

Item 3

11 Halifax Street, Macquarie Park

Site establishment, preparation works comprising excavation of previously approved basement levels and construction of shoring walls

Report prepared by: Senior Town Planner

Report approved by: Acting Manager Development Assessment

City of Ryde Local Planning Panel – Further Report

DA Number	LDA2022/0314
Site Address & Ward	11 Halifax Street, Macquarie Park Lot 105 DP1224238 (East Ward)
Zoning	MU1 Mixed Use
Proposal	Site establishment, preparation works comprising excavation of previously approved basement levels and construction of shoring walls
Property Owner	Greenland (Sydney)
Applicant	URBIS
Report Author	Shannon Butler – Senior Town Planner
Lodgement Date	13 October 2022
No. of Submissions	12 unique submissions received in objection to the proposal. During the second notification period, one (1) further submission was received in objection to the proposal.
Cost of Works	\$5,129,172
Reason for Referral to LPP	Contentious Development – Greater than 10 unique submissions received objecting to the proposal

Recommendation	Refusal
Attachments	Attachment 1 – Previous LPP Report 13 July 2023 Attachment 2 – Previous Architectural Plans presented with 13 July 2023 Report Attachment 3 – RLPP Minutes from 13 July 2023 Attachment 4 – Amended Architectural Plans

Background

The following is a further report for Local Development Application LDA2022/0314 for site establishment, preparation works comprising of excavation of previously approved basement levels and construction of shoring walls at 11 Halifax Street, Macquarie Park.

The application was reported to the Ryde Local Planning Panel on 13 July 2023 where the Panel unanimously resolved as follows:

*The Panel determined to **defer** the application as the development assessment report failed to consider the Voluntary Planning Agreement that affects the land. In accordance with Section 4.15(1)(a)(iia) of the Environmental Planning & Assessment Act 1979, the Local Planning Panel is required to take into consideration any planning agreement that has been entered into under Section 7.4.*

A supplementary planning report is to be prepared to allow the application to be determined electronically via circulation of papers, as the Panel already heard from all parties registered to speak.

The Voluntary Planning Agreement (VPA) that affects the land relates to the previously approved construction of a tunnel under Jarvis Circuit which was intended to connect the basement of the development at 23-25 Halifax Street with basement levels 2 and 3 of the approved development for the subject site.

The applicant has since advised of their intention to revoke the VPA (a Deed of Revocation has been prepared and is under review by Council staff) and amended plans have been submitted for the subject application which delete the previously proposed tunnel excavation and increase the footprint of the excavation area. Further, the applicant has lodged a Section 4.55(2) application seeking to modify Development Consent No. LDA2016/0395 which consented to the construction of a mixed-use building on the subject site. The modification application will introduce internal ramps into the basement levels to prevent the need for the previously approved tunnel under Jarvis Circuit. This modification application is currently under assessment.

The subject Development Application is recommended for refusal as concurrence for the amended plans is required from Sydney Metro is required under the provisions of Section 2.99 of *State Environmental Planning Policy (Transport and Infrastructure)*

2021. The application has been under assessment by Council for 745 days and given the Ministerial Expectation Order 2024, it is now necessary to make a determination on the application.

Assessment

Following the decision by the Panel, the applicant was requested to give consideration to how they wished to proceed given that the construction of the tunnel would have resulted in the need to enliven the VPA, entailing a Council resolution, road closure and land transfer in line with the actions outlined in the executed VPA.

The applicant advised of their intention to not proceed with the tunnel construction and opted to arrange a formal pre-lodgement meeting with Council staff to discuss the modification of the consent for the construction of the mixed-use building on the subject site. A Section 4.55(2) application is currently under assessment seeking to modify Development Consent No. LDA2016/0395 to delete the tunnel and introduce basement ramps connecting the basement levels of the buildings on the subject site.

Further to these actions, amended plans were submitted for the subject application on 14 June 2024 involving the deletion of the tunnel excavation and an increase in the footprint of the excavation. The footprint was increased from 2,585m² (excluding the previous tunnel link excavation) to 2,684m².

The following table provides a timeline of the actions undertaken since the Panel's deferral of the matter on 13 July 2023:

13 July 2023	<p>The subject application was reported to the Ryde Local Planning Panel for determination. The Panel resolved to defer the application as follows:</p> <p><i>The Panel determined to defer the application as the development assessment report failed to consider the Voluntary Planning Agreement that affects the land. In accordance with Section 4.15(1)(a)(iia) of the Environmental Planning & Assessment Act 1979, the Local Planning Panel is required to take into consideration any planning agreement that has been entered into under Section 7.4.</i></p> <p><i>A supplementary planning report is to be prepared to allow the application to be determined electronically via circulation of papers, as the Panel already heard from all parties registered to speak.</i></p>
19 July 2023	An email was sent to the applicant advising of the Panel's decision and outlining the next steps on how to proceed.
16 August 2023	A meeting was held between the applicant and Council staff to discuss the applicant's intended manner of moving forward.

6 December 2023	An email was received from the applicant confirming that they intended to develop the subject site without the tunnel link and requesting a further meeting to discuss.
14 December 2023	<p>A further meeting was held between the applicant and Council staff where the following matters were discussed:</p> <ul style="list-style-type: none"> • Lodging a Section 4.55 modification application for the 2017 consent for the construction of the mixed-use development on the subject site to introduce internal basement ramps and thereby remove the need for the tunnel link. • Amending the subject application to delete the tunnel excavation and slightly increase the footprint of the excavated area. • The process for revoking the VPA for the tunnel.
28 March 2024	A formal pre-lodgement meeting was held between the applicant and Council staff in relation to the Section 4.55 application to be lodged to the 2017 consent for the mixed-use building.
14 June 2024	Amended plans and additional information was submitted for the subject application involving the deletion of the tunnel excavation and an increase in the footprint of the excavation. The footprint was increased from 2,585m ² (excluding the previous tunnel link excavation) to 2,684m ² .
17 June 2024	A referral was sent to Sydney Metro via the NSW Planning Portal as their General Terms of Approval were required to be updated to refer to the updated plans.
17 June until 3 July 2024	The subject application was re-notified to those originally notified and to those who objected originally. One further submission was received in response.
2 August 2024	A letter was received from Sydney Metro via the NSW Planning Portal requesting additional information in relation to the amended scheme.
28 August 2024	A Section 4.55(2) application was lodged with Council seeking to modify Development Consent No. LDA2016/0395 to delete the tunnel under Jarvis Circuit and add internal basement ramps providing access between the basement levels of the approved buildings on the subject site.
22 October 2024	Additional information was submitted by the applicant in response to the Sydney Metro request.

The amended plans have been assessed in accordance with Section 4.15 of the Environmental Planning and Assessment Act and do not alter any of the findings detailed in the original assessment report (**Attachment 1**). However, concurrence from Sydney Metro has not been provided pursuant to Section 2.99 of SEPP (Transport & Infrastructure) 2021, therefore, the application is recommended for refusal on this matter alone, as detailed later in this report.

Submissions

Upon receipt of amended plans, the application was re-notified between 17 June and 3 July 2024 and one further submission was received. The submission was received from one of the original objectors and repeated most of the issues raised and addressed in the original report to the Panel. The only new concern raised and planning commentary is as follows:

1. Construction Management Plan

No valid Construction Management Plan (CMP) has been created for the earthworks and construction to ensure no damage to existing surrounding structures. No copy of an updated CMP has been provided. A new CMP is required to ensure no damage to existing structures, the current CMP was developed before any surrounding structures were built.

Comment: Council does not require a construction management plan to be submitted with Development Applications and it is a matter generally addressed as part of conditions of consent. In the event of the application being recommended for approval, conditions of consent would be recommended.

Sydney Metro Concurrence

The proposed development requires concurrence from Sydney Metro under the provisions of Section 2.99 of SEPP (Transport & Infrastructure) 2007 as the proposal involves penetration of ground to a depth of at least two metres below ground level (existing) on land that is within, below or above a rail corridor. Sydney Metro granted initial concurrence on 8 May 2023, however, Condition No. 1.1 of the concurrence letter outlines that the development is to be undertaken in accordance with the originally submitted plans which included the tunnel construction and a smaller footprint of excavation than now proposed.

Given that the proposal was amended during the assessment phase to delete the previously proposed tunnel excavation and increase the footprint of the proposed excavated area from 2,585m² (excluding the previous tunnel link excavation) to 2,684m² it was necessary to refer the application back to Sydney Metro to obtain concurrence to the amended plans given the terms of Condition No. 1.1 of the initial concurrence letter.

The application was referred back to Sydney Metro on 14 June 2024. A letter was provided by Sydney Metro via the NSW Planning Portal on 2 August 2024 requesting additional information from the applicant. The applicant provided this additional

information on 22 October 2024. Following this, the application was referred back to Sydney Metro and concurrence is yet to be granted.

Sydney Metro and the applicant have so far taken over 4 months and a concurrence is still outstanding. Given the Ministerial Statement of Expectations Order 2024 and the timeframe expectation of an average of 115 days for Development Applications it is necessary to make a determination on the subject application given that it has been under assessment by Council for 745 days at the time of writing this report and will result in a significant impact on Council's average upon determination. As a result, the application is recommended for refusal under the provisions of Section 2.99 of SEPP (Transport & Infrastructure) 2021 given that concurrence has not been granted by Sydney Metro.

Recommendation

- a) Pursuant to Section 4.16(1)(a) of the Environmental Planning and Assessment Act, 1979, the Ryde Local Planning Panel refuse LDA2022/0314 for site establishment, preparation works comprising of excavation of previously approved basement levels and construction of shoring walls at 11 Halifax Street, Macquarie Park subject to the following reason for refusal:
 - 1) Pursuant to Section 2.99 of *State Environmental Planning Policy (Transport & Infrastructure) 2021* concurrence has not been provided by the responsible rail authority (Sydney Metro) based on the current submitted plans. Subsection 3 states that the consent authority must not grant consent to development to which this section applies without the concurrence of the rail authority for the rail corridor to which the development application relates.
- b) That Sydney Metro and Ausgrid be advised of the decision.
- c) That the objectors be advised of the decision.

Supplementary report prepared by

Shannon Butler
Senior Town Planner

Report approved by

Sohail Faridy
Acting Manager Development Assessment

Item 1 - 11 Halifax Street, Macquarie Park - LDA2022/0314

Proposal: Site establishment and preparation works comprising excavation (for previously approved basement levels) and construction of shoring walls.

Report prepared by: Shannon Butler, Senior Town Planner

Report approved by: Sohail Faridy, Senior Coordinator - Development Assessment
Carine Elias, Manager - Development Assessment
Sandra Bailey, Executive Manager - City Development

**City of Ryde
Local Planning Panel Report**

DA Number	LDA2022/0314
Site Address & Ward	11 Halifax Street, Macquarie Park Lot 105 DP1224238 (East Ward)
Zoning	MU1 Mixed Use
Proposal (as lodged)	Site establishment, preparation works comprising excavation of previously approved basement levels and construction of shoring walls.
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Cost of Works	\$5,129,172
Reasons for Referral to LPP	Contentious Development – <i>Greater than 10 unique submissions received objecting to the proposal</i>
Recommendation	Approval, subject to deferred commencement condition.
Attachments	Attachment 1 - Recommended Conditions of Consent Attachment 2 – Architectural Plans Attachment 3 – Sydney Metro Concurrence Attachment 4 – Ausgrid Comments

1.0 EXECUTIVE SUMMARY

This report considers a development application under Section 4.15 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) on land at 11 Halifax Street, Macquarie Park, which is legally described as Lot 105 DP1224238.

The subject development application (LDA2022/0314) was lodged on 13 October 2022 and seeks consent for site establishment and preparation works comprising excavation and construction of shoring walls. The previous approval consenting to these works has lapsed (LDA2016/0308). The proposed works will facilitate the continuation of the development approved under Development Consent No. LDA2016/0395 which comprised the construction of a mixed-use development consisting of eight buildings and three levels of shared basement car parking. The component of this approved development located on the south-western side of Jarvis Circuit has been completed. The proposed works will facilitate the completion of the works on the subject lot.

In accordance with the *Environmental Planning and Assessment Act 1979*, Section 9.1 – Directions by the Minister, this application is reported to the Ryde Local Planning Panel (RLPP) for determination as the application constitutes contentious development given that greater than 10 unique submissions have been received, objecting to the development.

The Development Application was notified between 25 October 2022 and 18 November 2022. Twelve (12) submissions were received objecting to the proposal. Concerns raised in the submissions included concern that there is inadequate building separation, noise and dust impacts, structural issues with surrounding buildings, traffic impacts, privacy impacts and safety impacts for children who reside in nearby buildings. The submissions are addressed in the report and do not warrant refusal of the application.

The subject site is located in close proximity to the Sydney Metro underground corridor and the application was referred to Sydney Metro under the provisions of Clause 2.99 of *State Environmental Planning Policy (Transport and Infrastructure) 2021*. Sydney Metro provided concurrence subject to conditions on 8 May 2023.

