

Date of Determination	13 October 2022
Panel Members	Marcia Doheny (Chair) Michael Leavey (Independent Expert) David Epstein (Independent Expert) Rob Senior (Community Representative)
Apologies	NIL
Declarations of Interest	NIL

Meeting held remotely via teleconference on 13 October 2022.
Papers circulated electronically on 6 October 2022.

MATTER DETERMINED

LDA2021/0394

Address: 39-41 College Street, Gladesville

Proposal: Demolition of existing industrial buildings and construction of an industrial unit complex comprising 49 industrial units with mezzanine offices with associated parking and landscaping.

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 listed at item 8 in Schedule 1.

DEVELOPMENT APPLICATION

The Panel determined to **refuse** 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 **refuse** the development application for the following reasons:

- 1) The proposal will result in poor amenity on the basement and the basement mezzanine levels in terms of natural light and air quality.
- 2) The two driveways next to each other, and their proximity to the Bunnings Warehouse carpark entry and exit will result in increased traffic conflict points that will adversely impact traffic safety in College Street.

- 3) The combination of two-way vehicle access points increases pedestrian exposure times and risk, thereby impacting pedestrian safety.
- 4) The proposal provides inadequate landscaping.

CONDITIONS

Not applicable

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the panel notes that no written submissions were made during public exhibition and therefore no issues of concern were raised.

PANEL MEMBERS	
Marcia Doheny (Chair)	
Michael Leavey	
David Epstein	
Rob Senior	

SCHEDULE 1

1	DA No.	LDA2021/0394
2	Proposal	Demolition of existing industrial buildings and construction of an industrial unit complex comprising 49 industrial units with mezzanine offices with associated parking and landscaping
3	Street Address	39-41 College Street, Gladesville
4	Applicant / Owner	Level Architects / Ms P J Smith, Mr B A Wilson and Mr J B Wilson
5	Reason for referral to RLPP	Departure from Development Standards – Development that contravenes a development standard imposed by an environmental planning instrument by more than 10%.
6	Relevant mandatory considerations	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy Resilience and Hazards 2021 ○ State Environmental Planning Policy Biodiversity and Conservation 2021 ○ State Environmental Planning Policy (Transport and Infrastructure) 2021 ○ Sydney Regional Environmental Plan XXX (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 • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Australian Standard for Demolition - Clause 61(1) • Coastal zone management plan: [Nil] • City of Ryde Section 7.12 Fixed Rate Levy Development Contributions Plan 2020 • 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 • The public interest, including the principles of ecologically sustainable development
7	Material considered by the Panel	<ul style="list-style-type: none"> • Council assessment report • Clause 4.6 variation to Clause 4.3 Height of Buildings • Written submissions during public exhibition: Nil
8	Meetings, briefings and site inspections by the Panel	<ul style="list-style-type: none"> • Site inspection: At the discretion of Panel members due to COVID-19 restrictions • Briefing: 13 October 2022 Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Marcia Doheny (Chair), Michael Leavey, David Epstein, Rob Senior

		<ul style="list-style-type: none"> ○ <u>Council assessment staff</u>: Sandra Bailey, Daniel Pearse, Myra Malek ○ <u>On behalf of the applicant</u>: Minoo Samadi (architect), Glenn Apps, Peter Antcliffe ● Papers were circulated electronically on 6 October 2022
9	Council Recommendation	Deferred Commencement Approval
10	Draft Conditions	Attachment 1 to the Council assessment report