

DETERMINATION AND STATEMENT OF REASONS

SYDNEY NORTH PLANNING PANEL

DATE OF DETERMINATION	9 December 2020
PANEL MEMBERS	Peter Debnam (Chair), Julie Savet Ward, Brian Kirk, Edwina Clifton, Bernard Purcell
APOLOGIES	None
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 2 December 2020.

MATTER DETERMINED

PPSSNH-117 – Ryde – LDA2020/0229 at 11 Khartoum Road, Macquarie Park for amendments to a Concept Development Application (as described in Schedule 1)

PANEL CONSIDERATION 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 pursuant to section 4.17 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 reasons outlined below and in Council's Assessment Report.

After consideration of the development against section 4.15 of the Environmental Planning and Assessment Act 1979 and the relevant statutory and policy provisions, the Panel concurs with Council that the proposal is suitable for the site and is in the public interest.

The Amending DA proposal provides an opportunity to redevelop the site for commercial and high technology uses in a coordinated and staged manner. It updates the existing Concept DA to reflect the commercial demands of the site, and to adapt to the multi-faceted nature of Macquarie Park.

While the Building B design is incongruent with a number of built form controls of Ryde DCP 2014, these are supportable due to the underlying security design and operational requirements for the data centre development. The Panel concurs with Council that the amending DA on the whole complies with the development standards of the Ryde LEP 2014, and will deliver considerable public benefit through the delivery of new Road 22, the pedestrian site through link, and the private Bochetto Park.

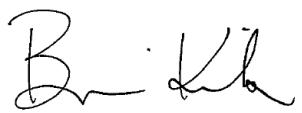
The proposed data centre is consistent with the strategic vision for Macquarie Park in the Greater Sydney Regional Plan - A Metropolis of Three Cities, 2018 with the development collectively contributing to the role of Macquarie Park as a multi-disciplinary district with an active and diversified economic ecosystem.

CONDITIONS

The development application was approved subject to the conditions in Council's Assessment Report.

CONSIDERATION OF COMMUNITY VIEWS

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

PANEL MEMBERS	
 Peter Debnam (Chair)	 Julie Savet Ward
 Brian Kirk	 Bernard Purcell
 Edwina Clifton	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSNH-117 – Ryde – LDA2020/0229
2	PROPOSED DEVELOPMENT	The proposal comprises an Amending Development Application to modify the Concept Development Application approved under LDA2017/0547 with regard to land uses, building envelopes, site access, layout and staging. The application seeks to modify the approved Concept Development Application to: • Amend the approved land uses to include a data centre in addition to the approved retail and commercial uses. • Merge approved Building B, C and D to create one enlarged Building B which will accommodate a data centre. • Reconfigure and rename approved commercial office building 'Building E' to become 'Building C'. • Introduce new commercial office building 'Building D' • Amend the design of internal private roads, with no changes to Road 22. • Reduce the central publicly accessible open space fronting 5,332sqm to 2,339sqm. • Reduction from 987 spaces to 765 car parking spaces. No changes are proposed to Building A or the Stage 01 approval under LDA2017/0547 for its construction.
3	STREET ADDRESS	11-17 Khartoum Road and 33- 39 Talavera Road, Macquarie Park
4	APPLICANT/OWNER	Stockland Pty Ltd/ The Trust Company Limited
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	• Environmental planning instruments: ○ State Environmental Planning Policy (Infrastructure) 2007 ○ State Environmental Planning Policy (State and Regional Development) 2011; ○ State Environmental Planning Policy No. 55 – Remediation of Land; ○ State Environmental Planning (Vegetation in Non Rural Areas) 2017; ○ Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005; ○ Greater Sydney Regional Plan - A Metropolis of Three Cities, 2018; ○ Ryde Local Environmental Plan 2014 • Draft environmental planning instruments: Nil ○ Draft Remediation of Land State Environmental Planning Policy; ○ Draft Environment State Environmental Planning Policy • Development control plans: ○ City of Ryde Development Control Plan 2014 ○ City of Ryde Section 7.11 Development Contributions Plan 2020 • 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	- Council assessment report: 1 December 2020 - Written submissions during public exhibition: nil
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	- Briefing: 9 September 2020 <u>Panel members</u>: Peter Debnam (Chair), Julie Savet Ward, Brian Kirk, Bernard Purcell, Edwina Clifton <u>Council assessment staff</u>: Alicia Hunter, Rebecca Lockart, Liz Coad - Final briefing to discuss council's recommendation: 9 December 2020 <u>Panel members</u>: Peter Debnam (Chair), Julie Savet Ward, Brian Kirk, Bernard Purcell, Edwina Clifton <u>Council assessment staff</u>: Sandra Bailey, Rebecca Lockart <u>Applicant representatives</u>: Caroline Choy, Gavin Boswarva
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the council assessment report