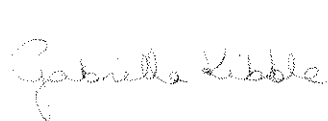


Concept Approval

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

As delegate of the Minister for Planning and Infrastructure, under delegation executed 14 September 2011, the Planning Assessment Commission of New South Wales (the Commission) determines:

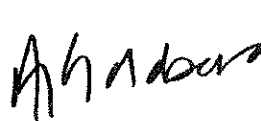
- (a) to approve the Concept Plan referred to in Schedule 1, subject to the terms of approval in Schedule 2 and the Proponent's Revised Statement of Commitments in Schedule 4 (as far as it relates to Precinct 1 and the underground car park and associated works), pursuant to Section 75O of the *Environmental Planning and Assessment Act 1979*;
- (b) pursuant to section 75P(1)(a) of the *Environmental Planning and Assessment Act 1979*, the further environmental assessment requirements for approval to carry out the development as set out in Schedule 3; and
- (c) pursuant to section 75P(1)(b) of the *Environmental Planning and Assessment Act 1979*, that all future stages of the Concept Plan approval are to be subject to Part 4 or Part 5 of the *Environmental Planning and Assessment Act 1979*.



Gabrielle Kibble AO
Chair of the Commission



Donna Campbell
Member of the Commission



Abigail Goldberg
Member of the Commission

Sydney

27 March 2013

SCHEDULE 1

PART A: PARTICULARS

Application No.:	MP 10_0231
Proponent:	Australian Catholic University Limited
Approval Authority:	Minister for Planning and Infrastructure
Land:	167-169 Albert Road and 179 Albert Road, Strathfield
Project:	Upgrading of the Australian Catholic University, Strathfield including: <ul style="list-style-type: none">• indicative building envelopes for educational facilities;• basement level car parking;• road works to support the development;• pedestrian linkages and landscaping; and;• staging of development into two stages.

PART B: NOTES RELATING TO THE DETERMINATION OF MP No. 10_0231

Responsibility for other approvals/ agreements

The Proponent is responsible for ensuring that all additional approvals and agreements are obtained from other authorities, as relevant.

Appeals

The Proponent has the right to appeal to the Land and Environment Court in the manner set out in the Act and the Regulation.

Legal notices

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

PART C: DEFINITIONS

Act	means the <i>Environmental Planning and Assessment Act, 1979</i> (as amended).
Advisory Notes	means advisory information in relation to the approved development.
Campus	means the sites consisting of the 'Main campus' at 179 Albert Road and the 'Edward Clancy Building campus' at 167-169 Albert Road.
Council	Strathfield Council.
Department	means the Department of Planning & Infrastructure or its successors.
Director General	means the Director General of the Department or his nominee.
Environmental Assessment (EA)	means the Environmental Assessment prepared by Hassell dated December 2011.
Minister	means the Minister for Planning & Infrastructure.
MP No. 10_0231	means the Major Project described in the Proponent's Environmental Assessment as amended by the Preferred Project Report.
Preferred Project Report (PPR)	means the Preferred Project Report and Response to Submissions prepared by Hassell dated July 2012.
Response to Preferred Project Report Submissions	means the Response to Preferred Project Report Submissions prepared by Hassell dated 23 October 2012.
Proponent	means Australian Catholic University Limited or any party acting upon this approval.
Regulation	means the <i>Environmental Planning and Assessment Regulation, 2000</i> (as amended).

End of Schedule 1

SCHEDULE 2

PART A – TERMS OF APPROVAL

A1.DEVELOPMENT DESCRIPTION

Concept Plan approval is granted to the following development as described below:

- (a) Precinct 1 comprising 2 new building envelopes to a maximum height of 4 storeys and basement car parking for 174 vehicles;
- (b) underground parking for 262 car spaces to be used by the Australian Catholic University and 30 spaces to be used by St Patrick's College;
- (c) road works to support the development, including new access points off Barker Road and Edgar Street;
- (d) pedestrian linkages and landscaping; and
- (e) staging of the development in two stages.

subject to compliance with the terms and modifications of this approval.

