

**Attachment A -  
SNPP Notice of Deferral**

<b>DATE OF DEFERRAL</b>	27 September 2017
<b>PANEL MEMBERS</b>	Deborah Dearing (Chair), Sue Francis, John Roseth
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

Public meeting held at Christie Conference Centre, 100 Walker St, North Sydney on 27 September 2017, opened at 11:00 am and closed at 12:45 pm

#### **MATTER DEFERRED**

2017SNH012 – Ryde – LDA2016/0395

25-27 Epping Road, Macquarie Park

Construction of a mixed use development

#### **VERBAL SUBMISSIONS**

- On behalf of the applicant – Tony Stoddard, Steven King, Murray Donaldson

#### **REASONS FOR DEFERRAL**

The Panel unanimously agreed to defer the determination of the matter until required information is provided by the applicant and assessment is complete by Council.

The Panel agreed to defer determination of the Development Application because the applicant has not addressed the reasons for the previous deferral (9 August 2017). Amendments to the scheme have not been provided, which were to address the poor solar performance and the poor future amenity for residents in a dense development fenced by major roads.

#### **Solar Access**

Evidence provided to the Panel by Steven King who independently assessed the scheme indicated that 'at best' 47% of the units within the development received two hours solar access mid-winter and that minimal sunlight was available to the communal open space. This sunlight access was not significantly improved for equinoxes.

Accordingly, amended plans are required which optimise solar access both mid-winter and equinox to both units and the major communal open spaces.

The Panel accepts that this may require reduction in heights of certain buildings and perhaps an increase in others. The Panel noted that building 'M' which has the best solar performance may be able to be increased in height by several storeys subject to no significant adverse impact on the adjacent reserve. This would need to be demonstrated in solar diagrams, as well as consideration of the impact of the threatened species in the reserve. Any increase in height which exceeds the development standard must be accompanied by a Clause 4.6 variation request.

The Panel believes by varying building heights, even if they exceed the maximum currently permissible on certain buildings, a variety of building bulk and mass is introduced to the benefit of the overall development.

Amended plans addressing the above should be submitted by the Applicant to Council, by no later than **Friday, 13 October 2017.**

Should the matter need to be advertised, Council should undertake this expeditiously such that any advertising is completed by no later than **Friday, 3 November 2017**.

Council should have a supplementary assessment report to the Panel by no later than **Friday, 17 November 2016**.

### **Voluntary Planning Agreement (VPA)**

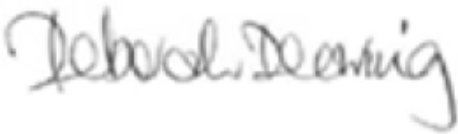


In relation to the issue of the VPA, which was a request from the Council for a deferral or deferred commencement condition, the Panel is minded to accept the advice of the applicant's legal representation that the matter can be dealt with by an operational condition and a bond as offered.

However, it is hoped that in the intervening period above both the applicant and Council will resolve the VPA such that such conditioning is not required.

Following receipt of this information, the Panel will determine the matter electronically, unless the Chair determines that another public meeting is required.

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

The decision to defer the matter was unanimous.

PANEL MEMBERS	
 Deborah Dearing (Chair)	 John Roseth
 Sue Francis	