

Meeting Date: Tuesday 11 November 2014

Location: Council Chambers, Level 6, Civic Centre, 1 Devlin Street, Ryde

Time: 7.30pm

NOTICE OF BUSINESS

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2 REPORT OF THE PLANNING AND ENVIRONMENT COMMITTEE MEETING 11/14 held on 4 November 2014

Report prepared by: Section Manager - Governance
File No.: CLM/14/1/4/2 - BP14/1356

REPORT SUMMARY

Attached are the Minutes of the Planning and Environment Committee Meeting 11/14 held on 4 November 2014. The Minutes will be listed for confirmation at the next Planning and Environment Committee Meeting.

Item 1 was dealt with by the Committee within its delegated powers.

The following Committee recommendations for Items 2 and 3 are submitted to Council for determination in accordance with the delegations set out in Council's Code of Meeting Practice relating to Charters, functions and powers of Committees:

2 46-48 GLADSTONE AVENUE, RYDE. LOTS F and G DP 32873. Local Development Application for demolition of existing structures and construction of a 3 storey residential flat building containing 12 apartments and car parking for 16 vehicles. LDA2013/0173.

Note: Stacey Ireland (objector), Karen Wang (objector), Deanne Hinton (objector) and Tony Pratt (objector on behalf of himself and other residents of Princes Street), Andrew Martin (applicant's planner) and Tony Legge (applicant) addressed the meeting in relation to this Item.

Note: A Memorandum dated 3 November 2014 from the Acting Group Manager – Environment and Planning was tabled in relation to this Item and a copy is ON FILE.

RECOMMENDATION: (Moved by Councillors Yedelian OAM and Laxale)

- (a) That consideration of LDA2013/0173 at 46-48 Gladstone Avenue, Ryde be deferred for the Acting Group Manager – Environment and Planning to undertake a mediation between the applicant and the objectors.
- (b) That the matter then be reported back to the Planning and Environment Committee.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **11 NOVEMBER 2014** as substantive changes were made to the published recommendation and Councillor Salvestro-Martin requested that the matter be referred to the next Council Meeting.

ITEM 2 (continued)**3 492 BLAXLAND ROAD, DENISTONE. Development Application for a multi dwelling housing development comprising four (4) dwellings pursuant to the provisions of State Environmental Planning Policy (Affordable Rental Housing) 2009. LDA2014/0220.**

Note: David Tyrrell (applicant's lawyer) addressed the meeting in relation to this Item.

RECOMMENDATION: (Moved by Councillors Simon and Yedelian OAM)

- (a) That Local DA No. 2014/0220 at 492 Blaxland Road, Denistone (LOT 36 Section 4 In DP 7997) be refused for the following reasons:
- 1) The proposed development is incompatible with the character of the local area, and as per clause 16A of State Environmental Planning Policy (Affordable Rental Housing) 2009 cannot be supported.
 - 2) The proposed development provides an unacceptable dwelling size for Dwelling 4, such that it will fail to provide an adequate level of amenity to occupants of this dwelling.
 - 3) The proposed development fails to achieve consistency with the provisions of the Seniors Living Policy: Urban Design Guidelines for Infill Development as required by clause 15 of the ARHSEPP.
 - 4) The proposed development is considered to be contrary to the objectives of the R2 Low Density Residential zoning of the site under the Ryde Local Environmental Plan 2010;
 - 5) The proposed development fails to achieve compliance with the principal development standards contained within clause 4.3 - 'Height of Buildings', and clause 4.5A - 'Density Controls for Zone R2 Low Density Residential' of the Ryde Local Environmental Plan 2010. No written request has been submitted pursuant to clause 4.6 of the Ryde Local Environmental Plan 2010.
 - 6) The proposed development is inconsistent with the applicable development controls for multi dwelling housing development as prescribed by Part 3.5 of the Ryde Development Control Plan 2014;
 - 7) The proposed development will have an unacceptable impact on the built environment;
 - 8) The proposed development is unsuitable for the site;
 - 9) The proposed development is not in the public interest.

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

Record of Voting:

For the Motion: Councillors Chung, Simon and Yedelian OAM

Against the Motion: Councillor Laxale

Note: This matter will be dealt with at the Council Meeting to be held on **11 NOVEMBER 2014** as dissenting votes were recorded.

