

Date of Electronic Determination	29 July 2020
Panel Members	Abigail Goldberg (Chair) Eugene Sarich (Independent Expert) Ian Stapleton (Independent Expert) Bec Ho (Community Representative)
Declarations of Interest	NIL – Declarations of Interest already provided – no changes

ELECTRONIC DETERMINATION

LDA2017/0546 was approved by the Ryde Local Planning Panel on 12 July 2018, subject to the addition of condition 1(c) that the roofing is to be unpainted galvanised corrugated steel (not zinalume).

The applicant has subsequently lodged this S4.55 application MOD2020/0098 on 29 May 2020, to modify the roofing material from unpainted galvanised corrugated steel to zinalume.

The S4.55 application was circulated for electronic determination on 28 July 2020.

MATTER DETERMINED

MOD2020/0098 – 101 Western Crescent, Gladesville

Section 4.55(1A) to modify roofing material from unpainted galvanised corrugated steel to zinalume.

Original LDA2017/0546: Alterations and additions to dwelling including a new garage and basement storage within the front boundary.

PANEL CONSIDERATION AND DECISION

At its meeting of 12 July 2018, the Panel determined to approve the Original LDA2017/0546 application, subject to conditions proposed by Council with the following changes in response to community concerns regarding the roofing material and its potential reflectivity:

- The addition of condition 1(c) that the roofing is to be unpainted galvanised corrugated steel (not zinalume);
- Addendum to condition 1, to include the schedule of external finishes
- Condition 31 being amended to read:
Reflectivity of materials. Roofing & other external materials must be of low glare and reflectivity with the exception of the new roofing referred to in condition 1(c). Details of finished external surface materials, including colours and texture must be provided to the Principal Certifying Authority prior to the release of the Construction Certificate.

With regard to the current S4.55 application (MOD2020/0098), the Panel noted the application to vary the roofing material, and Council's assessment of the implications of this change, noting that based on the samples provided, Council's planners considered that the unpainted galvanised iron roof is of similar reflectivity as Zinalume, and as such, the proposed modification will not result in a greater or



unreasonable environmental impact on the adjoining properties for the application as Council assessment report & accompanying documents

As such, the Panel determined to approve the Section 4.55 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 considered to be of minimal environmental impact and substantially the same development as that which was approved. The modification is also considered to result in a development that is suitable for the site and is in the public interest.
2. The site is zoned R2 Low Density Residential under Ryde LEP 2014 and the modifications proposed will result in a development that continues to meet the relevant objectives of the zone, and will not cause any inconsistency of the development with the built form controls of Ryde DCP 2014 and Ryde LEP 2014.
3. The proposal provides for acceptable amenity for the occupants of the dwelling and will not cause any additional impacts to neighbouring dwellings as result of the proposed modifications under this proposal.
4. The proposal will allow for full compliance with the National Construction Code.
5. The issues raised in the submissions have been carefully considered and have been adequately addressed throughout the assessment process. Refusal of the application is not warranted based on the reasons contained in the submissions.

The Panel adopts the recommendation and reasons for approval as outlined in the Assessment Officer's report and as documented above.

Panel member Mr Ian Stapleton noted however that his preference would have been for a 'Colorbond' material in a light shade.

CONDITIONS

The S4.55 modification application was approved subject to the modified conditions as detailed in the accompanying Council's assessment report.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during the public exhibition.

The Panel considers that concerns raised by the community have been adequately addressed in the supplementary assessment report and that no new issues were raised.

PANEL MEMBERS

Abigail Goldberg (Chair)	
Eugene Sarich	
Ian Stapleton	
Bec Ho	

SCHEDULE 1

1	S4.55 No.	MOD2020/0098
2	Proposal	Section 4.55(1A) to modify roofing material from unpainted galvanised corrugated steel to zincalume.
3	Street Address	101 Western Crescent, Gladesville
4	Applicant / Owner	Tony Mclain / Bruce Lane
5	Reason for referral to RLPP	Modification to condition imposed by RLPP
6	Relevant mandatory considerations	<ul style="list-style-type: none"> • Section 4.55(1A) Modifications involving minimal environmental impact • Section 4.55(3) • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy (Building Sustainability Index BASIX) 2004 ○ Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (SREP) ○ Ryde Local Environmental Plan 2014 • Development control plans: <ul style="list-style-type: none"> ○ Ryde Development Control Plan 2014 ○ Sydney Harbour Foreshores and Waterways Area DCP 2005 • Building Code of Australia (or the National Construction Code) • 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 & accompanying documents • Written public submissions:
8	Meetings, briefings and site inspections by the Panel	<ul style="list-style-type: none"> • Site inspection, briefing & initial public meeting: 12 July 2018 - Attended by Panel members (Abigail Goldberg, Eugene Sarich, Ian Stapleton & Bec Ho) and Council Development Assessment staff (Sandra Bailey & Madeline Thomas) • Electronic Determination: 29 July 2020 • Papers were circulated electronically on 28 July 2020
9	Council Recommendation	Approval
10	Draft Conditions	Included in the assessment report