

@ your doorstep

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

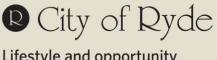
The development application was approved subject to the conditions in the council assessment report.

CONSIDERATION OF COMMUNITY VIEWS

PANEL MEMBERS	
Steve O'Conner(Chair)	J. O Com
Jennifer Bautovich	Farta.
Eric Armstrong	- Salandary
Rob Senior	Alferra'

	SCHEDULE 1		
1 2	DA No. Proposal	LDA2019/0128 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	
		Environmental planning instruments:	
		 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	
		 Draft Remediation of Land State Environmental Planning Policy 	
		 Draft Environment SEPP 	
		Development control plans:	
6	Relevant mandatory	 Ryde Development Control Plan 2014 	
	considerations	Planning agreements: Nil	
		• Provisions of the <i>Environmental Planning and Assessment Regulation</i> 2000: 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</i> and Assessment Act 1979 or regulations	
		The public interest, including the principles of ecologically sustainable development	
		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:	
7	Material considered by the	○ In support – Nil	
	Panel	 In objection – Nil 	
		 Council assessment officer – Sandra Bailey & Jane Tompsett 	
		 On behalf of the applicant – Nil 	

		Site Inspection, Briefing, Public Hearing: 10 October 2019	
		 Panel Members: Marcia Doheny (Chair), Eric Armstrong, Jane Fielding, Peter Graham OAM 	
		$\circ~$ Council assessment staff: Sandra Bailey, Jane Tompsett	
		 Determination: Deferred 	
8	Meetings, briefings and site	Site inspection: 12 December 2019	
	inspections by the Panel	Briefing: 12 December 2019	
		Attendees:	
		 <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	
	Draft Conditions	Attachment 1 – Amended conditions of consent	
10		Attachment 2 – Previous Report to Local Planning Panel	
10		Attachment 3 – Previous Compliance Table	
		Attachment 4 – Amended Plans	



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

MOD2019/0116 - 73 Magdala Road, North Ryde Section 4.55(1A) modification of condition of consent to allow for extended operating hours from 9:30pm Monday to Thursday to 9:30pm Monday to Friday.

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 4.55 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 and planning controls contained within the provisions of LEP2014, DCP2014 and also the applicable SREPs.

- 2. The impacts on the natural and built environment have been assessed to be satisfactory, with the existing conditions of consent remaining satisfactory to mitigate impacts that have the potential to arise.
- 3. The proposal will continue to help facilitate recreational activities on land zoned for public recreational purposes, and is therefore a suitable use of the site.
- 4. The development is considered to be in the public interest.

CONDITIONS

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

CONSIDERATION OF COMMUNITY VIEWS

PANEL MEMBERS	
Steve O' Conner (Chair)	S. OGm
Jennifer Bautovich	ABUNC
Eric Armstrong	Elinty
Rob Senior	Alleno

SCHEDULE 1				
Section 4.55 No. MOD2019/116				
2	Proposal	Section 4.55(1A) modification of condition of consent to allow for extended operating hours from 9:30pm Monday to Thursday to 9:30pm Monday to Friday.		
3	Street Address	73 Magdala Road, North Ryde		
4	Applicant / Owner	Council of The City of Ryde/ Council of The City of Ryde		
5	Reason for referral to RLPP	Conflict of Interest – development for which the applicant or land owner is the council.		
		Schedule 1, Part 3 of Local Planning Panels Direction		
		 Section 4.55 (1A) Modifications involving minimal environmental impact 		
		Environmental planning instruments:		
		 Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Deemed SEPP) 		
		 Ryde Local Environmental Plan 2014 		
		 Heritage Conservation 		
		Draft environmental planning instruments: Nil		
		Development control plans:		
		 Ryde Development Control Plan 2014 		
6	Relevant mandatory	 Planning agreements: Nil 		
-	considerations	 Provisions of the Environmental Planning and Assessment Regulation 2000: 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</i> Planning and Assessment Act 1979 or regulations		
		• The public interest, including the principles of ecologically sustainable development		
		Council assessment report		
7	Material considered by	Written submissions during public exhibition: Nil		
	the Panel	Verbal submissions at the public meeting: Nil		
		Council assessment report		
	Meetings, briefings and site inspections by the Panel	Written submissions during public exhibition: Nil		
		 Verbal submissions at the public meeting: 		
8		 ○ In support – Nil 		
		 In objection – Nil 		
		 Council assessment officer – Sandra Bailey & Ben Tesoriero 		
		 On behalf of the applicant – Nil 		

