

Meeting Date: Tuesday 7 August 2012
Location: Committee Room 2, Level 5, Civic Centre, 1 Devlin Street, Ryde
Time: 4.00pm

Councillors Present: Councillors Pickering (Chairperson), Butterworth, O'Donnell, Salvestro-Martin and Yedelian OAM.

Councillor Yedelian OAM arrived at 4.02pm and was not present for consideration of Item 1. Councillor Yedelian OAM left the meeting at 5.34pm and did not return. He was not present for Items 3, 4 and 5.

Councillor Salvestro-Martin arrived at 4.45pm and was not present for consideration of Item 1 or inspections.

Apologies: Nil.

Staff Present: Group Manager – Environment & Planning, Service Unit Manager – Assessment, Service Unit Manager – Environmental Health & Building, Business Support Coordinator – Environment & Planning, Assessment Officer – Town Planner, Team Leader – Fast Track Team, Senior Town Planner, Consultant Town Planner, Team Leader – Assessment, Team Leader – Development Engineers, Meeting Support Coordinator and Councillor Support Coordinator.

DISCLOSURES OF INTEREST

There were no disclosures of interest.

1 CONFIRMATION OF MINUTES - Meeting held on 17 July 2012

RESOLUTION: (Moved by Councillors O'Donnell and Butterworth)

That the Minutes of the Planning and Environment Committee 9/12, held on Tuesday 17 July 2012, be confirmed.

Record of Voting:

For the Motion: Unanimous

Note: This is now a resolution of Council in accordance with the Committee's delegated powers.

2 2 GREGORY STREET, PUTNEY. LOT 1 DP 27720. Local Development Application for Demolition of carport and construction of a new double garage to side of dwelling - LDA2012/0041.

Report: The Committee inspected the property at 2 Gregory Street, Putney.

Note: A letter from Mr Peter and Mrs Narelle Camroux dated 3 August 2012 was tabled in relation to this Item and a copy is ON FILE.

Note: A letter from Mr Stephen and Mrs Ann-Maree Lawrence dated 7 August 2012 was tabled in relation to this Item and a copy is ON FILE.

Note: Mr Stephen and Mrs Ann-Maree Lawrence (objectors), Ms Hanna Blogg (owner) and Mr Eddie Rached (applicant) addressed the Committee in relation to this Item.

RESOLUTION: (Moved by Councillors O'Donnell and Yedelian OAM)

- (a) That Local Development Application No. LDA2012/0041, at 2 Gregory Street, Putney be approved subject to the **ATTACHED** conditions (Attachment 1).
- (b) That the persons who made submissions be advised of Council's decision.

Record of Voting:

For the Motion: Unanimous

Note: This is now a resolution of Council in accordance with the Committee's delegated powers.

3 498 BLAXLAND ROAD, DENISTONE. Application under Section 82A of the EP&A Act, 1979, to review Council's determination of LDA2011/0257 for construction of affordable rental housing (under the Affordable Rental Housing SEPP) on the site. APL2012/0002.

Report: The Committee inspected the property at 498 Blaxland Road, Denistone.

Note: A Memorandum from Mr Dominic Johnson, Group Manager – Environment and Planning dated 1 August 2012 was tabled in relation to this Item and a copy is ON FILE.

Note: Mr Rainer Ratinac (objector) and Mr Graham McKee (on behalf of the applicant) addressed the Committee in relation to this Item.

Note: Councillor Yedelian OAM left the meeting at 5.34pm and was not present for consideration of this Item.

MOTION: (Moved by Councillors O'Donnell and Butterworth)

(a) That Local Development Application No. 2011/0257 for 498 Blaxland Road, Denistone that was determined by way of refusal on 7 February 2011 be now approved, subject to **ATTACHED** conditions (Attachment 2) with condition number 21 to read as follows:-

21. **Section 94.** A monetary contribution for the services in Column A and for the amount in Column B shall be made to Council prior to the issue of any **Construction Certificate**:

A – Contribution Type	B – Contribution Amount
Community & Cultural Facilities	\$7,339.49
Open Space & Recreation Facilities	\$18,068.29
Civic & Urban Improvements	\$6,145.50
Roads & Traffic Management Facilities	\$838.40
Cycleways	\$523.61
Stormwater Management Facilities	\$1,664.68
Plan Administration	\$141.18
The total contribution is	\$34,721.14

These are contributions under the provisions of Section 94 of the Environmental Planning and Assessment Act, 1979 as specified in Section 94 Development Contributions Plan 2007 (2010 Amendment) adopted by City of Ryde on 16 March 2011.

