

Date of Determination	12 December 2019
Panel Members	Steve O’Conner (Chair) Jennifer Bautovich (Independent Expert) Eric Armstrong (Independent Expert) Rob Senior (Community Representative)
Apologies	NIL
Declarations of Interest	NIL

Public meeting held at the City of Ryde Council Chambers on 12 December 2019 opened at 5:00pm and closed at 5:10pm.

Papers circulated electronically on 4 December 2019.

MATTER DETERMINED

LDA2019/0128 – 2 Waratah Street, Eastwood

New multi-dwelling housing development containing three (3) dwellings - 1 x 2 storey, 5 bedroom dwelling at the front and 2 x single storey, 3 bedroom dwellings at the rear as well as strata subdivision.

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:

- The amended plans satisfy the previous decision of the Panel. The living spaces of unit 1 and unit 2 will receive better amenity and solar access during the winter months. This will have benefit to the future occupants by reducing the living costs for heating and lighting of the dwellings.


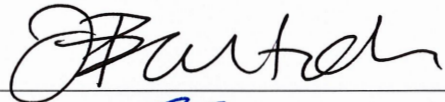
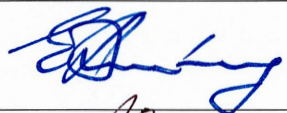
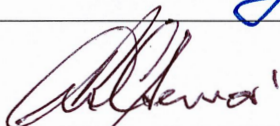
- Upon consideration of the development against Section 4.15 of the Environmental Planning and Assessment Act 1979 and other relevant statutory provisions, the proposal is considered to be suitable for the site and is in the public interest.
- Therefore, the amended development is recommended for approval.

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	
Steve O'Conner(Chair)	
Jennifer Bautovich	
Eric Armstrong	
Rob Senior	

SCHEDULE 1

1	DA No.	LDA2019/0128
2	Proposal	New multi-dwelling housing development containing three (3) dwellings - 1 x 2 storey, 5 bedroom dwelling at the front and 2 x single storey, 3 bedroom dwellings at the rear as well as strata subdivision.
3	Street Address	2 Waratah Street, Eastwood
4	Applicant / Owner	GM Building Group / Reris, Ellen M, Mark A and Giovanna Merhi
5	Reason for referral to RLPP	Contentious Development – Development is the subject of 10 or more unique submissions by way of objection
6	Relevant mandatory considerations	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 ○ Sydney Regional Environmental Plan No. 55 – Remediation of Land ○ State Environmental Planning Policy - Vegetation in Non-Rural Areas) 2017 ○ Ryde Local Environmental Plan 2014 • Draft environmental planning instruments: Nil <ul style="list-style-type: none"> ○ Draft Remediation of Land State Environmental Planning Policy ○ Draft Environment SEPP • Development control plans: <ul style="list-style-type: none"> ○ Ryde Development Control Plan 2014 • Planning agreements: Nil • 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: 18 Submissions to original plans and 1 submission to amended plans • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ In support – Nil ○ In objection – Nil ○ Council assessment officer – Sandra Bailey & Jane Tompsett ○ On behalf of the applicant – Nil

8	Meetings, briefings and site inspections by the Panel	<ul style="list-style-type: none"> • Site Inspection, Briefing, Public Hearing: 10 October 2019 <ul style="list-style-type: none"> ○ Panel Members: Marcia Doheny (Chair), Eric Armstrong, Jane Fielding, Peter Graham OAM ○ Council assessment staff: Sandra Bailey, Jane Tompsett ○ Determination: Deferred • Site inspection: 12 December 2019 • Briefing: 12 December 2019 <p>Attendees:</p> <ul style="list-style-type: none"> ○ <u>Panel members</u>: Steve O’Conner (Chair), Jennifer Bautovich, Eric Armstrong, Rob Senior ○ <u>Council assessment staff</u>: Sandra Bailey, Jane Tompsett
9	Council Recommendation	Approval
10	Draft Conditions	<p>Attachment 1 – Amended conditions of consent</p> <p>Attachment 2 – Previous Report to Local Planning Panel</p> <p>Attachment 3 – Previous Compliance Table</p> <p>Attachment 4 – Amended Plans</p>