		 Site inspection & briefing: 12 December 2019 Attendees: <u>Panel members:</u> Steve O'Conner (Chair), Jennifer Bautovich, Eric Armstrong, Rob Senior <u>Council assessment staff</u>: Sandra Bailey
o 9	Council Recommendation	Approval
10	Draft Conditions	Attachment 1 to the council assessment report



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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

LDA2019/0211 - 459, 461 to 495 Victoria Road, Gladesville Torrens title subdivision of one lot into two lots

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.

Application to vary a development standard

The Panel is satisfied that:

- the applicant's written request adequately addresses the matters required to be addressed under clause 4.6 (3) of the LEP; and
- the development is in the public interest because it is consistent with the objectives of clause 4.4 (floor space ratio) of the LEP and the objectives for development in the B4 zone; and
- the concurrence of the Secretary has been assumed.

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 proposed subdivision is consistent with the objectives of the relevant provisions of the RLEP 2014 and RDCP 2014, with minimal environmental impacts.
- The proposed development does not include any physical work and does not alter building works or use as approved under Development Consent LDA2015/214, and subsequent modification approvals.
- The proposal has been supported by a satisfactory Clause 4.6 variation request which demonstrates that compliance with the Clause 4.4 Floor Space Ratio development standard is unreasonable or unnecessary in the circumstances that no changes are proposed to the approved development under LDA2015/0214 and subsequent modifications. It is considered that the Clause 4.6 variation request has demonstrated that there are sufficient environmental planning grounds to justify contravening the development standard.
- Issues raised in submissions received in response to this application have been considered and addressed in the report. The proposed subdivision is consistent with the approved development of the site and will have minimal impact to adjoining properties and the surrounding locality.

CONDITIONS

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

CONSIDERATION OF COMMUNITY VIEWS

PANEL MEMBERS	
Steve O'Conner (Chair)	Solom
Jennifer Bautovich	Butter
Eric Armstrong	Tong
Rob Senior	Alensi

		SCHEDULE 1
1	DA No.	LDA2019/0211
2	Proposal	Torrens title subdivision of one lit into two lots
3	Street Address	459, 461 to 495 Victoria Road, Gladesville
4	Applicant / Owner	Bunnings Group Pty Ltd/ Bunnings Properties Pty Ltd
5	Reason for referral to RLPP	Contentious Development – more than 10 submissions by way of objection.
		Section 4.55 – Modification of Consents
		Environmental planning instruments:
		 State Environmental Planning Policy No. 55 – Remediation of Land
		 Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Deemed SEPP)
		 Ryde Local Environmental Plan 2014
		Draft environmental planning instruments: Nil
		Development control plans:
		 Ryde Development Control Plan 2014
		Planning agreements: Nil
U	Relevant mandatory	Section 7.11 Development Contributions Plan 2007
	considerations	• Provisions of the <i>Environmental Planning and Assessment Regulation</i> 2000: Nil [or enter the clauses if relevant]
		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</i> and Assessment Act 1979 or regulations
		• The public interest, including the principles of ecologically sustainable development
		Council assessment report
		Clause 4.6 variation to Clause 4.4 Floor Space Ratio
	Material considered by the	Written submissions during public exhibition: 22
-		Verbal submissions at the public meeting:
•	Panel	 In support – Nil
		 In objection – Nil
		 Council assessment officer – Sandra Bailey & Peggy Wong
		\circ On behalf of the applicant – Nil
		Site inspection: 12 December 2019
	Meetings, briefings and site inspections by the Panel	Briefing: 12 December 2019
0		Attendees:
		 Panel members: Steve O'Conner (Chair), Jennifer Bautovich, Eric
		Armstrong, Rob Senior

		 <u>Council assessment staff</u>: Sandra Bailey, Peggy Wong
9	Council Recommendation	Approval
		Attachment 1 – Draft Conditions of Consent
10	Draft Conditions	Attachment 2 – Clause 4.6 Variation to Clause 4.4 Floor Space Ratio
		Attachment 3 – Proposed Subdivision Plans



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

MOD2019/108 - 459, 461 to 495 Victoria Road, Gladesville

Section 4.55 (1A) to modify the approved development for a Bunnings Warehouse, Homemaker Centre containing a childcare centre and 2 levels of car parking, to include the following:

- Reduction in floor space of the Homemaker Centre in Stages 2 and 3 by cutting back the northwestern wall of the building. Overall the floor space will be reduced by 318m².
- Provision of a 1.5m wide fire egress footpath from the Bunnings Warehouse to College Street.
- Alteration to College Street driveway and internal paths in the car park to permit vehicular access from the College Street driveway to the Bunnings Warehouse.
- Delete one travellator, relocation of remaining travellator and lift in the Homemaker Centre
- Removal of signage to prevent "No vehicular access" arrangement to the driveway to/from College Street.

