

**EXTRACT FROM MINUTES OF COUNCIL MEETING
NO. 21/13 AT ITS MEETING HELD ON 8 OCTOBER 2013**

2 PLANNING PROPOSAL - AMENDMENTS TO LEP 2013

Note: Rocky Tassone, Kevin Bevitt (on behalf of Harry Fellas of 15 Farm Street and John Ward of 13 Farm Street), David Geddes (on behalf of Soo Ryu, Sung Sook Ryu and May Min Chuai Ryu), Jennie Minifie (on behalf of Ryde Community Alliance), Fred Cory (on behalf of Robert Emery, M. Heyward and Patricia Bloomfield), Peter Barfod and Phil Peake addressed the meeting in relation to this Item.

Note: A Memorandum from the Acting Group Manager – Environment and Planning dated 4 October 2013 and Additional Information were tabled in relation to this Item and copies are ON FILE.

Note: Councillor Yedelian OAM disclosed a Less than Significant Non-Pecuniary Interest in this Item, for the reason that one of the property owners is his Family Doctor (corner of Epping and Herring Road).

Note: Councillor Pickering disclosed a Significant Non-Pecuniary Interest in Part (j) of this Item, for the reason that his company has represented Hyecorp on previous, unrelated matters.

Note: Councillor Pickering left the meeting at 8.17pm during discussion of this Item.

MOTION: (Moved by Councillors Etmekdjian and Chung)

- (a) That Council endorse the preparation of a Planning Proposal to amend Draft LEP 2013 (previously known as LEP 2011) in accordance with *Table 1 Planning Proposal Amendments to DLEP 2013* attached to this report.
- (b) That Council forward the planning proposal for the amendments to LEP 2013 to receive a gateway determination in accordance with Section 56 of the Environmental Planning and Assessment Act 1979 and that the Minister's delegation enabling Council to determine the LEP be requested.
- (c) That in the event of a gateway determination being issued pursuant to Section 56 of the Environmental Planning and Assessment Act 1979, the Planning Proposal Amendments to DLEP 2013 be placed on public exhibition and a further report be presented to Council following the completion of the exhibition period.

- (d) That Council endorse an amendment to *Table 1 Planning Proposal Amendments to DLEP 2013* (to be publicly exhibited) to include that Torrens title subdivision of:
- current/approved Dual Occupancy developments be permitted on lots 580sqm or greater;
 - future Dual Occupancy developments be permitted on lots 580sqm or greater with a minimum road frontage of 20m (resulting in lots of a minimum 290sqm with a 10m road frontage).
- (e) That Council endorse an amendment to *Table 1 Planning Proposal Amendments to DLEP 2013* (to be publicly exhibited) to include the following planning controls for 11-15 Farm Street Gladesville:
- zoning of B4 Mixed Use
 - FSR of 1.15:1 and
 - a maximum height of 9.5m for 19m from the front property boundary with the remainder of the site having a maximum height of 12m.
- (f) That Council defer amending the planning control for 100 Rowe Street Eastwood from the Planning Proposal Amendments to DLEP 2013 to allow further consideration and discussion with the land owner of the flooding solutions / proposed planning controls for the site. The matter will be reported to Council at a later date.
- (g) That Council endorse an amendment to *Table 1 Planning Proposal Amendments to DLEP 2013* (to be publicly exhibited) to include that secondary dwellings:
- be permitted in the R1, R2 , R3 and R4 residential zones with the consent of Council.
- (h) That DCP 2013 - Part 3.3 Dwelling houses and dual occupancy be amended to incorporate controls for the development of secondary dwellings in the R1, R2 , R3 and R4 zones
- (i) That Council seeks the Department of Planning and Infrastructures support for the inclusion of *Clause 4.1C Minimum lot sizes for dual occupancy and multi dwelling housing* as it applies to dual occupancy in *Clause 4.6(8) Exceptions to development standards*.

Note: Councillor Pickering returned to the meeting at 8.21pm.

RESOLUTION: (Moved by Councillors Yedelian OAM and Chung)

That this matter be dealt with in Seriatim.

Record of Voting:

For the Motion: Unanimous

RESOLUTION: (Moved by the Mayor, Councillor Maggio and Councillor Etmekdjian)

That this matter be dealt with as a whole, and not in Seriatim.

Record of Voting:

For the Motion: Unanimous

Note: Council then dealt with this matter as a whole.

RESOLUTION: (Moved by Councillors Etmekdjian and Chung)

- (a) That Council endorse the preparation of a Planning Proposal to amend Draft LEP 2013 (previously known as LEP 2011) in accordance with *Table 1 Planning Proposal Amendments to DLEP 2013* attached to this report.
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- (i) That Council seeks the Department of Planning and Infrastructures support for the inclusion of *Clause 4.1C Minimum lot sizes for dual occupancy and multi dwelling housing* as it applies to dual occupancy in *Clause 4.6(8) Exceptions to development standards*.

Record of Voting:

For the Motion: The Mayor, Councillor Maggio and Councillors Chung, Etmekdjian, Li, Pendleton, Perram, Pickering and Simon

Against the Motion: Councillor Yedelian OAM