

# Statement of Environmental Effects

Application under Section 96(1A) to Modify  
Development Consent SSD 5093  
North Ryde Station Precinct M2 Site -  
Lachlan's Line

Prepared for UrbanGrowth

19 May 2016

Project No: 10495



# Statement of Environmental Effects

## Application under Section 96(1A) to Modify Development Consent SSD 5093

### North Ryde Station Precinct M2 Site – 'Lachlan's Line'

Prepared for

By



#### Document history and status

Version	Issued to	Qty	Date	Prepared by:	Reviewed by:
Draft	Urban Growth	1-e	31.3.16	P Sanders	P Lawrence
DPE Draft	DPE	1-e	22.4.16	P Sanders	P Lawrence
Final	Urban Growth	1-e	17.5.16	P Sanders	P Lawrence
Lodgement	DPE	1-e	19.6.16	P Sanders	P Lawrence

Date of Final Issue: 19 May 2016  
File Path: R:\Projects\10495 Planning Advice - Lachlans Line\Section 96 Application\Section 96(1A) FINAL.docx  
Project Manager: Peter Lawrence  
Client: UrbanGrowth  
Project Number: 10495

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## 1.0 Introduction

This Statement has been prepared by GLN Planning on behalf of UrbanGrowth NSW to support an application to modify Development Consent SSD 5093. This consent relates to a Staged Development Consent located within the North Ryde Station Precinct (NRSP) M2 Site at Lot 1, DP 1207368, known as 'Lachlan's Line'.

This application is to enable the more efficient delivery of key infrastructure as well as to ensure future development that may involve affordable rental housing can apply bonus floor space provisions achievable pursuant to the environmental planning instrument (EPI) under which the application is made.

This modification proposes amendments to the existing consent to reflect the final staging of the works, dedications to public authorities and additional works to facilitate the construction of the pedestrian bridge. It is also proposed to clarify the maximum floor space provisions in the consent to reflect the bonus provisions permitted under other EPIs where affordable rental housing is provided.

The application has been prepared under Section 96(1A) of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*. The consent authority is the Executive Director of Planning and Environment as delegate for the Minister of Planning.

Development Consent No SSD 5093 was granted on 5 March 2015 as a Staged Development Consent approving:

### *Concept Proposal*

- *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 238,919m<sup>2</sup> across the site plus an additional 2,500m<sup>2</sup> 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 earthworks;*
- *Phase 2A – Development lot 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.*

This Statement describes the site, the details and justification for the specific modification proposed to the consent and provides an assessment against the relevant planning controls to confirm it satisfies the assessment requirements under Section 79C of the

the EP&A Act. The Statement concludes that the the proposed modifications to the consent are appropriate to facilitate the delivery of the Lachlan's Line Precinct, consistent with the vision for the area.



## 2.0 The Site and Locality

Development Consent No 5093 relates to the land within the North Ryde Station Precinct, north of Delhi Road. This land is known as Lachlan's Line.

The site is legally identified as Lot 1, DP 1207368 with frontage to Wicks Road, Epping Road and Delhi Road, North Ryde – refer to **Figure 1**.



Source: NearMaps

**Figure 1 Location of subject site**

As the aerial photograph shows, the majority of the site is currently the subject of earthworks required to implement the consent granted which will include the construction of an intersection at Wicks and Waterloo Roads as well as a slip lane off Epping Road.

The earthworks are well progressed and road construction is under way. The modification proposes minor changes to ensure the most efficient delivery of the future infrastructure to benefit the site.

### 3.0 Proposed Modification

#### 3.1 Approved Development Application

This application relates to UrbanGrowth NSW Lachlan's Line Precinct located adjacent to the M2 motorway and with frontage to Wicks Road, Epping Road and Delhi Road, North Ryde. This application approved a Staged Development (No SSD 5093) consisting of:

1. 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 238,919m<sup>2</sup> across the site plus an additional 2,500m<sup>2</sup> to Lot 104 for a community facility), infrastructure, civil works and landscaping.
2. Stage 1 development works in the following phases:
  - Phase 1 – Site preparation works including demolition, remediation and rehabilitation, bulk earthworks;
  - Phase 2A – Development lot 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.

It is proposed to modify this Consent as set out below.

#### 3.2 Details of the Proposed Modification

This modification application seeks approval for five amendments. These modifications relate to:

1. Provision for floor space ratio bonuses for Affordable Rental Housing where applicable under existing EPIs.
2. Provision of a borrow pit to create a flat construction platform for assembly of the pedestrian bridge spans.
3. Updated subdivision plans to allow for dedication of the pedestrian bridge landing pad to the Roads and Maritime Services.
4. Changes to the phasing of development including completion of public art, landscaping of Lot 103 and Station North bridge landing site and riparian works.
5. Provision for security arrangements for uncompleted works consistent with the draft Planning Agreement.

The proposed modifications to Development Consent No 5093 are outlined below together with the justification to ensure the efficient delivery of the project.

### 1. Clarification of Floor Space Ratio relating to Affordable Rental Housing within consent.

Development Consent SSD 5093 allocates the floor space permitted under the *Ryde Local Environmental Plan 2014 (LEP)* to the various development lots to be created within the project. This allocation is reflected as a maximum gross floor of 238,919m<sup>2</sup> plus an additional 2,500m<sup>2</sup> for a community facility in the description of the Approved Development under the Concept Proposal, and in Condition A8 for each development lot.

The proposed modification seeks to modify the condition to provide flexibility for future applications under EPIs that provide a bonus floor space where the proposed development includes a component of affordable rental housing. This would include *State Environmental Planning Policy (Affordable Rental Housing) 2009 (ARH SEPP)* and *State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004 (Seniors Living SEPP)*.

As a Staged Development Consent, granted under Section 89D(2) of the EP&A Act, all future applications cannot be inconsistent with that consent (See Section 83D). This has the potential to prevent applications that may include a component of affordable rental housing from accessing the bonus floor space provisions where they are available under other EPIs.

The proposed modification can be achieved by amending the wording to clarify the approved development description as set out below.

(Note: words added to the conditions are shown in **bold** and words deleted are shown ~~strikethrough~~.)

*Approved Development:*

*Concept Proposal including:*

- *subdivision into 12 development lots, 5 public open space lots, 2 public road lots;*
- *allocation of ~~a~~ **the** maximum gross floor area **available under Ryde Local Environmental Plan 2014** to each of the development lots (total of 238,919m<sup>2</sup> across the site plus an additional 2,500m<sup>2</sup> to Lot 104 for a community facility);*
- *infrastructure, civil works and landscaping*

...



- Schedule 2 Part A Administrative Conditions – Condition A8

**MAXIMUM GROSS FLOOR AREA (GFA)**

**A8** The maximum GFA **under Ryde Local Environmental Plan 2014** for future development 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 <sup>2</sup> + 2,500m <sup>2</sup> community GFA
Lot 105	24,136m <sup>2</sup>
Lot 107	4,332m <sup>2</sup>
Lot 201	42,949m <sup>2</sup>
Lot 202	25,626m <sup>2</sup>
Lot 203	28,468m <sup>2</sup>
Lot 204	15,764m <sup>2</sup>
Lot 205	29,210m <sup>2</sup>
Lot 206	5,413m <sup>2</sup>
Lot 207	6,883m <sup>2</sup>
Lot 208	6,754m <sup>2</sup>

***The gross floor area in the table above can only be exceeded only if the proposed development on the Lot includes a component of affordable rental housing and the relevant environmental planning instrument (EPI) under which it is proposed includes a floor space ratio bonus. The FSR bonus will be calculated as per the relevant EPI and added to the gross floor area for the development lot identified in the table above.***

**2. Inclusion of a borrow pit and filling to facilitate the pedestrian bridge construction**

A component of the works approved by Development Consent SSD 5093 includes the construction of a pedestrian bridge and cycleway. The bridge will span over Delhi Road and the M2 Motorway to provide direct pedestrian access from the site to the North Ryde Station.

The construction of the bridge is a significant engineering and logistical event. The key bridge spans are proposed to be fabricated off site and then welded and assembled on site. The spans will then be craned and erected into position.

