

<b>Date of Determination</b>	7 April 2022
<b>Panel Members</b>	Marcia Doheny (Chair) Graham Brown (Independent Expert) Brett Newbold (Independent Expert) Donna Gaskill (Community Representative)
<b>Apologies</b>	NIL
<b>Declarations of Interest</b>	NIL

Public meeting held remotely via teleconference on 7 April 2022, opened at 5:00pm and closed at 6:51pm.  
Papers circulated electronically on 30 March 2022.

#### **MATTER DETERMINED**

LDA2021/0242

181A Ryde Road Gladesville

**Proposal:** Alterations & additions to existing registered club to reconfigure existing car park, bowling greens, outdoor dining areas, interiors & landscaping with new awnings, additional outdoor dining, inclusive playground, accessible ramps & signage.

The following people addressed the meeting:

1. Aaron Thirukumar (submitter)
2. Terri McConnell (submitter)
3. Lucas Baker (submitter in support) - did not attend
4. Duminda Gamage (submitter)
5. Scott Gamgi & Brett Gibson (applicant)

#### **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 application for the following reasons:

1. The acoustic report submitted with the application does not adequately address the noise impacts on the properties to the north in Rundle Place. The acoustic report assumes that a 2.6m high fence is located on the common boundary however the noise attenuation provided by this fence is substantially reduced because these houses are located on land that is higher than the adjoining car park level where the 2.6 m height is measured.
2. The acoustic report submitted with the application does not adequately address the noise impacts on this dwelling as windows in the dwelling at 5 Randle Place are visible above the fence on the common boundary and which would be subject to noise from the carpark and the proposed new activities near the northern boundary.
3. The acoustic report submitted with the application does not adequately address the noise impact on properties to the north from the new alfresco gaming area where open louvres are provided. Even though the applicant is the owner of two properties to the north in Rundle Place, these properties are still to be assessed against the appropriate noise criteria given their residential use.
4. The acoustic report submitted with the application does not adequately address the noise impacts on the properties to the south along Ryde Road. The acoustic report assumes that a 1.3 high fence is located on the boundary however this fence has gaps to allow the escape of noise and is inadequate in height to provide any noise attenuation.
5. The proposed development does not attempt to remedy the accumulated shortfall in parking by rationalising the parking on site via a more-efficient layout that maximises the number of car parking spaces and reduces the number of access points to the carpark from Swan Street.
6. The intensification of activity on the site is significant and the Plan of Management does not address each of the different and independent activities to minimise external impacts on the surrounding residential areas.

## CONDITIONS

Not applicable

## CONSIDERATION OF COMMUNITY VIEWS

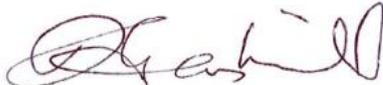
In coming to its decision, the Panel considered written submissions made during public exhibition and heard from all those wishing to address the panel. The panel also heard from representatives from the club.

The panel concluded that the location and extent of the alterations and additions will have an unacceptable impact on adjoining residential properties. The panel was mindful of the concerns expressed by the local residents regarding unacceptable amenity impacts presently created by patrons of the club, particularly late at night.

The panel noted that the new facilities proposed in this application are focused near the northern boundary where the dwellings in Rundle Place are located close to the boundary, the existing carpark and new outdoor facilities. Potential noisy activities, such as the new outdoor dining area and alfresco gaming area replace quiet existing uses such as change rooms and use of the bowling greens near the northern boundary with properties in Rundle Place. The panel did not accept that the likely impact on the adjoining Rundle street properties was acceptable, particularly given the existing impacts from the patrons of the club.

The panel also found that the car park layout was inefficient and the area underutilised for car parking based on the proposed layout and that a revised layout would maximise the number spaces in this area as well as provide safer ingress and egress.

The panel further found that the piece meal development of the site also needs to be addressed through a revised Management Plan that would identify all approved uses and how these uses co-existed.

PANEL MEMBERS	
Marcia Doheny (Chair)	
Graham Brown	
Brett Newbold	
Donna Gaskill	

**SCHEDULE 1**

<b>1</b>	<b>DA No.</b>	
<b>2</b>	<b>Proposal</b>	Alterations & additions to existing registered club to reconfigure existing car park, bowling greens, outdoor dining areas, interiors & landscaping with new awnings, additional outdoor dining, inclusive playground, accessible ramps & signage.
<b>3</b>	<b>Street Address</b>	181A Ryde Road, Gladesville
<b>4</b>	<b>Applicant / Owner</b>	Gladesville Bowling & Sports Club Ltd
<b>5</b>	<b>Reason for referral to RLPP</b>	<b>Contentious development</b> – (b) in any other case – is the subject of 10 or more unique submissions by way of objection. <i>Schedule 1, Part 2 of Local Planning Panels Direction</i>
<b>6</b>	<b>Relevant mandatory considerations</b>	<ul style="list-style-type: none"> <li>• Environmental Planning and Assessment Act</li> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <li>○ State Environmental Planning Policy No. 64 – Advertising and Signage</li> <li>○ State Environmental Planning Policy Resilience &amp; Hazards 2021</li> <li>○ State Environmental Planning Policy Biodiversity &amp; Conservation 2021</li> <li>○ Ryde Local Environmental Plan 2014</li> </ul> </li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>○ Ryde Development Control Plan 2014</li> </ul> </li> <li>• Planning agreements: Nil</li> <li>• City of Ryde Section 7.11 &amp; 7.12 - Development Contributions Plan 2020</li> <li>• Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i></li> <li>• Coastal zone management plan: Nil</li> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>• The suitability of the site for the development</li> <li>• Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>• The public interest, including the principles of ecologically sustainable development</li> </ul>
<b>7</b>	<b>Material considered by the Panel</b>	<ul style="list-style-type: none"> <li>• Council assessment report</li> <li>• Written submissions during public exhibition: 15</li> <li>• Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>○ In support - Nil</li> <li>○ In objection - Aaron Thirukumar, Terri McConnell, Duminda Gamage</li> <li>○ Council assessment officer - Nil</li> <li>○ On behalf of the applicant - Scott Gamgi &amp; Brett Gibson</li> </ul> </li> </ul>

8	<b>Meetings, briefings and site inspections by the Panel</b>	<ul style="list-style-type: none"> <li>• Site inspection: At the discretion of Panel members due to COVID-19 restrictions</li> <li>• Briefing: 7 April 2022</li> </ul> <p>Attendees:</p> <ul style="list-style-type: none"> <li>○ <u>Panel members</u>: Marcia Doheny (Chair), Graham Brown, Brett Newbold, Donna Gaskill</li> <li>○ <u>Council assessment staff</u>: Sandra Bailey, Shannon Butler, Daniel Pearse</li> </ul> <ul style="list-style-type: none"> <li>• Papers were circulated electronically on 30 March 2022</li> </ul>
9	<b>Council Recommendation</b>	<b>Approval</b>
10	<b>Draft Conditions</b>	Not Applicable