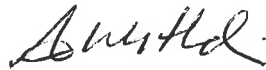


Notice of Modification

Section 96(1A) of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning, I modify the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Anthony Witherdin
Acting Director
Modification Assessments

Sydney 12 SEPTEMBER 2016

SCHEDULE 1

Development Approval: **SSD 5093** granted by the Executive Director, Infrastructure and Industry Assessments, as delegate for the Minister for Planning on 5 March 2015

For the following: Concept Proposal including:

- subdivision into 12 development lots, 5 public open space lots, 2 public road lots;
- allocation of a maximum gross floor area to each of the development lots (total of 238,919m² across the site plus an additional 2,500m² to Lot 104 for a community facility);
- infrastructure, civil works and landscaping

Stage 1 development works in the following phases:

- Phase 1 – Site preparation works including demolition, remediation and rehabilitation, bulk earth works;
- Phase 2A – superlot subdivision to create 4 public roads and a future public road lot; five public reserve lots; three future development lots and two superlots;
- Phase 2B – Civil and public domain works including road and intersection construction; open space establishment and embellishment, pedestrian pathways and cycleways, drainage, public domain works and services infrastructure
- Phase 3 – subdivision to create 8 development lots; and
- Phase 4 – Construction of a pedestrian bridge over Delhi Road.

Applicant: Urban Growth NSW

Consent Authority: Minister for Planning

The Land: North Ryde Station Precinct M2 Site
Lot 101 DP 1131776,
Lot 2 DP 528488, Lot 7 DP 1046090
Lot 183 DP1154994

Modification: **SSD 5093 MOD 2:** clarify the use of bonus floorspace where affordable rental housing is provided; modify final staging of works; incorporate security bond arrangements; and facilitate additional works for the construction of the pedestrian bridge.

SCHEDULE 2

The above approval is modified as follows:

- 1) Condition A5 is amended by the insertion of **bold and underlined** words/numbers and deletion of ~~struck-out~~ words/numbers as follows:

A5. The Applicant shall carry out the project generally in accordance with the:

- a) State Significant Development Application SSD 5093;
- b) as amended by "Section 96 Modification Application: SSD 5093 – M2 Site North Ryde Priority Precinct" prepared by Urbis dated 18 June 2015, as amended by the Response to Submissions prepared by dated September 2015 and subsequent plans and documents submitted as part of the modification (SSD 5093 MOD 1);
- c) **as amended by "Statement of Environmental of Effects Application under Section 96(1A) to Modify Development Consent SSD 5093 – North Ryde Priority Precinct Lachlans Line" prepared by GLN Planning dated 19 May 2016 and the Response to Submissions prepared by GLN Planning dated 18 July 2016 and the further amendments sought by email from UGNSW dated 30.08.16;**
- c) the conditions of this consent; and
- d) the following drawings, except:
 - i) for any modifications which are Exempt' or Complying Development;
 - ii) as otherwise provided by the conditions of this consent.

Drawing No.	Revision	Name of Plan	Date
Draft Subdivision Plans by Project Surveyors Scott Deveridge			
B1505-B1612-PLAN3-D	E	Plan of Subdivision of Lot 10 in DP (Plan 2) Plan 3 – Draft	16/02/2015
B1505-B1612-OVERALL-E	G	Plan of Subdivision of Lot 10 in DP (Plan 2) Overall Draft	16/02/2015
<u>B1505-B1612-Overall</u>	<u>K</u>	<u>Overall Plan of Subdivision Plans 1-4</u>	<u>18.06.15</u>
<u>B1505-B1612-Plan3-K</u>	<u>K</u>	<u>Plan of subdivision of Lot 10 in DP (Plan 2)</u>	<u>18.06.16</u>
<u>B1505-B1612-Plan4-C</u>	<u>C</u>	<u>Plan of subdivision of Lots 102 and 110 in DP (Plan 3)</u>	<u>18.06.16</u>
Urban Design and Landscape Drawings by Bates Smart and Aspect Studios			
DA1-003	H	GFA - Allocation Plan	16.01.2015
DA3-001	E	Site Plan	03.02.2015
DA3-002	E	Public Domain Plan - North	03.02.2015
DA3-003	E	Public Domain Plan - South	03.02.2015
DA3-004	E	Street Tree Master Plan & Planting Strategy	03.02.2015
DA4-001	E	Key Public Space Plan & Section - Bushland Reserve	03.02.2015
DA4-002	E	Key Public Space Plan & Section - Community Park	03.02.2015
DA4-003	E	Key Public Space Plan & Section - Central Park	03.02.2015
DA4-004	E	Key Public Space Plan - Community Plaza	03.02.2015
DA5-001	E	Street Typologies	03.02.2015
DA5-002	E	Street Typologies	03.02.2015