It is proposed to create a level platform on site for the construction and assembly of the bridge spans. To do this, it is proposed that the approved bulk earthworks be amended to create a borrow pit to generate the fill required for the platform. The

borrow pit will be retained for sediment erosion control purposes and refilled at the end of works to achieve the approved levels or alternatively, incorporated into the works for future basements of apartment buildings on this part of the land.

UrbanGrowth NSW will be responsible for the ongoing maintenance and will erect ATF fencing around the pit. Plans of the borrow pit and bridge assembly PAD are attached at **Appendix A**.

The proposed modification to the consent can be achieved by adding a new plan within the approved plan table listed within PART A, Condition A5 and a new condition to PART C of the consent as set out below.

- Condition A5 – Terms of the Consent

Amend the table referenced in Condition A5 to add the following:

<i>Bridge Assembly Area Plan by Diversi</i>		
<b>SKC30 Rev 1</b>	<b><i>Earthworks Layout Plan Prepared by Diversi</i></b>	<b>6/5/16</b>

NB: The full table of approved plans has not been listed.

- Condition C23 – Bulk earthworks

Add the following new condition.

### ***BULK EARTHWORKS FOR BRIDGE ASSEMBLY AREA***

#### ***Condition 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 de-watering of the borrow pit). At the completion of the bridge assembly, the borrow pit will be either:***

- a) reinstated to approved levels; or***
- b) retained to be incorporated in future constructions works for mews roads and basements within these lots.***

***If the borrow pit is not to be incorporated into future construction on the development lots, it will be reinstated to the approved levels by December 2018.***

### **3. Updated subdivision plans**

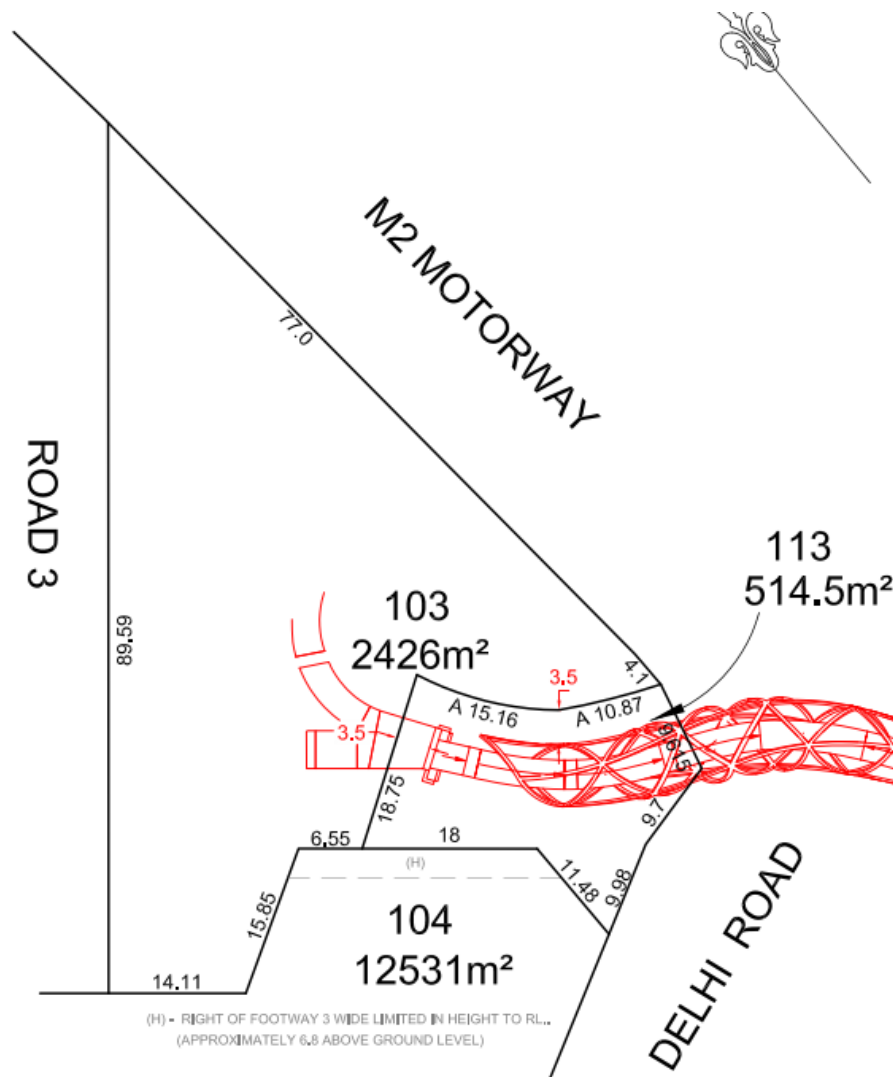
The approved subdivision plans for Phase 2A and Phase 3 includes the identification of development lots and lots for public infrastructure as public reserves.

The lots for public reserve are primarily to provide parks to be dedicated to Council after embellishment. Lot 103 located adjacent to Delhi Road is to be embellished as a park but will also contain the pedestrian and cycleway bridge landing pad for the bridge abutment being the footing structure and sections of ramps.

The land on which the pedestrian and cycleway bridge is located will be dedicated to the Roads and Maritime Services (**RMS**) when complete. As such, it is appropriate to further subdivide Lot 103 to exclude that land which will be dedicated to RMS for the bridge abutment on this part of the site from the land to be dedicated to Council as park. This arrangement is consistent with the draft Planning Agreement being negotiated between UrbanGrowth NSW and Ryde City Council.

The excision of this lot for a public purpose could be undertaken as 'Exempt Development' under State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. However, as this lot to be created is not currently shown within the approved subdivision plan, it has been added as part of this Application to minimise any impacts during lot registration.

**Figure 2** below show the location of the bridge landing pad in relation to the new lot boundary. The figure illustrates the further subdivision of Lot 103, reducing the lot area from 2,941m<sup>2</sup> to 2,506m<sup>2</sup> to create Lot 113 consisting of 435m<sup>2</sup>. A copy of the revised subdivision plans is provided at **Appendix B**.



**Figure 2 Bridge Landing Pad and amended subdivision layout – Lot 103 and 113**

The proposed modification to the consent can be achieved by adding new plans within the approved plan table listed within PART A – Condition A5 of the consent, as set out below.

- Condition A5

Amend the table referenced in Condition A5 to add the following plans:

<i>Draft Subdivision Plans by Scott Deveridge</i>			
<b><i>B1505-B1612 - OVERALL</i></b>	<b><i>K</i></b>	<b><i>Overall plan of subdivision Plans 1-4</i></b>	<b><i>18.6.15</i></b>
<b><i>B1505-B1612-PLAN3-K</i></b>	<b><i>K</i></b>	<b><i>Plan of Subdivision of Lot 10 in DP (Plan 2)</i></b>	<b><i>18.6.16</i></b>
<b><i>B1505-B1612-PLAN4-C</i></b>	<b><i>C</i></b>	<b><i>Plan of subdivision of Lots 102 and 110 in DP (Plan 3)</i></b>	<b><i>18.6.16</i></b>

NB: The full table of approved plans has not been listed.

#### 4. Phasing of development

The existing Development Consent provides for the staged subdivision and completion of works in specific phases. It is proposed to undertake certain works in a modified sequence. The changes to the phasing and justification are outlined below.

##### a) Riparian Corridor

The works to the riparian corridor are required to be completed before the issue of the first subdivision certificate. The Vegetation Management Plan for the riparian corridor comprises a number of stages extending over several years before the regeneration of the riparian corridor will be complete.

The modification will seek issue of the subdivision at the completion of the site preparation, fencing, seed collection and weed removal to be completed after Year 1 in accordance with the Vegetation Management Plan. In proposing this modification, it is noted that the Applicant has committed to the complete regeneration of the riparian park on Lot 101 under the draft Planning Agreement it has negotiated with Ryde City Council.

The proposed modification to the consent can be achieved by replacing Part D - Condition D3 of the consent with the following.

