

DETERMINATION AND STATEMENT OF REASONS

SYDNEY NORTH PLANNING PANEL

DATE OF DETERMINATION	22 October 2024
DATE OF PANEL DECISION	22 October 2024
DATE OF PANEL MEETING	18 September 2024
PANEL MEMBERS	Peter Debnam (Chair), Brian Kirk, Nicole Gurran
APOLOGIES	None
DECLARATIONS OF INTEREST	None

MATTER DETERMINED

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 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 resolved to approve the DA for the reasons set out below and in Council’s comprehensive Assessment Report.

The subject development application (LDA2023/0335) was lodged in December 2023 and seeks consent for the construction of a 36 berth marina, including an extension of the wharf deck and ancillary facilities.

The proposed marina is a permanent boat storage facility, located wholly on the Parramatta River, and would provide berthing and mooring facilities and public facilities for the launching of passive marine craft. The proposal includes provision of sewer pump-out facilities as well as power and water to the berths to allow for minor maintenance, but there are no repair facilities proposed. The proposal includes a small craft storage facility and a marina office, which are ancillary elements of the marina.

The Assessment Report also includes discussion of likely impacts of the development in terms of Vessel Navigation, Noise, Visual Impact, Aquatic Ecological Impacts and Social Impacts. The Panel agrees with Council that potential impacts are manageable with conditions.

The Panel met twice to consider the Assessment Report, initially on 18th September and then again electronically on 18th October 2024. The Panel had also had the benefit of previous briefings with the Council and Applicant.

At the September meeting, the Panel deferred their determination to allow the Applicant to seek a new Owner’s Consent (which had expired) and also for Council to update the draft conditions in accordance

with the Panel’s advice at the September meeting. In October, valid owner’s consent was received and Council’s draft conditions were updated.



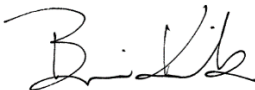
In summary, the Panel concurs with Council that the proposal has been properly assessed against relevant planning legislation and controls, is suitable for the site and approval would be in the community interest.

Conditions

The Development Application was approved subject to the amended conditions in Council’s email of 18th October.

Community Consultation

In coming to its decision, the Panel considered three written submissions made during public exhibition. Concerns included swing moorings, width of the river, potential pollution impacts and privacy. The Panel believes the community concerns have been adequately addressed in Council’s Assessment Report and in the amended conditions.

PANEL MEMBERS	
 Peter Debnam (Chair)	 Nicole Gurran
 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 Deferral 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	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report