ITEM 2 (continued)

ATTACHMENTS

- 1 Minutes - Planning and Environment Committee – 4 November 2014

ITEM 2 (continued)

ATTACHMENT 1

Planning and Environment Committee
MINUTES OF MEETING NO. 11/14

Meeting Date: Tuesday 4 November 2014
Location: Committee Room 2, Level 5, Civic Centre, 1 Devlin Street, Ryde
Time: 5.00pm

Councillors Present: Councillors Chung (Chairperson), Laxale, Simon and Yedelian OAM.

Apologies: Councillor Salvestro-Martin.

Staff Present: Acting Group Manager – Environment and Planning, Manager – Assessment, Senior Town Planner, Team Leader – Assessment, Senior Development Engineer, Planning Consultant (Creative Planning Solutions), Business Support Coordinator – Environment and Planning and Section Manager - Governance.

DISCLOSURES OF INTEREST

There were no disclosures of interest.

1 CONFIRMATION OF MINUTES - Meeting held on 7 October 2014

RESOLUTION: (Moved by Councillors Yedelian OAM and Laxale)

That the Minutes of the Planning and Environment Committee 10/14, held on Tuesday, 7 October 2014, 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 46-48 GLADSTONE AVENUE, RYDE. LOTS F and G DP 32873. Local Development Application for demolition of existing structures and construction of a 3 storey residential flat building containing 12 apartments and car parking for 16 vehicles. LDA2013/0173.

Note: Stacey Ireland (objector), Karen Wang (objector), Deanne Hinton (objector) and Tony Pratt (objector on behalf of himself and other residents of Princes Street), Andrew Martin (applicant's planner) and Tony Legge (applicant) addressed the meeting in relation to this Item.

Note: A Memorandum dated 3 November 2014 from the Acting Group Manager – Environment and Planning was tabled in relation to this Item and a copy is ON FILE.

ITEM 2 (continued)

ATTACHMENT 1

RECOMMENDATION: (Moved by Councillors Yedelian OAM and Laxale)

- (c) That consideration of LDA2013/0173 at 46-48 Gladstone Avenue, Ryde be deferred for the Acting Group Manager – Environment and Planning to undertake a mediation between the applicant and the objectors.
- (d) That the matter then be reported back to the Planning and Environment Committee.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **11 NOVEMBER 2014** as substantive changes were made to the published recommendation and Councillor Salvestro-Martin requested that the matter be referred to the next Council Meeting.

3 492 BLAXLAND ROAD, DENISTONE. Development Application for a multi dwelling housing development comprising four (4) dwellings pursuant to the provisions of State Environmental Planning Policy (Affordable Rental Housing) 2009. LDA2014/0220.

Note: David Tyrrell (applicant's lawyer) addressed the meeting in relation to this Item.

RECOMMENDATION: (Moved by Councillors Simon and Yedelian OAM)

- (a) That Local DA No. 2014/0220 at 492 Blaxland Road, Denistone (LOT 36 Section 4 In DP 7997) be refused for the following reasons:
 - 1) The proposed development is incompatible with the character of the local area, and as per clause 16A of State Environmental Planning Policy (Affordable Rental Housing) 2009 cannot be supported.
 - 2) The proposed development provides an unacceptable dwelling size for Dwelling 4, such that it will fail to provide an adequate level of amenity to occupants of this dwelling.
 - 3) The proposed development fails to achieve consistency with the provisions of the Seniors Living Policy: Urban Design Guidelines for Infill Development as required by clause 15 of the ARHSEPP.
 - 4) The proposed development is considered to be contrary to the objectives of the R2 Low Density Residential zoning of the site under the Ryde Local Environmental Plan 2010;
 - 5) The proposed development fails to achieve compliance with the principal development standards contained within clause 4.3 - 'Height of Buildings', and clause 4.5A – 'Density Controls for Zone R2 Low Density Residential' of the Ryde Local Environmental Plan 2010. No written request has been submitted pursuant to clause 4.6 of the Ryde Local Environmental Plan 2010.