#### **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 outlined in Sections 6.1.1 to 6.1.2 in the Vegetation Management Plan (VMP) have been completed.*

b) Landscape embellishment and Provision of Public Art

The existing consent requires the landscape embellishment of Lot 103 to be completed before the issue of the Phase 3 subdivision certificate. However, the embellishment of Lot 103 can only be completed once all the pedestrian bridge works are complete (on Proposed Lot 113).

The existing consent requires the public art to be completed before the issue of the Phase 3 subdivision certificate. Public art will be the last item delivered in the estate to ensure other works do not damage these items or they are left for prolonged periods before development occurs.

The modification will seek the completion of the landscape embellishment of Lot 103 and the public art components within 3 months after the pedestrian bridge has been completed. This is consistent with the draft VPA with Council.

The proposed modification to the consent can be achieved by replacing Part D - Condition D18 of the Consent with the following:

**PUBLIC DOMAIN ASSETS**

***D18 Prior to the issue of the subdivision for Stage 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 landscaped plans and details, with the exception of public art and the landscape embellishment of Lot 103, which shall be delivered within 3 months after the completion of the pedestrian bridge.***

**5. Security for incomplete works**

The civil and infrastructure works include a number of items that can be potentially delayed because of further approvals or the logistics of construction. Typically, consents contain provisions for the bonding of incomplete works. These bonding arrangements are included in the draft Planning Agreement negotiated between UrbanGrowth NSW and Ryde City Council and may be included within other agreements entered into between the applicant applying to the land.

The modification proposes to introduce a condition which enables bonding for incomplete works consistent with bonding arrangements within the Planning Agreement.

The proposed modification to the consent can be achieved by adding a new condition to the end of PART D as set out below:

## **BONDING OF WORKS**

***D22 Any works not completed at the time the subdivision certificate is issued must be bonded, where permitted, in accordance with the requirements of any Planning Agreement entered into by the Applicant and applying to the land.***



## 4.0 Strategic and Statutory Planning Framework

### 4.1 Section 96 of the EP&A Act 1979

- **Section 96(1A) Modifications involving minimal environmental impact**

Section 96 of the EP&A Act includes 96(1A) 'Modifications involving minimal environmental impact' which states that a consent authority may modify the consent if:

*(a) it is satisfied that the proposed modification is of minimal environmental impact, and*

*(b) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and*

*(c) it has notified the application in accordance with:*

*(i) the regulations, if the regulations so require, or*

*(ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*

*(d) it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.*

The application has also been considered against the provisions of Section 96(3) which requires a consent authority to take into consideration the matters referred to in section 79C (1) as relevant to the development the subject of the application. These matters are addressed within this Statement.

#### **Section 96(1A)(a) – Minimal environmental impact**

The proposed modifications are outlined within Section 3.2 of this report. No changes to the land use are proposed as part of this application. The modifications sought are relatively minor and are generally required to facilitate a more effective construction program and clarify the FSR within future developments where bonus provisions apply under other EPIs.

#### **Section 96(1A)(b) – Substantially the same development**

The proposed modifications will result in a development that is substantially the same as that previously approved by DPE. The modifications will assist in facilitating the desired future outcome approved within the consent.

#### **Section 96(1A)(c) – Notification**

Notification of the application is a matter for DPE to consider.

## Section 96(1A)(d) – Consideration of submissions

This is a process for DPE. However, noting the minor nature of the amendments with no existing residential properties surrounding the proposed works, it is not anticipated that any submission would warrant refusal of this application.

In summary, the proposed modifications are considered to be satisfactory in relation to the matters for consideration under s79C(1) of the EP&A Act 1979.

In addition to the EP&A Act, Clause 115 of the *Environmental Planning and Assessment Regulation 2000* (**EP&A Regulation**) contains the information that must be submitted with an application to modify a consent. The requirements under the EP&A Regulation are detailed below.

### 4.2 Clause 115 of the EP&A Regulation 2000

The relevant matters listed under Clause 115 of the EP&A Regulation have been satisfactorily addressed within this Statement.

There is not anticipated to be any impacts that would result from the proposed modifications. The potential impacts of the borrow pit and other modifications have been documented within this report which outline that the development will be satisfactory. A detailed analysis of impacts is discussed in the following sections of this report.

The development will be substantially the same development that was originally approved. The amendments will facilitate the progression of different elements of the project and restructure the staging of certain works throughout the project lifecycle.

### 4.3 Environmental Planning Instruments (EPI)

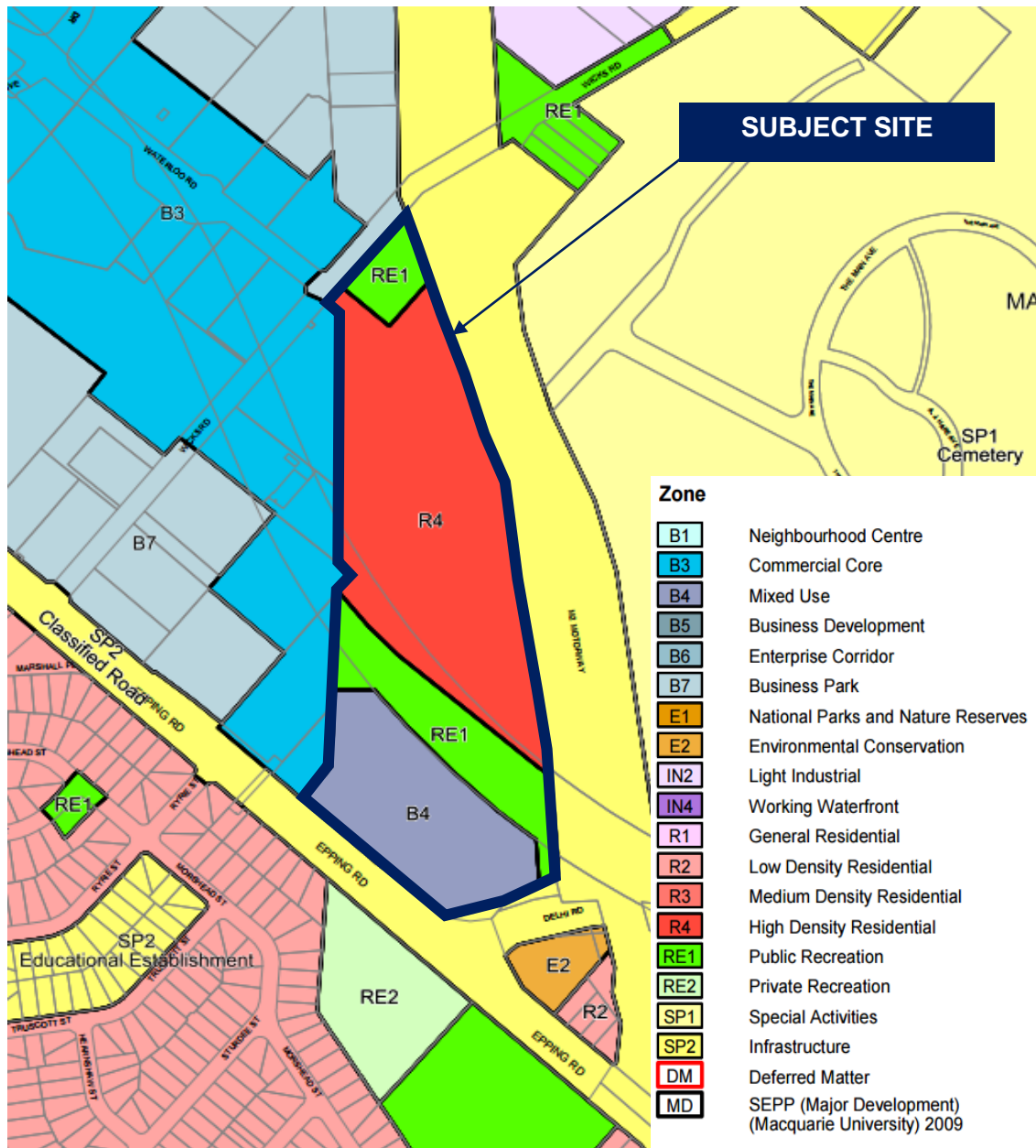
This section discusses the relevant EPIs that apply to the subject site relevant to the proposed modifications.

