

DETERMINATION AND STATEMENT OF REASONS
SYDNEY NORTH PLANNING PANEL

DATE OF DETERMINATION	16 April 2025
DATE OF PANEL DECISION	16 April 2025
PANEL MEMBERS	Peter Debnam (Chair), Brian Kirk, Cameron Last, Tina Kordrostami
APOLOGIES	Sue Francis
DECLARATIONS OF INTEREST	Nil

Papers circulated electronically on 3 April 2025.

MATTER DETERMINED

PPSSNH-618 – City of Ryde – MOD2025/0006 at 169-171 Herring Road, Macquarie Park – Modification to Land and Environment Court Consent 2024/54712 (LDA2023/0320) to amend wording of conditions to allow for staged construction and the issuing of relevant Construction Certificates commensurate to the timing of the construction program for the approved co-living and student accommodation development (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 4.56 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 Assessment Report.

The Panel notes the modification seeks minor wording changes to specific conditions of consent to enable the staging of construction certificates.

The modification satisfies the provisions of Section 4.56 of the Environmental Planning and Assessment Act 1979 and will result in substantially the same development as the original approval. The Panel further notes the development continues to be a permissible use, is consistent with the zone objectives and the height and floor space objectives under RLEP 2014 and the condition changes and staging are acceptable in the circumstances.

CONDITIONS

Council's recommended conditions of consent were amended by the Panel to include the following change:

- Condition 1 is to require the issue of Construction Certificates to be appropriately staged to assist with compliance.

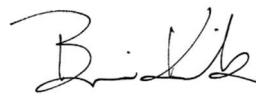
CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel notes the modification did not require notification as there were no physical changes to the proposed development.

PANEL MEMBERS



Peter Debnam (Chair)



Brian Kirk



Cameron Last



Tina Kordrostami

SCHEDULE 1		
1	PANEL REF – LGA – DA NO.	PPSSNH-618 – City of Ryde – MOD2025/0006
2	PROPOSED DEVELOPMENT	Modification to Land and Environment Court Consent 2024/54712 (LDA2023/0320) to amend wording of conditions to allow for staged construction and the issuing of relevant Construction Certificates commensurate to the timing of the construction program for the approved co-living and student accommodation development
3	STREET ADDRESS	169-171 Herring Road, Macquarie Park
4	APPLICANT OWNER	Lei Lui – Freecity Freecity Mac Park No.1 P/L
5	TYPE OF REGIONAL DEVELOPMENT	Section 4.56 Modification Application
6	RELEVANT MANDATORY CONSIDERATIONS	<ul style="list-style-type: none"> Environmental planning instruments: <ul style="list-style-type: none"> Environmental Planning and Assessment Act 1979 Environmental Planning and Assessment Regulation 2021 State Environmental Planning Policy (Planning Systems) 2021 State Environmental Planning Policy (Housing) 2021 State Environmental Planning Policy (Biodiversity and Conservation) 2021 State Environmental Planning Policy (Resilience and Hazards) 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"> City of Ryde Development Control Plan 2014 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: 1 April 2025 Written submissions during public exhibition: 0
8	MEETINGS, BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> Final briefing to discuss council's recommendation: 9 April 2025 <ul style="list-style-type: none"> <u>Panel members</u>: Peter Debnam (Chair), Brian Kirk, Cameron Last, Tina Kordrostami <u>Council assessment staff</u>: Sohail Faridy, Shannon Butler <u>Applicant representatives</u>: None – not required to attend <u>Department staff</u>: Lillian Charlesworth, Jade Buckman
9	COUNCIL RECOMMENDATION	Approval
10	DRAFT CONDITIONS	Amended by the Panel and final conditions uploaded to the NSW Planning Portal at 3.03pm on 16 April 2025.