

Date of Determination	13 February 2020
Panel Members	Steve O'Connor (Chair) Eugene Sarich (Independent Expert) Ian Stapleton (Independent Expert) Bec Ho (Community Representative)
Apologies	NIL
Declarations of Interest	NIL

Public meeting held at the City of Ryde Council Chambers on 13 February 2020 opened at 5:00pm and closed at 6:40pm.

Papers circulated electronically on 5 February 2020.

MATTER DETERMINED

LDA2016/0617 - 29, 33 & 35 Buffalo Road, Gladesville

Proposal: Construction of two warehouses, a retail/office building, at grade parking for 30 vehicles and landscape and drainage works and the use of the warehouse buildings for the purpose of a warehouse and distribution centre.

The following people addressed the meeting:

1. Sandra Bailey (Manager Development Assessment – application intro)
2. Hong Huang (applicant)

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 refuse 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 refuse the application for the following reasons:

1. The proposed development is not permissible within the IN2 – Light Industrial zone under the RLEP 2014.

2. The proposed development fails to comply with the maximum building height development standard as required by Clause 4.3 of the Ryde LEP 2014. It is not considered that the development is consistent with the objectives of this development standard.
3. The site is not considered suitable for the proposed development given the potential site contamination and impact to the groundwater.
4. The proposed development will adversely impact a tree on the adjoining property. Given owner's consent for the removal of this tree has not been provided, its removal is not permissible.
5. The proposed development is not considered to be in the public interest.



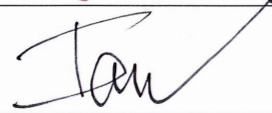

CONDITIONS

Not applicable

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during public exhibition and heard from all those wishing to address the panel.

The panel considers that concerns raised by the community have been adequately addressed in the assessment report and that no new issues requiring assessment were raised during the public meeting.

PANEL MEMBERS	
Steve O'Connor (Chair)	
Eugene Sarich	
Ian Stapleton	 13/2/20
Bec Ho	

SCHEDULE 1

1	DA No.	LDA2016/0617
2	Proposal	Construction of two warehouses, a retail/office building, at grade parking for 30 vehicles and landscape and drainage works and the use of the warehouse buildings for the purpose of a warehouse and distribution centre.
3	Street Address	29, 33 & 35 Buffalo Road, Gladesville
4	Applicant / Owner	
5	Reason for referral to RLPP	<u>Contentious Development</u> Development is the subject of 10 or more unique submissions by way of objection.
6	Relevant mandatory considerations	<ul style="list-style-type: none"> • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy No. 55 – Remediation of Land ○ State Environmental Planning Policy (Infrastructure) 2007 ○ 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 <p>The public interest, including the principles of ecologically sustainable development</p>
7	Material considered by the Panel	<ul style="list-style-type: none"> • Council assessment report • Clause 4.6 variation to height • Written submissions during public exhibition: 23 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ In support – NA ○ In objection – NA ○ Council assessment officer – Sandra Bailey ○ On behalf of the applicant – Hong Huang
8	Meetings, briefings and site inspections by the Panel	<ul style="list-style-type: none"> • Site inspection: 13 February 2020

		<ul style="list-style-type: none"> • Briefing: 13 February 2020 <p>Attendees:</p> <ul style="list-style-type: none"> ○ <u>Panel members</u>: Steve O'Connor (Chair), Eugene Sarich, Ian Stapleton, Bec Ho ○ <u>Council assessment staff</u>: Sandra Bailey, Hemantha Jayasekara, Isan Chan <ul style="list-style-type: none"> • Papers were circulated electronically on 5 February 2020
9	Council Recommendation	Refusal
10	Draft Conditions	NA