#### 4.3.1 Ryde Local Environmental Plan 2014

*Ryde Local Environmental Plan 2014* (**LEP**) is the statutory framework regulating land uses within the Ryde Local Government Area.

The land use zoning of the subject site is illustrated within **Figure 3**. The site is comprised of the following zonings:

- RE1 Public Recreation
- R4 – High Density Residential
- B4 – Mixed Use



Source: Ryde Local Environmental Plan 2014

**Figure 3 Zoning of subject site**

The modifications involve the following development works:

- subdivision of land; and
- creation of a borrow pit and level PAD to facilitate the on-site assembly of the approved pedestrian and cycleway bridge over Delhi Road and the M2 Motorway.

Subdivision is permissible under Ryde LEP 2014 with consent.

The borrow pit and PAD are located within the R4 High Density Residential zone. The works are not separately defined and are ancillary to the approved pedestrian bridge under Development Consent No SSD 5093.

#### 4.3.2 State Environmental Planning Policy (Infrastructure) 2007

The *State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)* facilitates the effective delivery of infrastructure.

The proposed borrow pit is located on land adjacent to the M2 Motorway.

The ISEPP identifies various provisions related to '*Development in or adjacent to road corridors and road reservations*'. Clause 85, 86 and 101 of the ISEPP are relevant to the proposed modifications which relate to development immediately adjacent to rail corridors, excavation in, above or adjacent to rail corridors, and development with frontage to a classified road.

- Clause 85 – Development immediately adjacent to rail corridors

The proposed excavation to create a borrow pit is situated outside the rail corridor.

The works are not considered likely to have an adverse impact on rail safety; do not involve the placing of a metal finish on a structure where the rail corridor is used by electric trains; or involve the use of a crane in air space above the corridor. Therefore, a referral to Sydney Trains is not required.

- Clause 86 – Excavation in, above or adjacent to rail corridors

The borrow pit to be created is proposed to be excavated to a depth of approximately 3 metres. However, the pit will be situated outside 25 metres of an underground rail corridor and therefore does not require referral to the rail authority for concurrence.

The borrow pit is located approximately 40 metres from the rail corridor. As the borrow pit is over 25 metres from the rail corridor, a referral to Sydney Trains is not required.

- Clause 101 - Development with frontage to classified road

Clause 101(2) states:

*The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that:*

*(a) where practicable, vehicular access to the land is provided by a road other than the classified road, and*

*(b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:*

*(i) the design of the vehicular access to the land, or*

*(ii) the emission of smoke or dust from the development, or*

*(iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*

*(c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

No change to the approved access point is proposed as part of this modification application. The proposed borrow pit and PAD involve earthworks only which are wholly contained on-site. These works are not sensitive to traffic noise or vehicle emissions.

The proposal satisfies the requirements of clause 101 under the ISEPP.

#### 4.3.3 State Environmental Planning Policy No. 55 – Remediation of Land

The SEPP provides a State-wide planning approach to remediation and aims to promote remediation of any contamination land for the purpose of reducing risk of harm to human health and/or the environment.

Contamination was assessed as part of the original application relating to the subject site. There are no works proposed beyond the activity areas previously outlined within the original consent. As such, this modification does not trigger any further contamination investigation.

## 4.4 Development Control Plans

The following discusses the relevant planning controls in the DCPs that are relevant to the assessment of the subject modification.

### 4.4.1 North Ryde Station Precinct Development Control Plan

The purpose of the *North Ryde Station Precinct Development Control Plan (NRSP DCP)* is to outline the planning, design and environmental objectives and controls to ensure that orderly, efficient and sensitive development occurs to achieve a high quality urban design outcome.

**Table 1** below provides an assessment against the relevant RDCP matters relating to this modification.

**Table 1 Assessment against NRSP DCP**

Control	Matter	Comment
8.4	Air, Noise and Vibration	<p>The works are not sensitive to road noise and involve subdivision to facilitate future ownership of public assets and the construction of a borrow pit and level PAD site to assemble the pedestrian bridge on-site before being erected.</p> <p>Suitable conditions are included as part of the conditions of consent at Condition B4 to address Construction Noise and Vibration as a result of the works. The modification does not require referral to the rail authority for concurrence under the ISEPP.</p>

Control	Matter	Comment
8.7	Soil Management	<p>The earthworks will provide suitable sediment and erosion control techniques to minimise the impacts of dust and erosion from the site. This will include spraying the activity areas with water on windy days and seeding areas where works will be in place for extended periods to control erosion and dust.</p> <p>Condition B11 and B12 also address Soil and Water Management requiring a plan to be prepared and implemented as part of the construction works.</p>

#### **4.5 Any Planning Agreement**

There is an existing VPA executed between the Minister for Planning and UrbanGrowth NSW dated 30 August 2015. This VPA includes:

- The Delhi Road Widening Works
- Wicks Road and Epping Road Intersection Works
- Wicks Road and Waterloo Road Intersection Works

The proposed works will not impact upon this existing VPA.

A VPA is currently being negotiated between City of Ryde Council and UrbanGrowth but has not been executed. The modifications sought within this application are consistent with the terms of this agreement being negotiated.

#### **4.6 The Regulations**

Separately addressed as part of this Statement. Relevant provisions include Clause 115 and 118 of the EP&A Regulation 2000.

#### **4.7 Coastal Management Plan**

Not relevant to this application.

#### **4.8 Likely impacts**

The likely environmental impacts of the proposed development have been generally discussed within this Statement. There are not anticipated to be any adverse impacts as a result of the proposed modifications sought.

#### **4.9 Suitability of the site for the development**

The subject site is suitable for the modifications proposed under this application. In particular, the construction of the borrow pit and level PAD are ideally situated within the site and will facilitate the assembly of the pedestrian bridge prior to erecting it over Delhi Road and the M2 Motorway.



The assembly of the pedestrian bridge on site is considered to be the best outcome to effectively deliver this infrastructure with minimal impact. The assembly of the bridge on site results in the following positive outcomes:

- The site is ideally located away from existing housing and the construction of the bridge onsite will have limited impacts on any surrounding residential land uses.
- It minimises unnecessary time which would be spent finding another suitable site located away from sensitive land uses in which to construct the bridge.
- It avoids unnecessary transportation to relocate the bridge to the site from an alternate site once assembled. This would be a significant logistical task which can be avoided.
- The borrow pit provides potential (subject to separate future applications) to be re-used as part of future developments involving basement car parking. This would minimise and reduce construction time frames where these excavation works have already been substantially commenced.
- Should the borrow pit be reinstated, the bulk earthworks will reflect the initial SSDA consent.

#### **4.10 Submissions and Public Interest**

Any submissions received will be considered by the Department of Planning and Environment under Section 79C of the EP&A Act. The proposed modifications sought are considered to be in the public interest for the following reasons:

- The modifications are consistent with the concept plan approved as part of the Staged Development approval.
- The subdivision of land will facilitate the dedication and future management of infrastructure by separate owners.
- It provides clarification on the bonus FSR provisions permitted under separate EPIs and will provide more certainty to future developers as to what can be achieved on the site. It will also assist in promoting affordable rental housing at the site by confirming bonus FSRs can be achieved subject to compliance with the relevant EPI.
- It will facilitate the progression of works in a more orderly manner and provides a mechanism to bond works to ensure these works will ultimately be delivered without delaying the project.
- The construction of the borrow pit and level PAD minimise impacts on surrounding properties as they will facilitate the assembly of the pedestrian and cycleway bridge on-site minimising any impacts in constructing and transporting this infrastructure to the site.

## 5.0 Conclusion

The proposed modification has been assessed against the requirements of the EP&A Act and EP&A Regulation and has been found to be satisfactory and consistent with the planning framework for the North Ryde Station Precinct.

It is considered that the modifications proposed including amendments to the existing consent to reflect the final staging of the works, dedication to public authorities and additional works to facilitate the construction of the pedestrian bridge and clarification on the maximum floor space provisions in the consent to reflect the bonus provisions permitted under other EPIs where affordable rental housing is provided, will not cause any adverse impacts on the surrounding locality.