ITEM 2 (continued)

ATTACHMENT 1

- 6) The proposed development is inconsistent with the applicable development controls for multi dwelling housing development as prescribed by Part 3.5 of the Ryde Development Control Plan 2014;
- 7) The proposed development will have an unacceptable impact on the built environment;
- 8) The proposed development is unsuitable for the site;
- 9) The proposed development is not in the public interest.

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

Record of Voting:

For the Motion: Councillors Chung, Simon and Yedelian OAM

Against the Motion: Councillor Laxale

Note: This matter will be dealt with at the Council Meeting to be held on **11 NOVEMBER 2014** as dissenting votes were recorded.

The meeting closed at 6.20pm.

CONFIRMED THIS 18TH DAY OF NOVEMBER 2014.

Chairperson

3 REPORT OF THE WORKS AND COMMUNITY COMMITTEE MEETING 12/14 held on 4 November 2014

Report prepared by: Section Manager - Governance
File No.: CLM/14/1/4/2 - BP14/1357

REPORT SUMMARY

Attached are the Minutes of the Works and Community Committee Meeting 12/14 held on 4 November 2014. The Minutes will be listed for confirmation at the next Works and Community Committee Meeting.

Items 1, 4 and 6 were dealt with by the Committee within its delegated powers.

The following Committee recommendations for Items 2, 3 and 5 are submitted to Council for determination in accordance with the delegations set out in Council's Code of Meeting Practice relating to Charters, functions and powers of Committees:

2 TREE MANAGEMENT REVIEW - 9 JOPLING STREET, NORTH RYDE

Note: Dr Jennie Monin addressed the meeting in relation to this Item.

RECOMMENDATION: (Moved by Councillors Maggio and Li)

That Council approve the conditional removal of the Indian Cedar *Cedrus deodara* located at the front of the property 9 Jopling Street, North Ryde, subject to the replacement of two plantings of a suitably sized species of approximately 50 litres.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **11 NOVEMBER 2014** as substantive changes were made to the published recommendation.

3 FOUR YEAR DELIVERY PLAN 2014-2018 AMENDMENT LANE COVE ROAD UPGRADE

RECOMMENDATION: (Moved by Councillors Pendleton and Perram)

- (a) That Council 'defer' projects Public Domain Upgrade Lane Cove Road and Multi Function Poles in Lane Cove Road Macquarie Park in the Four Year Delivery Plan 2014-2018.
- (b) That Council endorse the Footpath Upgrade Delhi Road project be brought forward to 2014/15 to deliver a shared granite footpath between North Ryde Station and the National Park.

ITEM 3 (continued)

- (c) That Council reallocate \$825,000, allocated to projects Public Domain Upgrade Lane Cove Road and Multi Function Poles in Macquarie Park in the Four Year Delivery Plan 2014-2018, to the Footpath Upgrade Delhi Road identified in the Four Year Delivery Plan for 2017/18.
- (d) That Council review the status of projects Public Domain Upgrade Lane Cove Road and Multi Function Poles in Macquarie Park once the decision regarding the planning proposal for 269-271 Lane Cove Road is determined.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **11 NOVEMBER 2014** as it is outside the Committee's delegation.

5 REQUEST BY THE BUSHLAND AND ENVIRONMENT ADVISORY COMMITTEE FOR COUNCIL TO SEEK EXEMPTION FROM 10.50 VEGETATION CLEARING CODE

RECOMMENDATION: (Moved by Councillors Pendleton and Perram)

That Council adopt BEAC recommendation and prepare a submission to the Rural Fire Service and the Minister for Emergency Services, the Hon. Stuart Ayres, MP that acknowledges the review and seeks an exemption from the 10.50 Vegetation Clearing Code for the City of Ryde.

Record of Voting:

For the Motion: Councillors Li, Pendleton and Perram

Against the Motion: Councillors Etmekdjian and Maggio

Note: This matter will be dealt with at the Council Meeting to be held on **11 NOVEMBER 2014** as dissenting votes were recorded.

ATTACHMENTS

- 1 Minutes - Works and Community Committee – 4 November 2014

ITEM 3 (continued)

ATTACHMENT 1

**Works and Community Committee
MINUTES OF MEETING NO. 12/14**

Meeting Date: Tuesday 4 November 2014

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

Time: 5.00pm

Councillors Present: Councillors Maggio (Chairperson), Etmekdjian, Li, Pendleton and Perram.