A2.DEVELOPMENT IN ACCORDANCE WITH PLANS AND DOCUMENTATION

The approval shall be generally in accordance with MP 10_0231 and the Environmental Assessment prepared by Hassell dated December 2011, except where amended by the Preferred Project Report prepared by Hassell dated July 2012 and Response to Preferred Project Report Submissions prepared by Hassell dated 23 October 2012 and the following drawings:

Concept Plan Drawings prepared by Hassell	
Name of Plan	Date
Precinct 1 - South Eastern	July 2012
Precinct 1 - Elevation and Cross Section Diagrams	July 2012
Proposed Aerial View so far as it relates to Precinct 1 and the underground car park	July 2012
Illustrative Concept Plan so far as it relates to Precinct 1 and the underground car park	July 2012
Tree Removal Plan so far as it relates to Precinct 1 and the underground car park	July 2012

except as expressly modified in this approval pursuant to Section 75O(4) of the Act.

A3.CAR PARKING

The number of car parking spaces to be provided for the development shall comprise:

- (a) 436 spaces for the use of staff and students of the Australian Catholic University, comprising 262 spaces in the underground car park and 174 spaces in Precinct 1; and
- (b) 30 spaces for the use of staff of St Patrick's College in the underground car park.

A4.STAGING OF DEVELOPMENT

The construction of Precinct 1 must not commence until the underground car park has been constructed and a final occupation certificate issued.

A5. LAPSING OF APPROVAL

Approval of the Concept Plan shall lapse 5 years after the determination date shown above in this Instrument of Approval, unless an application is submitted to carry out a project or development for which concept approval has been given.

A6. INCONSISTENCY BETWEEN DOCUMENTATION

In the event of any inconsistency between Terms of approval or modifications of the Concept Plan approval identified in this approval and the drawings / documents including Statement of Commitments referred to above, the Terms of approval and modifications of the Concept Plan shall prevail.

End of Schedule 2

SCHEDULE 3

FUTURE ENVIRONMENTAL ASSESSMENT REQUIREMENTS

BUILT FORM

1. Future applications shall demonstrate that the development achieves a high standard of architectural design having regard to the heritage significance and use of the site. Details are to be demonstrated that material and finishes are in keeping with the existing materials and finishes on-site.
2. Future applications are to ensure that the interface between the boundaries of the site and buildings are treated to ensure that the future buildings integrate into the streetscape and existing and proposed landscaping.
3. Future applications shall ensure that the privacy of adjoining properties is maintained with the layout of future buildings to be designed to reduce overlooking.
4. Where trees are to be removed or transplanted within Precinct 1 along the Barker Road and Mount Royal Reserve frontages, new trees shall be planted to ensure a continuous vegetated screen along these frontages.

ACCESS, TRANSPORT AND TRAFFIC IMPACTS

5. Details of the access arrangement and roadworks to Barker Road and Edgar Street are to be considered as part the application for the underground car park. The design of the proposed intersections is to demonstrate that safe car and pedestrian access can still be provided to those residences adjacent and opposite the proposed access points.
6. Each stage described shall provide full details of inclusions in respect of:
 - (a) demolition;
 - (b) earthworks;
 - (c) buildings and all other structures;
 - (d) any site remediation works;
 - (e) stormwater management works;
 - (f) any vehicular or pedestrian access to the site;
 - (g) measures to mitigate and manage nuisance caused by stages under construction to completed stages and clashes between stages including vehicle access, noise, parking and safety; and
 - (h) waste and construction management.
7. An access application shall be made to Council to obtain footpath crossing and boundary alignment levels before commencing the detailed design of internal driveways, paths and car park area.

CONSTRUCTION MANAGEMENT

8. A Construction Traffic Management Plan (CTMP) detailing construction vehicles routes, number of trucks, hours of operation, access arrangements and traffic control should be provided with each future application subsequent to the Concept Plan. The CTMP is to ensure that any impacts on pedestrian and bicycle access and on bus services and bus stops during construction are addressed, the latter two in consultation with STA.

COMPLAINTS HANDLING REGISTER

9. A complaints handling register is to be provided during construction, in consultation with Strathfield Council, where local residents can call to raise concerns to be actioned. Details of the complaints handling register, including investigation procedures and resolution procedures, are to be included in the development applications for construction of the underground car park and Precinct 1. A record of complaints received and responses shall be maintained for the duration of construction.

ECOLOGICALLY SUSTAINABLE DEVELOPMENT

10. Future applications shall demonstrate the incorporation of ESD principles in the design, construction and ongoing operation phases of the development, including the selection of fabric and materials, water conservation and management initiatives, and energy efficiency and renewable energy initiatives.