The modifications are considered to be substantially the same development as was approved under the original consent SSD 5093 and are consistent with the approved concept plan.

Based on the information contained in this Statement the proposed modification to SSD 5093 should be approved.

## Glossary

ARH SEPP	State Environmental Planning Policy (Affordable Rental Housing) 2009
DA	Development Application
DCP	Development Control Plan
DP	Deposited Plan
EP&A Act	Environmental Planning and Assessment Act 1979
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPI	Environmental Planning Instrument
FSR	Floor Space Ratio
ILP	Indicative Layout Plan
ISEPP	State Environmental Planning Policy (Infrastructure) 2007
LEP	Local Environmental Plan
NRSP	North Ryde Station Precinct
RMS	Roads and Maritime Services (formerly Roads and Traffic Authority)
SEE	Statement of Environmental Effects
Seniors Living SEPP	State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004
SEPP	State Environmental Planning Policy
VPA	Voluntary Planning Agreement

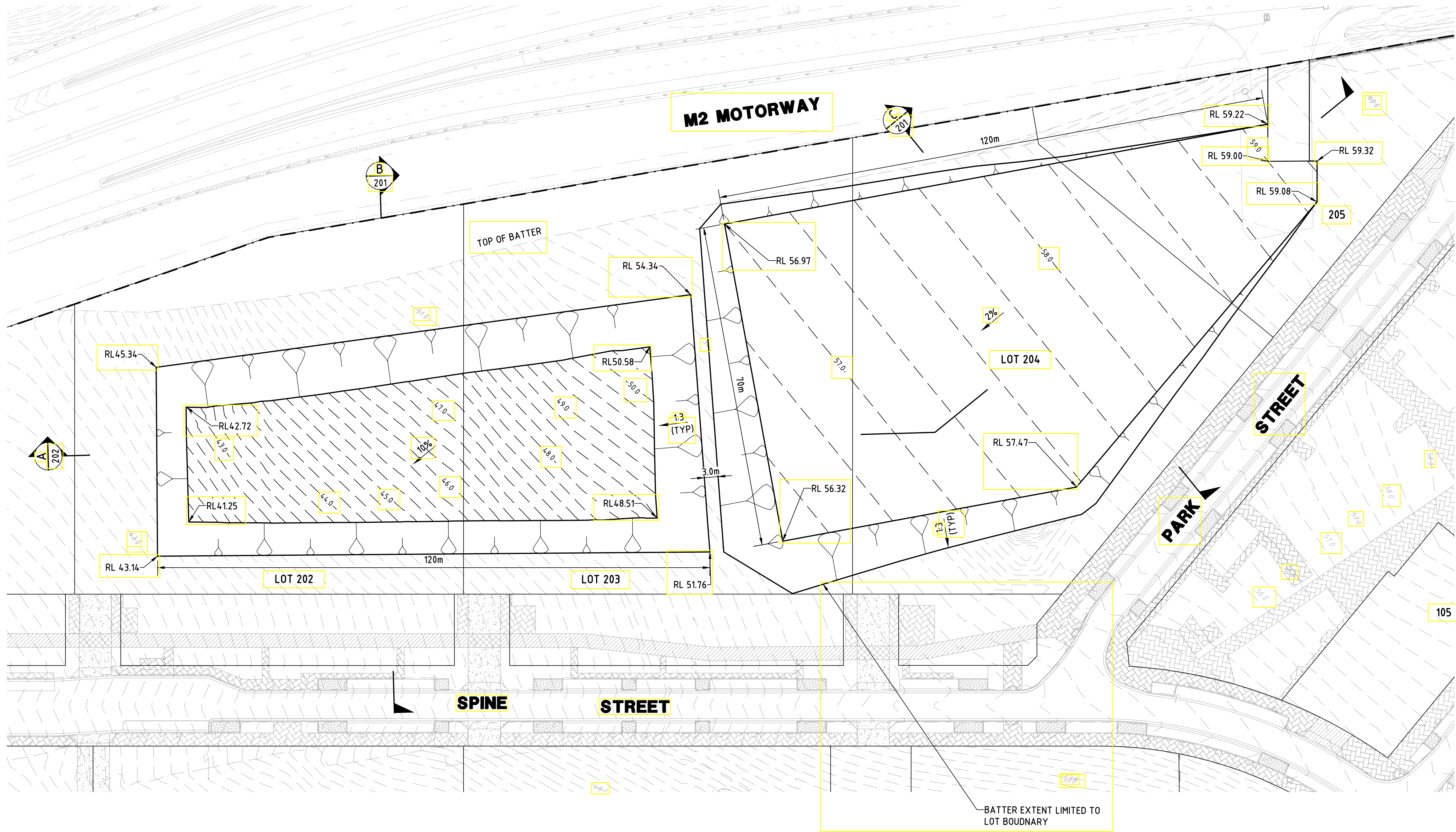
## **APPENDIX A**

**Plans showing borrow pit and bridge assembly PAD**





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#### EARTHWORKS VOLUME

CUT VOLUME (BORROW PIT) 12425m<sup>3</sup>  
FILL VOLUME (PAD) 12430m<sup>3</sup>

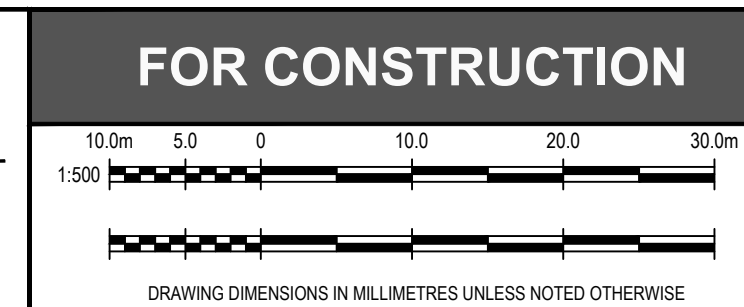
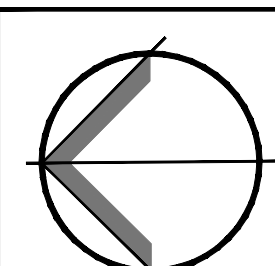
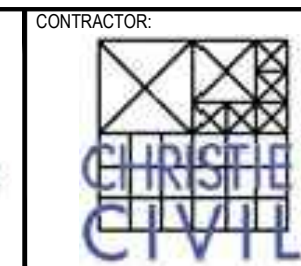
#### LEGEND:

- SITE BOUNDARY
- BULK EARTHWORKS CONTOUR
- BULK EARTHWORKS CONTOUR
- EXISTING CONTOUR

#### NOTE:

- VOLUMES ARE BANK VOLUMES AND BULKING FACTORS HAVE NOT BEEN CONSIDERED
- VOLUMES SHOWN ARE BETWEEN BULK EARTHWORKS SURFACE AND PROPOSED PAD SURFACE AND BORROW PIT.

