

Date of Determination	12 December 2019
Panel Members	Steve O' Conner (Chair) Jennifer Bautovich (Independent Expert) Eric Armstrong (Independent Expert) Rob Senior (Community Representative)
Apologies	NIL
Declarations of Interest	NIL

Public meeting held at the City of Ryde Council Chambers on 12 December 2019 opened at 5:00pm and closed at 5:10pm.

Papers circulated electronically on 4 December 2019.

MATTER DETERMINED

MOD2019/0116 - 73 Magdala Road, North Ryde

Section 4.55(1A) modification of condition of consent to allow for extended operating hours from 9:30pm Monday to Thursday to 9:30pm Monday to Friday.

The Panel was satisfied with the briefing and site inspections and did not require anyone to address the meeting. It is also noted that no objectors had registered to speak and the applicant was present and raised no objections.

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 and the matters observed at site inspections 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 4.55 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 and planning controls contained within the provisions of LEP2014, DCP2014 and also the applicable SREPs.




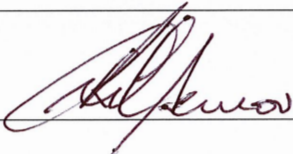
2. The impacts on the natural and built environment have been assessed to be satisfactory, with the existing conditions of consent remaining satisfactory to mitigate impacts that have the potential to arise.
3. The proposal will continue to help facilitate recreational activities on land zoned for public recreational purposes, and is therefore a suitable use of the site.
4. The development is considered to be in the public interest.

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 considered written submissions made during public exhibition.

PANEL MEMBERS	
Steve O' Conner (Chair)	
Jennifer Bautovich	
Eric Armstrong	
Rob Senior	

SCHEDULE 1

1	Section 4.55 No.	MOD2019/116
2	Proposal	Section 4.55(1A) modification of condition of consent to allow for extended operating hours from 9:30pm Monday to Thursday to 9:30pm Monday to Friday.
3	Street Address	73 Magdala Road, North Ryde
4	Applicant / Owner	Council of The City of Ryde/ Council of The City of Ryde
5	Reason for referral to RLPP	Conflict of Interest – development for which the applicant or land owner is the council. <i>Schedule 1, Part 3 of Local Planning Panels Direction</i>
6	Relevant mandatory considerations	<ul style="list-style-type: none"> • Section 4.55 (1A) Modifications involving minimal environmental impact • Environmental planning instruments: <ul style="list-style-type: none"> ○ Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Deemed SEPP) ○ Ryde Local Environmental Plan 2014 ○ Heritage Conservation • 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 • Written submissions during public exhibition: Nil • Verbal submissions at the public meeting: Nil
8	Meetings, briefings and site inspections by the Panel	<ul style="list-style-type: none"> • Council assessment report • Written submissions during public exhibition: Nil • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ In support – Nil ○ In objection – Nil ○ Council assessment officer – Sandra Bailey & Ben Tesoriero ○ On behalf of the applicant – Nil

		<ul style="list-style-type: none"> • Site inspection & briefing: 12 December 2019 <p>Attendees:</p> <ul style="list-style-type: none"> ○ <u>Panel members</u>: Steve O’Conner (Chair), Jennifer Bautovich, Eric Armstrong, Rob Senior ○ <u>Council assessment staff</u>: Sandra Bailey
○ 9	Council Recommendation	Approval
10	Draft Conditions	Attachment 1 to the council assessment report