The application has been assessed against the provisions of State Environmental Planning Policy (SEPP) (Resilience and Hazards) 2021, SEPP (Biodiversity and Conservation) 2021, SEPP (Transport and Infrastructure) 2021, the Ryde Local Environmental Plan 2014 and Ryde Development Control Plan 2014 – Section 8.1 – Construction Activities and the North Ryde Station Precinct DCP and is considered satisfactory.

Having regard to the matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act*, it is recommended Development Application No. LDA2022/0314 be approved subject to a deferred commencement condition under Section 4.16(3) of the *Environmental Planning and Assessment Act 1979*.

2.0 THE SITE & LOCALITY

The subject site is legally described as Lot 105 DP1224238 and is known as 11 Halifax Street, Macquarie Park. The site is irregular in shape and has an area of 2,801.82m² and a frontage of 134 metres to Jarvis Circuit to the south-west, 21 metres to Jarvis Circuit to the south-east and 27 metres to Halifax Street to the north-west.

The subject site is currently vacant and comprises a grassed surface with no other vegetation. The site is currently used as open space and is accessible to the public.

The site has a downslope from the southern corner RL59.86 to the northern corner RL55.83.



Figure 1 Aerial photograph of the site and locality

The site is located in close proximity to the Sydney Metro underground rail corridor (see **Figure 2**).

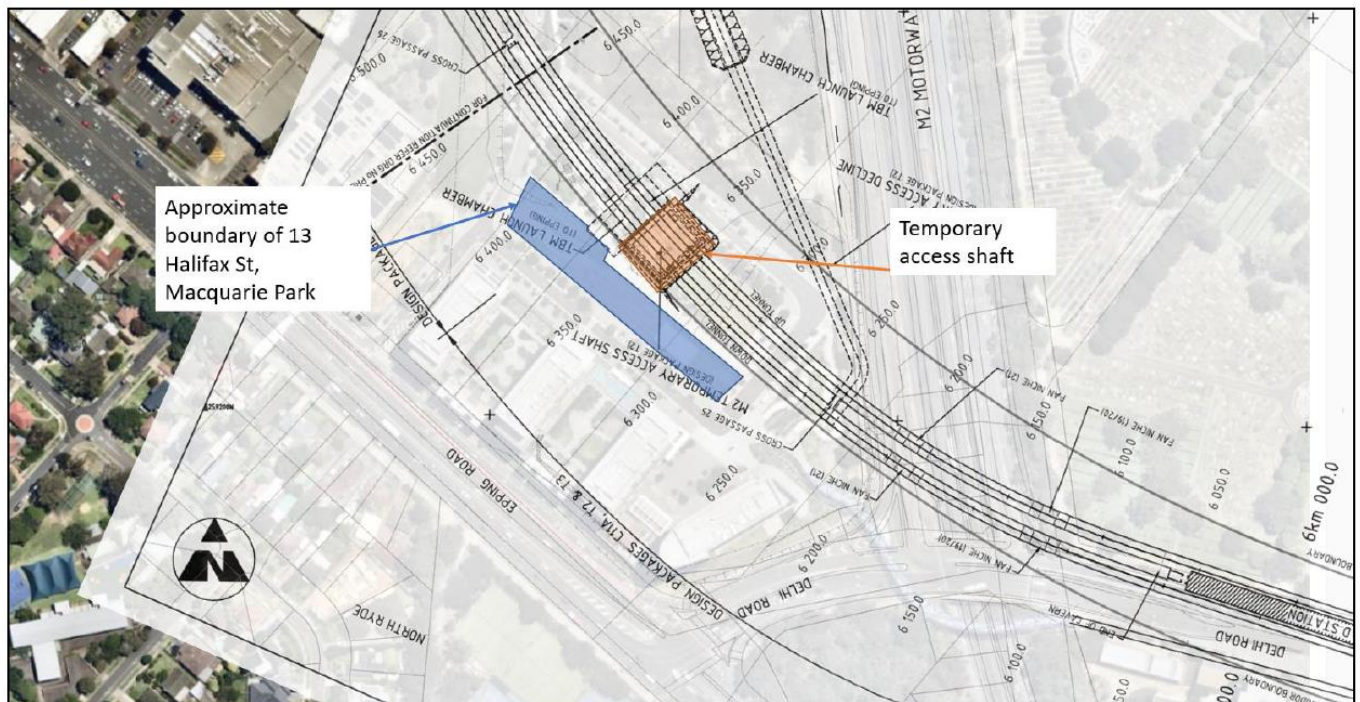


Figure 2 – Plan depicting approximate location of site in relation to Sydney Metro underground corridor (Source: Sydney Metro)



Figure 3 – View of subject site facing south-west

The site is bounded by a Council owned park to the north-east, vacant land to the north-west, a mixed use development to the south-west (of which the subject site will form part of) and open space to the south-east associated with the approach to the footbridge over Delhi Road and the M2 Motorway which provides access to the North Ryde metro station.



Figure 4 – View of mixed-use development located to the south-west of the subject site

The subject site was created as part of a Concept SSD application that was approved by the Department of Planning and Environment (DPE). The Concept SSD application formed part of the activation precinct that was announced in 2013 by the then Minister of Planning.

On 6 March 2015, the Executive Director, Infrastructure and Industry Assessments, granted development consent for the Concept Proposal and Stage 1 infrastructure and services application (SSD 5093). The Concept Proposal permitted:

- subdivision of the parent lot into 12 allotments
- allocation of floor space for each of the created lots
- public open space, roads, and infrastructure works

The Concept SSD and Stage 1 works have been completed, as such detailed Development Applications (DA) consistent with the approved masterplan can be subsequently lodged to Council.

3.0 THE PROPOSAL

The proposal seeks consent for site establishment and preparation works comprising excavation (for previously approved basement levels) and construction of shoring walls as the original approval consenting to these works has lapsed (LDA2016/0308). The development of the site beyond the site establishment and preparation works was approved under Development Consent No. LDA2016/0395. The subject application seeks consent for the following components:

Excavation

- The removal of granular and rock material to the bulk earthwork level.
- Removal of 23,850m³ of cut material.
- Provision of sediment and erosion controls.

Construction

- Construction of the base slab layer.
- Construction of the previously approved subterranean basement tunnel between Lot 4 and 5.
- Reconstruction of public road over basement tunnel.
- Installation of shoring walls to support granular material.

Operational Details

The proposed hours of work are as follows:

Day	Hours of work
Monday to Friday	7:00am to 7:00pm
Saturday	8:00am to 4:00pm
Sunday and public holidays	No work

Site access for the proposed works will be off Halifax Street along the north-western boundary of the site.

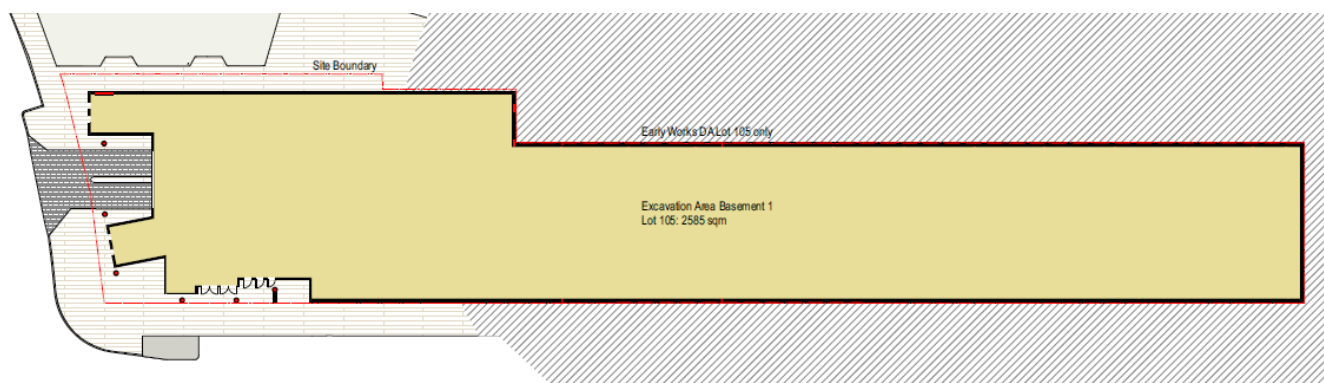


Figure 5 – Basement Level 1 excavation plan

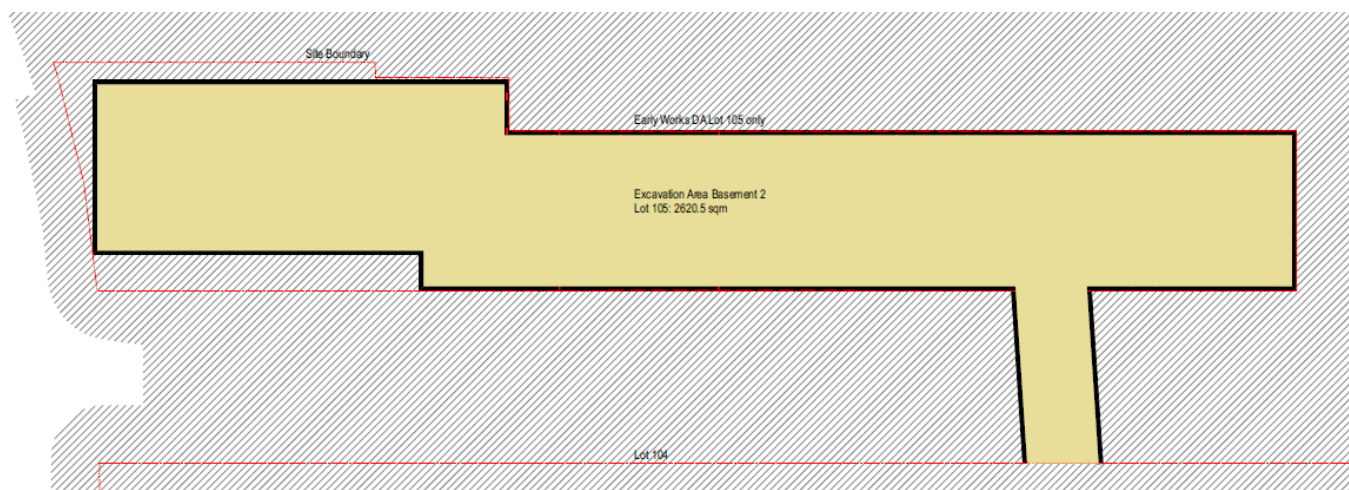


Figure 6 – Basement Level 2 excavation plan

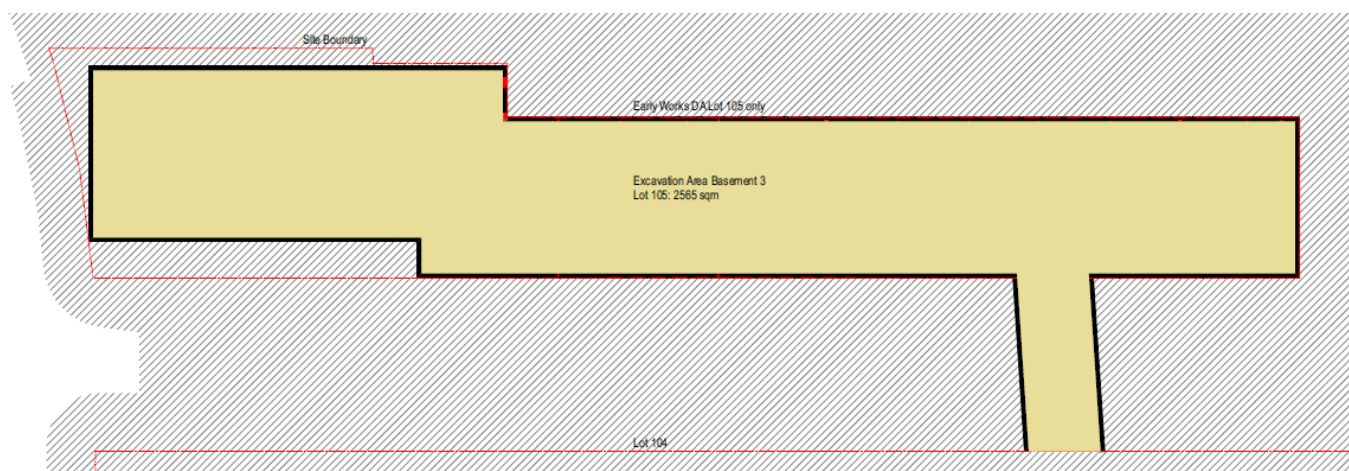


Figure 7 – Basement Level 3 excavation plan

4.0 HISTORY

4.1 Site History

6 March 2015	<p>A State Significant Development Application (SSD_5093) for the staged development of the North Ryde Station Precinct – M2 Site was approved in March 2015, comprising:</p> <ul style="list-style-type: none"> • Subdivision of the site into 12 development lots, five public open space lots and two 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), and • Infrastructure, civil works and landscaping <p>Stage 1 comprises of the following phases:</p> <ul style="list-style-type: none"> - 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 footbridge over Delhi Road.
25 May 2017	<p>Deferred commencement consent was granted for the early site works, bulk excavation and construction of shoring walls on Lot 105 of Lachlan's Line (LDA2016/0308), being the subject site. Council's records indicate that the deferred commencement conditions were not satisfied within the stipulated 12 month timeframe and the consent is deemed to have lapsed on 25 May 2018.</p>
29 November 2017	<p>Development consent No. LDA2016/0395 was granted by the Sydney North Planning Panel (SNPP) for:</p> <ul style="list-style-type: none"> • Construction of a mixed use development including the following works: <ul style="list-style-type: none"> - 3 levels of shared basement car parking for 884 car spaces; - A tunnel beneath Jarvis Circuit (a future public road) that will link Basement Levels 00 & 01 across Lots 104 & 105 (there is an easement within Jarvis Circuit for the tunnel under DP1253779); - A single level podium across Lot 104 comprising of retail & community facilities uses; - 8 residential buildings comprising of 885 units ranging in height from 3 to 17 storeys; - Publicly accessible open spaces; - A 2500m² community facility; and - Site landscaping.