REV	DATE	AMENDMENT / DESCRIPTION	BY	APPD	REV	DATE	AMENDMENT / DESCRIPTION	BY	APPD
1	6/05/2016	ISSUED FOR CONSTRUCTION		DT	PGD				



DESIGNED	DT	DATE	6/05/2016
CHECKED	BB	DATE	6/05/2016
APPROVED	PGD	DATE	6/05/2016

CLIENT: **CHRISTIE CIVIL PTY LTD**

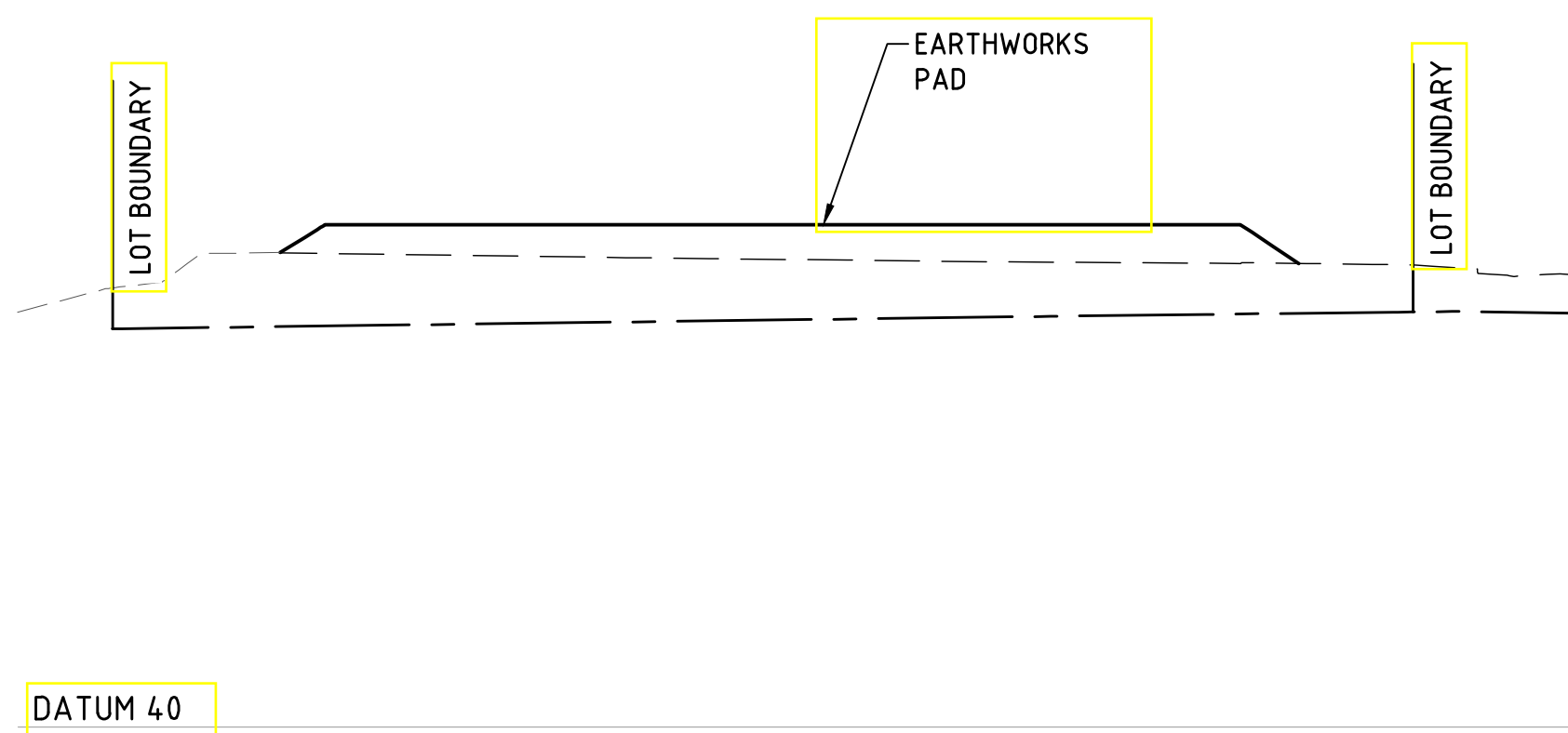
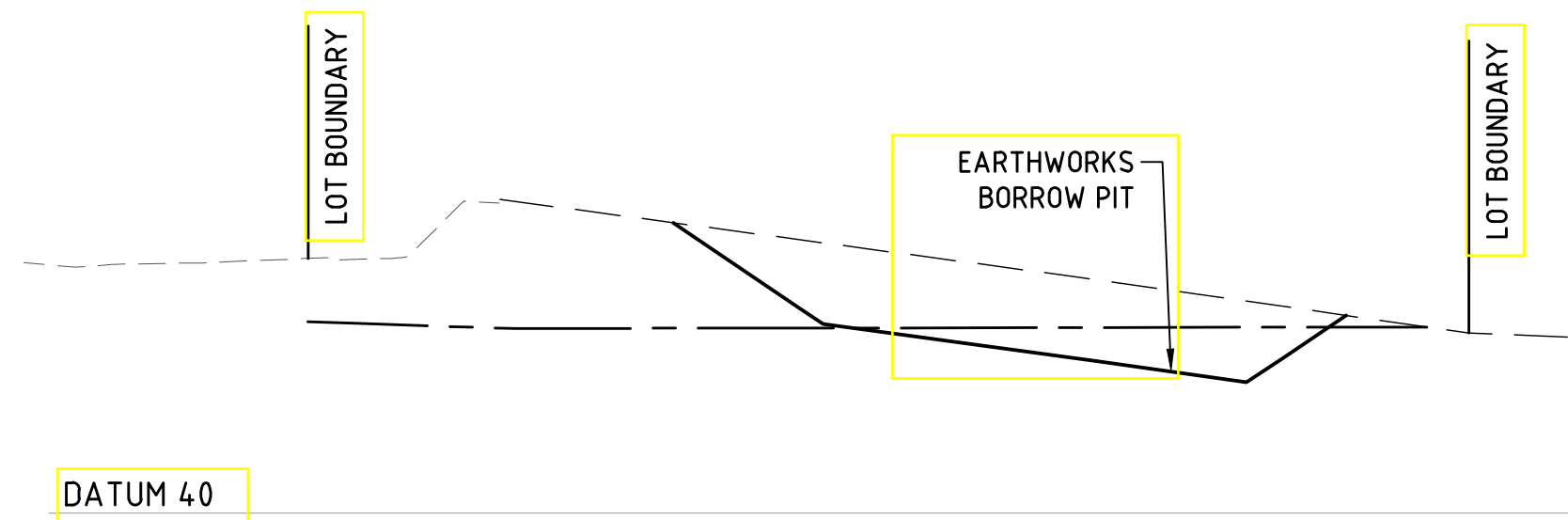
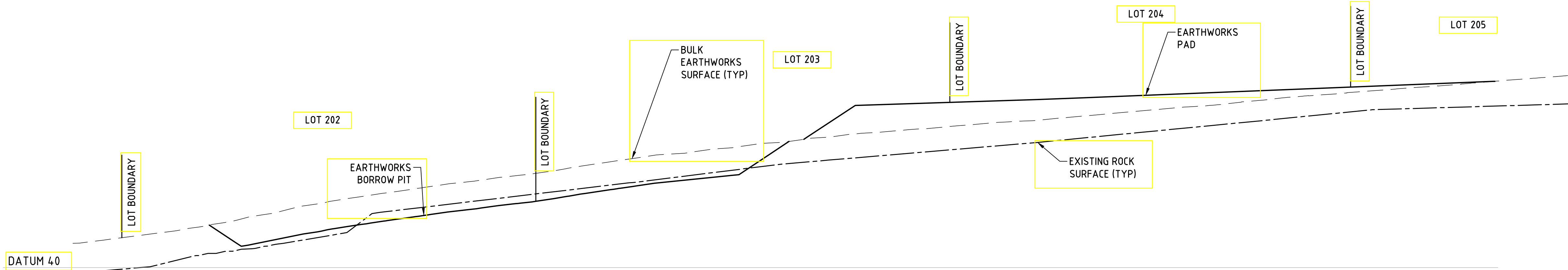
PROJECT: LACHLANS LINE, MACQUARIE PARK  
BRIDGE ASSEMBLY AREA

TITLE: EARTHWORKS LAYOUT PLAN - OPTION 1

PROJECT No:	15032	DRG No:	SKC30	Rev:	1
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0 10 20 30 40 50 60 70 80 90 100  
Tuesday, 6 May 2016 11:28:32 AM C:\3. PROJECTS\2016\15032 LACHLANS LINE - MACQUARIE PARK - DRAFTING\15032-SKC31



REV	DATE	AMENDMENT / DESCRIPTION	BY	APPD	REV	DATE	AMENDMENT / DESCRIPTION	BY	APPD
1	6/05/2016	ISSUED FOR CONSTRUCTION	DT	PGD					