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 4.55 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 proposed modifications are consistent with the scope and scale of the originally approved development and satisfy the provisions for Section 4.55 as substantially the same development.
- The proposal is consistent with relevant provisions of the RLEP 2014 and RDCP 2014.
- The proposed modifications will not result in any additional amenity or environmental impacts on surrounding properties or the public domain.
- The issues raised in submissions relating to traffic impacts, pedestrian safety and viability of local businesses have been considered and addressed in the report. The proposal is not considered to have any additional adverse impacts on surrounding properties.

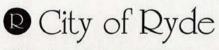
CONDITIONS

The development application was approved subject to the conditions in the council assessment report. **CONSIDERATION OF COMMUNITY VIEWS**

PANEL MEMBERS	
Steve O'Conner (Chair)	S. OG
Jennifer Bautovich	Harten.
Eric Armstrong	El ing
Rob Senior	Alterio

	SCHEDULE 1		
1	Section 4.55 No.	MOD2019/0108	
2	Proposal	 Section 4.55 (1A) to modify the approved development for a Bunnings Warehouse, Homemaker Centre containing a childcare centre and 2 levels of car parking, to include the following: Reduction in floor space of the Homemaker Centre in Stages 2 and 3 by cutting back the north-western wall of the building. Overall the floor space will be reduced by 318m². Provision of a 1.5m wide fire egress footpath from the Bunnings Warehouse to College Street. Alteration to College Street driveway and internal paths in the car park to permit vehicular access from the College Street driveway to the Bunnings Warehouse. Delete one travellator, relocation of remaining travellator and lift in the Homemaker Centre Removal of signage to prevent "No vehicular access" arrangement to the driveway to/from College Street. 	
3	Street Address	459, 461 to 495 Victoria Road, Gladesville	
4	Applicant / Owner	Bunnings Group Pty Ltd/ Bunnings Properties Pty Ltd	
5	Reason for referral to RLPP	Contentious Development – More than 10 unique submissions by way of objection	
6	Relevant mandatory considerations	 Section 4.55 – Modifications of Consents Environmental planning instruments: State Environmental Planning Policy No.55 - Remediation of Land Sydney Regional Environmental Plan Sydney Harbour Catchment (Deemed SEPP) Ryde Local Environmental Plan 2014 Draft environmental planning instruments: Nil Development control plans: Ryde Development Control Plan 2014 Section 7.11 Development Contributions Plan 2007 Planning agreements: Nil Provisions of the Environmental Planning and Assessment Regulation 2000: 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 Environmental Planning and Assessment Act 1979 or regulations The public interest, including the principles of ecologically sustainable development 	
7	Material considered by the Panel	 Council assessment report Written submissions during public exhibition: 23 Verbal submissions at the public meeting: 	

		 In support – Nil In objection – Nil Council assessment officer – Sandra Bailey & Peggy Wong On behalf of the applicant – Nil
8	Meetings, briefings and site inspections by the Panel	 Site inspection: 12 December 2019 Briefing: 12 December 2019 Attendees: <u>Panel members</u>: Steve O'Conner (Chair), Jennifer Bautovich, Eric Armstrong, Rob Senior <u>Council assessment staff</u>: Sandra Bailey, Peggy Wong
9	Council Recommendation	Approval
10	Draft Conditions	Attachment 1 – Draft Conditions of Consent Attachment 2 – Proposed Plans



Declaration of Interest

RLPP meeting date: 12 December 2019 Panel member name: Steve O'Conner

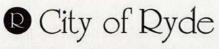
Please give a completed signed copy of this form to the Manager Development Assessment on the day of the meeting.