The above amounts are current at the date of this consent, and are subject to **quarterly** adjustment for inflation on the basis of the contribution rates that are applicable at time of payment. Such adjustment for inflation is by reference to the Consumer Price Index published by the Australian Bureau of Statistics (Catalogue No 5206.0) – and may result in contribution amounts that differ from those shown above.

A copy of the Section 94 Development Contributions Plan may be inspected at the Ryde Planning and Business Centre, 1 Pope Street Ryde (corner Pope and Devlin Streets, within Top Ryde City Shopping Centre) or on Council's website <http://www.ryde.nsw.gov.au>.

(b) That the persons who made submissions be advised of Council's decision.

Record of Voting:

For the Motion: Councillors O'Donnell

Against the Motion: Councillors Butterworth, Pickering, Salvestro-Martin

Note: As the voting on the matter was one (1) For and three (3) Against, the Motion was LOST and the matter was AT LARGE. A further Motion was then moved.

RECOMMENDATION: (Moved by Councillors Butterworth and Salvestro-Martin)

- (a) That Local Development Application No. 2011/0257 for 498 Blaxland Road, Denistone be refused for the following reasons:-
1. The development as proposed will be detrimental to the character of the area having regard to the proposed density in terms of number of units as it is inconsistent with the multi-dwelling housing density provisions under Clause 4.5B of the LEP 2010.
 2. The proposed two storeys for the front two dwellings is inconsistent with the character of the locality and contrary to the height control for multi-housing developments contained under Council's DCP 2010.
 3. The form of proposed development contradicts Council's Policy on the design, character and density of multi-dwelling housing.
 4. The development is an overdevelopment of the site and provides insufficient parking including no parking for visitors to the site especially given the location of the site on Blaxland Road.
 5. The development is not in the public interest as evident by the submissions made.
- (b) That the persons who made submissions be advised of Council's decision.

Record of Voting:

For the Motion: Councillors Butterworth, Pickering and Salvestro-Martin

Against the Motion: Councillors O'Donnell

Note: This matter will be dealt with at the Council Meeting to be held on **14 AUGUST 2012** as dissenting votes were recorded and substantive changes were made to the published recommendation

4 252 QUARRY ROAD RYDE. LOT 2 DP 701738. Local Development Application for Demolition and Erection of an Attached Dual Occupancy. LDA2010/439.

Note: A Memorandum from Mr Dominic Johnson, Group Manager – Environment and Planning dated 1 August 2012 was tabled in relation to this Item and a copy is ON FILE.

Note: Documentation from Mr Hancox was tabled in relation to this Item and a copy is ON FILE.

Note: Mr Greg Hancox (objector) and Mr Nick Juradowitch (on behalf of the owner) addressed the Committee in relation to this Item.

Note: Councillor Yedelian OAM was not present for consideration of this Item.

RECOMMENDATION: (Moved by Councillors O'Donnell and Pickering)

(a) That Local Development Application No 2010/439 to demolish the existing dwelling house and to erect a 2 storey attached duplex at 252 Quarry Road, Ryde, being Lot 2 DP701738, be approved subject to the conditions in **ATTACHMENT 1** with condition number 23 to read as follows:-

23. **Section 94.** A monetary contribution for the services in Column A and for the amount in Column B shall be made to Council prior to the issue of any **Construction Certificate:**

A – Contribution Type	B – Contribution Amount
Community & Cultural Facilities	\$4,015.95
Open Space & Recreation Facilities	\$9,886.42
Civic & Urban Improvements	\$3,362.46
Roads & Traffic Management Facilities	\$458.57
Cycleways	\$286.50
Stormwater Management Facilities	\$910.31
Plan Administration	\$77.25
The total contribution is	\$18,997.45

These are contributions under the provisions of Section 94 of the Environmental Planning and Assessment Act, 1979 as specified in Section 94 Development Contributions Plan 2007 (2010 Amendment) adopted by City of Ryde on 16 March 2011.