PROJECT:  
**LACHLAN'S LINE**  
MACQUARIE PARK

CONTRACTOR:  
**CHRISTIE CIVIL**

SUPERINTENDENT:  
**npc**  
PRINCIPAL:  
**Urban Growth NSW**

**FOR CONSTRUCTION**

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1:500

5.0m 2.5 0 5.0 10.0 15.0m

1:250

DRAWING DIMENSIONS IN MILLIMETRES UNLESS NOTED OTHERWISE

DESIGNED	DT	DATE	6/05/2016
CHECKED	BB	DATE	6/05/2016
APPROVED	PGD	DATE	6/05/2016
SCALE	1:500 (A1)		

Suite 103, 29-31 Solent Cct  
Baukham Hills, NSW 2153  
P 02 8883 1113  
F 02 9659 1800  
E mail@diversi.com.au  
W www.diversi.com.au

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CREATIVE ENGINEERING SOLUTIONS

CLIENT:  
**CHRISTIE CIVIL PTY LTD**

PROJECT:	LACHLANS LINE, MACQUARIE PARK BRIDGE ASSEMBLY AREA		
TITLE:	EARTHWORKS SECTIONS - OPTION 1		
PROJECT No:	15032	DRG No:	SKC31
Rev:	1		



## **APPENDIX B**

### **Subdivision Plans**



M2

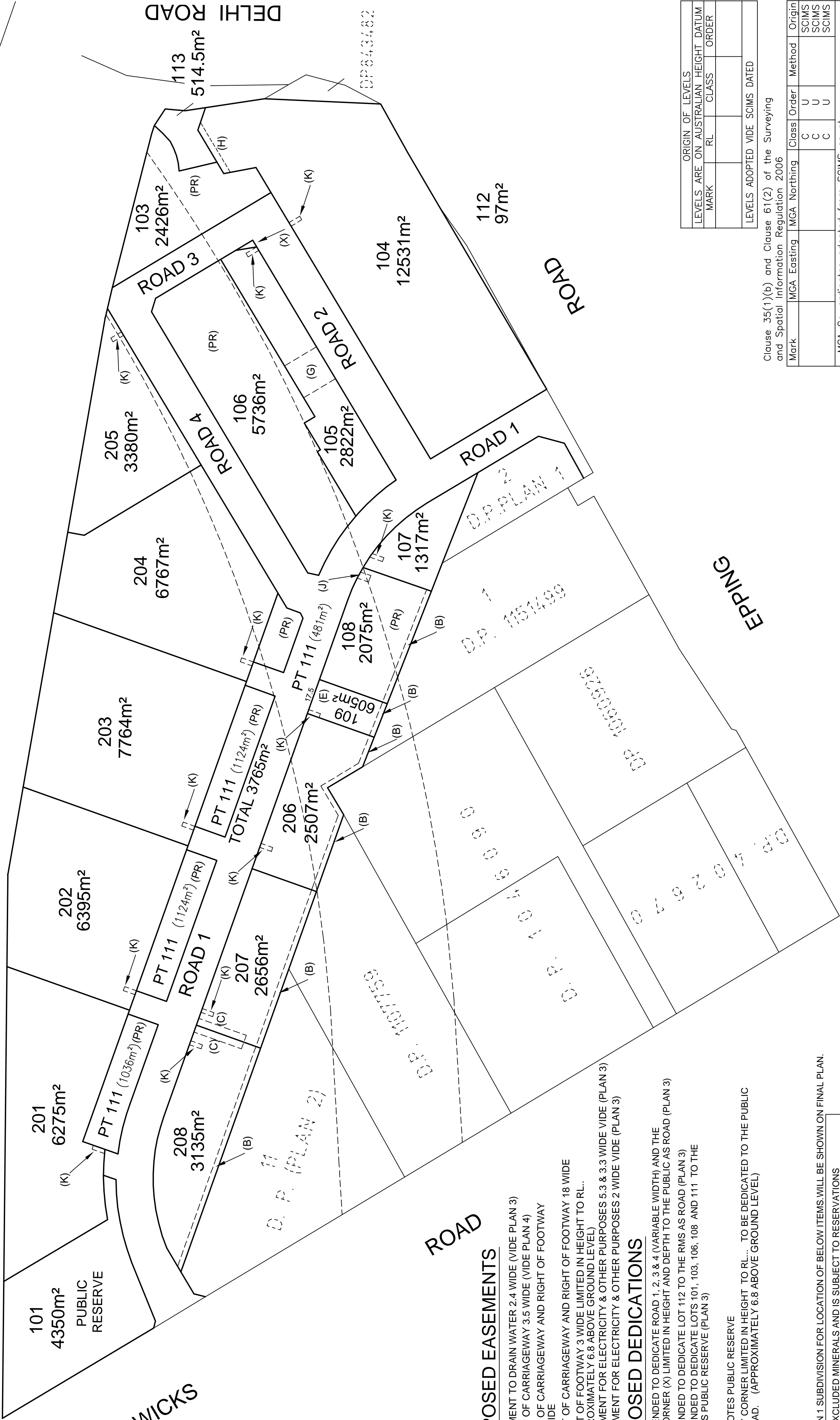
MOTORWAY

WICKS

ROAD

EPPING

ROAD



PROPOSED EASEMENTS

- (B) - EASEMENT TO DRAIN WATER 2.4 WIDE (VIDE PLAN 3)
- (C) - RIGHT OF CARRIAGEWAY 3.5 WIDE (VIDE PLAN 4)
- (E) - RIGHT OF CARRIAGEWAY AND RIGHT OF FOOTWAY 17.5 WIDE
- (G) - RIGHT OF CARRIAGEWAY AND RIGHT OF FOOTWAY 18 WIDE
- (H) - RIGHT OF FOOTWAY 3 WIDE LIMITED IN HEIGHT TO RL... (APPROXIMATELY 6.8 ABOVE GROUND LEVEL)
- (J) - EASEMENT FOR ELECTRICITY & OTHER PURPOSES 5.3 & 3.3 WIDE VIDE (PLAN 3)
- (K) - EASEMENT FOR ELECTRICITY & OTHER PURPOSES 2 WIDE VIDE (PLAN 3)

PROPOSED DEDICATIONS

- 1. IT IS INTENDED TO DEDICATE ROAD 1, 2, 3 & 4 (VARIABLE WIDTH) AND THE SPLAY CORNER (X) LIMITED IN HEIGHT AND DEPTH TO THE PUBLIC AS ROAD (PLAN 3)
- 2. IT IS INTENDED TO DEDICATE LOT 112 TO THE RMS AS ROAD (PLAN 3)
- 3. IT IS INTENDED TO DEDICATE LOTS 101, 103, 106, 108 AND 111 TO THE PUBLIC AS PUBLIC RESERVE (PLAN 3)

- (PR) - DENOTES PUBLIC RESERVE
- (X) - SPLAY CORNER LIMITED IN HEIGHT TO RL... TO BE DEDICATED TO THE PUBLIC AS ROAD. (APPROXIMATELY 6.8 ABOVE GROUND LEVEL)

REFER PLAN 1 SUBDIVISION FOR LOCATION OF BELOW ITEMS.WILL BE SHOWN ON FINAL PLAN.

