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| <b>DATE OF DETERMINATION</b>    | 10 May 2017                                       |
| <b>PANEL MEMBERS</b>            | Deborah Dearing (Chair), John Roseth, Sue Francis |
| <b>APOLOGIES</b>                | Sarkis Yedalian, Roy Maggio                       |
| <b>DECLARATIONS OF INTEREST</b> | None  |

Public meeting held at Christie Conference Centre 100 Walker Street North Sydney on Wednesday, 10 May 2017, opened at 2.00 pm and closed at 2.30 pm.

#### **MATTER DETERMINED**

2016SYE063 – Ryde - LDA2016/258 at 400-426 Victoria Road, Gladesville (AS DESCRIBED IN SCHEDULE 1)

#### **PANEL CONSIDERATION AND DECISION**

The Panel considered: the matters listed at item 6, the material listed at item 7 and the material presented at meetings and the matters observed at site inspections listed at item 8 in Schedule 1.

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

The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution. The decision was unanimous.

#### **REASONS FOR THE DECISION**

The Panel reviewed the Council assessment report and agreed with its recommendation for approval.

The proposal is consistent with the desired future character of the locality.

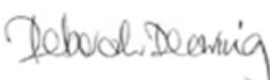

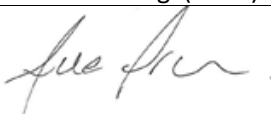
The Panel considered the concerns of the objector and found that:

- From 11.30 am – 3.00 pm the private open space adjacent the rear of 25 Farm Street and neighbouring properties will not be overshadowed in mid-winter;
- The non-compliant height has minimal overshadowing impact and is therefore considered acceptable;
- The separation distance and the screening that will be provided by existing and future landscaping between the proposal and the rear of 25 Farm Street and neighbouring properties is adequate to protect privacy.

#### **CONDITIONS**

The development application was approved subject to the conditions in the Council Assessment Report with the following amendment:

- Amend Condition 38 to reflect the increase in Section 94 monetary contribution as advised in Memorandum from City of Ryde, dated 10 May 2017.

| <b>PANEL MEMBERS</b>   |   |
|--|---|
| <br>Deborah Dearing (Chair) | <br>John Roseth |
| <br>Sue Francis             |   |

| SCHEDULE 1 |  |   |
|------------|--|---|
| 1          | PANEL REF – LGA – DA NO.                   | 2016SYE063 – Ryde – LDA2016/258   |
| 2          | PROPOSED DEVELOPMENT                       | Mixed use development containing 102 apartments, two commercial tenancies and car parking for 133 vehicles, and landscaping works.  |
| 3          | STREET ADDRESS                             | 400-426 Victoria Road Gladesville   |
| 4          | APPLICANT/OWNER                            | Fox Johnston Architects   |
| 5          | TYPE OF REGIONAL DEVELOPMENT               | General development over \$20 million   |
| 6          | RELEVANT MANDATORY CONSIDERATIONS          | <ul style="list-style-type: none"> <li>• Environmental planning instruments: <ul style="list-style-type: none"> <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 (Building Sustainability Index: BASIX)</li> <li>○ State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development</li> <li>○ State Environmental Planning Policy (Infrastructure) 2007</li> <li>○ Deemed State Environmental Planning Policy Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005</li> <li>○ Ryde Local Environmental Plan 2014</li> </ul> </li> <li>• Draft environmental planning instruments: Nil</li> <li>• Development control plans: <ul style="list-style-type: none"> <li>○ City of Ryde Development Control Plan 2014</li> </ul> </li> <li>• Planning agreements: Nil</li> <li>• Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil</li> <li>• Coastal zone management plan: Nil</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 <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>• The public interest, including the principles of ecologically sustainable development</li> </ul> |
| 7          | MATERIAL CONSIDERED BY THE PANEL           | <ul style="list-style-type: none"> <li>• Council assessment report: 12 April 2017</li> <li>• Council Supplementary report: 24 April 2017</li> <li>• Clause 4.6 Variation Request</li> <li>• Written submissions during public exhibition: 1 petition containing 25 signatures and 5 individual letters</li> <li>• Verbal submissions at the public meeting: <ul style="list-style-type: none"> <li>○ In objections: Patrick Rodgers</li> <li>○ On behalf of the applicant –Conrad Johnston, Eugenio Sanhueza</li> </ul> </li> </ul>   |
| 8          | MEETINGS AND SITE INSPECTIONS BY THE PANEL | <ul style="list-style-type: none"> <li>• Briefing Meetings: 22 February 2017, 26 April 2017</li> </ul>  |
| 9          | COUNCIL RECOMMENDATION                     | Approval  |
| 10         | DRAFT CONDITIONS                           | Attached to the council assessment report   |