The approved development includes the mixed use development of Lot 104 and 105.

This consent did not encompass the early works on the subject site as this component was dealt with by Development Consent No. LDA2016/0308 that lapsed on 25 May 2018. The current application (the subject of this report) is seeking consent for the works as approved under LDA2016/0308.

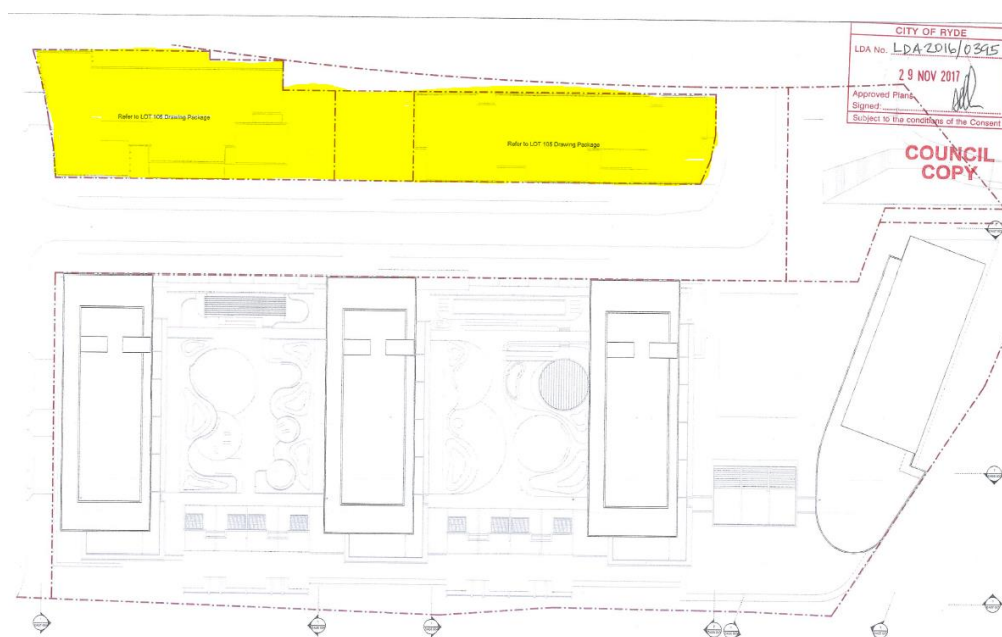


Figure 8 – Key plan approved as part of LDA2016/0395 depicting subject site in yellow highlight and Lot 104 located below (on the opposite side of Jarvis Circuit)

4.2 Application History

13 October 2022	Subject application formally lodged with Council.
25 October 2022 to 18 November 2022	Subject application notified in accordance with the Ryde Community Participation Plan. Twelve (12) unique submissions objecting to the development were received in response.
5 December 2022	Letter received from Sydney Metro requesting additional info as follows: <i>a) Drawings that clearly and definitively showing the Sydney Metro substratum property at this location as it is adjacent to a temporary shaft. Stratum information can be obtained through:</i> <ul style="list-style-type: none"> <i>• The owners who were notified of the location of the stratum as part of the acquisition process.</i> <i>• The survey plans of acquisition which have been registered with Land Registry Services, NSW.</i> <i>• Conducting a Dial Before You Dig search.</i> <i>b) There is a backfilled access shaft adjacent to the development site. There will be no rock to anchor at this location. Please demonstrate how the retention structure will be supported at this location.</i>

7 December 2022	Email sent to the applicant via the NSW Planning Portal advising of the additional information requested by Sydney Metro.
6 April 2023	Additional information submitted by the applicant in response to the request from Sydney Metro.
26 April 2023	An amendment was made to the Ryde Local Environmental Plan 2014 to change the name of the zoning of the B4 Mixed Use zone to MU1 Mixed Use. This amendment did not affect the permissibility of the proposed development.
10 May 2023	Sydney Metro concurrence provided subject to conditions.

5.0 PLANNING ASSESSMENT

5.1 Section 90 of Water Management Act 2000

The development requires approval by Water NSW under Section 90 of the Water Management Act 2000 due to the proximity of the proposed basement to the groundwater table and the extent of excavation that is proposed which would result in the need for dewatering.

The applicant has opted for the application to not be classed as integrated development, therefore, a deferred commencement condition is recommended under Section 4.16(3) of the Environmental Planning and Assessment Act 1979 requiring that a suitable dewatering approval be obtained from Water NSW prior to the issue of an operative consent. A discussion with Water NSW has determined that this approach is acceptable when the applicant has opted for an application not to be integrated development.

5.2 State Environmental Planning Instruments

Instrument	Proposal	Compliance
State Environmental Planning Policy Resilience and Hazards SEPP 2021		
Chapter 4 Remediation of land		
The object of this Chapter is to provide for a Statewide planning approach to the remediation of contaminated land. The aims are to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment.	A Site Audit Statement was previously prepared for the site under LDA2016/0308. The site audit determined that the site was suitable for residential purposes. The Site Audit Statement was reviewed by Council's Environmental Health team and no objections were raised to the findings of the audit.	Yes
State Environmental Planning Policy – Biodiversity and Conservation SEPP 2021		
Chapter 2 Vegetation in non-rural areas		
The objective of this chapter of the SEPP is to protect the biodiversity values of trees and other vegetation and to preserve the amenity of the area through the preservation of trees and other vegetation.	There are no trees or vegetation on the site other than introduced grass.	Yes

State Environmental Planning Policy (Transport and Infrastructure) 2021		
Chapter 2 Infrastructure		
<p>Clause 2.48 applies to a development application for development comprising or involving any of the following:</p> <p>(1)(a) <i>the penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower,</i></p> <p>(b) <i>development carried out—</i></p> <p>(i) <i>within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or</i></p> <p>(ii) <i>immediately adjacent to an electricity substation, or</i></p> <p>(iii) <i>within 5m of an exposed overhead electricity power line.</i></p> <p>(2) <i>Before determining a development application (or an application for modification of a consent) for development to which this section applies, the consent authority must—</i></p> <p>(a) <i>give written notice to the electricity supply authority for the area in which the development is to be carried out, inviting comments about potential safety risks, and</i></p> <p>(b) <i>take into consideration any response to the notice that is received within 21 days after the notice is given.</i></p>	<p>The proposal involves the penetration of ground within 2m of an underground electricity power line. The application was referred to Ausgrid (being the relevant electricity supply authority) and a letter was received on 21 March 2023 raising no objection subject to recommended conditions.</p>	<p>Yes</p>
<p>Section 2.99 of the SEPP states the following in relation to excavation in, above, below or adjacent to rail corridors:</p> <p>(1) <i>This section applies to development (other than development to which section 2.101 applies) that involves the penetration of ground to a depth of at least 2m below ground level (existing) on land—</i></p>	<p>The proposal involves the penetration of ground of more than 2 metres within the Sydney Metro corridor. The application was referred to Sydney Metro under the provisions of Section 2.99 of the SEPP. Sydney Metro provided concurrence on 8 May 2023 subject to conditions.</p>	

<p>(a) <i>within, below or above a rail corridor, or</i></p> <p>(b) <i>within 25m (measured horizontally) of a rail corridor, or</i></p> <p>(c) <i>within 25m (measured horizontally) of the ground directly below a rail corridor, or</i></p> <p>(d) <i>within 25m (measured horizontally) of the ground directly above an underground rail corridor.</i></p> <p>(2) <i>Before determining a development application for development to which this section applies, the consent authority must—</i></p> <p>(a) <i>within 7 days after the application is made, give written notice of the application to the rail authority for the rail corridor, and</i></p> <p>(b) <i>take into consideration—</i></p> <p>(i) <i>any response to the notice that is received within 21 days after the notice is given, and</i></p> <p>(ii) <i>any guidelines issued by the Planning Secretary for the purposes of this section and published in the Gazette.</i></p>		
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5.3 Ryde Local Environmental Plan 2014 (RLEP 2014)

Under the provisions of Ryde Local Environmental Plan 2014 (RLEP), the subject site is zoned MU1 Mixed Use and the proposal comprises earthworks associated with an approved mixed-use development. RLEP 2014 defines earthworks as follows:

Earthworks means excavation or filling.

The proposal is for bulk excavation of the site to facilitate the construction of the basement levels approved under Development Consent No. LDA2016/0395. Development for the purpose of earthworks is permissible with consent within the MU1 Mixed Use zone.

The relevant objectives for the MU1 Mixed Use zone are as follows:

- *To encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities.*
- *To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*
- *To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.*

The proposal facilitates the construction of an approved mixed-use development on the site which will be a compatible land use in an accessible location that will encourage public transport usage and walking and cycling. The proposal is considered to be satisfactory in relation to the objectives of the MU1 Mixed Use zone.

Relevant Clauses

Clause	Proposal	Compliance
6.2 Earthworks		
<p>(1) <i>The objective of this clause is to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land.</i></p> <p>(2) <i>Development consent is required for earthworks unless—</i></p> <p>(a) <i>the earthworks are exempt development under this Plan or another applicable environmental planning instrument, or</i></p> <p>(b) <i>the earthworks are ancillary to development that is permitted without consent under this Plan or to development for which development consent has been given.</i></p> <p>(3) <i>Before granting development consent for earthworks (or for development involving ancillary earthworks), the consent authority must consider the following matters—</i></p> <p>(a) <i>the likely disruption of, or any detrimental effect on, drainage patterns and soil stability in the locality of the development,</i></p> <p>(b) <i>the effect of the development on the likely future use or redevelopment of the land,</i></p> <p>(c) <i>the quality of the fill or the soil to be excavated, or both,</i></p> <p>(d) <i>the effect of the development on the existing and likely amenity of adjoining properties,</i></p>	<p>Development consent is required for the proposed earthworks.</p> <p>Council's Development and Structural Engineers have assessed the application and raised no objections subject to recommended conditions.</p> <p>The proposed earthworks facilitate the construction of the approved mixed-use development on the subject site.</p> <p>Council's Environmental Health Officer has reviewed the site audit statement for the site and raised no objections subject to recommended conditions.</p> <p>The applicant has submitted a construction traffic management plan and acoustic assessment. These reports have been reviewed by Council and no objection is raised subject to recommended conditions.</p>	<p>Yes</p>

Clause	Proposal	Compliance
<p>(e) <i>the source of any fill material and the destination of any excavated material,</i></p> <p>(f) <i>the likelihood of disturbing relics,</i></p> <p>(g) <i>the proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area,</i></p> <p>(h) <i>any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</i></p>	<p>There is no fill proposed. All virgin excavated natural material (VENM) from the site is proposed to be disposed of to a site in Peats Ridge.</p> <p>The archaeological assessment submitted as part of the SSD approval states that the site has low potential to contain non-Aboriginal or Aboriginal relics and there are no recorded Aboriginal sites in the vicinity of the site.</p> <p>No waterway, drinking water catchment or environmentally sensitive area is located in close proximity to the site.</p> <p>The following documents form the basis of recommended conditions of consent:</p> <ul style="list-style-type: none"> - Construction traffic management plan - Acoustic assessment - Construction noise and vibration management plan - Soil and water management plan 	

5.4 Draft Environmental Planning Instruments

There are no draft Environmental Planning Instruments for consideration.

5.5 Development Control Plans

Ryde Development Control Plan 2014 (RDCP 2014)

Section 8.1 – Construction Activities

Earthworks controls have been addressed earlier in this report in relation to Clause 6.2 of the Ryde LEP 2014.

A Soil and Water Management Plan prepared by Wood and Grieve Engineers was submitted with the Development Application. This Plan incorporates erosion and sedimentation controls and has been reviewed and accepted by Council's Development Engineer. The Plan forms the basis of recommended conditions for a more detailed management plan prior to issue of the Construction Certificate.

A Construction Traffic Management Plan prepared by ARUP was submitted with the application. This management plan has been reviewed by Council's City Works – Traffic team and forms the basis of recommended conditions for a more detailed management plan prior to issue of the Construction Certificate.

North Ryde Station Precinct DCP

The North Ryde Station Precinct DCP provides a framework to guide future development in the North Ryde Station Precinct. The document specifies built form and other controls for all development within the Precinct to achieve the vision for the Precinct as a vibrant community and as a place to live, work and visit. The development application does not raise any issues in respect to this DCP.

