

DETERMINATION AND STATEMENT OF REASONS

SYDNEY NORTH PLANNING PANEL

DATE OF DETERMINATION	Wednesday 22 May 2019
PANEL MEMBERS	John Roseth (Chair), Sue Francis, Julie Savet Ward, Edwina Clifton, Bernard Purcell
APOLOGIES	Peter Debnam
DECLARATIONS OF INTEREST	None

Public meeting held at Christie Conference Centre, 100 Walker Street North Sydney on 22 May 2019, opened at 12.05pm and closed at 12.50pm.

MATTER DETERMINED

2018SNH021 – Ryde – LDA2018/0171 at 159-161 Epping Road Macquarie Park – Residential Apartment Building (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 briefings and the matters observed at site inspections listed at item 8 in Schedule 1.

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

The Panel determined to approve the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was 3:2 in favour, against the decision were Edwina Clifton and Bernard Purcell.

REASONS FOR THE DECISION

The majority of the Panel (John Roseth, Sue Francis and Julie Savet Ward) accepted the recommendation of the assessment report to approve the application for the following reasons:

1. The development complies with the planning controls, including with the FSR and building height.
2. The development fits into the desired future character of the area.
3. While the proposal does not achieve the high level of amenity recommended by the Apartment Design Guide, the majority accepts the conclusion of the assessment report, that the amenity could not be improved without reducing the density significantly below that permitted by the controls.

Edwina Clifton and Bernard Purcell voted to refuse the application on the ground that it did not achieve adequate solar access and that it involves the removal of too many existing trees.






CONDITIONS

The development application was approved subject to the conditions in the Council Assessment Report with the amendment of condition 78 to update the reference to the drawing numbers.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered the one written submission made during public exhibition.

The Panel considers that concerns raised by the community have been adequately addressed in the assessment report and that no new issues requiring assessment were raised during the public meeting.

PANEL MEMBERS	
 John Roseth (Chair)	 Sue Francis
 Julie Savet Ward	 Edwina Clifton
 Bernard Purcell	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018SNH021 – Ryde – LDA2018/0171
2	PROPOSED DEVELOPMENT	Construction of 2 x 15 storey residential apartment buildings comprising 317 dwellings (2 x studio, 104 x 1 bedroom, 179 x 2 bedrooms & 32 x 3 bedrooms apartments) over 3 basement levels of car parking for 308 car spaces together with landscaping works and associated site works.
3	STREET ADDRESS	159-161 Epping Road, Macquarie Park
4	APPLICANT/OWNER	Applicant: 159 Epping Road Pty Ltd C/- Mecone Owner: The Owners Strata Plan 9264
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy XXXX Sydney Environmental Planning Policy (State and Regional Development) 2011; State Environmental Planning Policy No. 55 –Remediation of Land; State Environmental Planning Policy (Infrastructure) 2007; State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004; State Environmental Planning Policy 65 (Design Quality of Residential Apartment Development); Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005; Ryde Local Environmental Plan 2014 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Ryde Development Control Plan 2014 Section 7.11 Development Contributions Plan 2007. Planning agreements: Nil Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: Nil Coastal zone management plan: Nil The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality The suitability of the site for the development Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations The public interest, including the principles of ecologically sustainable development
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> Council assessment report: 8 May 2019 Written submissions during public exhibition: 1 Verbal submissions at the public meeting 22 May 2019: <ul style="list-style-type: none"> On behalf of the applicant – Michael Hanisch, Gavin Kain, Samuel Chen, Adam Coburn
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Site inspection: 25 July 2018 Briefing: 25 October 2018 Final briefing to discuss council's recommendation, 22 May 2019 at 11.30am. Attendees: <ul style="list-style-type: none"> Panel members: John Roseth (Chair), Sue Francis, Julie Savet Ward, Edwina Clifton, Bernard Purcell

		<ul style="list-style-type: none">○ <u>Council assessment staff</u>: Tony Collier, Sandra Bailey, Liz Coad, Dan Pearce, Greg Tesoriero, Toby Piper
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report