Toilet Block Plans by Leffler Simes Architects			
SK05	B	Lachlan's Line Macquarie Park Central Park Toilet Block	07.10.14
CIVIL PLANS by Robert Bird Group			
C-0-0-02	5	Civil Details Plan Sheet 1 of 2	28.10.14
C-0-0-03	5	Civil Details Plan Sheet 2 of 2	28.10.14
C-0-1-00	5	Erosion and Sediment Control Plan Stage 1 Works	28.10.14
C-0-1-01	5	Erosion and Sediment Control Plan Stage 2 Works	28.10.14
C-0-1-10	5	Erosion and Sediment Control Notes and Details Sheet 1 of 2	28.10.14
C-0-1-11	2	Erosion and Sediment Control Notes and Details Sheet 2 of 2	28.10.14
C-0-2-00	5	Bulk Earthworks Sheet 1 of 2	28.10.14
C-0-2-01	5	Bulk Earthworks Sheet 2 of 2	28.10.14
C-0-2-20	5	Bulk Earthworks Cross Sections Sheet 1 of 3	28.10.14
C-0-2-21	5	Bulk Earthworks Cross Sections Sheet 2 of 3	28.10.14
C-0-2-22	5	Bulk Earthworks Cross Sections Sheet 3 of 3	28.10.14
C-0-3-00	6	General Arrangement Plan Sheet 1 of 2	04.02.15
C-0-3-01	6	General Arrangement Plan Sheet 2 of 2	04.02.15
C-0-3-15	6	Typical Sections Plan Sheet 1 of 3	04.02.15
C-0-3-16	5	Typical Sections Plan Sheet 2 of 3	28.10.14
C-0-3-17	5	Typical Sections Plan Sheet 3 of 3	28.10.14
C-0-3-20	6	Spine Street Longitudinal Section Sheet 1 of 2	04.02.15
C-0-3-21	6	Spine Street Longitudinal Section Sheet 2 of 2	04.02.15
C-0-3-25	5	Park, Plaza and Retail Street Longitudinal Section Sheet 1 of 2	28.10.14
C-0-3-26	5	Park, Plaza and Retail Street Longitudinal Section Sheet 2 of 2	28.10.14
C-0-3-40	6	Swept Path Analysis Plan Sheet 1 of 3	04.02.15
C-0-3-41	6	Swept Path Analysis Plan Sheet 2 of 3	04.02.15
C-0-3-42	3	Swept Path Analysis Plan Sheet 3 of 3	04.02.15
C-0-4-00	6	Pavement Layout Plan Sheet 1 of 2	04.02.15
C-0-4-01	6	Pavement Layout Plan Sheet 2 of 2	04.02.15
C-0-4-10	5	Pavement Details Plan	28.10.14
C-0-5-00	6	Signs And Line Marking Plan Sheet 1 of 7	04.02.15
C-0-5-01	6	Signs And Line Marking Plan Sheet 2 of 7	04.02.15
C-0-5-02	2	Signs And Line Marking Plan Sheet 3 of 7	28.10.14
C-0-5-03	2	Signs And Line Marking Plan Sheet 4 of 7	28.10.14
C-0-5-04	2	Signs And Line Marking Plan Sheet 5 of 7	28.10.14
C-0-5-05	3	Signs And Line Marking Plan Sheet 6 of 7	04.02.15
C-0-5-06	2	Signs And Line Marking Plan Sheet 7 of 7	28.10.14
C-0-6-00	6	Stormwater Layout Plan Sheet 1 of 2	04.02.15
C-0-6-01	6	Stormwater Layout Plan Sheet 2 of 2	04.02.15
C-0-6-02	6	Porters Creek Culvert Upgrade Layout Plan	04.02.15
C-0-6-03	2	Porters Creek Culvert Upgrade Sections Plan	28.10.14
C-0-6-10	5	Stormwater Details Sheet 1 of 8	28.10.14
C-0-6-11	2	Stormwater Details Sheet 2 of 8	28.10.14
C-0-6-12	2	Stormwater Details Sheet 3 of 8	28.10.14
C-0-6-13	2	Stormwater Details Sheet 4 of 8	28.10.14
C-0-6-14	2	Stormwater Details Sheet 5 of 8	28.10.14
C-0-6-15	3	Stormwater Details Sheet 6 of 8	04.02.15