5.6 Any matters prescribed by the regulations

Environmental Planning and Assessment Regulation 2021

The Regulation underpins the day-to-day operation of the NSW planning system. The Regulation guides the processes, plans, public consultation, impact assessment and decisions made by local councils, the Department of Planning and others. Standard conditions are recommended relating to compliance with BCA and AS.

6.0 The likely impacts of the development

The assessment demonstrates that the proposal will not have any significant adverse impacts upon any adjoining properties or the environment in general due to the nature of the development.

Construction Impacts

Construction impacts are controlled by Section 8.1 of the Ryde DCP 2014. Conditions of consent are recommended to control the impact of the construction activities.

The application encompasses excavation works and the construction of the base slab layer and subterranean tunnel beneath a Council owned road. This was subject to an executed Voluntary Planning Agreement tied to the built form consent (LDA2016/0395).

All relevant issues regarding environmental impacts of the development are discussed within this report. The development is considered satisfactory in terms of environmental impacts.

7.0 Suitability of the site for the development

The site is considered to be suitable for the development and the proposal will facilitate the completion of the construction of the approved built form development.

8.0 The Public Interest

Given the above assessment, the proposal does not result in any significant adverse impacts upon adjoining properties or the streetscape. On this basis, the proposal is not considered to raise any issues that would be contrary to the public interest.

9.0 Submissions

In accordance with the Ryde Community Participation Plan the application was notified to owners of surrounding properties between 25 October 2022 and 18 November 2022. Twelve (12) submissions were received objecting to the proposal.

The matters raised in the submissions have been considered below:

1. *The subject site is a grassed area that should be used for a strategic purpose or a form of community benefit.*

Comment: The subject site is privately owned and is zoned MU1 Mixed Use under the provisions of the Ryde Local Environmental Plan 2014. The site forms part of an overall mixed-use development approved under Development Consent No. LDA2016/0395. The site is not zoned or intended to be used for public open space purposes long term.

2. *The current extent of car parking is very limited and is causing problems for residents and visitors.*

Comment: The car parking for the overall mixed-use development was considered during the assessment of LDA2016/0395. The subject application relates to early works on the subject site only. The extent of car parking cannot be revisited as part of the assessment of the subject application.

3. *The subject site is too close to surrounding buildings and will result in a cramped appearance.*

Comment: Concerns raised in the submissions in relation to building separation are noted. However, these matters are outside the scope of this proposal. This proposal relates to the early construction works on Lot 105 as a result of a lapsed consent from 2016 (LDA2016/0308) and does not propose a building envelope nor comment on the design of the future development on site. The site has already been approved for residential development under LDA2016/0395. The purpose of the subject application is to seek consent for excavation and shoring works to begin the staged construction of the basement and subterranean tunnel at 11 Halifax Street.

4. *There will be excessive levels of dust and noise during the construction phase.*

Comment: The potential for dust impacts from the early works construction is acknowledged and identified as a key consequence of the proposal. The dust management measures to be adopted as outlined in the Construction Management Plan are as follows:

- The Site Manager will monitor the dust emissions and implement water suppression during plant movement and/or loading activities as required.
- Wetting down of surfaces during excavation works by means of high-pressure washers and or sprinkler systems.
- Application of high-pressure water at the machine bucket face.
- Restriction of dust producing works on windy days.
- Protection of stockpiles.
- Sweeping of access road.
- Covering of truck loads.

The potential for acoustic impacts from the early works phase is also acknowledged. An acoustic report has been submitted with the application which details the following measures to be adopted to address noise:

- All noise-creating activities are to be limited to the hours 7am to 7pm Monday to Friday and Saturday 8am to 4pm.
- No work is to be carried out on Sundays or Public Holidays.
- All plant and equipment are to be muffled in accordance with manufacturers' requirements.
- The use of hydraulic hammers is to be limited and the size of equipment to be used will be increased to enable the increased use of bucket/ripper/pulverisers attachments in lieu of hydraulic hammers.

- Regular inspections will be performed by the Project Manager to determine the extent of noise/vibration at the nearest affected residence or workplace
- The complaints register will be checked daily and any corrective action necessary taken immediately to ensure minimal interruptions.

A detailed contingency process that addresses concerns is in place and outlined below:

- In the event of excessive noise/vibration is being created by the works, work will stop immediately.
- Work methodologies will be modified to ensure that noise emissions during works are minimised and vibration mitigation measures are taken such as the modification of methodologies.
- Civiltrak will be notified of any noise complaints immediately.

A condition of consent is recommended requiring the preparation of an erosion and sediment control plan, including details on dust control (**Condition No. 32**) and a condition is recommended requiring compliance with the Construction Noise Management Plan (**Condition No. 19**).

5. *The proposal will result in blocking sunlight to the existing mixed-use development on the opposite side of Jarvis Circuit.*

Comment: Concerns raised in the submissions in relation to overshadowing are noted. However, these matters are outside the scope of this proposal. This proposal relates to the early construction works on Lot 105 as a result of a lapsed consent from 2016 and does not propose a building envelope nor comment on the design of the future development on site.

6. *Due to the single exit road out of the Lachlan's Line area, there is significant congestion around Lot 105 and further congestion to be expected as residents move in.*

Comment: The issue regarding traffic implications as a result of the proposal is noted. It is acknowledged that the proposed early works construction will have an impact on traffic around Lachlan's Line. A Construction Traffic Management Plan (CTMP) has been submitted with the application which seeks to address and mitigate the impacts of the proposed construction. A list of proposed recommendations is identified in the CTMP, a summary is provided below:

- Manage and control construction traffic movements on the adjacent road network and vehicles movements to and from the construction site.
- Trucks to enter and exit the site in a forward direction.
- Maintain traffic capacity at intersections and mid-block in the vicinity of the site.
- Restrict construction vehicle activity to designated truck routes.
- Construction access driveways and on-street work zones to be managed and controlled by certified site personnel.
- Provide a convenient and appropriate environment for pedestrians.
- Maintain convenient access and circulation for public transport.
- Pedestrian movements adjacent to construction activity, across construction access driveways and to/from public transport facilities will be managed and controlled by site personnel.
- Pedestrian warning signs and construction safety signs/devices to be utilised in the vicinity of the site and to be provided in accordance with WorkCover requirements.
- Construction activity to be carried out in accordance with Council's approved hours of work.
- Truck loads would be covered during transportation off-site.
- Establishment and enforcement of appropriate on-site vehicle speed limits (20km/h), which would be reviewed depending on weather conditions or safety requirements.
- All activities, including the delivery of materials would not impede traffic flow along local roads.

- Materials would be delivered and spoil removed during standard construction hours.
- Avoid idling trucks alongside sensitive receivers.
- Trucks not to queue on local roads and can be wholly accommodated within the site.
- Deliveries would be planned to ensure consistent, minimal number of trucks arriving at any one time.
- Minimal construction traffic movements to/from the site will be made during peak hours (including school peak hours) to minimise the impact on the wider road network.

A condition of consent is recommended requiring the submission of a further Construction Pedestrian and Traffic Management Plan prior to the issue of a Construction Certificate (**Condition No. 33**).

7. *There have been several residents who have reportedly experienced earthquake-like tremors in their apartments. Concern is raised that the proposed works at Lot 105 Lachlan's Line will exacerbate the issue and may pose a risk to the residents if there is a serious yet-to-be-diagnosed problem that is causing the tremors.*

Comment: Concerns around structural integrity of surrounding buildings are noted, but do not relate to the scope of this early works proposal. The proposed earthworks and construction are to be managed in accordance with a Construction Management Plan (CMP), prepared by Civiltrak Sydney. The CMP & other key consultant reports including the Geotechnical report, prepared by JK Geotechnics, outline site-specific mitigation measures to ensure construction is safe and prioritises the reduced impact on the surrounding buildings. Conditions of consent are recommended to require compliance with these documents.

8. *The proposal will result in a lack of privacy in the surrounding buildings.*

Comment: The issue pertaining to privacy is out of scope for this early works proposal. The concern raised about privacy relates wholly to the proposed future construction of the residential building and does not relate to the earthworks and subterranean tunnel proposal that forms part of this application.

9. *As a residential community, Lachlan's Line has a lot of young kids. The proposed works would cause huge safety problems for them.*

Comment: Given the locality of the development occurring within a residential area, the safety concerns raised within the submissions are noted. The CMP and CTMP provide mitigation measures to protect the safety of pedestrians, residents and workers respectively. These measures are consistent with similar developments and prioritise safety and best practices. These mitigation measures include:

- All site staff, contractors and visitors to the site will be required to undertake a site induction prior to working on the site.
- Liaison with the client and adjoining neighbours will be conducted by the Management team via a representative from Greenland and will occur on an as required basis during the course of the project.
- No workers will be permitted to enter the site if they are under the influence of drugs or alcohol. It will be the responsibility of EW PC to produce or obtain Safe Work Method Statements (SWMS) from all contracted sub-contractors, which must also include safety manuals/ policies from each company.
- All contractors will be required to comply with the site- Works Health and Safety Plan and Environmental Management Plan. Regular 'Tool Box' meetings will be held on site with the trades including the consultation arrangements.
- The EW PC will need to enclose and secure the site by installing a suitable construction / security fence to ensure that the general public are protected from construction activities.

A condition of consent is recommended requiring the submission of a further Construction Pedestrian and Traffic Management Plan prior to the issue of a Construction Certificate (**Condition No. 33**).

10.0 Referrals

Sydney Metro

The application was referred to Sydney Metro under the provisions of Section 2.99 of SEPP (Transport & Infrastructure) 2021 given that the proposal involves the penetration of ground of more than 2 metres within the Sydney Metro corridor. Sydney Metro provided concurrence on 8 May 2023 subject to conditions. **Condition No. 3** is recommended which requires compliance with the Sydney Metro conditions.

Ausgrid

The application was referred to Ausgrid under the provisions of Section 2.48 of SEPP (Transport & Infrastructure) 2021 as the proposal involves ground penetration within 2m of an underground electricity power line. Ausgrid provided comments on 21 March 2023 raising no objection subject to recommended conditions. **Condition No. 4** is recommended which requires compliance with the Ausgrid conditions.

Senior Development Engineer

The application was referred to Council's Senior Development Engineer who raised no objection subject to recommended conditions of consent.

Assessment Officer's Comment: The recommended conditions provided by the Senior Development Engineer are included in the recommended conditions of consent (**Attachment 1**). **See Condition Nos. 12, 13, 14, 15, 29, 30, 31, 32, 38, 47, 48, 49, 50, 51, 52 and 67.**

City Works – Traffic

The application was referred to Council's Traffic Engineer who provided the following comments:

It is acknowledged that a preliminary construction traffic management plan (CTMP) prepared by ARUP dated 30 September 2021 has been submitted as part of the application to address how traffic is proposed to be managed to minimise disruption and safety risks to other road users on the surrounding public roads during construction. The measures outlined within this CTMP may need to be altered/updated to consider potential changes to the traffic conditions within the surrounding road network and/or potential changes to the construction methodology closer to the commencement of construction. In this regard, an updated CTMP is required prior to a Construction Certificate being issued for the works.

The applicant is also required to obtain relevant road activity permits from Council for works that affect traffic and parking conditions within the surrounding public roads and/or impact on any other Council assets (e.g. footpaths), prior to such construction works occurring.

Assessment Officer's Comment: The conditions provided by the City Works – Traffic team are included in the recommended conditions of consent (**Attachment 1**). **See Conditions Nos. 16, 33, 38, 39 & 53.**

City Works – Public Domain

The application was referred to Council's City Works – Public Domain team and no objections were raised subject to recommended conditions.

Assessment Officer's Comment: The recommended conditions provided by the City Works – Public Domain team are included in the recommended conditions of consent (**Attachment 1**). **See Condition Nos. 12, 13, 17, 18, 34, 40, 41, 42, 43, 44, 68, 69, 70, 71, 72, 73 and 74.**

Environmental Health Officer

The application was referred to Council's Environmental Health Officer who provided the following:

Contamination: *A Site Audit Statement was prepared under LDA2016/0308. The SAR audit determined that the site was suitable for residential purposes. No objection is made to the findings of the audit.*

Dewatering and Water Pollution Risk

Dewatering activities associated with the development's excavation poses a pollution risk. The Geotechnical report has confirmed that there are no groundwater issues relating to the site, and therefore dewatering will be limited to stormwater.

It has been recommended that the groundwater is treated prior to discharge. Standard conditions have been recommended to address pollution concerns. Despite the proposal involving activities below street level, water pollution is a potential concern posed by the development. This is mainly in the form of the discharge of any sediment from the site, particularly at access points and in the dewatering process.

To address this, the submitted Construction Management Plan proposes that any stormwater pumped from the site will go through a filtration process, and sediment basin. In addition to this, the roads and footpaths adjacent to the site will be kept clean of sediment and are proposed to be maintained at all times. The proposed sediment and erosion control plan also indicate the installation of a vehicle wash bay and shaker grid at the exit points to prevent the tracking of sediment onto the roadway.

Air Pollution

Emission of air impurities can be anticipated during excavation works. The applicant's Soil and Water Management Plan has identified that dust will be controlled by watering down exposed surfaces. This will be very important considering the proximity to existing residential and commercial receivers. The excavation occurring in the basement will assist in controlling dust, however this could be an issue.