- (L) LAND EXCLUDED MINERALS AND IS SUBJECT TO RESERVATIONS AND CONDITIONS CONTAINED IN THE CROWN GRANT
- (M) LAND EXCLUDED MINERALS VIDE DEALING T447400
- (N) LAND EXCLUDED MINERALS VIDE DEALING V595431
- (P) LAND EXCLUDED MINERALS VIDE CROWN GRANT
- © PART LOT 100 DP 1131776 LIMITED IN HEIGHT TO RL 45 UNLIMITED IN DEPTH PART LOT 1 LIMITED IN DEPTH TO RL 45 UNLIMITED IN HEIGHT
- © PART LOT 100 DP 1131776 LIMITED IN HEIGHT TO RL 40 UNLIMITED IN DEPTH PART LOT 1 LIMITED IN DEPTH TO RL 40 UNLIMITED IN HEIGHT

ORIGIN OF LEVELS			
LEVELS ARE ON AUSTRALIAN HEIGHT DATUM			
MARK	RL	CLASS	ORDER
LEVELS ADOPTED VIDE SCIMS DATED			

Clause 35(1)(b) and Clause 61(2) of the Surveying and Spatial Information Regulation 2006

Mark	MGA Easting	MGA Northing	Class	Order	Method	Origin
			C	U		SCIMS
			C	U		SCIMS
			C	U		SCIMS
MGA Co-ordinates adopted from SCIMS as at Combined Scale Factor = 0.999946 Zone 56						

Surveyor: SCOTT DEVERIDGE	OVERALL PLAN OF SUBDIVISION PLANS 1 - 4	Registered	OVERALL - DRAFT
Date of Survey: Surveyor's Ref: B1505-B/612-OVERALL-K	NOTE: 1. DIMENSIONS AND AREA SUBJECT TO FINAL SURVEY. 2. EASEMENTS MAY BE CREATED AS REQUIRED	LGA: RYDE Locality: MACQUARIE PARK Subdivision No: Lengths are in metres. Reduction Ratio 1: 1250	15.5.2014 - A 23.5.2014 - B Boreholes - C 24.9.2014 - D 14.10.2014 - E 30.10.2014 - F 16.02.2015 - G 29.09.2015 - H 22.10.2015 - J 18.06.2015 - K





M2

MOTORWAY

WICKS

ROAD

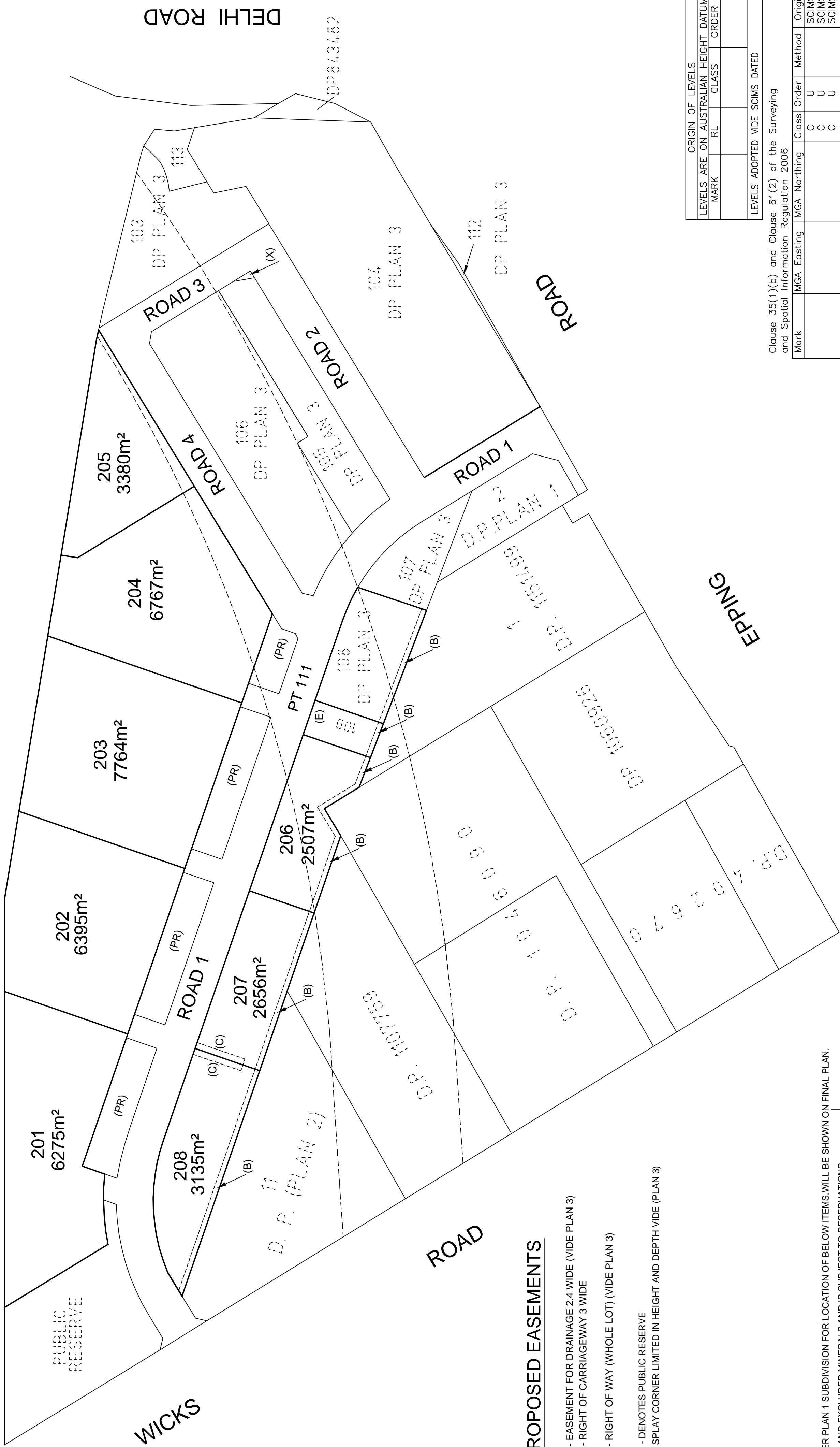
PROPOSED EASEMENTS

- (B) - EASEMENT FOR DRAINAGE 2.4 WIDE (VIDE PLAN 3)  
(C) - RIGHT OF CARRIAGEWAY 3 WIDE  
(E) - RIGHT OF WAY (WHOLE LOT) (VIDE PLAN 3)

- (PR) - DENOTES PUBLIC RESERVE  
(X) - SPLAY CORNER LIMITED IN HEIGHT AND DEPTH (VIDE PLAN 3)

REFER PLAN 1 SUBDIVISION FOR LOCATION OF BELOW ITEMS.WILL BE SHOWN ON FINAL PLAN.

- (L) LAND EXCLUDED MINERALS AND IS SUBJECT TO RESERVATIONS AND CONDITIONS CONTAINED IN THE CROWN GRANT  
(M) LAND EXCLUDED MINERALS VIDE DEALING T447400  
(N) LAND EXCLUDED MINERALS VIDE DEALING V595431  
(P) LAND EXCLUDED MINERALS VIDE CROWN GRANT  
© PART LOT 100 DP 1131776 LIMITED IN HEIGHT TO RL 45 UNLIMITED IN DEPTH  
PART LOT 1 LIMITED IN DEPTH TO RL 45 UNLIMITED IN HEIGHT  
Ⓢ PART LOT 100 DP 1131776 LIMITED IN HEIGHT TO RL 40 UNLIMITED IN DEPTH  
PART LOT 1 LIMITED IN DEPTH TO RL 40 UNLIMITED IN HEIGHT



ORIGIN OF LEVELS			
LEVELS ARE ON AUSTRALIAN HEIGHT DATUM			
MARK	RL	CLASS	ORDER
LEVELS ADOPTED VIDE SCIMS DATED			

Clause 35(1)(b) and Clause 61(2) of the Surveying and Spatial Information Regulation 2006						
Mark	MGA Easting	MGA Northing	Class	Order	Method	Origin
			C	U		SCIMS
			C	U		SCIMS
			C	U		SCIMS
MGA Co-ordinates adopted from SCIMS as at Combined Scale Factor = 0.999946 Zone 56						

Registered	PLAN 4 - DRAFT	
LGA: RYDE	15/05/2014	- A
Locality: MACQUARIE PARK	23/05/2014	- B
Subdivision No:	18/06/2016	- C
Lengths are in metres. Reduction Ratio 1: 1250		
PLAN OF SUBDIVISION OF LOTS 102 AND 110 IN DP (PLAN 3)	PLAN 4 - DRAFT	
Surveyor: SCOTT DEVERIDGE	15/05/2014	
Date of Survey:	23/05/2014	
Surveyor's Ref: B1505-B1612-PLAN4-C	18/06/2016	

- NOTE:  
1. DIMENSIONS AND AREA SUBJECT TO FINAL SURVEY.  
2. EASEMENTS MAY BE CREATED AS REQUIRED