The above amounts are current at the date of this consent, and are subject to **quarterly** adjustment for inflation on the basis of the contribution rates that are applicable at time of payment. Such adjustment for inflation is by reference to the Consumer Price Index published by the Australian Bureau of Statistics (Catalogue No 5206.0) – and may result in contribution amounts that differ from those shown above.

A copy of the Section 94 Development Contributions Plan may be inspected at the Ryde Planning and Business Centre, 1 Pope Street Ryde (corner Pope and Devlin Streets, within Top Ryde City Shopping Centre) or on Council's website <http://www.ryde.nsw.gov.au>.

(b) That the person who made a submission be advised of Council's decision.

Record of Voting:

For the Motion: Councillors O'Donnell and Pickering

Against the Motion: Councillors Butterworth and Salvestro-Martin

Note: This matter will be dealt with at the Council Meeting to be held on **14 AUGUST 2012** as dissenting votes were recorded

5 64 PELLISIER ROAD, PUTNEY. LOT 102 DP 866280. Local Development Application for alterations and additions to the existing dwelling and new cabana. LDA2011/493.

Note: A photograph from Mr Joshua Allen was tabled in relation to this Item and a copy is ON FILE.

Note: A diagram from Mr Mark Wakeham was tabled in relation to this Item and a copy is ON FILE.

Note: Photographs from Mr Grodzicky were tabled in relation to this Item and a copy is ON FILE.

Note: Mr Mark Wakeham (objector), Mr Mark Grodzicky (objector) and Mr Joshua Allen (on behalf of the applicant) addressed the Committee in relation to this Item.

Note: Councillor Yedelian OAM was not present for consideration of this Item.

RECOMMENDATION: (Moved by Councillors O'Donnell and Pickering)

(a) That Council resolve to seek amended plans in relation to Local Development Application No. LDA2011/493 for alterations and additions to the existing dwelling and construction of a cabana at No. 64 Pellisier Road, Putney. The amended plans and supporting information shall incorporate the following details:

- i. **Reduction of balcony/terrace.** The Ground Floor balcony/terrace immediately adjoining the family and dining room shall be reduced by a minimum of 4 metres from the rear and the surplus area be replaced with roofing material to the lower ground floor level below and is not to be accessible.
- ii. **Setback of proposed additions from northern boundary.** The proposed additions must be stepped back to be in line with the existing kitchen and dining room side wall (this will equate to a setback of about 1 metre from the northern (side) boundary).
- iii. **Tree Management Plan – adjoining Fig Tree:**
The submission of a report and plans from a suitably qualified practicing Arborist which provides details of management of impacts on the adjoining Fig Tree. The report shall include details of the following matters:
 - Details (including a site plan and photographs) regarding investigation to determine the location of the structural roots of the adjoining Fig Tree.

- Structural Plans of columns of the proposed additions in relation to the structural roots of the adjoining Fig Tree (based on the investigations above) – which minimises construction impacts on the Fig Tree.
- Structural Plans – cabana: The cabana is to be constructed with pier and beam or other construction methods which minimises impacts within the Tree Protection Zone of the Fig Tree. Subfloor infill walling is not acceptable.
- Proposed physical management of the Fig Tree before, during and post construction, to ensure its longevity.

(b) Upon submission of satisfactory details to Council regarding the above matters, the Group Manager Environment & Planning be delegated authority to determine the DA by approval subject to appropriate conditions.

(c) That the persons who made submissions be notified of Council's decision.

Record of Voting:

For the Motion: Councillors O'Donnell and Pickering

Against the Motion: Councillors Butterworth and Salvestro-Martin

Note: This matter will be dealt with at the Council Meeting to be held on **14 AUGUST 2012** as dissenting votes were recorded

The meeting closed at 7.05pm.

CONFIRMED THIS 2ND DAY OF OCTOBER 2012.

Chairperson