

Meeting Date: Tuesday 5 March 2013
Location: Committee Room 2, Level 5, Civic Centre, 1 Devlin Street, Ryde
Time: 5.20pm

Councillors Present: Councillors Pendleton, Chung, Maggio and Yedelian OAM.

In the absence of Councillor Simon, the Deputy Chairperson – Councillor Pendleton chaired the meeting.

Apologies: Councillor Salvestro-Martin.

Leave of Absence: Councillor Simon.

Staff Present: Group Manager – Environment and Planning, Service Unit Manager – Assessment, Service Unit Manager – Environmental Health and Building, Team Leader – Assessment, Team Leader – Fast Track Team, Team Leader – Building Compliance, Service Unit Manager – Governance, Business Support Coordinator – Environment and Planning, and Meeting Support Coordinator.

DISCLOSURES OF INTEREST

Councillor Maggio disclosed a Less than Significant Non-Pecuniary Interest in Item 5 – Unauthorised Development 29 Vimiera Road Eastwood for the reason that he is aware of the applicant through his Charity Contribution in the community and through the partnership with Council/Cox's Road Masterplan.

1 CONFIRMATION OF MINUTES - Meeting held on 19 February 2013

RESOLUTION: (Moved by Councillors Maggio and Chung)

That the Minutes of the Planning and Environment Committee 2/13, held on Tuesday 19 February 2013, 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 21 WILDING STREET, MARSFIELD. Lot 25 DP 235821. Local Development Application for a new two storey dwelling. LDA2012/0379.

Note: Denise (Yuan Yuan) Wang (objector) addressed the Committee in relation to this Item.

RESOLUTION: (Moved by Councillors Yedelian OAM and Chung)

- (a) That Local Development Application No. LDA2012/0379 at 21 Wilding Street, Marsfield be approved subject to the conditions in **Attachment 2**.
- (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 21 GLADSTONE AVENUE, RYDE - LOT 54 DP 30343. Section 96
Application for modifications to approved two storey dwelling for changes
to the roof terrace access. MOD2012/0150.**

Note: Sergio Mantellato (objectors) addressed the Committee in relation to this Item.

Note: A series of documents from Sergio Mantellato dated 5 March 2013 was tabled in relation to this Item and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Yedelian OAM and Chung)

- (a) That the Section 96 Application Number MOD2012/0150 at 21 Gladstone Avenue being Lot 54 DP 30343 be approved and Consent Number LDA2004/16 be modified in the following manner:

- **Condition 1** amended by adding the following Plans to the list of Approved Plans for this development:

Document Description	Date	Plan No/Reference
Roof Terrace Plan	25/11/10	10.29/DA03
Elevations (of Roof Terrace)	25/11/10	10.29/DA04

NOTE: These plans referenced above relate only to the additional approved works relating to the roof terrace. For full and further details of the approved plans for this development overall, refer to the original consent (LDA2004/16 dated 2 June 2004, as amended).

- **ALL** other conditions remain unaltered and must be complied with.

- (b) That the persons who made submissions be advised of Council's decision.
- (c) That the matters raised in relation to possible non-compliance with the consent be investigated by the Manager Environment Health and Building in liaison with the Private Certifier and should any matters arise as a result of the investigations that they be dealt with under delegation of the Group Manager Environment and Planning.

Record of Voting:

For the Motion: Unanimous

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

4 77 WHARF ROAD, GLADESVILLE - LOT 2 DP 536882. Development Application for alterations to the existing dwelling, including a new front fence, and gates. LDA2012/0272.

Note: Eugene Sarich and Christian Farrell (on behalf of the applicant) addressed the Committee in relation to this Item.

Note: A series of documents from Eugene Sarich and Christian Farrell (on behalf of the applicant) dated 5 March 2013 was tabled in relation to this Item and a copy is ON FILE.

RECOMMENDATION: (Moved by Councillors Yedelian OAM and Maggio)

- (a) That LDA2012/272 at 77 Wharf Road, Gladesville being Lot 2 DP 536882 be deferred for a mediation meeting to be undertaken by the Group Manager Environment and Planning with the applicant and the objectors to address issues relating to bulk, scale, habitable areas and streetscape presentation. That a further report be referred to Planning and Environment Committee within three months.
- (b) That the persons who made submissions be advised of Council's decision.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **12 MARCH 2013** as substantive changes were made to the published recommendation

CLOSED SESSION

ITEM 5 - UNAUTHORISED DEVELOPMENT 29 VIMIERA ROAD EASTWOOD

Confidential

This item is classified CONFIDENTIAL under Section 10A(2) of the Local Government Act, 1993, which permits the meeting to be closed to the public for business relating to the following: (g) advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

RESOLUTION: (Moved by Councillors Yedelian OAM and Chung)

That the Committee resolve into Closed Session to consider the above matters.

Record of Voting:

For the Motion: Unanimous

Note: The Committee closed the meeting at 6.18pm. The public and media left the chamber.

5 UNAUTHORISED DEVELOPMENT 29 VIMIERA ROAD EASTWOOD

Note: Councillor Maggio disclosed a Less than Significant Non-Pecuniary Interest in relation to this item for the reason that he is aware of the applicant through his Charity Contribution in the community and through the partnership with Council/Cox's Road Masterplan.

RECOMMENDATION: (Moved by Councillors Yedelian OAM and Chung)

That this matter be deferred to the Council Meeting of 12 March 2013 to consider the four options as presented in the report.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **12 MARCH 2013** as substantive changes were made to the published recommendation

OPEN SESSION

RESOLUTION: (Moved by Councillors Yedelian OAM and Chung)

That the Committee resolve itself into open session.

Record of Voting:

For the Motion: Unanimous

Note: Open session resumed at 6.39pm.

RESOLUTION: (Moved by Councillors Yedelian OAM and Chung)

That the recommendations of Items considered in Closed Session be received and adopted as recommendations of the Committee without any alteration or amendment thereto.

Record of Voting:

For the Motion: Unanimous

The meeting closed at 6.39pm.

CONFIRMED THIS 19TH DAY OF MARCH 2013.

Chairperson