Item	Address	In relation to this matter, I declare that I have:
1	459, 461 to 495 Victoria Road, Gladesville – MOD	no known conflict of interest actual ¹ , potential ² or reasonably perceived ³ conflict of interest as detailed in Part 2.
2	459, 461 to 495 Victoria Road, Gladesville – LDA	 no known conflict of interest actual potential or reasonably perceived conflict of interest as detailed in Part 2.
3	73 Magdala Road, North Ryde	 no known conflict of interest actual potential or reasonably perceived conflict of interest as detailed in Part 2.
4	2 Waratah Street, Eastwood	 no known conflict of interest actual potential or reasonably perceived conflict of interest as detailed in Part 2.

Item	Details of conflict of interest	
1	NA	

¹ An 'actual' conflict of interests is where there is a direct conflict between a member's duties and responsibilities and their private interests or other duties.

² A 'potential' conflict of interests is where a panel member has a private interest or other duty that could conflict with their duties as a panel member in the future.



Declaration of Interest

RLPP meeting date: 12 December 2019 Panel member name: Jennifer Bautovich

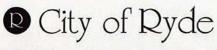
Please give a completed signed copy of this form to the Manager Development Assessment on the day of the meeting.

Item	Address	In relation to this matter, I declare that I have:
4	459, 461 to 495 Victoria Road,	no known conflict of interest
1	Gladesville – MOD	\Box actual ¹ \Box , potential ² \Box or reasonably perceived ³ \Box
		conflict of interest as detailed in Part 2.
	450, 464 to 405 Vietoria Daad	no known conflict of interest
2	459, 461 to 495 Victoria Road, Gladesville – LDA	actual
		conflict of interest as detailed in Part 2.
		no known conflict of interest
3	3 73 Magdala Road, North Ryde	actual , potential or reasonably perceived
		conflict of interest as detailed in Part 2.
		no known conflict of interest
4	2 Waratah Street, Eastwood	actual
		conflict of interest as detailed in Part 2.

Item	Details of conflict of interest
1	N/A

¹ An 'actual' conflict of interests is where there is a direct conflict between a member's duties and responsibilities and their private interests or other duties.

² A 'potential' conflict of interests is where a panel member has a private interest or other duty that could conflict with their duties as a panel member in the future.



Declaration of Interest

RLPP meeting date: 12 December 2019 Panel member name: Eric Armstrong

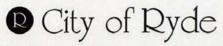
Please give a completed signed copy of this form to the Manager Development Assessment on the day of the meeting.

ltem	Address	In relation to this matter, I declare that I have:
	450, 461 to 405 Victoria Road	v no known conflict of interest
1	1 459, 461 to 495 Victoria Road, Gladesville – MOD	actual ¹ \Box , potential ² \Box or reasonably perceived ³ \Box conflict of interest as detailed in Part 2.
		no known conflict of interest
2	459, 461 to 495 Victoria Road, Gladesville – LDA	actual , potential or reasonably perceived conflict of interest as detailed in Part 2.
	73 Magdala Road, North Ryde	no known conflict of interest
3		actual
		no known conflict of interest
4	2 Waratah Street, Eastwood	actual

Item	Details of conflict of interest
1	NA.

¹ An 'actual' conflict of interests is where there is a direct conflict between a member's duties and responsibilities and their private interests or other duties.

² A 'potential' conflict of interests is where a panel member has a private interest or other duty that could conflict with their duties as a panel member in the future.



Declaration of Interest

RLPP meeting date: 12 December 2019 Panel member name: Rob Senior

Please give a completed signed copy of this form to the Manager Development Assessment on the day of the meeting.

Item	Address	In relation to this matter, I declare that I have:
1	459, 461 to 495 Victoria Road, Gladesville – MOD	 no known conflict of interest actual¹ , potential² or reasonably perceived³ conflict of interest as detailed in Part 2.
2	459, 461 to 495 Victoria Road, Gladesville – LDA	 no known conflict of interest actual
3	73 Magdala Road, North Ryde	 no known conflict of interest actual potential or reasonably perceived conflict of interest as detailed in Part 2.
4	2 Waratah Street, Eastwood	 no known conflict of interest actual

Item	Details of conflict of interest	
1	NA	

¹ An 'actual' conflict of interests is where there is a direct conflict between a member's duties and responsibilities and their private interests or other duties.

² A 'potential' conflict of interests is where a panel member has a private interest or other duty that could conflict with their duties as a panel member in the future.