

DETERMINATION AND STATEMENT OF REASONS

SYDNEY NORTH PLANNING PANEL

DATE OF DETERMINATION	5 August 2024
DATE OF PANEL DECISION	2 August 2024
PANEL MEMBERS	Brian Kirk (Acting Chair), Nicole Gurran, Graham Brown, Sarkis Yedelian and Daniel Han
APOLOGIES	Peter Debnam
DECLARATIONS OF INTEREST	None

Papers circulated electronically on 17 July 2024.

MATTER DETERMINED

PPSSNH-454 – Ryde - LDA2023/0334 at 5 Halifax Street, Macquarie Park – a development application amending the consent granted under LDA2022/0390 (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 listed at item 8 in Schedule 1.

Development application

The Panel determined to approve the development application 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 reasons outlined in the Council Assessment Report.

The site is located within the Lachlan's Line Precinct, which was approved on 6 March 2015 under a Concept State Significant Development Application (SSD 5093). The Concept SSD and Stage 1 works have been completed.

This application seeks consent as an Amending DA to amend the approved consent granted to under the provisions of Section 4.17(1)(b) of the EP&A Act. LDA2022/0390 was approved by the Sydney North Planning Panel on 28 July 2023, for the construction of three residential flat buildings with basement car parking on this site. This application now seeks consent for various alterations and additions to the approved works, and a detailed list of those works is provided in the Council's Assessment Report. This application serves to modify the existing conditions of consent so that that the two consents are consistent with each other and may operate simultaneously over the site.

The Panel considers the application has been properly assessed against relevant planning controls. The Panel concurs with Council that the proposal will contribute to the high quality of housing stock and housing diversity in the Macquarie Park Corridor and will provide commercial premises that will enhance the liveability and activation of the site. The Panel is satisfied that approving the DA is in the public interest.

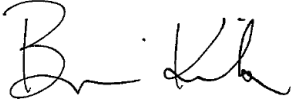




CONDITIONS

This application is integrated development under the Water Management Act 2000 as the construction of the basement will involve dewatering and Water NSW have provided General Terms of Approval.

The Development Application is approved subject to the conditions in the Council Assessment Report

CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered the one written submission made during public exhibition and considers that concerns raised by the community have been adequately addressed in the Assessment Report.

PANEL MEMBERS	
 Brian Kirk (Chair)	 Nicole Gurran
 Graham Brown	 Sarkis Yedelian OAM
 Daniel Han	

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSNH-454 – Ryde – LDA2023/0334
2	PROPOSED DEVELOPMENT	Amending Development Application to LDA2022/0390. Amendments include reconfiguration of the ground plane, increased height of the tower building, deletion of Building 3 and internal and external changes to the approved buildings.
3	STREET ADDRESS	5 Halifax Street, Macquarie Park, Lot 110 DP 1224238
4	APPLICANT/OWNER	The Trustee for Lachlan's Line D1 Unit Trust (Landmark)
5	TYPE OF REGIONAL DEVELOPMENT	General development over \$30 million
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> State Environmental Planning Policy (Housing) 2021 State Environmental Planning Policy (Resilience and Hazards) 2021 State Environmental Planning Policy (Biodiversity and Conservation) 2021 State Environmental Planning Policy (Planning Systems) 2021 State Environmental Planning Policy (Sustainable Buildings) 2022 State Environmental Planning Policy (Industry and Employment) 2021 State Environmental Planning Policy (Transport and Infrastructure) 2021 Ryde Local Environmental Plan 2014 Draft environmental planning instruments: Nil Development control plans: <ul style="list-style-type: none"> Ryde Development Control Plan 2014 Ryde Section 7.11 Development Contributions Plan 2020 Planning agreements: Nil Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i> 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: 31 July 2024 Written submissions during public exhibition: one
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Briefing: 3 April 2024 <ul style="list-style-type: none"> <u>Panel members</u>: Peter Debnam, Nicole Gurran, Brian Kirk <u>Council assessment staff</u>: Sohail Faridy, Carine Elias, Shannon Butler, Holly Charalambous <u>Department staff</u>: Adam Iskander and Suzie Jattan <u>Applicant representatives</u>: Aaron Sutherland, Michael Rogers, Brian Mariotti, Adam Martinez Council briefing: 31 July 2024 <ul style="list-style-type: none"> <u>Panel members</u>: Brian Kirk (Acting Chair), Nicole Gurran, Graham Brown, Sarkis Yedelian, Daniel Han <u>Council assessment staff</u>: Sohail Faridy, Carine Elias, Shannon Butler

		<ul style="list-style-type: none">○ <u>Department staff:</u> George Dojas, Adam Iskander and Joel Burgess
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report