

DATE OF DETERMINATION	20 October 2021
PANEL MEMBERS	Peter Debnam (Chair), Julie Savet Ward, Brian Kirk, Bernard Purcell
APOLOGIES	Edwina Clifton
DECLARATIONS OF INTEREST	None

Public meeting held by teleconference on 19 October 2021, opened at 1:03pm and closed at 1:31pm.

MATTER DETERMINED

2018SNH075 – Ryde – LDA2018/0498 at 197-223 Herring Rd, Macquarie Park – Demolition of part of existing shopping centre and redevelopment of the Herring Road Corner Podium site, Station Plaza and additional deck parking on the Talavera Road frontage. The development involves 22,764m² of additional gross floor area, 500 additional car parking, 5 signage zones and a digital screen, landscaping and public domain improvements. (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.

Development application

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

The decision was unanimous.

REASONS FOR THE DECISION

The Panel determined to approve the application for the reasons outlined below and in Council's Assessment Report.

The Panel considered Council's comprehensive Assessment Report, which was the culmination of several years of discussions between Council and the Applicant. The Applicant and Council briefed the Panel during the public meeting.

Concept Approval was granted in 2016 for the mixed-use redevelopment of Macquarie Shopping Centre. The Stage One (1) Concept Approval established building footprints, building heights and publicly accessible pedestrian areas, new vehicle access points and an additional Gross Floor Area (GFA) of 148,000 m².

The Concept Approval also required the applicant to enter into a Voluntary Planning Agreement (VPA) with Council for the establishment of a library and creative hub as part of the redevelopment of the podium toward the corner of Herring and Talavera Roads. The VPA was executed in 2018.

This Development Application is for staged works and is consistent with the Concept Approval. The DA was originally lodged in 2018 for the detailed design of the Herring Road corner podium. But after significant public feedback, amended plans and documentation for the redevelopment were submitted to Council in September 2020.

The Panel notes that with respect to the Ryde DCP 2014, the DA includes a number of non-compliances, which were addressed in the Assessment Report. However, these non-compliances were also identified in the Concept Plan and the Concept Plan prevails over the requirements of the RDCP 2014.

The Panel concurs with Council that the proposal is consistent with the Concept Approval. The Panel further agrees the redevelopment will provide a high quality, well-designed environment, which will provide publicly accessible spaces adjacent to public transport networks and hub areas. The activated Station Plaza, retail hub and retention and redevelopment of the ice rink will provide a focal point for local communities and enhance the sense of identity associated with the Macquarie Park area. The Panel discussed the issue of potential light spill from the “cloud” and subsequently strengthened the conditions of consent in this regard.



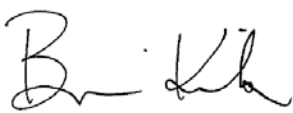

Consequently, the Panel believes approval of the DA is in the public interest.

CONDITIONS

The Development Application was approved subject to the conditions in Council’s Assessment Report as amended by Council’s email of 19th October in relation to amended Conditions 212 – Lighting and new Condition 213 – Lighting of the cloud.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered 31 written submissions made during public exhibition of the amended proposal. Issues of concern included noise pollution, reflectivity, light pollution and construction working hours and the Panel considers those concerns were adequately addressed by Council’s Assessment Report, Applicant and Council responses during the public meeting and the conditions as amended. No members of the local community attended the public meeting.

PANEL MEMBERS	
<div>Peter Debnam (Chair)</div> <div></div>	<div>Julie Savet Ward</div> <div></div>
<div>Brian Kirk</div> <div></div>	<div>Bernard Purcell</div> <div></div>

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2018SNH075 – Ryde – LDA2018/0498
2	PROPOSED DEVELOPMENT	Demolition of part of existing shopping centre and redevelopment of the Herring Road Corner Podium site, Station Plaza and additional deck parking on the Talavera Road frontage. The development involves 22,764m ² of additional gross floor area, 500 additional car parking, 5 signage zones and a digital screen, landscaping and public domain improvements.
3	STREET ADDRESS	197-223 Herring Rd, Macquarie Park
4	APPLICANT/OWNER	Urbis/AMP Capital Investors Limited
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental Planning and Assessment Regulation 2000 • Environmental Planning and Assessment Act 1979 • State Environmental Planning Policy (Infrastructure) 2007 • State Environmental Planning Policy (State and Regional Development) 2011 • State Environmental Planning Policy No. 55 – Remediation of Land • State Environmental Planning Policy No.64 – Advertising and Signage • State Environmental Planning (Vegetation in Non Rural Areas) 2017 • Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 • Ryde Local Environmental Plan 2014 • Draft Remediation of Land State Environmental Planning Policy • Draft Environment State Environmental Planning Policy • City of Ryde Development Control Plan 2014 • City of Ryde Section 7.11 Development Contributions Plan 2020. •
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Council assessment report: 7 October 2021 • Council attachments to report received: 7 October 2021 • Written submissions during public exhibition: 31 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ NIL ○ Council assessment officer – Sandra Bailey • On behalf of the applicant – Ben Matthews, Sarah Horsfield, Simon Gunasekara • Thirty-One (31) submissions were received. Fifteen (15) objecting to the proposal, thirteen (13) in support of the proposal and three (3) which are neutral.
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Briefing: 20 April 2021 <ul style="list-style-type: none"> ○ <u>Panel members</u>: Peter Debnam (Chair), Julie Savet Ward, Brian Kirk, Edwina Clifton, Bernard Purcell ○ <u>Council assessment staff</u>: Sandra Bailey, Alicia Hunter, Madeline Thomas • Site inspection: Panel members visited the site individually on different days due to Covid-19 precautions.

		<ul style="list-style-type: none"> Final briefing to discuss council's recommendation: 19 October 2021 <ul style="list-style-type: none"> <u>Panel members</u>: Peter Debnam (Chair), Julie Savet Ward, Brian Kirk, Edwina Clifton, Bernard Purcell <u>Council assessment staff</u>: Sandra Bailey, Liz Coad, Madeline Thomas
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report