Further controls should include watering down surfaces, installation of perimeter hoarding, watering down any sediment stockpiles, sediment deliveries to be in bags, and access points being kept clean and maintained. A number of conditions are recommended in this regard.

Noise Pollution

A Construction Noise and Vibration Management Plan has been submitted in lieu of an Acoustic Impact Assessment. Significant acoustic considerations regarding the excavation are needed. The Construction Noise and Vibration Management Plan submitted by the applicant addresses these considerations.

The CNVMP outlines a list of mitigation measures including a 3.5m high site hoarding to reduce construction noise. With this hoarding, the 65db criteria is exceeded by 6db at the adjacent apartment complex. Table 4 of the Acoustic Impact Assessment states that when RBL +10 is exceeded, the proponent must take all practical measures to attenuate/control the noise and ensure that all surrounding receivers are notified of the nature of the works and duration. It is expected the 6db exceedance will be appropriately managed through the implementation of the recommendations detailed in section 7 of the report. A condition of consent is recommended requiring compliance with these recommendations.

Unattended continuous noise monitoring shall be conducted at a select location at NCA03 for when noisy works are carried out in order to ensure the noise levels are not in excess of the predicted levels. Where noise levels are exceeding, additional reasonable and feasible mitigation measures shall be considered.

Assessment Officer's Comment: The recommended conditions provided by Council's Environmental Health Officer are included in the recommended conditions of consent (**Attachment 1**). **See Condition Nos. 19, 20, 21, 22, 23, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65 and 66.**

Consultant Geotechnical Engineer

The application was referred to Council's Consultant Geotechnical Engineer who raised no objections and did not recommend any conditions of consent.

11.0 Conclusion

After consideration of the development against section 4.15 of the Environmental Planning and Assessment Act 1979 and the relevant statutory and policy provisions, the proposal is suitable for the site and is not contrary to the public interest. Therefore, it is recommended that the application be approved for the following reasons:

- The proposal is consistent with the objectives for MU1 Mixed Use zoned land.
- The proposal does not result in any significant adverse impacts upon adjoining properties or the streetscape.
- The proposal is not contrary to the public interest.

12.0 Recommendation

- A. THAT the Ryde Local Planning Panel, as the consent authority, grant deferred commencement consent to Development Application LDA2022/0314 for site establishment and preparation works, excavations and construction of shoring walls on land at 11 Halifax Street, Macquarie Park subject to the draft conditions contained in Attachment 1.
- B. THAT the objectors are advised of the decision.

ATTACHMENTS

- 1 Draft Conditions of Consent
- 2 Architectural Plans - subject to copyright provision
- 3 Sydney Trains Comments
- 4 Ausgrid Comments

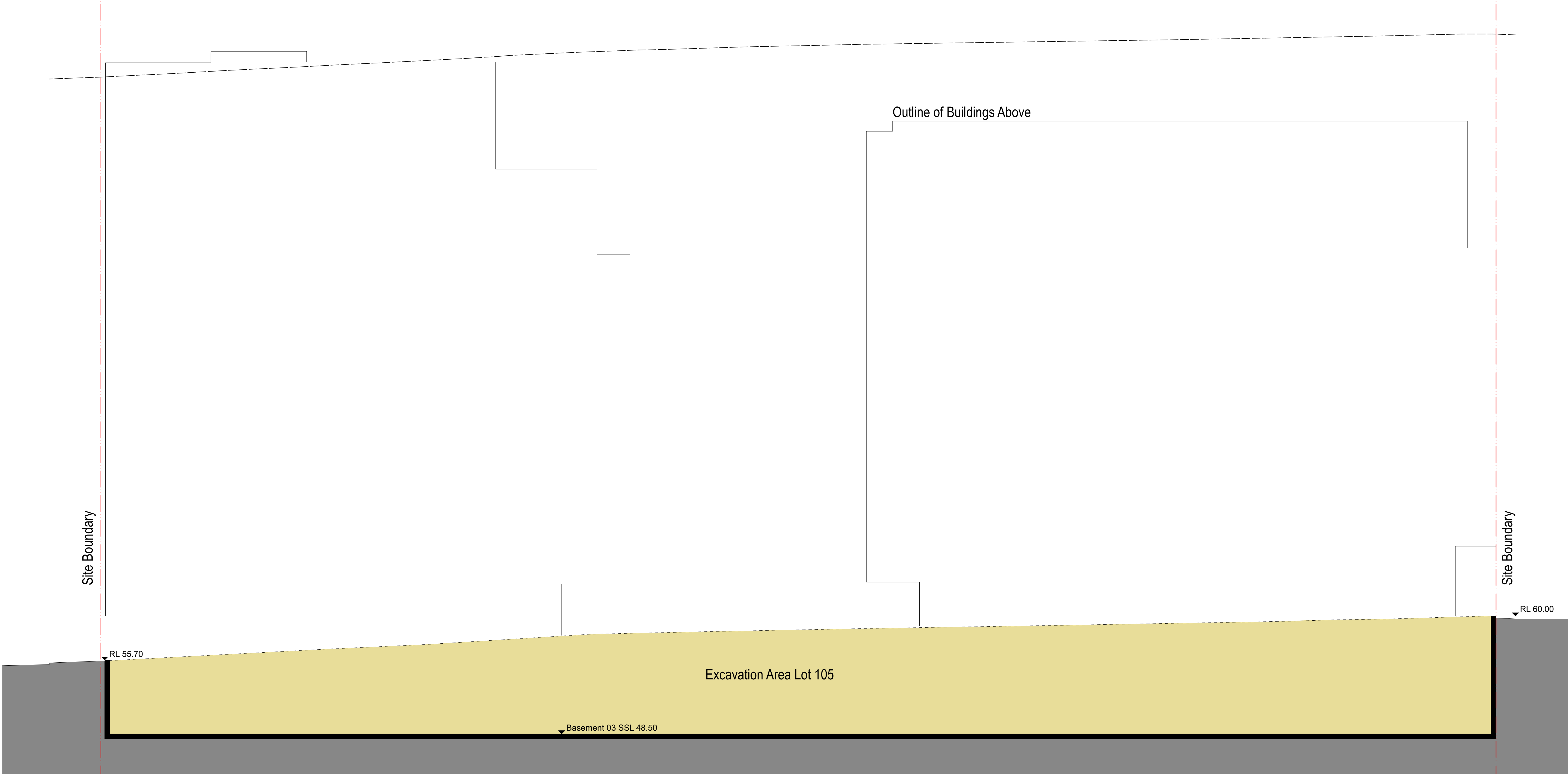
Report prepared by: **Shannon Butler**
Senior Town Planner

Report approved by: **Sohail Faridy**
Senior Coordinator Development Assessment

Carine Elias
Manager Development Assessment

Sandra Bailey
Executive Manager City Development

Section A



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LEGEND

Project Title
**LACHLAN'S LINE
NORTH RYDE**

Drawing Title
**102 Bulk Excavation- Early Works
Section A**

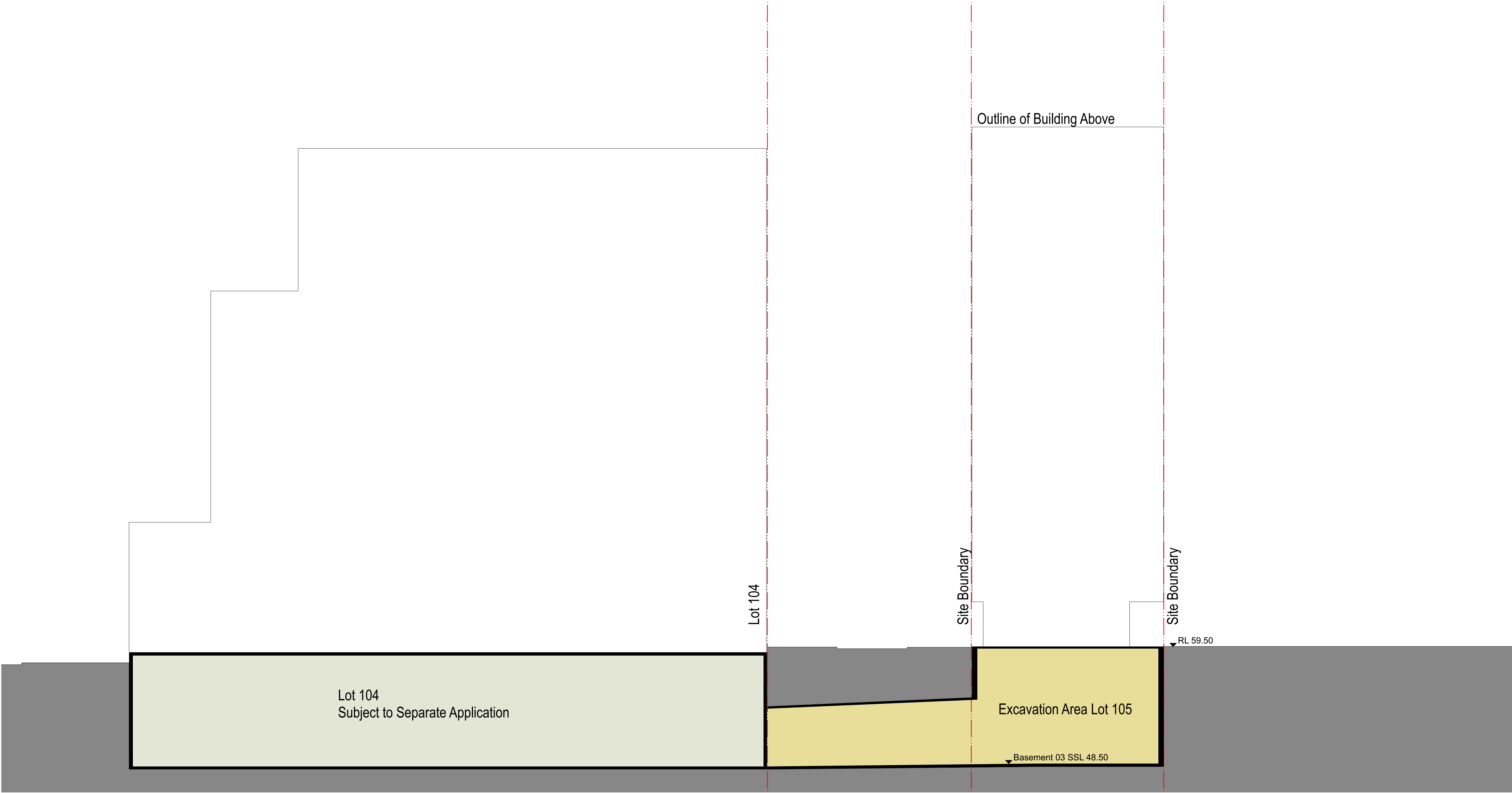
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				Revision Notes
				Project No.
				15039
				Drawn by
				SM
				Rev
				A
				Dwg No.
				SK-102-004
				Status
				For Information

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Section B



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LEGEND

Project Title
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NORTH RYDE**

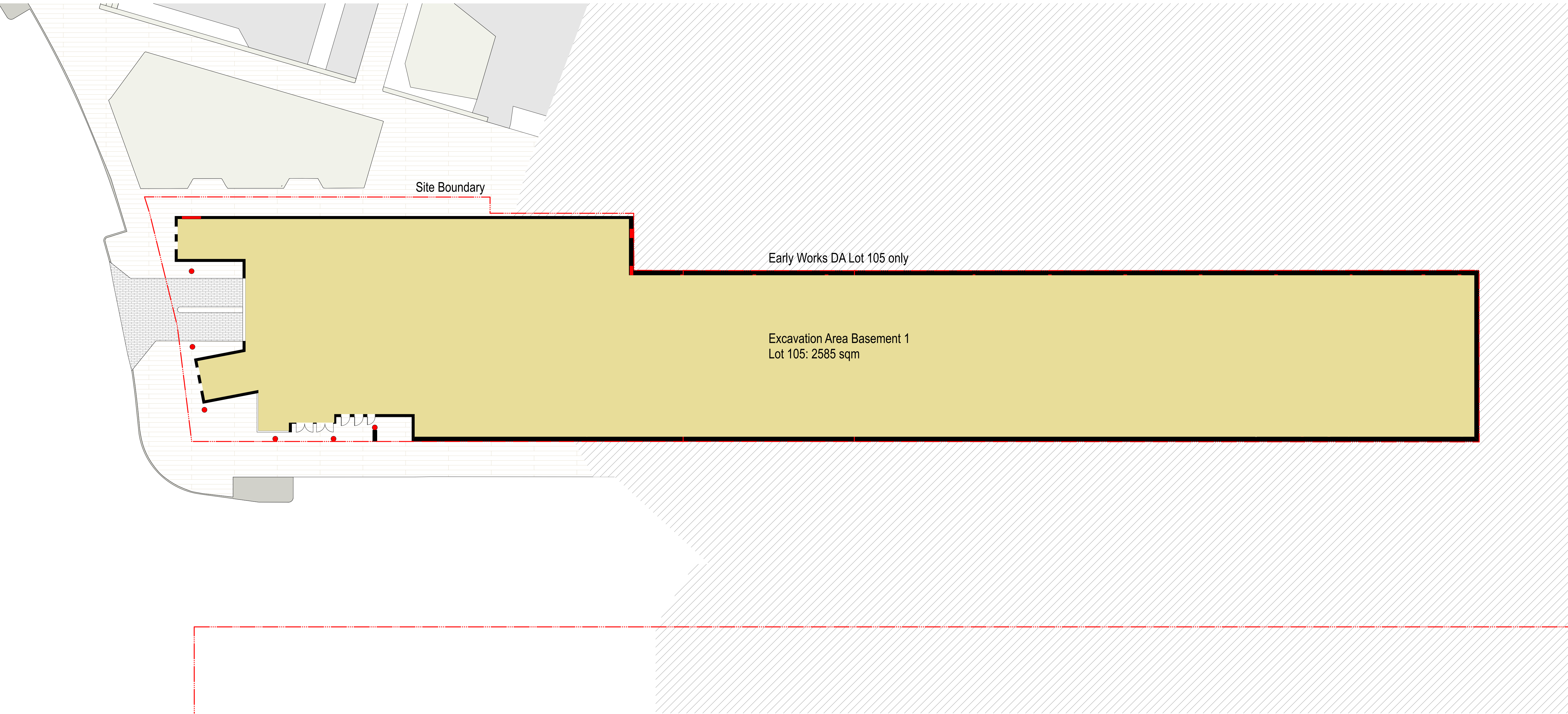
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**102 Bulk Excavation- Early Works
Section B**

