

COUNCIL SUPPLEMENTARY REPORT

Application Number	2017SNH013 (LDA2016/0378)
Proposed Development	Demolition of all buildings & structures on the site and construction of a mixed use development.
Street Address	152 to 190 Rowe Street, and 3 to 5 Rutledge Street, Eastwood (Eastwood Shopping Centre)
Applicant/Owner	YUHU Property (Australia) Pty Ltd
Date of Lodgement	30 August 2016
List of all documents submitted with this report	Attachment A: Conditions.
Report prepared by	Tony Collier Senior Coordinator Major Development
Report date	17 July 2019

PURPOSE OF THIS REPORT

The purpose of this supplementary report is to address the matters deferred by the Sydney North Planning Panel (the Panel) at its meeting on 25 October 2018.

BACKGROUND

Record of Deferral

At its meeting of 25 October 2018, the Panel resolved to defer the application pending:

- a) The Voluntary Planning Agreement (VPA) being resolved in respect to its terms between parties and advertised;

and

- b) The issue of the hanging gardens being addressed.

The Panel, in their Record of Deferral, also requested a supplementary report to be submitted to the SNPP not later than 1 June 2019 when the Panel will consider the matter by electronic means unless the Chair determines otherwise.

Given minor changes to the VPA that were required to reflect issues from the notification period and the additional time that this had taken to finalise, the agreed

version of the VPA was referred to the Panel Secretariat for review by the Department's legal team on 12 June 2019.

Supplementary Report (12 June 2019)

On 12 June 2019, a Supplementary Report was forwarded to the Panel Secretariat which advised of the following:

1. *An agreed version of the VPA, already signed by the Developer, is referred to the Panel Secretariat for review by the Department's legal team. Council's General Manager will also sign the document in the meantime.*
2. *Should any changes be required to be made by the Department's legal team, the VPA will be referred back to the General Manager (CoR) and the Developer (YUHU) for resigning if necessary.*
3. *The final version of the VPA signed by the Developer and Council will be produced to the Panel on 26 June 2019 for their final execution.*

The VPA was executed by the Panel on 16 July 2019.

Hanging Gardens

At its meeting of 25 October 2018, the Panel noted in the Record of Deferral, that the conditions of consent regarding the hanging garden should be amended to specify construction details (such as soil depth) and maintenance details to ensure success of the hanging garden.

Of the conditions presented to the Panel at the meeting of 25 October 2018, Condition 64 relates to the hanging gardens and states:

64. **Level 1 Open Space.** *The open space area at Level 1 described as the 'Hanging Garden' is to be dedicated entirely as a resident only communal open space with no public access available. Details of compliance are to be submitted with the plans for a relevant Construction Certificate.*

Condition 68 goes on to address the irrigation of all landscaped areas (including common areas, public and private open spaces) and states:

68. **Automated Irrigation.** *An automatic watering system is to be supplied to all landscape areas including common areas, public and private open spaces to ensure adequate water is available to vegetation. Irrigation systems shall be fully automated and capable of seasonal adjustments. Details of compliance are to be submitted with the plans for a relevant Construction Certificate.*

Notwithstanding, Council's Landscape Architect has reviewed this particular aspect of the proposal and has included conditions which address construction details and maintenance details (see **Condition 64 (a), (b) and (c)**). **Note:** Previously imposed Condition 68 has now been deleted as it has been consolidated into Condition 64 and 64(b).

RECOMMENDATION

It is recommended that the Sydney North Planning Panel, in accordance with the Record of Deferral dated 25 October 2018, approve the application (LDA2018/0378) being for the demolition of all buildings & structures on the site and construction of a mixed use development at 152 to 190 Rowe Street, and 3 to 5 Rutledge Street, Eastwood (Eastwood Shopping Centre) subject to the conditions included at Attachment A of this report.

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