

DATE OF DEFFERRAL	20 September 2024
DATE OF PANEL MEETING	18 September 2024
PANEL MEMBERS	Peter Debnam (Chair), Brian Kirk, Nicole Gurran
APOLOGIES	Sarkis Yedelian, Daniel Han
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 9 September 2024.

MATTER DEFERRED

PPSSNH-456 - LDA2023/0335 – Ryde - 20 Waterview Street, Putney - Marina - Construction and use of 36 marinas including extension of wharf deck and ancillary facilities. The proposed activity is classed as ‘Designated Development’ pursuant to Schedule 3(32) of the EP&A Regulation 2021. (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 listed at item 8 in Schedule 1.

Development application

The Panel determined to defer the development application pursuant to section 4.16 of the *Environmental Planning and Assessment Act 1979*.

The decision was unanimous.

REASONS FOR DEFFERRAL

The subject development application (LDA2023/0335) was lodged on 21 December 2023 (the date fees were paid to Council) and seeks consent for the construction of a 36 berth marina including an extension of the wharf deck and ancillary facilities.

The Panel noted draft conditions 62, 63, 64, 70 and 72 relating to “Compliance with measures outlined by Curio Projects” and 70 and 72 relating to “Plan of Management and Compliance” should be reworded to clarify intent.

The Panel also noted the DA relies upon TfNSW Owner’s Consent originally issued on 9th December 2021 and subsequently extended until 9th December 2023. The DA was lodged on 21st December 2023 which is after the Owners Consent had expired. Consequently, the DA requires a new Owner’s Consent from TfNSW.

The Panel resolved to defer their determination for the Applicant to urgently seek a new Owner’s Consent and also for Council to update the draft conditions. It is envisaged both matters will be resolved in the next few weeks.

Once Council advises a valid Owner’s Consent has been received and the conditions have been updated, the Panel will determine the matter electronically.

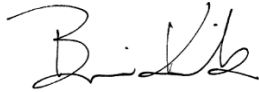
PANEL MEMBERS



Peter Debnam (Chair)



Nicole Gurrán



Brian Kirk

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSNH-456 - LDA2023/0335 – Ryde
2	PROPOSED DEVELOPMENT	Marina - Construction and use of 36 marinas including extension of wharf deck and ancillary facilities. The proposed activity is classed as 'Designated Development' pursuant to Schedule 3(32) of the EP&A Regulation 2021
3	STREET ADDRESS	20 Waterview Street, Putney
4	APPLICANT/OWNER	Kate Azzopardi / Lilac Pty Ltd, Transport for NSW
5	TYPE OF REGIONAL DEVELOPMENT	Designated development - marina or other related land and water shoreline facilities
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (Planning Systems) 2021 State Environmental Planning Policy (Biodiversity and Conservation 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 Water Management Act 200 Environmental Planning Assessment Act 1979 Ryde Local Environmental Plan 2014 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Ryde Development Control Plan 2014 Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</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: 28 August 2024
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Preliminary briefing: 3 April 2024 <ul style="list-style-type: none"> <u>Panel members</u>: Peter Debnam, Brian Kirk, Nicole Gurran <u>Council assessment staff</u>: Sohil Faridy, Carine Elias, Shannon Butler and Holly Charalamous Council Briefing: 31 July 2024 <ul style="list-style-type: none"> <u>Panel members</u>: Peter Debnam, Brian Kirk, Nicole Gurran <u>Council assessment staff</u>: Sohil Faridy, Carine Elias, Shannon Butler and Holly Charalamous Council Briefing: 28 August 2024 <ul style="list-style-type: none"> <u>Panel members</u>: Brian Kirk, Nicole Gurran, Graham Brown <u>Council assessment staff</u>: Sohil Faridy, Carine Elias, Shannon Butler and Holly Charalamous Final briefing to discuss council's recommendation: 18 September 2024 <ul style="list-style-type: none"> <u>Panel members</u>: Peter Debnam, Brian Kirk, Nicole Gurran <u>Council assessment staff</u>: Sohil Faridy, Mahbub Alam, Carine Elias, Shannon Butler

		<ul style="list-style-type: none">○ <u>Applicant representatives:</u> Kate Azzopardi, Josh Patterson and Kerry Lewis
9	COUNCIL RECOMMENDATION	Deferral
10	DRAFT CONDITIONS	Attached to the Council Assessment Report