

DATE OF DEFERRAL	Wednesday 13 November 2019
PANEL MEMBERS	Peter Debnam (Chair), Sue Francis, John Roseth, Edwina Clifton, Bernard Purcell
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Public meeting held at Christie Conference Centre, 100 Walker Street, North Sydney, on 13 November 2019, opened at 11.34am and closed at 11.57am.

MATTER DEFERRED

2019SNH006 – Ryde - LDA2019/0028 at 2 Coolinga Street for commercial buildings.

REASONS FOR DEFERRAL

The Panel notes that the recommendation of the assessment report is to approve the application, that there were no written objections to the application and that no objectors attended the meeting. The Panel is therefore minded to approve the application.

However, the applicant objects to draft Condition 33, which would require the contribution of \$2.22 million for the delivery of improvement works on surrounding roads. The applicant maintains that the condition is unlawful and has produced a legal opinion to this effect. The condition was requested to be imposed by the RMS, whose representative was invited to attend the meeting. The representative did not attend. Since there is no independent legal opinion available to the Panel, the Panel resolved to seek this opinion by 6 December 2019.

Following the receipt of the legal opinion, the Panel will determine the application by communicating by electronic means unless the Chair considers that a further meeting is necessary.

The decision to defer the matter was unanimous.

PANEL MEMBERS	
 Peter Debnam (Chair)	 Sue Francis
 John Roseth	 Edwina Clifton
 Bernard Purcell	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2019SNH006 – Ryde - LDA 2019/0028
2	PROPOSED DEVELOPMENT	Construction of four (4) commercial/retail buildings and associated works including a 17 storey gateway building and three 9 storey buildings with a gross floor area of 83,368m² comprising a mix of offices and retail tenancies. The proposal includes four (4) levels of shared basement parking accommodating 834 spaces and end of trip facilities. Public or publicly accessible areas include a public plaza fronting the Macquarie Park Metro Station and a 'Central Urban Park' at the centre of the site. A network of through-site links, paved and landscaped street frontages, as well as visitor bicycle parking are also included. The application is pursuant to a Concept Plan Approval that applies to the site; MP 09-0209 (as modified).
3	STREET ADDRESS	2 Coolinga Street (aka 36 to 40 Waterloo Rd aka 396 Lane Cove Road, Macquarie Park)
4	APPLICANT/OWNER	Australand Industrial No. 122 Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	- Environmental planning instruments: - State Environmental Planning Policy (Infrastructure) 2007 - State Environmental Planning Policy (State and Regional Development) 2011; - State Environmental Planning Policy No. 55 –Remediation of Land; - Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005; - Greater Sydney Regional Plan - A Metropolis of Three Cities, 2018; - Ryde Local Environmental Plan 2014; - Draft environmental planning instruments: Nil - Development control plans: - City of Ryde Development Control Plan 2014 - 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	- Council assessment report: 30 October 2019 - Written submissions during public exhibition: Nil - Verbal submissions at the public meeting 13 November 2019: - On behalf of Council – Sandra Bailey - On behalf of the applicant – Michael Rowe, Debra Townsend, Anthony O'Neill

8	MEETINGS AND SITE INSPECTIONS BY THE PANEL	• Site inspection: 5 June 2019 • Briefing meeting 5 June 2019 • Final briefing meeting to discuss council's recommendation, 13 November 2019, 11am. Attendees: - o <u>Panel members</u>: Peter Debnam (Chair), Sue Francis, John Roseth, Edwina Clifton, Bernard Purcell - o <u>Council assessment staff</u>: Sandra Bailey, Daniel Pearse, Brendan Clendenning (consult for council)
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report