



DATE OF DETERMINATION	Thursday 25 October 2018
PANEL MEMBERS	Peter Debnam (Chair), Sue Francis, Julie Savet Ward, Edwina Clifton, Bernard Purcell
APOLOGIES	John Roseth
DECLARATIONS OF INTEREST	Bernard Purcell stated that his wife works at URBIS as the National Manager for graphic design. She does not have any influence on built form design or project specifics. This does not exclude him from participating on the Panel.

Public meeting held at Ryde Council Chambers 1 Pope Street Ryde on 25 October 2018, opened at 10.38am and closed at 11.13am.

MATTER DEFERRED

2017SNH013 – Ryde – LDA2016/378 at 152-190 Rowe Street and 3-5 Rutledge Street, Eastwood (as described in Schedule 1)

REASONS FOR DEFERRAL

The Panel has considered the officers report and representations at the meeting and accepts the assessment of staff that the proposal merits approval.






In relation to the Clause 4.6 variation in respect of height, the Panel considers there is sufficient environmental planning grounds to vary the height standard; noting that the variation allows for a reduced shadow impact relative to a complying envelope. In this respect the variation results in a better planning outcome and would be consistent with the objectives of the standard.

However, the Panel notes that the Voluntary Planning Agreement (VPA) has not been finalised and that it has not been exhibited. Further that Council wishes a broad public consultation process and does not intend to finalise this exhibition process until at least February 2019. In the circumstances, the Panel considers it inappropriate to approve the application with a deferred commencement condition.

The Panel also notes that the conditions of consent regarding the hanging garden should be amended to specify construction details (such as soil depth) and maintenance details to ensure success of the hanging garden.

The Panel therefore resolves to defer the application for the VPA to be resolved in respect to its terms between parties and advertised. The Panel requests a supplementary report be prepared by staff and submitted to the Panel not later than 1 June 2019 when the Panel will consider the matter by electronic means unless the Chair determines otherwise. The issue of the hanging gardens should be addressed in the supplementary report.

The decision to defer the matter was unanimous. The Panel adjourned during the meeting to deliberate on the matter and formulate a resolution.

PANEL MEMBERS	
 Peter Debnam (Chair)	 Sue Francis
 Julie Savet Ward	 Edwina Clifton
 Bernard Purcell	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	2017SNH013 – Ryde – LDA2016/378
2	PROPOSED DEVELOPMENT	<p>Demolition and construction of a mixed-use development comprising 7 buildings accommodating retail, commercial and residential uses. The development will contain:</p> <ul style="list-style-type: none"> • 11,449.4m² of retail space; • 3,629.6m² of commercial space (including office, gym and medical centre) • 409 residential apartments consisting of 97 x 1 bedroom, 249 x 2 bedroom & 63 x 3 bedroom apartments. • 4 levels of basement car parking accommodating 1,035 vehicles. • Building heights ranging from 6 to 13 storeys. • Two open air through-site pedestrian links between Rowe and Rutledge Streets, and • Landscaping works within the site.
3	STREET ADDRESS	152-190 Rowe Street and 3-5 Rutledge Street, Eastwood
4	APPLICANT/OWNER	Applicant: Yuhu Property (Australia) Pty Ltd Owner: Yuhu Property (Australia) Pty Ltd
5	TYPE OF REGIONAL DEVELOPMENT	General Development over \$20million and lodged prior 1 March 2018
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy (State and Regional Development) 2011 ○ State Environmental Planning Policy (Building Sustainability index: BASIX) ○ State Environmental Planning Policy No.65 – Design Quality of Residential Apartment Development ○ State Environmental Planning Policy (Infrastructure) 2007 ○ Sydney Regional Environmental Plan (Sydney Harbour Catchment) (Deemed SEPP) ○ 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: 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	<ul style="list-style-type: none"> • Council assessment report: 18 October 2018 • Written submissions during public exhibition: 24 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ Council assessment officer – Sandra Bailey, Allison Davidson, Liz Coad, Daniel Pearse

		<ul style="list-style-type: none"> ○ On behalf of the applicant – Murray Donaldson, Susan Pini, Andrew Johnson
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> ● Site inspection: 7 February 2018 ● Briefing: 14 June 2018 ● Final briefing to discuss council’s recommendation, 25 October 2018, 10.15am. Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Peter Debnam (Chair), Sue Francis, Julie Savet Ward, Edwina Clifton, Bernard Purcell ○ <u>Council assessment staff</u>: Sandra Bailey, Liz Coad, Alison Davidson, Daniel Pearse
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report