

ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

MODIFICATION (8-1-2007) OF DEVELOPMENT CONSENT (DA 157-6-2004)

**CONSTRUCTION AND FITOUT OF A TECHNOLOGY ORIENTATED
CORPORATE COMPLEX**

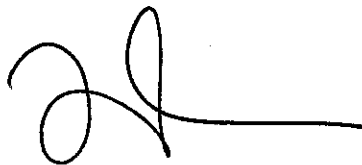
**PURSUANT TO SECTION 80 OF THE *ENVIRONMENTAL PLANNING AND
ASSESSMENT ACT 1979***

(FILE NO. S04/01392-34)

I, Jason Perica, Executive Director of Strategic Sites and Urban Renewals, as delegate of the Minister for Planning, under Instrument of Delegation dated 5 April 2006, pursuant to Section 96(1A) of the *Environmental Planning & Assessment Act 1979*, modify the development consent referred to in the attached Schedule 1 in the manner set out in the attached Schedule 2.

The reasons for the imposition of conditions are:

- (1) To update the approved conditions of consent.



Jason Perica
Executive Director
Strategic Sites and Urban Renewals

Sydney, 12 / 3 2007

SCHEDULE 1

PART A—TABLE

Application Number:	MOD 8-1-2007 modifying DA 157-6-2004
Application made by:	Stockland Development Pty Ltd GPO Box 998, Sydney NSW 1041
On land comprising:	1-11 Lyonpark Road, 25-37 Paul Street North, 107 Epping Road & 16-20 Giffnock Ave, North Ryde. Lot 51-52, DP 564301; Lot 1-2, DP455952; Lot C1, DP 377649; Lot 2, DP 655022; Lot 2, DP880284; Part Lot 3, DP 563085.
Local Government Area	City of Ryde Council
For the carrying out of:	Construction and partial fitout of a technology oriented campus style development comprising 2 four storey and 4 five storey buildings over a basement carpark with shared communal facilities including gymnasium, food service areas and child care centre.
Section 96(1A) Application	MOD 8-11-2007 to modify DA 157-6-2004 in the following manner: To modify the conditions requiring the gazettal of the purchase of Paul Street North, and the subsequent conditions requiring the consolidation of the lots; and the registration of easements. Modified conditions are: B1 – Paul Street North, and B38 - Consolidation of Lots. F7 - Registration of Easements, E2 – Stormwater.
Development consent granted by:	Minister for Infrastructure and Planning
On:	7 November 2004
Type of development:	Section 88A State Significant Development
S.119 public inquiry held:	No
As modified:	MOD 79-6-2005 - S9 (1A) of the Act- approved 22 nd September 2005. MOD 90-7- 2005 - S96(2) of the Act – approved 16 th September 2005. MOD 62-4-2005 - S96(1A) of the Act – approved 7 th June 2005. MOD 94-7-2005 - S96 (1A) of the Act – approved 20 th September 2005.

PART B—NOTES RELATING TO THE MODIFICATION OF DEVELOPMENT CONSENT NO. MOD 8-1-2007.

Responsibility for other approvals / agreements

The applicant is solely responsible for ensuring that all additional consents and agreements are obtained from other authorities, as relevant.

Appeals

The applicant has the right to appeal to the Land and Environment Court under Section 97 of the *Environmental Planning and Assessment Act 1979*. The right to appeal is available within the time limit specified within Clause 1, Part 17 of the Land and Environment Court

Rules 1996, which is 60 days after the date on which the applicant received this notice, or as otherwise specified under an Act or statutory instrument.

Appeals—Third Party (judicial review)

A third party right to appeal to this development consent is available under Section 123, subject to Section 101 of the *Environmental Planning and Assessment Act 1979*.

Legal notices

Any advice or notice to the consent authority shall be served on the Director-General.

PART C—DEFINITIONS

The definitions within this modification are consistent with the definitions in Schedule 1 of the consent to development application DA 157-6-2004.

SCHEDULE 2

MODIFICATION (MOD 8 -1-2007) OF DEVELOPMENT CONSENT TO DEVELOPMENT APPLICATION NO. DA 157-6-2004

The development consent is modified as follows:

PART B—PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

Omit Condition B1 and replace with the following:

B1 *Paul Street North*

(1) Prior to the issue of a construction certificate for below ground works, the applicant is to enter an agreement with Council for the formal purchase of Paul Street North.

Within six months of occupation of the building, the applicant is to submit to the consent authority written evidence confirming the gazettal of the road closure. All costs associated with this procedure shall be borne by the applicant.

Omit Condition B38 and replace with the following:

B38 *Consolidation of Lots*

The applicant is to submit to the PCA a plan of consolidation prepared by a registered surveyor showing the development site. This is to be submitted prior to the approval of the Construction Certificate.

Within six months of occupation of the building, the applicant is to submit to the consent authority written evidence confirming the registration of the consolidated lot with the Land Titles Office.

PART E—REGISTRATION OF EASEMENTS PRIOR TO OCCUPATION

Omit Condition E2 and replace with the following:

E2 *Stormwater*

Within six months of occupation of the building, the applicant will create the documentary easement to drain water 2.5 metres wide is to be created over any existing Council managed stormwater pipes within Paul Street North, pursuant to Section 88B of the Conveyancing Act 1919.

PART F—PRIOR TO OCCUPATION OR COMMENCEMENT OF USE

Omit Condition F7 and replace with the following:

F7 *Registration of Easements*

Within six months of occupation of the building, the applicant shall provide to the consent authority evidence that all easements required by this consent, approvals and other consents have been or will be registered on the certificates of title.