

DATE OF DETERMINATION	14 December 2023
DATE OF PANEL DECISION	14 December 2023
DATE OF PANEL MEETING	06 December 2023
PANEL MEMBERS	Peter Debnam (Chair), Brian Kirk, Sue Francis, Sophie Lara-Watson
APOLOGIES	Nicole Gurran, OAM Sarkis Yedelian, Shweta Deshpande, Daniel Han
DECLARATIONS OF INTEREST	Nil

Public meeting held by teleconference on 06 December 2023, opened at 10.00am and closed at 11.14am.

MATTER DETERMINED

PPSSNH-336 - LDA2022/0267 – Ryde - 22 Winbourne Street, West Ryde, Multi Sports Facility

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 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 Panel's decision was unanimous.

REASONS FOR DECISION

The Panel approved the DA for the reasons below and in Council's comprehensive Assessment Report.

The Panel considered the DA in a public meeting on 6th December and after deliberating the Panel resolved to seek further information from the Applicant and Council including clarifying information on traffic, parking, emergency vehicle access, green travel plan, hours of operation and design of the acoustic barrier.

The Panel then met with the Applicant and the Council again on 13th December to further discuss these issues in considerable detail. As a result of these discussions, hours of operation were amended to limit usage thereby providing respite to neighbours and plans for the acoustic barrier were amended to reduce the impact on neighbours.

The DA is a Crown Development and proposes the construction and operation of a multi sports facility comprising a 2 storey indoor sports facility with 4 indoor sports courts, 29 outdoor netball courts, on-site car parking, lighting, footpaths, tree removal, landscaping, signage, stormwater drainage, public domain works and environmental protection measures. The site was previously used as a school and was recently rezoned from SP2 Infrastructure (Educational Establishment) to Part RE1 Public Recreation and Part E2 Environmental Conservation.

The proposal for a Multi Sports Facility, which primarily provides for Netball training and games with indoor and outdoor facilities is a unique development.

The site is well serviced by existing footpaths, and access will be improved by the addition of a pedestrian crossing over Brush Road and the extension of the shared user path along Winbourne Avenue (connecting Victoria Road to Hermoyne Street). These public domain works directly improve accessibility for the site

and immediate vicinity. Therefore, the site is considered suitable for this non-residential community use, given the environmental constraints are satisfactorily mitigated. Council's assessment established that the continued use of the site provides a community and social benefit, which improves the current condition of the site and offers an outcome which services the needs of the community.


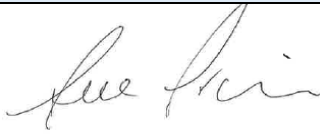

The Panel concurs with Council that the application has been appropriately assessed against relevant planning controls, the site is suitable for the proposal, will deliver a much-needed sports facility and approval is in the community interest.

CONDITIONS

The development application was approved subject to the revised conditions dated 13 December 2023 which were agreed by the Applicant.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered 101 written submissions made during the public exhibition of the proposal. Issues raised included Increased traffic congestion, traffic & parking, noise levels and acoustic screens, impacts on flora and fauna, privacy and amenity and hours of operation. The Panel considers concerns raised in submissions have been adequately addressed in the Assessment Report and in the conditions as amended.

PANEL MEMBERS	
 Peter Debnam (Chair)	 Sue Francis
 Brian Kirk	Approved by email dated 14 December 2023 Sophie Lara-Watson

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSNH-336 - LDA2022/0267 – Ryde
2	PROPOSED DEVELOPMENT	Multi Sports Facility
3	STREET ADDRESS	22 Winbourne Street, West Ryde
4	APPLICANT/OWNER	Department of Education
5	TYPE OF REGIONAL DEVELOPMENT	Crown Development over \$5 Million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> Environmental Planning and Assessment Act 1979 Environmental Planning and Assessment Regulation 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Industry and Employment) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 State Environmental Planning Policy (Biodiversity and Conservation) 2021 State Environmental Planning Policy (Planning Systems) 2021 Ryde Local Environmental Plan 2014 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Ryde Development Control Plan 2014 Planning agreements: City of Ryde Section 7.11 Development Contributions Plan 2020 Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>: 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. Applicant's acoustic letter dated 07 December 2023 Applicant's traffic letter dated 12 December 2023 Attachment 1: Proposed Plans Attachment 2: Proposed Civil Plans Attachment 3: Proposed Landscape & Lighting Plans Attachment 4: Operational Management Plan Attachment 5: Draft Conditions of Consent Written submissions during public exhibition: 101, (First notification: 41

		<p>submissions). Second notification: 60 submissions (comprising 54 unique submissions)</p> <ul style="list-style-type: none"> • Verbal submissions at the public meeting: <ul style="list-style-type: none"> • Members of the community – Catherine Bright, Mon Fong, Linda Kendrick, Herman Rebelo, Michael Depergola, Angela Depergola, Matthew Minard, Dianne Chow • Council Assessment Officers - Sandra Bailey, Holly Charalambous, Simon James, Carine Elias, Justin Burn, Antonija Laus, Amir Mousavi • On behalf of the applicant – David Wheeler, Andrew Robinson, Isidro Flores-Coni, Barnaby Hartford-Davis, Natasha Bartley, Matthew Ottley.
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • 30 November 2022 - Briefing <ul style="list-style-type: none"> ○ <u>Panel members</u>: Peter Debnam (Chair), Brian Kirk, OAM Sarkis Yedelian ○ <u>Council assessment staff</u>: Sandra Bailey, Holly Charalambous • 06 December 2023 - Final briefing and public meeting: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Peter Debnam (Chair), Brian Kirk, Sue Francis, Sophie Lara-Watson ○ <u>Council assessment staff</u>: Sandra Bailey, Holly Charalambous, Simon James, Carine Elias, Justin Burn, Antonija Laus, Amir Mousavi • 13 December 2023 – Briefing: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Peter Debnam (Chair), Brian Kirk, Sue Francis, Sophie Lara-Watson ○ <u>Council assessment staff</u>: Sandra Bailey, Holly Charalambous, Carine Elias. ○ <u>Applicant</u>: David Wheeler, Natasha Bartley, Matthew Ottley, Karen McNatty.
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report