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				Revision Notes
				Project No. 15039
				Drawn by SM
				Rev A
				Dwg No. SK-102-005
				Status For Information

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Basement 01



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LEGEND

Project Title
**LACHLAN'S LINE
NORTH RYDE**

Drawing Title
**102 Bulk Excavation- Early Works
Basement 01**

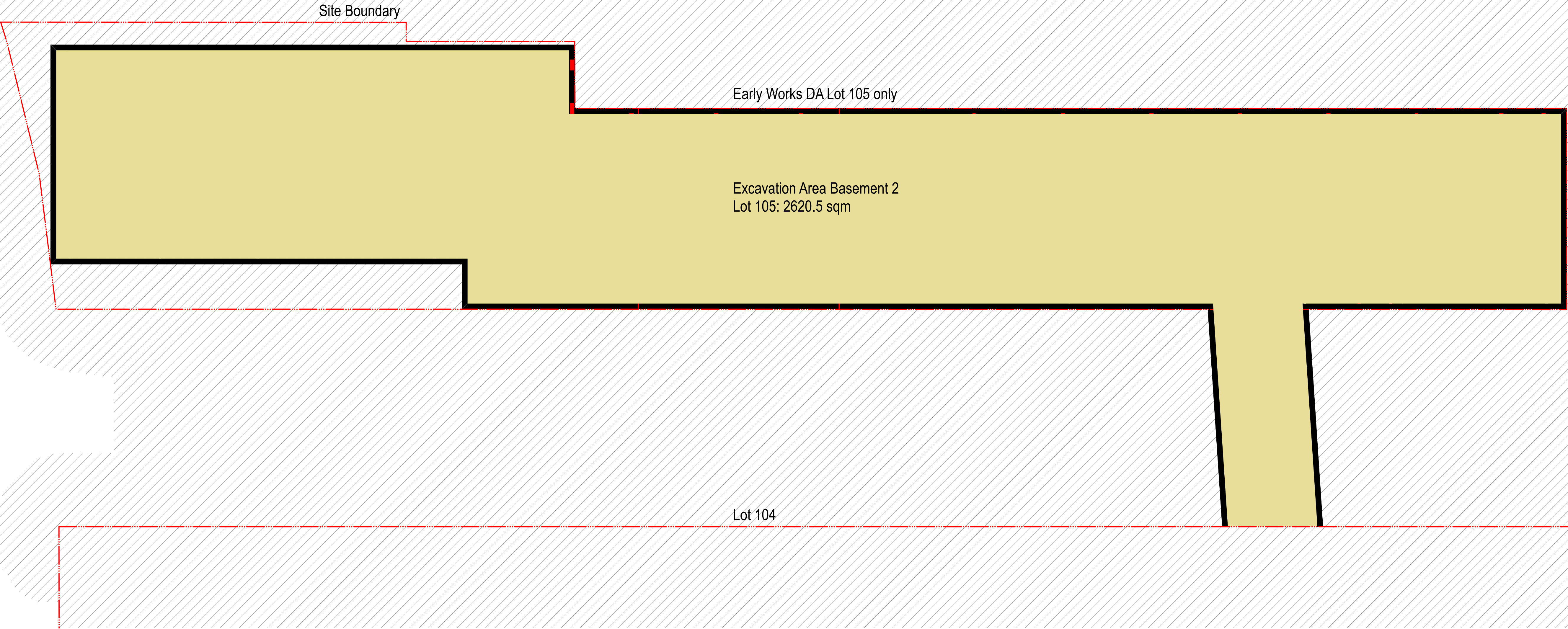
PRELIMINARY

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Project Title
**LACHLAN'S LINE
NORTH RYDE**

Drawing Title
**102 Bulk Excavation- Early Works
Basement 02**

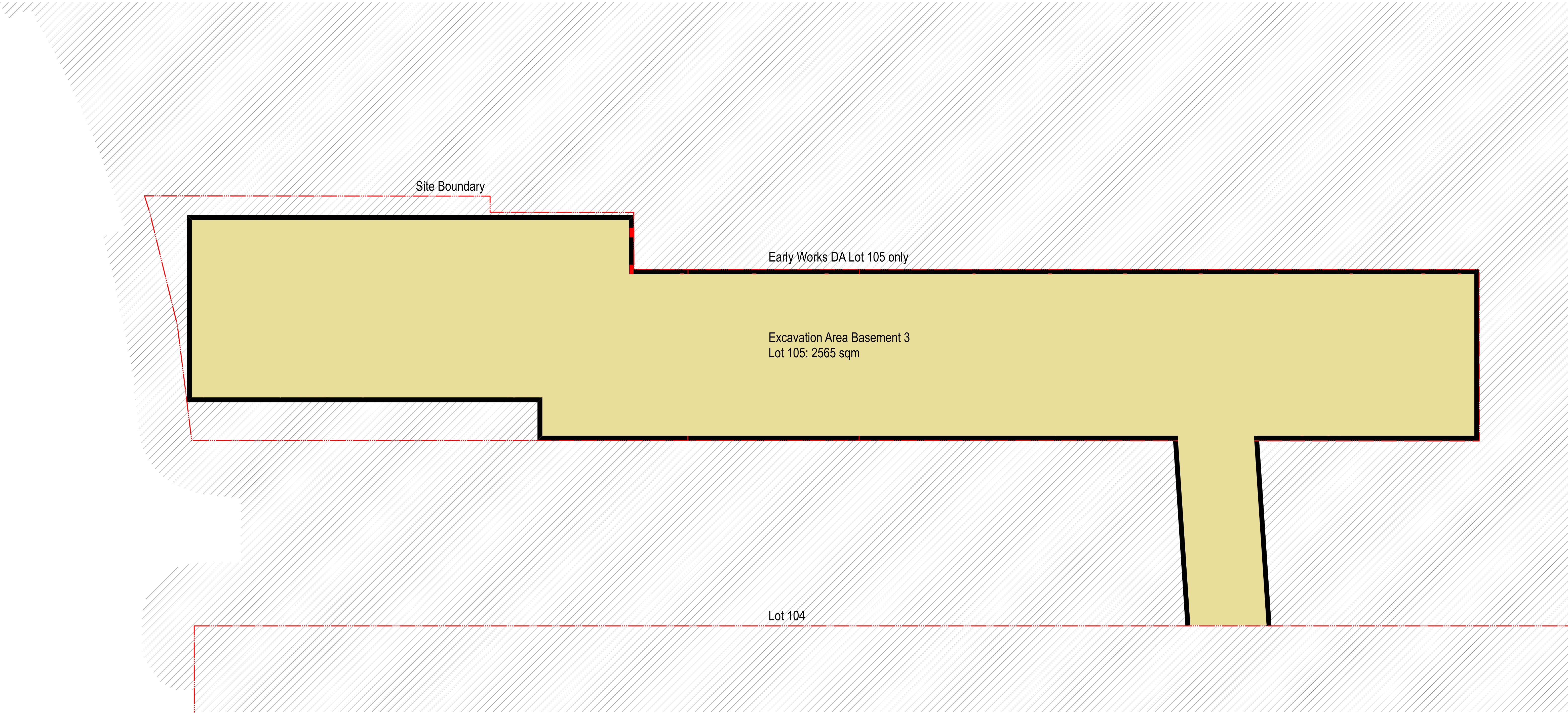
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DLCS Quality Endorsed Company ISO 9001:2015, Registration Number 20476
Notified Architect Nicholas Turner 6055, APR 99 504 094 971

Project Title
**LACHLAN'S LINE
NORTH RYDE**

Drawing Title
**102 Bulk Excavation- Early Works
Basement 03**

PRELIMINARY

A Rev.	20.05.16	KD	Client Issue	Revision Notes	Project No.	15039	Drawn by	SM	North
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Status	For Information								

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Date of Determination	13 July 2023
Panel Members	Steve O'Connor (Chair) Jennifer Bautovich (Independent Expert) Jeremy Swan (Independent Expert) Anthony Panzarino (Community Representative)
Apologies	NIL
Declarations of Interest	NIL

Public meeting held on 13 July 2023; opened at 5:00pm and closed at 5:40pm.
Papers were circulated electronically on 7 July 2023.

MATTER DETERMINED

11 Halifax Street, Macquarie Park - LDA2022/0314

Proposal: Site establishment and preparation works comprising excavation (for previously approved basement levels) and construction of shoring walls.

The following people addressed the Panel:

1. Liam Tully (submitter)
2. Murray Donaldson – Urbis Director (applicant)

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 **defer** the development application for a supplementary report that considers the Voluntary Planning Agreement that is registered on the land.
The decision was unanimous.

REASONS FOR THE DECISION





The Panel determined to **defer** the application as the development assessment report failed to consider the Voluntary Planning Agreement that affects the land. In accordance with Section 4.15(1)(a)(iiia) of the Environmental Planning & Assessment Act 1979, the Local Planning Panel is required to take into consideration any planning agreement that has been entered into under Section 7.4.

A supplementary planning report is to be prepared to allow the application to be determined electronically via circulation of papers, as the Panel already heard from all parties registered to speak.

CONDITIONS Not applicable

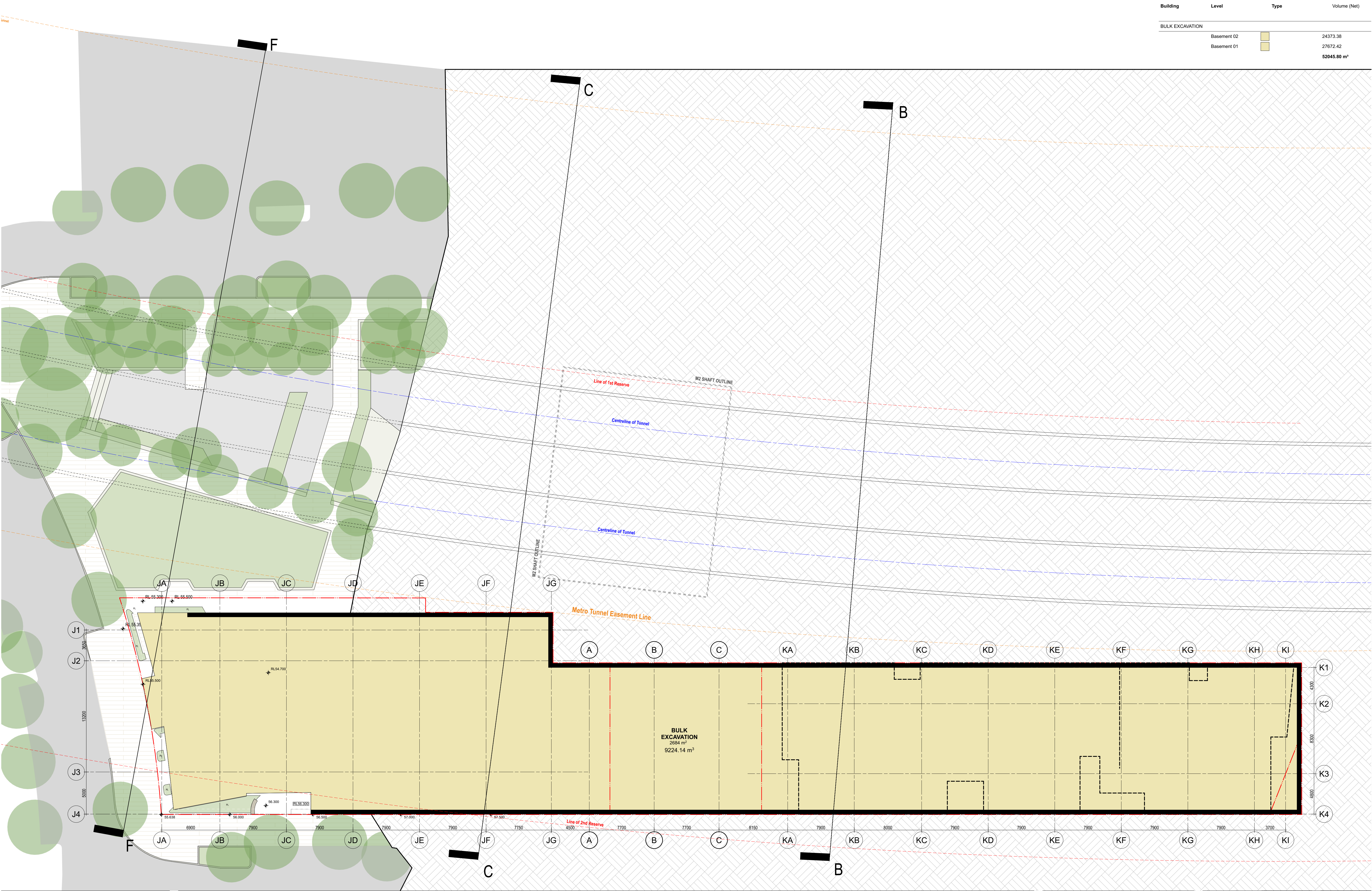
CONSIDERATION OF COMMUNITY VIEWS

In coming to its decision, the Panel considered written submissions made during public exhibition and heard from all those wishing to address the Panel.

