

Date of Determination	9 March 2023
Panel Members	Marcia Doheny (Chair) Michael Leavy (Independent Expert) Jennifer Bautovich (Independent Expert) Anthony Panzarino (Community Representative)
Apologies	NIL
Declarations of Interest	NIL

Papers circulated electronically on 2 March 2023.

MATTER DETERMINED

LDA2022/0288

Address: 70 Frances Road Putney (Morrison Bay Park)

Proposal: Proposed Community Garden (Morrison Bay Park) to be used and maintained by members of the local community including those who are retired, live with disabilities or area in high rise developments. The development will include tiered levels of gardens, providing accessible garden spaces for community members, incorporating composting and recycling strategies, and maximising green initiatives.

PANEL CONSIDERATIONS 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.

DEVELOPMENT APPLICATION

The Panel determined to **approve** the development application as described in Schedule 1, 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 **approve** the application for the following reasons:

- 1) The proposal is consistent with the objectives for RE1 zoned land
- 2) The proposal would promote the social welfare of the community
- 3) The proposal does not result in any significant adverse impacts upon adjoining properties public open space or neighbouring properties
- 4) The proposal is not contrary to the public interest.





The Panel adopts the recommendation and reasons for approval as outlined in the Assessment Officer's report.

CONDITIONS

The development application was **approved** subject to the conditions in the Council assessment report.

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel notes that no written submissions were made during public exhibition and therefore no issues of concern were raised.

PANEL MEMBERS	
Marcia Doheny (Chair)	
Michael Leavey	
Jennifer Bautovich	
Anthony Panzarino	

SCHEDULE 1

1	DA No.	LDA2022/0288
2	Proposal	Proposed Community Garden (Morrison Bay Park) to be used and maintained by members of the local community including those who are retired, live with disabilities or area in high rise developments. The development will include tiered levels of gardens, providing accessible garden spaces for community members, incorporating composting and recycling strategies, and maximising green initiatives.
3	Street Address	70 Frances Road Putney (Morrison Bay Park)
4	Applicant / Owner	Rotary Club of Ryde Incorporated / City of Ryde Council
5	Reason for referral to RLPP	Conflict of interest – Schedule 1 (a) Development for which the applicant or landowner is the Council
6	Relevant mandatory considerations	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy Resilience and Hazards SEPP 2021 ○ State Environmental Planning Policy Biodiversity and Conservation SEPP 2021 ○ Ryde Local Environmental Plan 2014 • Draft environmental planning instruments: Nil • Ryde Development Control Plan • Planning agreements: Nil • Provisions of the <i>Environmental Planning and Assessment Regulation 2001</i>: 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 • 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 • Written submissions during public exhibition: 0 (Nil)
8	Meetings, briefings and site inspections by the Panel	<ul style="list-style-type: none"> • Site inspection: At the discretion of Panel members due to COVID-19 restrictions • Briefing: 9 March 2023 • Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Marcia Doheny (Chair), Michael Leavey, Jennifer Bautovich, Anthony Panzarino ○ <u>Council assessment staff</u>: Sandra Bailey, Jason Chanphakeo, Sohail Faridy, Daniel Pearse, Myra Malek, Kimberley Kavwenje (Consultant Planner) • Papers were circulated electronically on 3 March 2023
9	Council Recommendation	Deferred Commencement Approval
10	Draft Conditions	Attachment 1 to the Council assessment report