

Thursday 6 September 2018

A WIN FOR RYDE AS COURT REFUSES DEVELOPMENT FOR DUNBAR ESTATE

In a huge win for residents, the Land and Environment Court has ruled in favour of the City of Ryde and refused a development application for a residential flat building to be built at Marsfield's Dunbar Park Estate.

The ongoing court battle has been running for just over a year after the City of Ryde rejected the development application which would have demolished an existing dwelling in Lexcen Place and replaced it with a two-storey residential flat building comprising four apartments over basement parking for five vehicles. This form of development is permitted under a NSW Government policy – the *State Environmental Planning Policy (Affordable Rental Housing) 2009*.

The City of Ryde refused the application based on a range of factors, including the proposed development being inconsistent with the character of the local area.

The developer appealed Council's decision which took the matter to the Land and Environment Court.

Handing down its decision this week, the Land and Environment Court dismissed the appeal and refused the development application.

City of Ryde Mayor, Cllr Jerome Laxale, said the decision from the Land and Environment Court was a massive result for the community.

"Council has fought this proposal all the way as it was completely out of step with the area's amenity and character and would have seen the ludicrous notion of basement parking being introduced in a quiet residential street," Cllr Laxale said.

"This win will send a message to NSW MPs Victor Dominello and Anthony Roberts who are determined to impose the Medium Density Housing Code in the City of Ryde. Flat buildings do not belong in quiet residential streets, and the deferral they've suggested just isn't good enough. Ryde needs a complete exemption.

"Throughout this process we were supported by our community who are determined to save our streets from overdevelopment forced on us by ill-conceived NSW Government planning policies.

"This week's decision from the Land and Environment Court has made the fight worthwhile. Thanks must go to all the residents involved, particularly those residents who have been involved in this process since my first notice of motion to Council way back in August 2017."

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