

Date of Determination	13 October 2022
Panel Members	Marcia Doheny (Chair) Michael Leavey (Independent Expert) David Epstein (Independent Expert) Rob Senior (Community Representative)
Apologies	NIL
Declarations of Interest	NIL

Meeting held remotely via teleconference on 13 October 2022.
 Papers circulated electronically on 6 October 2022.

MATTER DETERMINED

LDA2022/0145

Address: 1 Lyonpark Road, Macquarie Park

Proposal: Construction of a single storey pavilion building and walkway, associated demolition works, landscaping and access & drainage works within the existing Optus campus.

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.

DEVELOPMENT APPLICATION

The Panel determined to **approve** 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 **approve** the application for the following reasons:

- 1) The proposal is consistent with the objectives of the zones.
- 2) The proposal satisfies the statutory provisions set out in the Environmental Planning and Assessment Act 1979.
- 3) The Panel notes the applicant's offer to enter into a Planning Agreement towards the improvement of open space and access networks in Macquarie Park has been accepted by Council, and with the condition of deferred commencement, is of the opinion that the requirement for clause 6.9(3) of RLEP 2014 have been satisfied.

- 4) The proposal complies with the relevant development standards.
- 5) The proposal results in no unreasonable adverse impact to adjoining properties and the surrounding environment.
- 6) The site is suitable for the proposed development and is not contrary to the public interest.





The Panel adopts the recommendation and reasons for approval as outlined in the Assessment Officer's report subject to the addition of reason 3 as per above.

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 notes that no written submissions were made during public exhibition and therefore no issues of concern were raised.

PANEL MEMBERS	
Marcia Doheny (Chair)	
Michael Leavey	
David Epstein	
Rob Senior	

SCHEDULE 1

1	DA No.	LDA2022/0145
2	Proposal	Construction of a single storey pavilion building and walkway, associated demolition works, landscaping and access & drainage works within the existing Optus campus.
3	Street Address	1 Lyonpark Road, Macquarie Park
4	Applicant / Owner	The Trust Company Limited / Andrew Princi
5	Reason for referral to RLPP	Sensitive Development – Development applications for which the developer has offered to enter into a planning agreement Schedule 1, Part 4 of Local Planning Panels Direction
6	Relevant mandatory considerations	<ul style="list-style-type: none"> • Objects of EP&A Act • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy (Resilience and Hazards) 2021 ○ State Environmental Planning Policy – Biodiversity and Conservation SEPP 2021 ○ 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 • Development control plans: <ul style="list-style-type: none"> ○ Ryde Development Control Plan 2014 • Planning agreements: An offer to enter into a Planning Agreement has been accepted by Council • Provisions of the <i>Environmental Planning and Assessment Regulation 2000</i>. • Coastal zone management plan: Nil • City of Ryde Section 7.11 Development Contributions Plan 2020 • 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 • Written submissions during public exhibition: Nil
8	Meetings, briefings and site inspections by the Panel	<ul style="list-style-type: none"> • Site inspection: At the discretion of Panel members due to COVID-19 restrictions • Briefing: 13 October 2022 Attendees: <ul style="list-style-type: none"> ○ <u>Panel members</u>: Marcia Doheny(Chair), Michael Leavey, David Epstein, Rob Senior

		<ul style="list-style-type: none">○ <u>Council assessment staff</u>: Sandra Bailey, Madeline Thomas, Daniel Pearse, Myra Malek● Papers were circulated electronically on 6 October 2022
9	Council Recommendation	Approval
10	Draft Conditions	Attachment 2 to the Council assessment report