PANEL MEMBERS	
Steve O'Connor (Chair)	
Jennifer Bautovich	
Jeremy Swan	
Anthony Panzarino	

SCHEDULE 1

1	DA No.	LDA2022/0314
2	Proposal	Site establishment, preparation works comprising excavation of previously approved basement levels and construction of shoring walls.
3	Street Address	11 Halifax Street, Macquarie Park
4	Applicant / Owner	Urbis Pty Ltd / Greenland (Sydney)
5	Reason for referral to RLPP	Contentious Development – <i>Greater than 10 unique submissions received objecting to the proposal</i>
6	Relevant mandatory considerations	<ul style="list-style-type: none"> • Section 90 of Water Management Act 2000 • Environmental planning instruments: <ul style="list-style-type: none"> ○ State Environmental Planning Policy Resilience and Hazards SEPP 2021 ○ State Environmental Planning Policy Biodiversity and Conservation SEPP 2021 ○ State Environmental Planning Policy (Transport and Infrastructure) 2021 ○ Ryde Local Environmental Plan 2014 • Draft environmental planning instruments: Nil • Ryde Development Control Plan 2014 • Planning agreements: VPA is registered on Title • Provisions of the <i>Environmental Planning and Assessment Regulation 2001</i> • Coastal zone management plan: Nil • 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 • 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: 12 • Verbal submissions at the public meeting: <ul style="list-style-type: none"> ○ In support - Nil ○ In objection - Liam Tully ○ Council assessment officer - Nil ○ On behalf of the applicant - Murray Donaldson • Memo from the Executive Manager Development Assessment, dated 12 July 2023
8	Meetings, briefings and site inspections by the Panel	<ul style="list-style-type: none"> • Site inspection: At the discretion of Panel members • Briefing: 13 July 2023 • Attendees: <ul style="list-style-type: none"> ○ <u>Panel</u>: Steve O'Connor (Chair), Jennifer Bautovich, Jeremy Swan, Anthony Panzarino ○ <u>Council assessment staff</u>: Carine Elias, Sohail Faridy, Shannon Butler, Myra Malek • Papers were circulated electronically on 7 July 2023
9	Council Recommendation	Deferral
10	Draft Conditions	Not applicable



Building	Level	Type	Volume (Net)
BULK EXCAVATION			
	Basement 02		24373.38
	Basement 01		27672.42
			52045.80 m³

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Sydney NSW 2000 Australia

Rail Tunnel Level, Tunnel Perimeter and Stratum levels based on Survey
date approved 01/10/24 Ref: ACAD-AU213016207-DS01c-mga20-2d
This drawing is based on Input from Sydney Rail

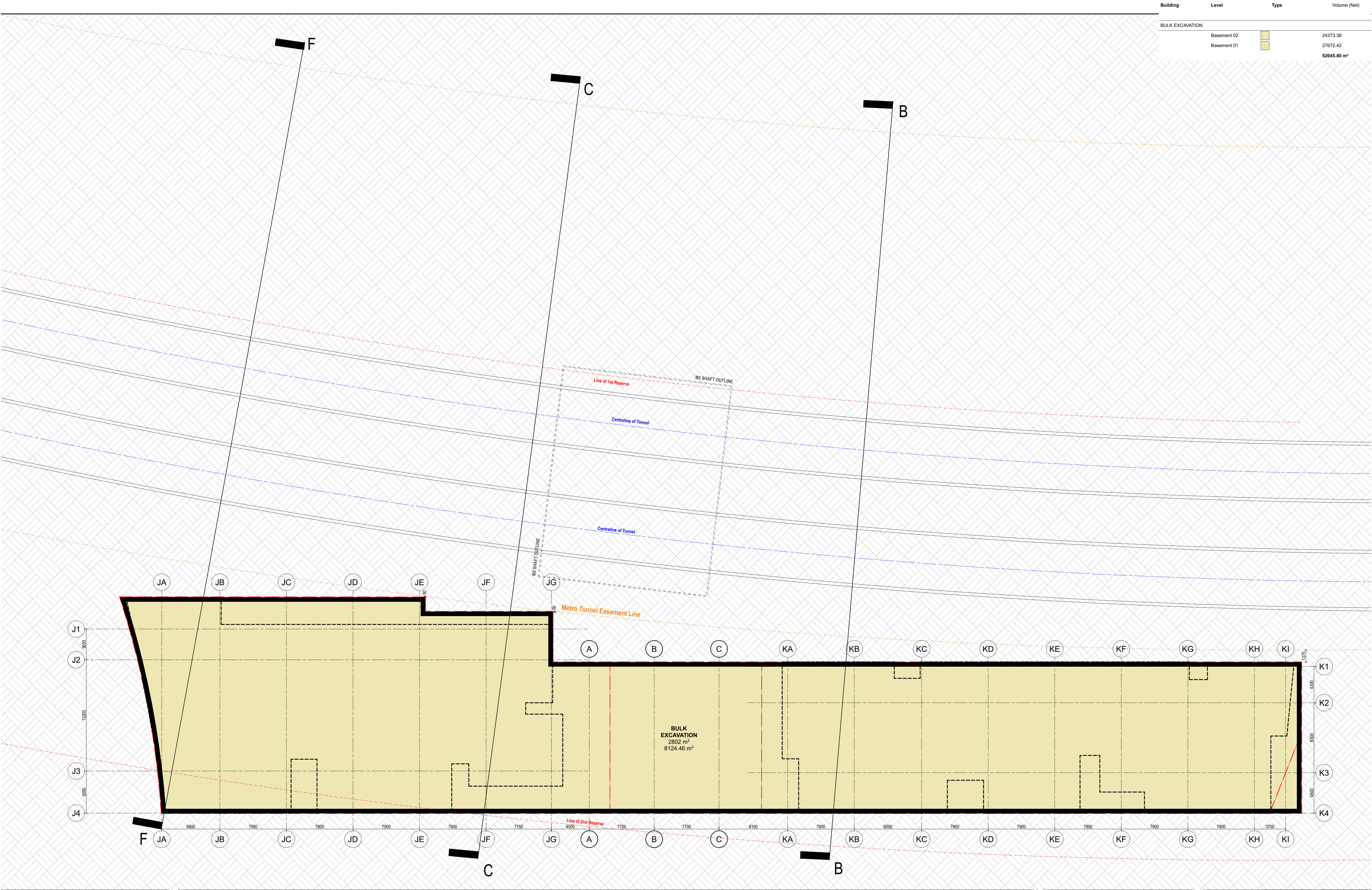
Revision Date Approved by Revision Notes
-E 01/10/24 SM For Early Works Submission

Project Title
Lachlan's Line Lot 105
Halifax Street & Jarvis Cct Macquarie Park NSW 2113
Drawing Title
Bulk Excavation - Early Work
Basement 01

Scale
1:200, 1:1 @A1, 50% @A3
Status
For Approval
Project No.
15039
Dwg No.
SK-102-B01
Drawn by
TL/FL
Rev
-E

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Building	Level	Type	Volume (Net)
BULK EXCAVATION			
	Basement 02		24373.38
	Basement 01		27672.42
			52045.80 m³

NOTES
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GREENLAND AUSTRALIA
Suite 201, Level 2 233 Castlereagh Street
Sydney NSW 2000 Australia

Rail Tunnel Level, Tunnel Perimeter and Stratum levels based on Survey data approved 01/10/24 Ref: ACAD-AU213016207-DS01c-mga20-2d
This drawing is based on Input from Sydney Rail

-E 01/10/24 SM For Early Works Submission

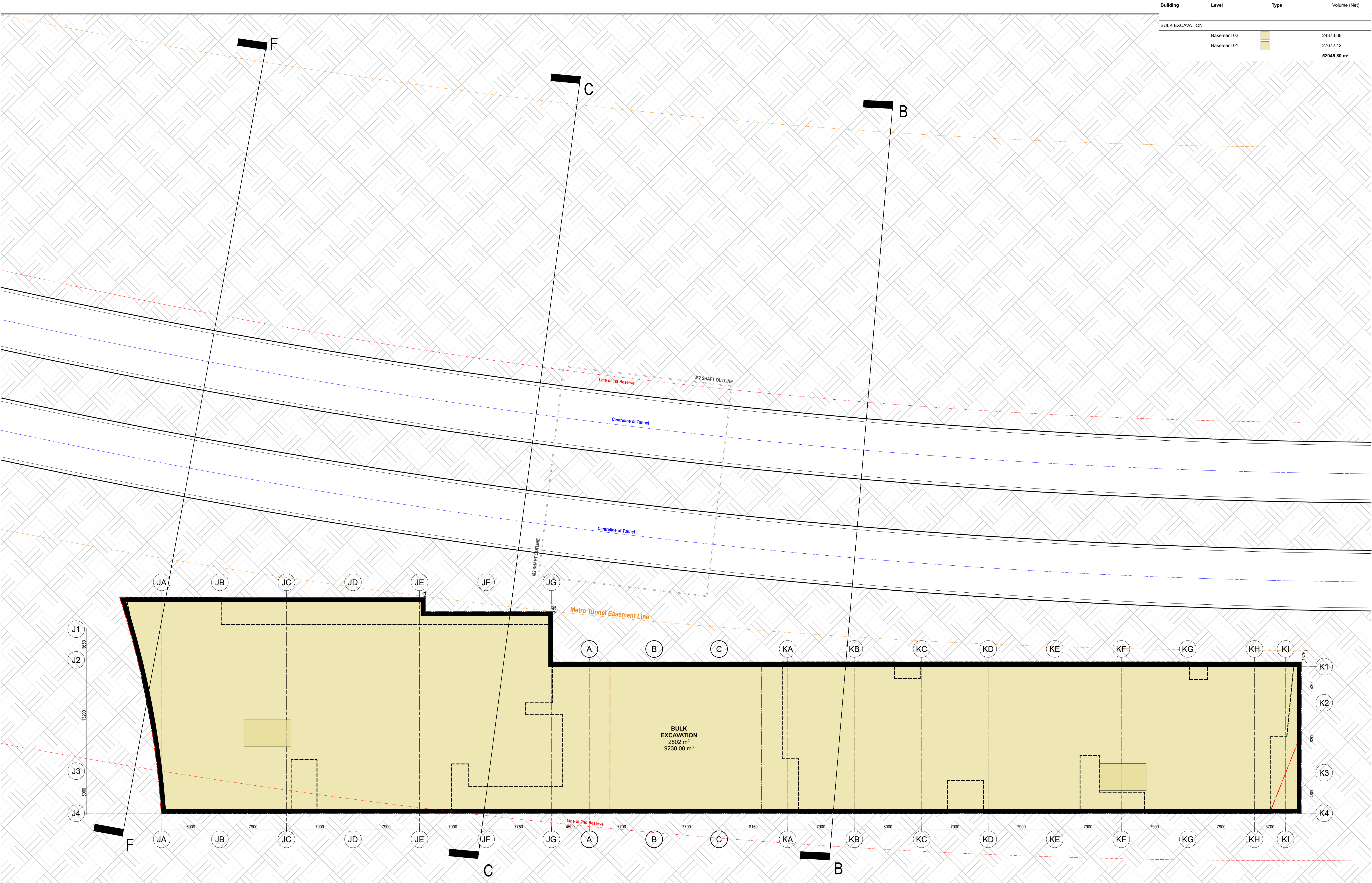
Project Title
Lachlan's Line Lot 105
Halifax Street & Jarvis Cct Macquarie Park NSW 2113
Drawing Title
Bulk Excavation - Early Work
Basement 02

Scale
1:200, 1:1 @A1, 50% @A3
Status
For Approval

Project No.
15039
Dwg No.
SK-102-B02

Drawn by
TL/FL
Rev
-E





Building	Level	Type	Volume (Net)
BULK EXCAVATION			
	Basement 02		24373.38
	Basement 01		27672.42
			52045.80 m³

