

## SYDNEY EAST JOINT REGIONAL PLANNING PANEL

Meeting held at Ryde Council on Wednesday 28 October 2015 at 11.00am

Panel Members: John Roseth (chair), David Furlong, Sue Francis, Craig Chung and Sarkis Yedelian

Apologies: None - Declarations of Interest: None

### Determination and Statement of Reasons

2015SYE069 City of Ryde LDA2015/214: Demolition of existing structures, bulk earthworks and construction and fit-out of a Bunnings Warehouse; a bulky goods Homemakers Centre comprising two tenancies (no fitout proposed); and a child care centre for up to 50 children (no fitout or operational details proposed). Proposal includes two levels of car parking containing 900 parking spaces, vehicular access from Frank Street and Victoria Road, temporary vehicular access from College Street, road works in Frank Street, College Street and Victoria Road, trial closure of College Street, removal of trees, landscaping works, stratum subdivision and signage. Proposed hours of operation for Bunnings Warehouse are 6am to 10pm Mondays to Fridays and 6am to 7pm weekends and public holidays. Proposed hours of operation for bulky goods uses are 8am to 9pm Mondays to Fridays and 8am to 7pm weekends and public holidays. The development is to be constructed in 3 stages at 459 & 461 - 495 Victoria Road, Gladesville as described in Schedule 1.

**Date of determination:** 28 October 2015

#### **Decision:**

The panel determined to accept the recommendation of the assessment report to approve the development application as described in Schedule 1 pursuant to section 80 of the *Environmental Planning and Assessment Act 1979*.

#### **Panel consideration:**

The panel considered: the matters listed at item 6 as addressed in the Council Assessment Report, the material listed at item 7 and the material presented at meetings listed at item 8 in Schedule 1.

#### **Reasons for the panel decision:**

The proposal complies with the objectives of the zone and the relevant planning controls.

The issues raised by nearby residents, regarding traffic through residential streets, have been resolved by the addition of Condition 127A.

The Panel has considered the submission on behalf of the childcare centre on the site, Acre Woods. The Panel notes that there has been no suggestion that the impact of noise and dust cannot be controlled in a way that ensures that children in the centre are not harmed. As regards remediation, the safety of the children will be ensured by the requirement for approval by a site auditor. Therefore, the Panel sees no reason for deferring the decision on this application. The amended conditions respond to the main concern of Acre Woods, namely that it would not be consulted on the Management Plans submitted in relation to noise, dust and remediation impacts.

The Panel notes the submission by Norton Rose Fulbright in relation to Condition 36(b), which the Panel is unable to change without referring it to council, given that it has a financial impact on council.

**Conditions:** The development application was approved subject to the conditions attached to the assessment report, except:

Condition 93 (Dust Control) is amended to require the applicant to submit to council a Dust Control Management Plan.


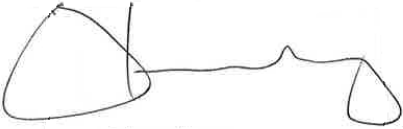

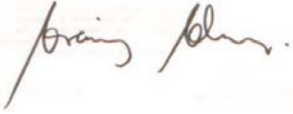

Condition 19 (Noise and Vibration Management Plan) and Condition 93 (Dust Control Management Plan) are amended to require the applicant to submit these Plans to the council for approval. The conditions should also require the council to seek the comments of Acre Woods (the operators of the childcare centre on the site), giving seven days for these comments, and to take those comments into account in their consideration of the Plans mentioned above. No works can commence until the council approves the above Plans.

Condition 32 is amended by changing "Construction Certificate for Stage 1" to "Occupation Certificate for Stage 1". The figures are amended to reflect the total levy for all Stages.

A new Condition 127A is added: "A chain wire fence of at least 1.8m high is to be erected and maintained along the line of bollards between Buildings F and G and any other potential direct pedestrian travel between the car park for Buildings F and G and Bunnings."

#### **Panel members:**

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<b>John Roseth (chair)</b>	<b>David Furlong</b>	<b>Sue Francis</b>
		
<b>Craig Chung</b>	<b>Sarkis Yedelian</b>	

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### SCHEDULE 1

1	<b>JRPP Reference – LGA- Council Reference:</b> 2015SYE069 City of Ryde LDA2015/214
2	<b>Proposed development:</b> Demolition of existing structures, bulk earthworks and construction and fitout of a Bunnings Warehouse; a bulky goods Homemakers Centre comprising two tenancies (no fitout proposed); and a child care centre for up to 50 children (no fitout or operational details proposed). Proposal includes two levels of car parking containing 900 parking spaces, vehicular access from Frank Street and Victoria Road, temporary vehicular access from College Street, road works in Frank Street, College Street and Victoria Road, trial closure of College Street, removal of trees, landscaping works, stratum subdivision and signage. Proposed hours of operation for Bunnings Warehouse are 6am to 10pm Mondays to Fridays and 6am to 7pm weekends and public holidays. Proposed hours of operation for bulky goods uses are 8am to 9pm Mondays to Fridays and 8am to 7pm weekends and public holidays. The development is to be constructed in 3 stages
3	<b>Street address:</b> 59 & 461 - 495 Victoria Road, Gladesville
4	<b>Applicant:</b> Bunnings Properties Pty Ltd <b>Owner:</b> Bunnings Properties Pty Ltd – 461-495 Victoria Road, Gladesville. Salvatore and Anna Circosta – 459 Victoria Road, Gladesville.
5	<b>Type of Regional development:</b> General development with a Capital Investment Value of more than \$20 million
6	<b>Relevant mandatory considerations:</b> <ul style="list-style-type: none"> <li>• Environmental Planning and Assessment Act 1979;</li> <li>• State Environmental Planning Policy (State and Regional Development) 2011;</li> <li>• State Environmental Planning Policy No. 55 – Remediation of Land;</li> <li>• State Environmental Planning Policy No. 64 Advertising and Signage</li> <li>• Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005;</li> <li>• State Environmental Planning Policy (Infrastructure) 2004</li> </ul> <ul style="list-style-type: none"> <li>• Ryde Local Environmental Plan 2014;</li> <li>• <input type="checkbox"/> City of Ryde Development Control Plan 2014;</li> <li>• The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality.</li> <li>• The suitability of the site for the development.</li> <li>• Any submissions made in accordance with the EPA Act or EPA Regulation.</li> <li>• The public interest.</li> </ul>
7	<b>Material considered by the panel:</b> Council Assessment Report Dated: 19 October 2015 Written submissions during public exhibition: 61 Verbal submissions at the panel meeting: Support- Nil; Against- Dr Noel Child, Tony Moody, Steven Schlederer, Peter McFarlane; On behalf of the applicant- Philip Drew
8	<b>Meetings and site inspections by the panel:</b> Briefing Meeting on 13 August 2015
9	<b>Council recommendation:</b> Approval
10	<b>Draft conditions:</b> Attached to council assessment report