

**DETERMINATION AND STATEMENT OF REASONS**  
SYDNEY NORTH PLANNING PANEL

<b>DATE OF DETERMINATION</b>	13 February 2025
<b>DATE OF PANEL DECISION</b>	13 February 2025
<b>PANEL MEMBERS</b>	Peter Debnam (Chair), Brian Kirk, Nicole Gurran and Cameron Last
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

Papers circulated electronically on 7 February 2025.

**MATTER DETERMINED**

PPSSNH-540 – Ryde – MOD2024/0191 at 1 Railway Road, Meadowbank – Modification to Land and Environment Court Consent 2021/216311 (LDA2020/0199) to amend the approved mixed use development by external and internal alterations including increase in the overall height of each of the buildings (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.

**Application for modification of consent**

The Panel determined to approve the modification application 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 reasons below and in Council's comprehensive Assessment Report.

The Panel notes the proposed modifications will result in non-compliance with maximum building height and GFA and these two significant issues have been extensively discussed in Council's Report. The Panel concurs with Council that in the circumstances the variations can be accepted on merit.

The Panel believes the application has been appropriately assessed under relevant planning legislation and controls and concurs with Council that the modified development will be substantially the same as the approved development. Additionally, the modifications do not materially impact the amenity of surrounding properties or significantly alter the approved design or impact on the natural environment.

Accordingly, the Panel believes approval would be in the community interest.

**CONDITIONS**

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



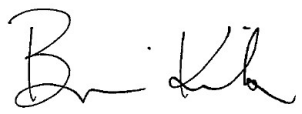

**CONSIDERATION OF COMMUNITY VIEWS**

In coming to its decision, the Panel considered written submissions made during public exhibition and notes issues of concern included:

- Overcrowding
- Privacy concerns

- Out of character
- Solar access

The Panel considers that concerns raised by the community have been adequately addressed in the Assessment Report and appropriate conditions have been imposed.

PANEL MEMBERS	
 Peter Debnam (Chair)	 Nicole Gurran
 Brian Kirk	 Cameron Last

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSNH-540 – Ryde – MOD2024/0191
2	PROPOSED DEVELOPMENT	Modification to Land and Environment Court Consent 2021/216311 (LDA2020/0199) to amend the approved mixed used use development by external and internal alterations including increase in the overall height of each of the buildings.
3	STREET ADDRESS	1 Railway Road, Meadowbank
4	APPLICANT OWNER	Juey Thanyakittikul The Trustee for Apt Hold Trust 1
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.56 Modification Application
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> <li>Environmental planning instruments: <ul style="list-style-type: none"> <li>Environmental Planning and Assessment Act 1979</li> <li>Environmental Planning and Assessment Regulation 2021</li> <li>State Environmental Planning Policy (State and Regional Development) 2011</li> <li>State Environmental Planning Policy (Affordable Rental Housing) 2009 (ARH SEPP); (Savings provision)</li> <li>State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development</li> <li>Ryde Local Environmental Plan 2014</li> </ul> </li> <li>Draft environmental planning instruments: Nil</li> <li>Development control plans: <ul style="list-style-type: none"> <li>City of Ryde Development Control Plan 2014</li> </ul> </li> <li>Planning agreements: Nil</li> <li>Relevant provisions of the <i>Environmental Planning and Assessment Regulation 2021</i></li> <li>Coastal zone management plan: Nil</li> <li>The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality</li> <li>The suitability of the site for the development</li> <li>Any submissions made in accordance with the <i>Environmental Planning and Assessment Act 1979</i> or regulations</li> <li>The public interest, including the principles of ecologically sustainable development</li> </ul>
7	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> <li>Council Assessment Report: 12 February 2025</li> <li>Written submissions during public exhibition: 7</li> <li>Total number of unique submissions received by way of objection: 6</li> </ul>
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> <li>Preliminary Briefing: 16 December 2024 <ul style="list-style-type: none"> <li><u>Panel members</u>: Peter Debnam (Chair), Brian Kirk, Nicole Gurran</li> <li><u>Council assessment staff</u>: Sandra McGarry, Sohail Faridy</li> <li><u>Applicant representatives</u>: Brian Mariotti, Michelle Farman, Jeff Mead, Emma Ziegenfusz, Matt Carolan, Juey Thanyakittikul and Mitch Say</li> <li><u>Department staff</u>: Lillian Charlesworth, Jade Buckman</li> </ul> </li> <li>Final briefing to discuss council's recommendation: 12 February 2025 <ul style="list-style-type: none"> <li><u>Panel members</u>: Peter Debnam (Chair), Nicole Gurran, Brian Kirk, Cameron Last</li> <li><u>Council assessment staff</u>: Sandra McCarry, Holly Charalambous</li> <li><u>Applicant representatives</u>: None. An applicant briefing was not required.</li> <li><u>Department staff</u>: Lillian Charlesworth, Jade Buckman</li> </ul> </li> </ul>

9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Attached to the Council Assessment Report.