C-0-6-16	2	Stormwater Details Sheet 7 of 8	28.10.14
C-0-6-17	1	Stormwater Details Sheet 8 of 8	28.10.14
C-0-6-18	6	Pit Schedule Sheet 1 of 2	04.02.15
C-0-6-19	3	Pit Schedule Sheet 2 of 2	04.02.15
C-0-6-50	6	Stormwater Catchment Plan Sheet 1 of 2	04.02.15
C-0-6-51	6	Stormwater Catchment Plan Sheet 2 of 2	04.02.15
C-0-9-01	6	Combined Services Plan Sheet 1 of 7	04.02.15
C-0-9-02	6	Combined Services Plan Sheet 2 of 7	04.02.15
C-0-9-03	3	Combined Services Plan Sheet 3 of 7	04.02.15
C-0-9-04	3	Combined Services Plan Sheet 4 of 7	04.02.15
C-0-9-05	3	Combined Services Plan Sheet 5 of 7	04.02.15
C-0-9-06	3	Combined Services Plan Sheet 6 of 7	04.02.15
C-0-9-07	2	Combined Services Plan Sheet 7 of 7	28.10.14
C-0-9-10	3	Combined Services Section Plan	04.02.15
C-0-9-20	4	Plan of Proposed new route of gas main to accompany an application by UGNSW to amend consent SSD 5093	31.08.15
C-1-3-00	5	Wicks and Waterloo Road General Arrangement Plan	28.10.14
C-1-3-01	6	Epping Road Deceleration Lane	04.02.15
C-1-3-20	5	Wicks Road Longitudinal Section	28.10.14
C-1-3-21	5	Wicks Road Cross Sections Sheet 1 of 2	28.10.14
C-1-3-22	5	Wicks Road Cross Sections Sheet 2 of 2	28.10.14
C-1-3-40	5	Wicks and Waterloo Road Swept Path Analysis Plan	28.10.14
C-1-4-00	5	Wicks and Waterloo Road Pavement Layout Plan	28.10.14
C-1-4-01	6	Epping Road Pavement Layout Plan Sheet 1 of 2	04.02.15
C-1-4-02	3	Epping Road Pavement Layout Plan Sheet 2 of 2	04.02.15
C-1-4-10	5	Wicks and Waterloo Road Pavement Details	28.10.14
C-1-4-11	2	Epping Road Pavement Details	28.10.14
C-1-5-00	5	Wicks and Waterloo Signs and Line Marking Plan	28.10.14
C-1-5-01	6	Epping Road Deceleration Lane Signs and Line Marking Plan	04.02.15
C-1-6-00	5	Wicks and Waterloo Road Stormwater Layout Plan	28.10.14
Pedestrian and Cycle Bridge Plans by Arup			
S-301	P1	General Notes – Sheet 1	28.10.14
S-310	P4	Site Plan	28.10.14
S-320	P1	General Arrangement and Elevations	28.10.14
Bridge Assembly Area Plan by Diversi			
<u>SKC30 Rev 1</u>		<u>Earthworks Layout Plan - Option 1</u>	<u>06.05.16</u>
<u>SKC31 Rev 1</u>		<u>Earthworks Sections - Option 1</u>	<u>06.05.16</u>

- 2) Condition A8 is amended by the insertion of **bold and underlined** words/numbers and deletion of ~~struck out~~ words/numbers as follows:

MAXIMUM GROSS FLOOR AREA (GFA)

- A9. The maximum GFA for future developments on the site shall be consistent with the Concept Proposal for each development allotment as detailed below:

