

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 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.

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:



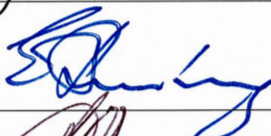
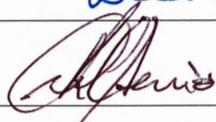
- The proposed modifications are consistent with the scope and scale of the originally approved development and satisfy the provisions for Section 4.55 as substantially the same development.
- The proposal is consistent with relevant provisions of the RLEP 2014 and RDCP 2014.
- The proposed modifications 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

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	Section 4.55 No.	MOD2019/0108
2	Proposal	<p>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:</p> <ul style="list-style-type: none"> • 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 traveller, relocation of remaining traveller 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	<ul style="list-style-type: none"> • Section 4.55 – Modifications of Consents • Environmental planning instruments: <ul style="list-style-type: none"> ○ 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: <ul style="list-style-type: none"> ○ Ryde Development Control Plan 2014 • Section 7.11 Development Contributions Plan 2007 • 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: 23 • Verbal submissions at the public meeting:

		<ul style="list-style-type: none"> ○ 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	<ul style="list-style-type: none"> ● 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, Peggy Wong
9	Council Recommendation	Approval
10	Draft Conditions	<p>Attachment 1 – Draft Conditions of Consent</p> <p>Attachment 2 – Proposed Plans</p>