Apologies: Nil.

Staff Present: Acting Group Manager – Community Life, Group Manager – Public Works, Section Manager – Natural Areas and Urban Forest, Acting Manager – Open Space, Section Manager – Program Delivery, Manager – Project Development, Manager – Asset Systems, Acting Section Manager – Stormwater and Catchments, Team Leader – Design and Development, Place Manager, Web Communications Coordinator and Executive Assistant to Mayor and Councillors.

DISCLOSURES OF INTEREST

There were no disclosures of interest.

1 CONFIRMATION OF MINUTES - Meeting held on 7 October 2014

RESOLUTION: (Moved by Councillors Etmekdjian and Pendleton)

That the Minutes of the Works and Community Committee 11/14, held on Tuesday, 7 October 2014, 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 TREE MANAGEMENT REVIEW - 9 JOPLING STREET, NORTH RYDE

Note: Dr Jennie Monin addressed the meeting in relation to this Item.

RECOMMENDATION: (Moved by Councillors Maggio and Li)

That Council approve the conditional removal of the Indian Cedar *Cedrus deodara* located at the front of the property 9 Jopling Street, North Ryde, subject to the replacement of two plantings of a suitably sized species of approximately 50 litres.

ITEM 3 (continued)

ATTACHMENT 1

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **11 NOVEMBER 2014** as substantive changes were made to the published recommendation.

**3 FOUR YEAR DELIVERY PLAN 2014-2018 AMENDMENT
LANE COVE ROAD UPGRADE**

RECOMMENDATION: (Moved by Councillors Pendleton and Perram)

- (a) That Council 'defer' projects Public Domain Upgrade Lane Cove Road and Multi Function Poles in Lane Cove Road Macquarie Park in the Four Year Delivery Plan 2014-2018.
- (b) That Council endorse the Footpath Upgrade Delhi Road project be brought forward to 2014/15 to deliver a shared granite footpath between North Ryde Station and the National Park.
- (c) That Council reallocate \$825,000, allocated to projects Public Domain Upgrade Lane Cove Road and Multi Function Poles in Macquarie Park in the Four Year Delivery Plan 2014-2018, to the Footpath Upgrade Delhi Road identified in the Four Year Delivery Plan for 2017/18.
- (d) That Council review the status of projects Public Domain Upgrade Lane Cove Road and Multi Function Poles in Macquarie Park once the decision regarding the planning proposal for 269-271 Lane Cove Road is determined.

Record of Voting:

For the Motion: Unanimous

Note: This matter will be dealt with at the Council Meeting to be held on **11 NOVEMBER 2014** as it is outside the Committee's delegation.

4 ADVERTISING ON PUBLIC LAND AND AROUND DOG OFF LEASH PARKS

RESOLUTION: (Moved by Councillors Perram and Pendleton)

That the information provided in this report be noted.

Record of Voting:

For the Motion: Unanimous

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

ITEM 3 (continued)

ATTACHMENT 1

5 REQUEST BY THE BUSHLAND AND ENVIRONMENT ADVISORY COMMITTEE FOR COUNCIL TO SEEK EXEMPTION FROM 10.50 VEGETATION CLEARING CODE

RECOMMENDATION: (Moved by Councillors Pendleton and Perram)

That Council adopt BEAC recommendation and prepare a submission to the Rural Fire Service and the Minister for Emergency Services, the Hon. Stuart Ayres, MP that acknowledges the review and seeks an exemption from the 10.50 Vegetation Clearing Code for the City of Ryde.

Record of Voting:

For the Motion: Councillors Li, Pendleton and Perram

Against the Motion: Councillors Etmekdjian and Maggio

Note: This matter will be dealt with at the Council Meeting to be held on **11 NOVEMBER 2014** as dissenting votes were recorded.

6 PROJECT STATUS REPORT AS AT 30 SEPTEMBER 2014 - PROJECT DEVELOPMENT UNIT

RESOLUTION: (Moved by Councillors Pendleton and Etmekdjian)

That Council receive and note this report.

Record of Voting:

For the Motion: Unanimous

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

The meeting closed at 6.05pm.

CONFIRMED THIS 18TH DAY OF NOVEMBER 2014.

Chairperson