

Meeting Date: Tuesday 13 September 2016

Location: Committee Room 2, Level 5, Civic Centre, 1 Devlin Street, Ryde

Time: 5.00pm

Councillors Present: Councillors Pendleton (Chairperson), Chung, Pickering, and Yedelian OAM.

Apologies: Councillors Etmekdjian and Simon.

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

Note: Councillor Yedelian OAM left the meeting at 5.20pm during the consideration of Item 2 and did not return. He was not present for voting on Items 2, 3 and 4.

Staff Present: Acting Director – City Strategy and Planning, Acting Manager – Assessment, Manager – Environment, Health and Building, Supervisor – Environmental Assessment, Senior Town Planner, Senior Development Engineer, Senior Coordinator – Environment, Governance, Risk and Audit Coordinator and Administration Officer – Councillor Support.

DISCLOSURES OF INTEREST

There were no disclosures of interest.

1 CONFIRMATION OF MINUTES - Meeting held on 9 August 2016

RESOLUTION: (Moved by Councillors Pickering and Pendleton)

That the Minutes of the Planning and Environment Committee 6/16, held on 9 August 2016, 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 27-37 DELHI ROAD, NORTH RYDE. LOT 160 DP1136651. Application for the modification of development consent No. LDA2014/0077 under Section 96(1A) of the EP&A Act, 1979 to allow extended construction hours for approved mixed use development - MOD2016/0094

Note: Kristine Luff (objector), Philip Howe (objector) and Nicholas Limbrey (on behalf of the applicant) addressed the meeting in relation to this Item.

Note: A Memorandum from the Acting Director – City Strategy and Planning dated 12 September 2016 was tabled in relation to this Item and a copy is ON FILE.

Note: Photographs provided by Kristine Luff were circulated to Committee members, however copies were not tabled in relation to this Item.

Note: Councillor Yedelian OAM left the meeting at 5.20pm during the consideration of this Item. He was not present for voting on this Item.

RESOLUTION: (Moved by Councillors Chung and Pickering)

- (a) That Section 96 Modification Application No. 2016/0094 at 27-37 Delhi Road, North Ryde, being Lot 160 DP1136651 be refused for the following reasons:
- 1) The proposed modification of condition 7 to allow extended hours of construction work is likely to exceed the noise management level for noise outside standard hours and is likely to have an adversely impact the amenity of nearby residential properties.
 - 2) The reasons provided to justify the proposed extended hours of construction work are not considered sufficient given the potential adverse impact on the amenity of nearby residential properties in terms of increased noise, dust and disturbance. Also the reasons given do not satisfy the circumstances for work outside standard hours specified in the Interim Construction Noise Guidelines (DECC, 2009).
 - 3) The proposal is considered not to be in the public interest.
 - 4) The development does not satisfy the provisions of Section 96(1A)(a) in that the development is not of minimal environmental impact due to the increased noise that will adversely affect the amenity of the adjoining properties.
 - 5) The proposed development is inconsistent with Section 4.6 of Part 8.1 of DCP 2014 in that the extension of construction hours will result in adverse impacts to the residents in the vicinity of the construction site.
 - 6) The proposed modification of condition 7 will allow all construction work to be carried out during the extended hours and not just deliveries and a limited range of construction activities.

- 7) Extending the hours of work in this instance would allow other developers to seek similar modifications in the future and make it difficult for Council to justify limiting building work to standard hours.

(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.

3 210-216 VICTORIA ROAD, GLADESVILLE. LOT 1 DP 785339. Local Development Application for demolition and construction of a 6 storey mixed use development containing 7 commercial tenancies, 31 residential apartments and car parking for 61 vehicles. LDA2015/0653

Note: Councillor Yedelian OAM was not present for consideration or voting on this Item.

Note: Jennifer Bautovich (representing Ansa Investments Pty Ltd – Planner on behalf of the applicant) addressed the meeting in relation to this Item.

Note: Documentation from Jennifer Bautovich from Planning Urban Design was tabled in relation to this Item and a copy is ON FILE.

RESOLUTION: (Moved by Councillors Chung and Pickering)

- (a) That Local Development Application No. 2015/653 at 210 Victoria Road, Gladesville be approved subject to the **ATTACHED** conditions (Attachment 1).
- (b) That the persons who made submissions be advised of Council's decision.
- (c) That a copy of the Consent be forwarded to the Roads and Maritime Services for their records.

Record of Voting:

For the Motion: Unanimous

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

4 DRAFT BIODIVERSITY PLAN FOR RYDE LOCAL GOVERNMENT AREA

Note: Councillor Yedelian OAM was not present for consideration or voting on this Item.

RECOMMENDATION: (Moved by Councillors Chung and Pickering)

That the consideration of this matter be deferred to Council for determination.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **27 SEPTEMBER 2016** as substantive changes were made to the published recommendation.

The meeting closed at 5.40pm.

CONFIRMED THIS 11TH DAY OF OCTOBER 2016.

Chairperson