


Modification of Minister's Approval

Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning and Infrastructure under delegation executed on 14 September 2011, the NSW Planning Assessment Commission approves the modification of the project application referred to in schedule 1, subject to the conditions in schedule 2.



Gabrielle Kibble AO
CHAIR OF THE COMMISSION

Sydney

20 November 2013

SCHEDULE 1

Project Approval:

MP09_0217 granted by the Deputy Director-General, Development Assessment and Systems Performance on 20 January 2011.

For the following:

Project Approval for a residential development including:

- Torrens Title Subdivision of the development site from Morling College and creation of 3 lots known as Stage 1;
- Torrens Title Subdivision of the Stage 1 allotment into 3 allotments known as Stage 1A; and,
- Torrens Title Subdivision of the residual development site into 4 allotments known as Stage 2.

At:

120-128 Herring Road, Macquarie Park.

Modification:

MP09_0217 MOD 3: modification includes:

- Modify condition B1 to allow for pedestrian/cycleway to be provided prior to occupation of Building C; and
- Modify condition B7 to delete requirement to dedicate the pedestrian/cycleway to Ryde City Council.

SCHEDULE 2

CONDITIONS

The above approval is modified as follows:

PART B – GENERAL CONDITIONS

- (a) Condition B1 is amended by the deletion of the words which are struck-out and the addition of the words in bold.

B1 Pedestrian/Cycleway Public Easement

A pedestrian/cycleway, a minimum of 2.5 metres in width, shall be maintained across the proposed Lot 11 (Building B) to provide a 24 hour/7 day a week connection by right-of-way easement and be located between the new internal road and the north-eastern (side) boundary with the Macquarie University. The design and specifications (including lighting) shall be agreed with the Council prior to the commencement of construction and the access shall be completed and operational prior to the issue of an Occupation Certificate for Building ~~B~~ **C**. A documentary easement for access over the pedestrian/cycleway required in accordance with this condition is to be created pursuant to Section 88B of the *Conveyancing Act 1919* and shall be registered on title prior to the issue of an Occupation Certificate for Building ~~B~~ **C**.

- (b) Condition B7 is amended by the deletion of the words which are struck-out and the addition of the words in bold.

B7 Dedication to Council

The Proponent shall dedicate to Ryde Council the internal road, footpath **(not including pedestrian/cycleway which is the subject of Condition B1)** and ~~cycleway~~ following completion. The area to be dedicated is to be subject to a final plan of survey prepared by a registered surveyor and shall be detailed on the required Plan of Subdivision. The required dedication is to take place by way of subdivision. Evidence that the required Subdivision Certificate has been registered shall be provided to the Certifying Authority prior to the issue of the first Occupation Certificate for Building E.