

Date of Determination	15 October 2020
Panel Members	Marcia Doheny (Chair) Jennifer Bautovich (Independent Expert) Eric Armstrong (Independent Expert) Donna Gaskill (Community Representative)
Apologies	NIL
Declarations of Interest	NIL

Briefing held remotely via teleconference (Council staff at the North Ryde Office) on 15 October 2020. Papers circulated electronically on 8 October 2020. Panel members visited the site before the briefing.

MATTER DETERMINED

LDA2020/0139 - 31 Campbell Street, Eastwood
Demolition, new dual occupancy (attached) and strata subdivision.

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.

The Panel was also provided with and read the following:

- Correspondence from Pikes & Verekers dated 14 October 2020
- Heritage Report prepared by Weir Phillips dated April 2020
- Heritage Assessment by John Oultram Heritage & Design dated April 2020
- Letter from the Department of Planning, Industry & Environment dated 9 August 2019
- Briefing note from the Manager Development Assessment dated 15 October 2020

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:





- The proposal is inconsistent with Draft Ryde Heritage Review Planning Proposal 2019 which is imminent and certain.
- The proposed demolition of the existing dwelling would not conserve the environmental heritage of Ryde.
- The proposal is considered to be contrary to the public interest.

CONDITIONS

Not applicable

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)	
Jennifer Bautovich	
Eric Armstrong	
Donna Gaskill	

SCHEDULE 1

1	DA No.	LDA2020/0139
2	Proposal	Demolition, new dual occupancy (attached) and strata subdivision
3	Street Address	31 Campbell Street, Eastwood
4	Applicant / Owner	Shaohui Zhao
5	Reason for referral to RLPP	Sensitive Development – Demolition of a Draft Heritage Item
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 (Vegetation in Non-Rural Areas) 2017 ○ Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 ○ Ryde Local Environmental Plan 2014 • Draft environmental planning instruments: <ul style="list-style-type: none"> ○ Draft Remediation of Land State Environmental Planning Policy ○ Draft Environment SEPP ○ Draft 2019 Heritage Review Planning Proposal • 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 • Correspondence from Pikes & Verekers dated 14 October 2020 • Heritage Report prepared by Weir Phillips dated April 2020 • Heritage Assessment by John Oultram Heritage & Design dated April 2020 • Letter from the Department of Planning, Industry & Environment dated 9 August 2019 • Briefing note from the Manager Development Assessment dated 15 October 2020 • Written submissions during public exhibition: Nil
8	Meetings, briefings and site inspections by the Panel	<ul style="list-style-type: none"> • Site inspection: All Panel members visited the site individually • Briefing: 15 October 2020

		<p>Attendees:</p> <ul style="list-style-type: none"> ○ <u>Panel members</u>: Marcia Doheny (Chair), Jennifer Bautovich, Eric Armstrong, Donna Gaskill ○ <u>Council assessment staff</u>: Sandra Bailey, Deren Pearson, Daniel Pearse, Dyalan Govender, Michael Edwards <ul style="list-style-type: none"> ● Papers were circulated electronically on 8 October 2020
9	Council Recommendation	Refusal
10	Draft Conditions	Not Applicable