

DETERMINATION AND STATEMENT OF REASONS

SYDNEY NORTH PLANNING PANEL

DATE OF DETERMINATION	31 December 2019
PANEL MEMBERS	Peter Debnam (Chair), Sue Francis, John Roseth, Edwina Clifton, Bernard Purcell
APOLOGIES	None
DECLARATIONS OF INTEREST	None

MATTER DETERMINED

2019SNH006 – Ryde - LDA2019/0028 at 2 Coolinga Street for commercial buildings (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 approved the application because it was consistent with the Concept Plan approved in 2012.

CONDITIONS

The application was approved subject to the conditions recommended in the assessment report with the following amendments:

- Deletion of Condition 33
- Deletion of Condition 40

The Panel sought legal advice on the lawfulness of the above conditions for this specific development application. Based on this advice, and the fact that the applicant protested against the imposition of the condition, the Panel determined to not impose either condition.

CONSIDERATION OF COMMUNITY VIEWS

There were no written objections in response to the exhibition of the application and no objectors attended the public meeting on 13 November 2019.

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 [or enter the clauses if relevant] - 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