northern corner of the site which provides significant amenity benefits to the site and adjoining properties and streetscape benefits. The removal of the tree is not supported by an arborist report.
12. The design of the communal room and communal open space is inappropriate for the size of the boarding house proposed and is poorly located. The provision of a boarding room adjacent to the communal room and space impacts the amenity of the room. The small size of the decking provides inadequate usable space for 19 boarders. The elongated walk-through design of the common room reduces its usability.
13. The design of the accessible rooms is inappropriate, providing cupboards and a microwave above the remainder of the kitchen, making then inaccessible to persons in wheel chairs. Further, not indication is provided of clothes drying facilities that are accessible.
14. The Plan of Management lodged with the application does not provide adequate information as required by Part 3.5 of the DCP. The Plan of Management fails to provide the following information:
 - Reference to and annexure of plans;
 - Require compliance with conditions of consent and annexure;
 - Definitions;
 - Require the manager to conduct regular inspections;
 - Refers to double rooms and common laundry facilities where none are proposed;
 - Doesn't address the "Minimising impact on residents: section of Part 3.5 of the DCP;
 - Requires the front door to be locked by residents where there isn't one;
 - Doesn't include emergency contact information;
 - Doesn't indicate how parking will be allocated;

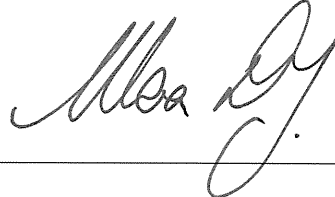

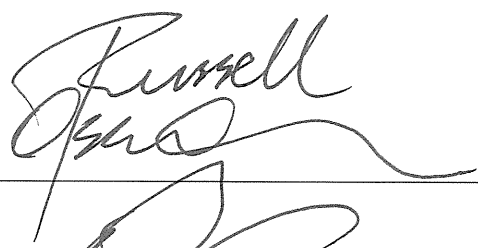
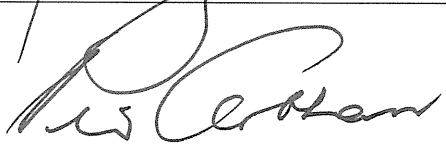
- Doesn't provide a list of furniture/fittings/appliances, etc for the boarding rooms, common room and common open space area;
- Doesn't reference the provision of an emergency landline phone; and
- Doesn't include sufficient waste management details.

B. That pursuant to Section 2.20(8) of the Environmental Planning & Assessment Act, the Ryde Local Planning Panel delegate its functions with regard to the control and direction of any appeal against the determination of LDA2018/196 to the following Council Officers:

- The General Counsel; and
- The Director City Planning & Environment.

CONDITIONS

Not applicable – application refused.

PANEL MEMBERS	
Marcia Doheny (Chair)	
Jennifer Bautovich	
Russell Olsson	
Peter Graham OAM	

SCHEDULE 1		
1	DA Number	LDA2018/0196
2	Site Address	527 Victoria Road, Ryde
3	Proposal	Demolition of structures and construction of 3 level boarding house with 19 boarding rooms
4	Applicant / Owner	Ghazi Al Ali Architects / Benjamin Lam C
5	Reason for Referral to IHAP	More than 10 individual submissions
6	Relevant Mandatory Conditions	NA
7	Material Considered by the Panel	Assessment Officer's report & attachment
8	Meetings & Site Inspection by the Panel	Site inspection & briefing meeting on 9 August 2018
9	Recommendation	Refusal