

DETERMINATION AND STATEMENT OF REASONS
SYDNEY NORTH PLANNING PANEL

DATE OF DETERMINATION	18 July 2024
DATE OF PANEL DECISION	18 July 2024
DATE OF PANEL MEETING	17 July 2024
PANEL MEMBERS	Peter Debnam (Chair), Brian Kirk, Nicole Gurran, OAM Sarkis Yedelian
APOLOGIES	Daniel Han
DECLARATIONS OF INTEREST	None

Public meeting held by teleconference on 17 July 2024, opened at 3.31pm and closed at 3.44pm.

MATTER DETERMINED

PPSSNH-452 - LDA2023/0323 – Ryde

691-695 VICTORIA ROAD, RYDE

Shop Top Housing, Construction of a mixed used development including 2 x residential towers and 1 x mixed use tower ranging in height between 6 to 8 storeys over three levels of basement parking accommodating 194 residential units, 120 place child-care centre with 269 parking spaces.

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 listed at item 8 in Schedule 1.

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

The Panel had been extensively briefed on the proposal by Council and had reviewed the documentation and submissions.





During the public meeting, the Panel heard from members of the public and the Council but the Applicant was not present to address the Panel. The Panel notes the Applicant was notified of the meeting.

The Panel concurs with Council's recommended reasons for refusal including that concurrence had not been received from Transport for NSW.

The Panel believes the application has been properly assessed against relevant planning controls and approval would not be in the public interest.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered 12 written submissions made during public exhibition and also heard from members of the public who wished to address the public meeting. The concerns raised by the community included overdevelopment, lot isolation, impact on existing infrastructure, construction impacts, traffic and parking, neighbours' amenity and stormwater runoff.

PANEL MEMBERS	
 Peter Debnam (Chair)	 Brian Kirk
 Nicole Gurran	 OAM Sarkis Yedelian

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSNH-452 - LDA2023/0323 – Ryde
2	PROPOSED DEVELOPMENT	Shop Top Housing, Construction of a mixed used development including 2 x residential towers and 1 x mixed use tower ranging in height between 6 to 8 storeys over three levels of basement parking accommodating 194 residential units, 120 place child-care centre with 269 parking spaces.
3	STREET ADDRESS	691-695 VICTORIA ROAD RYDE
4	APPLICANT/OWNER	Applicant: Mr Ziad Chanine Owner: AMHA Properties Pty Limited
5	TYPE OF REGIONAL DEVELOPMENT	Capital Investment Value > \$30M
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental Planning and Assessment Act 1979; • Environmental Planning and Assessment Regulation 2021; • State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004; • State Environmental Planning Policy (Planning Systems) 2021; • State Environmental Planning Policy (Resilience and Hazards) 2021; • State Environmental Planning Policy (Transport and Infrastructure) 2021; • State Environmental Planning Policy (Housing) 2021; • Ryde Local Environmental Plan 2014; • Ryde Development Control Plan 2014; and • Section 7.11 Contribution PlanDraft environmental planning instruments: Nil • Planning agreements: Nil • Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> • The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in

		<p>the locality</p> <ul style="list-style-type: none"> • 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: 20 June 2024 • Attachment 1: Architectural Plans. • Attachment 2: Apartment Design Guide Table of Compliance • Attachment 3: SEPP & Guideline Tables of Compliance • Attachment 4: Clause 4.6 Request (Height of Buildings) • Attachment 5: Clause 4.6 Request (Floor Space Ratio) • Attachment 6: RDCP Part 3.2 Table of Compliance • Attachment 7: Reasons for Refusal • Written submissions during public exhibition: 12
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • 24 April 2024 - Assessment Briefing <ul style="list-style-type: none"> ○ <u>Panel members</u>: Peter Debnam (Chair), Brian Kirk, Nicole Gurran and Sophie Lara-Watson ○ <u>Council assessment staff</u>: Sohail Faridy, Anthony Collier, Holly Charalambous ○ 17 July 2024 - Final briefing to discuss council's recommendation: ○ <u>Panel members</u>: Peter Debnam (Chair), Brian Kirk, Nicole Gurran, OAM Sarkis Yedelian ○ <u>Council representatives</u>: Carine Elias, Anthony Collier, Holly Charalambous
9	COUNCIL RECOMMENDATION	Refusal
10	DRAFT CONDITIONS	Nil