Development Lot	Maximum GFA
Lot 104:	49,384m ² +2,500m ² community GFA
Lot 105:	24,136m ²
Lot 107:	4,332m ²
Lot 201:	42,949m ²
Lot 202:	25,626m ²
Lot 203:	28,468m ²
Lot 204:	15,764m ²
Lot 205:	29,210m ²
Lot 206:	5,413m ²
Lot 207:	6883m ²
Lot 208:	6,754m ²

Despite the Maximum GFA outlined in the table above, the provisions of environmental planning instruments (EPIs) which allow for a floor space ratio (FSR) bonus where a development includes a component of affordable rental housing, apply to Development Lot 206. Any FSR bonus is to be calculated as per the relevant EPI and added to the gross floor area for Lot 206.

3) Condition C23 is added as follows:

BULK EARTHWORKS FOR BRIDGE ASSEMBLY AREA

C23. The bulk earthworks will include the excavation of a borrow pit to prepare a level platform (PAD) on site for assembly of the pedestrian bridge, as shown in plans prepared by Diversi dated 6 May 2016. The bridge assembly area will be fenced and maintained (including dewatering of the borrow pit).

Should groundwater be intercepted during the excavation of the borrow-pit, the works shall cease and the applicant shall consult with Department of Primary Industries Water to confirm whether a licence for temporary dewatering associated with the construction activity is required. Should the Department of Primary Industries Water determine a licence for dewatering is necessary, this shall be obtained prior to any further works continuing.

At the completion of the bridge assembly, the borrow pit must be either:

- a) **retained and incorporated in any approved future construction works for new roads and basements within these lots; or**
- b) **If the borrow pit is not to be incorporated into future construction on the development lots, it is to be reinstated to the approved levels by December 2018.**

4) Condition D3 is amended by the insertion of **bold and underlined** words/numbers as follows:

COMPLIANCE WITH CONSENT

D3 Prior to the issue of any subdivision certificate, certification from an appropriately qualified ecologist shall be submitted to the satisfaction of the Certifying Authority confirming that the riparian zone rehabilitation works set out **in sections 3.1 to 3.2** in the Vegetation Management Plan have been completed.

All other riparian zone rehabilitation works are to be carried out in accordance with the Vegetation Management Plan and in accordance with any Voluntary Planning Agreement entered into with City of Ryde Council.

- 5) Condition D18 is amended by the insertion of **bold and underlined** words/numbers as follows:

PUBLIC DOMAIN ASSETS

- D18** Prior to the issue of the subdivision certificate for Phase 3, or prior to the use of the roads and public open space, whichever occurs first, the public domain assets consisting of all public internal roads, shall be landscaped and embellished in accordance with the approved landscape plans and details, **with the exception of public art and the landscape embellishment of Lot 103 and Lot 113, which shall be completed within 3 months of completion of the pedestrian bridge.**

- 6) Condition D22 is added as follows:

BONDING OF WORKS

- D22.** **Despite the conditions in this section, a subdivision certificate may be issued, where works are required to be completed, but are not yet complete, only where those specific works are bonded in accordance with the requirements of any Planning Agreement entered into by the Applicant and applying to the land.**

- 7) Condition D23 is added as follows:

- D23** **Despite the provisions of Conditions D12 – D17, a subdivision certificate for Phase 3 may be issued prior to the completion of the roadworks at the intersection of Wicks and Waterloo Road. All works associated with the upgrading of this intersection are to be completed within 4 months of the issue of the subdivision certificate for Phase 3. All relevant requirements of Conditions D12-D17, as they relate to the intersection works must also be completed within 4 months of the issue of the subdivision certificate, including:**

- **Council inspections of the road reserve in accordance with condition D12;**
- **Works as Executed Drawings and documentation relating to the intersection in accordance with Condition D13; and**
- **All relevant signage and line marking in accordance with Conditions D15-D17.**

- 8) Condition E4 is amended by the insertion of **bold and underlined** words/numbers as follows:

- E1** The pedestrian / cycle bridge over Delhi Road must be completed in accordance with RMS requirements, dedicated to TfNSW / **RMS (including Lot 113)**, and open for public use prior to the issue of the first occupation certificate for any residential or commercial development forming part of Stage 2.

End of Modification