

DETERMINATION AND STATEMENT OF REASONS

SYDNEY NORTH PLANNING PANEL

DATE OF DETERMINATION	14 October 2020
PANEL MEMBERS	Peter Debnam (Chair), Julie Savet Ward, Brian Kirk, Bernard Purcell
APOLOGIES	Edwina Clifton
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 7 October 2020.

MATTER DETERMINED

PPSSNH-106 – Ryde – LDA2020/0187 at 112 Talavera Road Macquarie Park for a concept development application (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 3:1 in favour, against the decision was Bernard Purcell.

REASONS FOR THE DECISION

The proposal complies with the planning requirements under Ryde LEP 2014 and Ryde Development Control Plan 2014 (Ryde DCP 2014) with respect to setbacks, building height and floor space. The concept DA is consistent with the desired future character of the precinct as identified in the relevant planning instruments. It will contribute to significant economic growth and the prosperity of Macquarie Park and facilitate the orderly development of the site.

The allocation of gross floor area across the site allows for the orderly development of the site and for the site to achieve its planned residential density. The proposal provides an opportunity to redevelop the site for residential/commercial uses in a coordinated and staged manner, the maximum building envelopes proposed are compliant with the relevant planning provisions and the proposal is consistent with the B4 Mixed Use zone objectives.

The Panel majority concur with the Council's recommendation that the concept DA is acceptable, will not give rise to significant impact to the amenity of the area and that consent be granted to the application in accordance with the conditions which have been agreed with the applicant.

After consideration of the development against section 4.15 of the EP&A Act and the relevant statutory and policy provisions, the Panel majority concurs with Council that the proposal is in the public interest.

Bernard Purcell disagreed with the majority decision for the following reasons:

The state-approved development of 112 Talavera Road, Macquarie Park, is not in keeping with the views or wishes of the residents of the City of Ryde.

I believe that infrastructure concerns are still evident resulting from the significant combined building heights of stages 1 and 2.

All in all, this increase, however minor, further adds to the fact that this development is not undertaken with the public interest at heart.

CONDITIONS

The development application was approved subject to the conditions in the council assessment.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel notes no written submissions were made during public exhibition and therefore no issues of concern were raised.

PANEL MEMBERS	
 Peter Debnam (Chair)	 Julie Savet Ward
 Brian Kirk	 Bernard Purcell

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSNH-106 – Ryde – LDA2020/0187
2	PROPOSED DEVELOPMENT	Approval is sought for a Concept Development Application for a mixed use development comprising the following: • Maximum building envelopes; and • Gross Floor Area distribution across the site.
3	STREET ADDRESS	112 Talavera Road, Macquarie Park
4	APPLICANT/OWNER	Applicant: Karimbla Constructions Services (NSW) Pty Ltd Owner: Karimbla Properties (No. 52) Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	• Environmental planning instruments: - o State Environmental Planning Policy (State and Regional Development) 2011; - o State Environmental Planning Policy No. 55 – Remediation of Land; - o State Environmental Planning Policy (Building Sustainability Index: BASIX); - o State Environmental Planning Policy (Infrastructure) 2007; - o Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005; - o State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development; - o Ryde Local Environmental Plan 2014 • Draft environmental planning instruments: Nil • Development control plans: - o City of Ryde Development Control Plan 2014 - o Section 7.11 Contributions Plan • 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: 8 October 2020 • Written submissions during public exhibition: Nil
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	• Briefing: 29 July 2020 - o <u>Panel members</u>: Peter Debnam (Chair), Julie Savet Ward, Brian Kirk, Bernard Purcell - o <u>Council assessment staff</u>: Sandra Bailey, Rebecca Lockart • Final briefing to discuss council's recommendation: 14 November 2020 - o <u>Panel members</u>: Peter Debnam (Chair), Julie Savet Ward, Brian Kirk, Bernard Purcell - o <u>Council assessment staff</u>: Rebecca Lockart, Sandra Bailey, Madeline Thomas
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report