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Rail Tunnel Level based on Geotechnic report 05/07/18 Ref:
29549VYrptFEM

Tunnel Perimeter based on Survey date approved 30/05/24 Drawing No.
AU213016207-DS01a-mga20

-E 01/10/24 SM For Early Works Submission

Project Title
Lachlan's Line Lot 105
Halifax Street & Jarvis Cct Macquarie Park NSW 2113

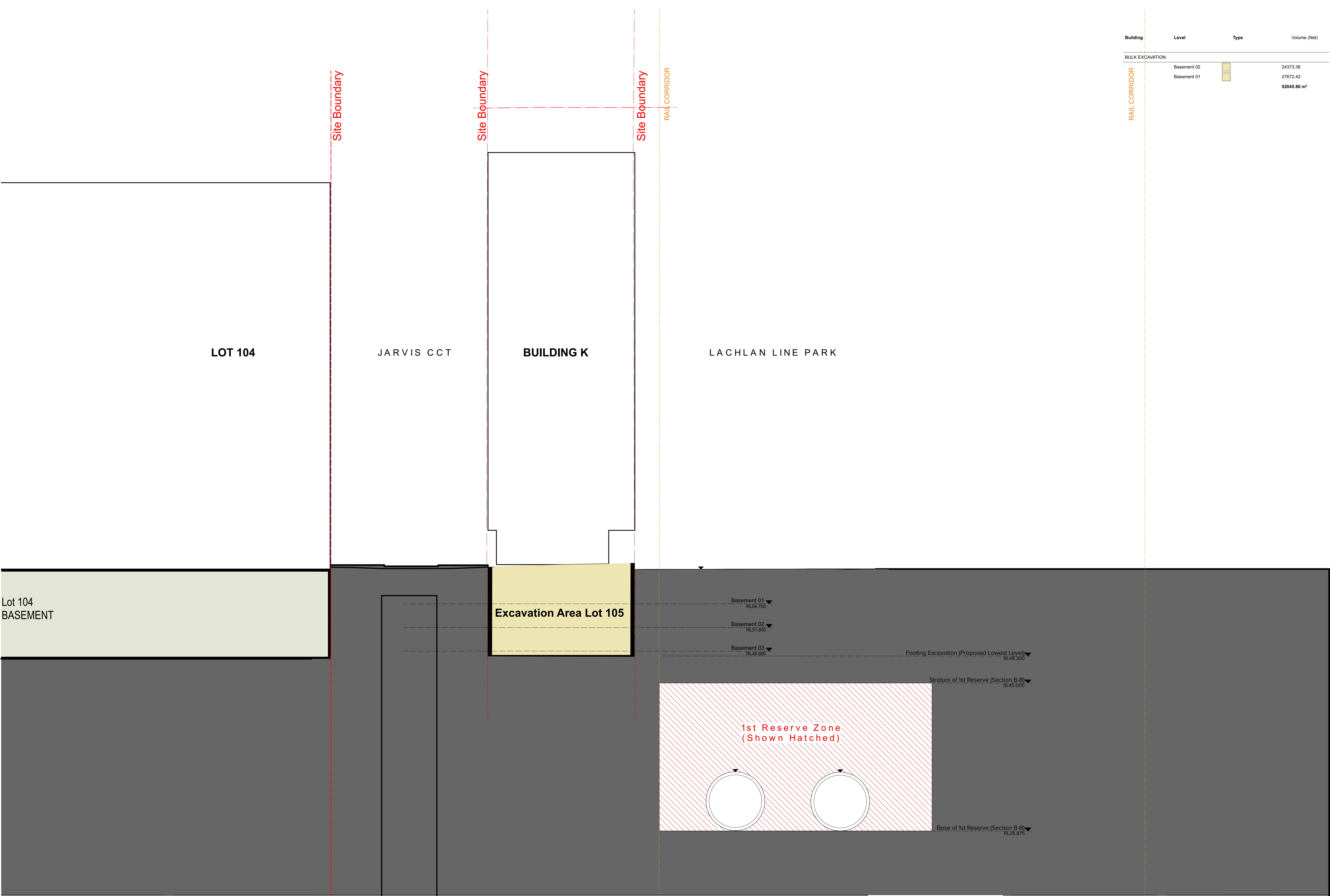
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Status
For Approval
Project No.
15039
Dwg No.
SK-102-B03
Drawn by
TL/FL
Rev
-E

Drawing Title
Bulk Excavation - Early Work
Basement 03

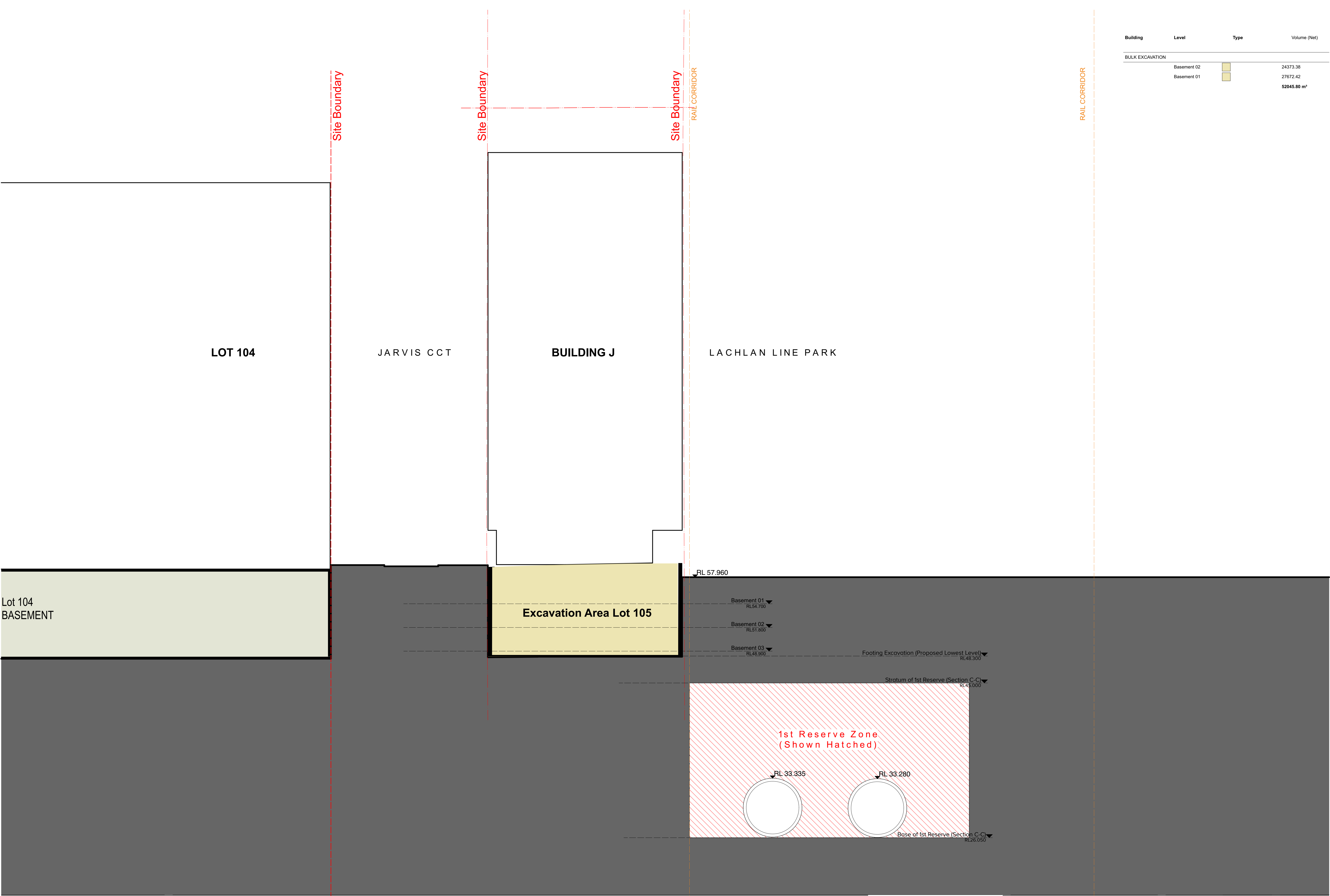
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Revision Date Approved by Revision Notes



Building	Level	Type	Volume (Net)
RAIL CORRIDOR	BULK EXCAVATION		
	Basement 02		24373.38
	Basement 01		27672.42
			52045.80 m³



Building	Level	Type	Volume (Net)
BULK EXCAVATION			
	Basement 02		24373.38
	Basement 01		27672.42
			52045.80 m³

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Notwithstanding And/In Accordance With The Australian Standard AS/NZS 3959:2016

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Rail Tunnel Level, Tunnel Perimeter and Stratum levels based on Survey
date approved 01/10/24 Ref: ACAD-AU213016207-DS01c-mga20-2d
This drawing is based on Input from Sydney Rail

02	01/10/24	SM	For Early Works Submission
Revision	Date	Approved by	Revision Notes

Project Title
Lachlan's Line Lot 105
Halifax Street & Jarvis Cct Macquarie Park NSW 2113

Drawing Title
Bulk Excavation - Early Work
Sections C-C

Scale
1:1, 1:200 @A1, 50% @A3

Status
For Approval

Project No.
15039

Dwg No.
SK-102-006

Drawn by
TL/FL

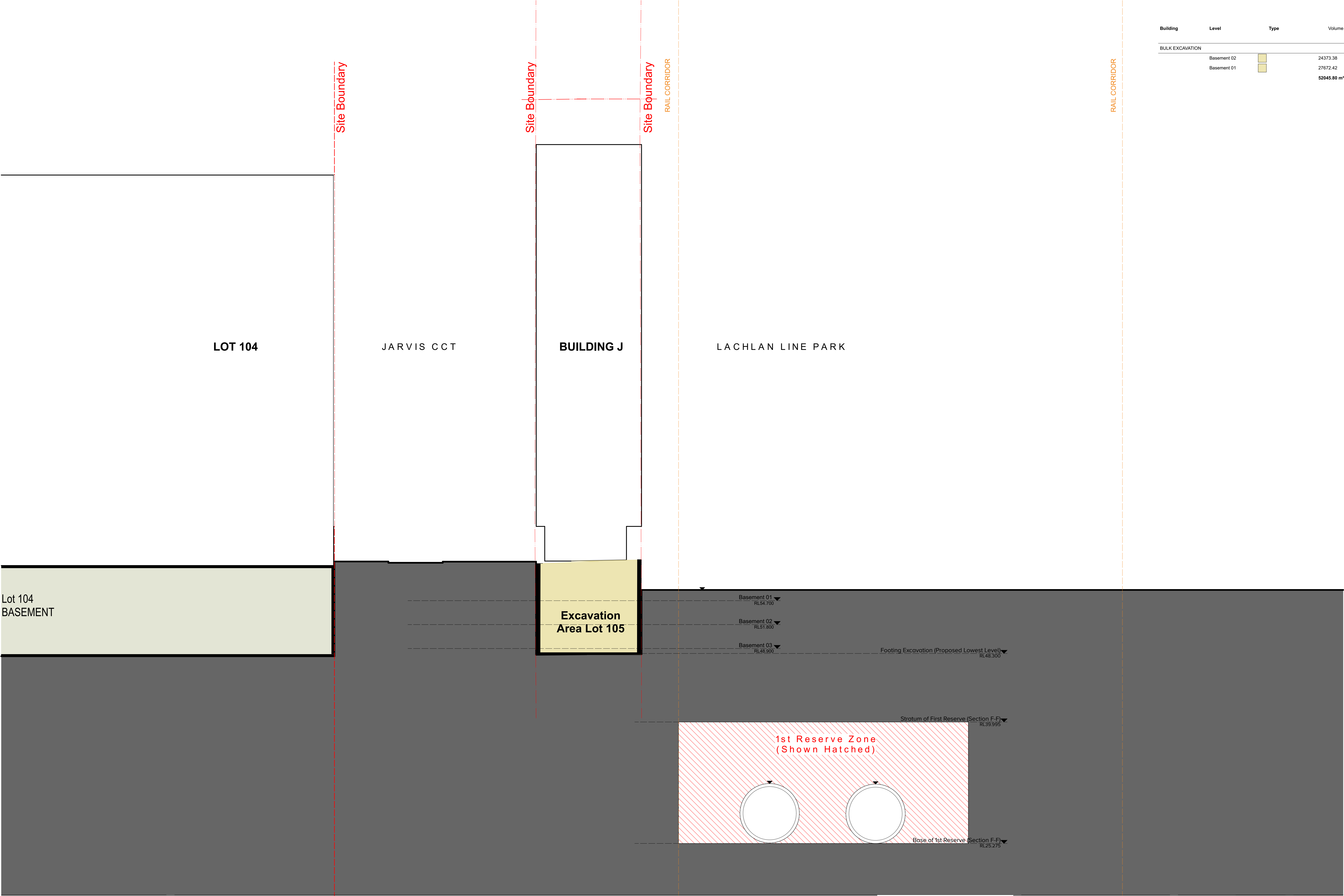
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02

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TURNER

North



Building	Level	Type	Volume (Net)
BULK EXCAVATION			
	Basement 02		24373.38
	Basement 01		27672.42
			52045.80 m³