

Meeting Date: Thursday 14 February 2019
Location: Council Chambers, Level 1A, 1 Pope Street, Ryde
Time: 5.00pm

Panel Members Present: Steve O'Connor (Chair), Jennifer Bautovich (Independent Expert), Ian Stapleton (Independent Expert) and Peter Graham OAM (Community Representative).

Staff Present: Director – City Planning and Environment, Manager – Development Assessment, Manager – Urban Strategy, Senior Coordinator – Major Development, Senior Coordinator – Development Engineering Services, Senior Coordinator - Strategic Planning, Town Planner – Assessment Office, Heritage Advisor, Senior Coordinator – Technical Support and Civic Services Manager

Public meeting held at the City of Ryde Council Chambers on 14 February 2019 opened at 5:07pm and closed at 6:19pm.

1. DECLARATIONS OF INTEREST

There were no Declarations of Interest.

2. LDA2018/0189 – 35 Buena Vista Avenue, Denistone New two storey dwelling and retaining walls

Date of Determination	14 February 2019
Panel Members	Steve O'Connor(Chair) Jennifer Bautovich (Independent Expert) Ian Stapleton (Independent Expert) Peter Graham OAM (Community Representative)
Apologies	NIL
Declarations of Interest	NIL

The following people addressed the meeting:

1. Tony Collier – Assessment Officer – application introduction
2. Rex Honey (objector)
3. Michael Nasr (applicant)

PANEL CONSIDERATIONS AND DECISION

The Panel considered the matters listed at item 2, 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 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


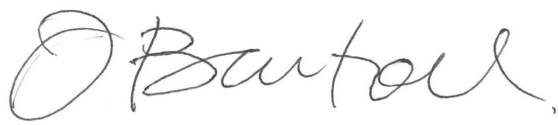

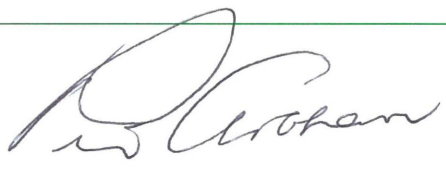
The reasons for the decision of the Panel were:

1. The development satisfies the character tests required to be undertaken by the RDCP 2014 and the NSW Land and Environment Court.
2. The design achieves compliance with the applicable Development Standards prescribed by the Ryde Local Environmental Plan 2014.
3. With the exception of a few non-compliances (all of which are supported on merit), the proposal achieves compliances with the various applicable controls contained in the Ryde Development Control Plan 2014.
4. The issues raised in the submissions received in response to the three rounds of notification do not warrant the refusal of the application.
5. The site is suitable for the development, with appropriate conditions being imposed to address topography/excavation and stormwater management.
6. Given its degree of compliance, the development is not inconsistent with what is envisaged by the Ryde Local Environmental Plan 2014 and the Ryde Development Control Plan 2014 for the area and is in the public interest.

CONDITIONS

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

SCHEDULE 1		
1	DA Number	LDA2018/0189
2	Site Address	35 Buena Vista Avenue, Denistone
3	Proposal	New two storey dwelling and retaining walls
4	Applicant / Owner	Violet Nasr & Michael C Nasr
5	Reason for Referral to IHAP	Contentious Development – Development is the subject of 10 or more unique submissions by way of objection
6	Relevant Mandatory Conditions	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 & briefing meeting on 14 February 2019
9	Recommendation	Approval

PANEL MEMBERS	
Steve O'Connor (Chair)	
Jennifer Bautovich	
Ian Stapleton	
Peter Graham OAM	

**3. LDA2018/0107 – 5 Farnell Street, West Ryde
Demolition; new two storey dual occupancy (attached)**

This item was deferred from the agenda on 13 February 2019.
No alternate date has been set for its determination as yet.

**4. LDA2018/0096 – 11 Third Avenue, Eastwood
 Torrens Title subdivision into two allotments, demolition and the
 construction of a two storey dual occupancy (attached) on each lot,
 including subsequent Strata subdivision of each dual occupancy**

Date of Determination	14 February 2019
Panel Members	Steve O'Connor(Chair) Jennifer Bautovich (Independent Expert) Ian Stapleton (Independent Expert) Peter Graham OAM (Community Representative)
Apologies	NIL
Declarations of Interest	NIL

The following people addressed the meeting:

1. Madeline Thomas – Assessment Officer – application introduction
2. Suzanne Bravery – objector

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 defer the development application in order for Council Officers to review the additional information provided by the applicant on 13 February 2019.

For: Steve O'Connor, Jennifer Bautovich & Peter Graham OAM

Against: Ian Stapleton

SCHEDULE 1		
1	DA Number	LDA2018/0096
2	Site Address	11 Third Avenue, Eastwood
3	Proposal	Torrens Title subdivision into two allotments, demolition and the construction of a two storey dual occupancy (attached) on each lot, including subsequent Strata subdivision of each dual occupancy
4	Applicant / Owner	Baini Design / Prestige Lane Pty Ltd
5	Reason for Referral to IHAP	<ul style="list-style-type: none"> • Contentious Development – Development is the subject of 10 or more unique submissions by way of objection • Exceedance of Floor Space Ratio by more than 10%
6	Relevant Mandatory Conditions	NA
7	Material Considered by the Panel	Assessment Officer's report & supporting documents
8	Meetings & Site Inspection by the Panel	Site inspection & briefing meeting on 14 February 2019
9	Recommendation	Refusal (RLPP Decision: Deferred)

PANEL MEMBERS	
Steve O'Connor (Chair)	
Jennifer Bautovich	
Ian Stapleton	
Peter Graham OAM	

**5. 68 Denistone Road, Denistone
 Planning Proposal to Heritage List under Ryde LEP 2014**

Date of Determination	14 February 2019
Panel Members	Steve O'Connor(Chair) Jennifer Bautovich (Independent Expert) Ian Stapleton (Independent Expert) Peter Graham OAM (Community Representative)
Apologies	NIL
Declarations of Interest	NIL

The following people addressed the meeting:

1. Dyalan Govender – Manager Urban Strategy – application intro
2. Patsy Lloyd – supporter
3. John Court – supporter
4. Cheng Yang – applicant (objecting)

Note: Carolyn Pearce & Catherine Taffa wrote in support but did not attend the meeting.

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 defer the decision pending further advice from Council. The determination will be made electronically and posted on Council’s website in due course.

The decision was unanimous.

CONDITIONS

Not applicable.

SCHEDULE 1		
1	DA Number	Relates to LDA2018/0340
2	Site Address	68 Denistone Road, Denistone
3	Proposal	Heritage list subject property under Ryde LEP 2014
4	Applicant / Owner	City of Ryde Council / 777 Trading Pty Ltd
5	Reason for Referral to IHAP	Required by Ministerial Direction made under Section 9.1 of the <i>Environmental Planning and Assessment Act 1979</i> dated 27 September 2018
6	Relevant Mandatory Conditions	NA
7	Material Considered by the Panel	Strategic Planner's report & supporting documents
8	Meetings & Site Inspection by the Panel	Site inspection & briefing meeting on 14 February 2019
9	Recommendation	That the planning proposal seeking to list the subject site as a Heritage Item under the provisions of Ryde Local Environmental Plan 2014, Schedule 5 Environmental Heritage and amend the Heritage Map be forwarded to the Minister of Planning for Gateway Determination under 3.34 of the <i>Environmental Planning and Assessment Act 1979</i>

PANEL MEMBERS	
Steve O'Connor (Chair)	
Jennifer Bautovich	
Ian Stapleton	
Peter Graham OAM	