PUBLIC DOMAIN AND LANDSCAPING

11. Future applications shall provide public domain treatments and landscaping generally in accordance with the landscape concept plans submitted with the PPR to the extent that it relates to the development approved under this concept plan. This shall include details of the function and use of each landscaped area.
12. Future applications shall demonstrate how the development provides pedestrian and cycle linkages through the development, suitable for use by persons with disabilities, and in accordance with relevant Australian Standards.

CONTAMINATION

13. Future applications shall address any potential contamination on the site and implement the recommendation of the Phase 1 Environmental Site Assessment, dated 13 December 2011.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

14. Future applications shall demonstrate that the layout of the buildings and landscape treatments adopt the principles of Crime Prevention through Environmental Design.

DRAINAGE AND STORMWATER MANAGEMENT

15. All future applications shall identify drainage and stormwater management issues, on-site detention and drainage infrastructure. Details plans of the proposed erosion and sediment control measures during demolition, construction and operation shall also be provided.

UTILITIES

16. In consultation with relevant agencies, address the existing capacity and requirements of the development for the provision of utilities.

CONSTRUCTION AND OPERATIONAL IMPACTS

17. Future applications shall demonstrate that acoustic and vibration treatments to be implemented have regard to the recommendations of the Concept Plan Acoustic Assessment prepared by Acoustic Studio, dated July 2012.

End of Schedule 3

Schedule 4

STATEMENT OF COMMITMENTS

(Source: Preferred Project Report)

5.0 Final Statement of Commitments

In accordance with the former Part 3A of the *EP&A Act 1979*, the following are the commitments made by the ACU to manage and minimise potential impacts arising from the proposal. These commitments replace those in the EA.

Key changes from the draft Statement of Commitments are provided in **bold and underline** and ~~strikethrough~~ below.

Commitment		Timing
General		
1.1	The Concept Plan will be implemented generally in accordance with the Environmental Assessment prepared by HASSELL dated December 2011 <u>and the amendments as outlined in the Preferred Project Report dated June 2012.</u>	All subsequent detailed design stage and future development applications submitted.
1.2	<u>The proponent will undertake biannual audits of class attendance to confirm the daily campus population.</u>	<u>Biannual upon commencement of the consent.</u>
1.3	All future development within the development precincts will be consistent with the 'Character Statement' for each precinct included at Section 3 of the Environmental Assessment.	All subsequent detailed design stage and future development applications submitted.
Ecologically Sustainable Development		
2.1	The proponent's Ecologically Sustainable Development Officer will identify an appropriate future green star design target for future development.	All subsequent detailed design stage and future development applications submitted.
Transport and Accessibility		
3.1	The proponent will continue to provide a shuttle bus service between the campus and Strathfield Railway Station to improve connection of the campus to high frequency and high capacity public transport services. <u>The proponent will undertake annual travel surveys to demonstrate the ongoing use of the shuttle bus service.</u>	Subsequent detailed design stage and future development applications. <u>Annual travel surveys to accompany future development applications.</u>
3.2	A committee will be appointed to implement programs and initiatives within the campus to promote increased use of public transport services and car pooling opportunities.	To be implemented by the proponent following approval of the Concept Plan and as part of each subsequent detailed development applications.
3.3	The proponent, in partnership with the State Transit Authority, will continue to investigate opportunities to increase the frequency and provision of bus services to the ACU Strathfield campus.	To be undertaken by the proponent during detailed design and future operation of the campus.

Commitment		Timing
3.4	The proponent will investigate providing interest free loans to employees to purchase annual travel passes.	To be investigated by the proponent.
Amenity		
4.1	The proponent will ensure potential impacts on residential amenity caused by operations of the University are identified and minimised.	To be continued by the proponent.
Community		
5.1	The proponent will implement an ACU Neighbourhood Policy provide opportunities for external hire of halls, rooms and outdoor spaces for conferences and the like.	The revised Neighbourhood Policy will be implemented by the proponent following approval of the Concept Plan Application.
5.2	Opportunities for community education activities and shared use of learning spaces and library facilities with the surrounding community will be investigated.	To be implemented by the proponent as necessary following completion of each Stage.
Staging		
6.1	The new development precincts will generally be developed in accordance with the Staging plan at Section 3.5 of the Environmental Assessment prepared by HASSELL dated December 2011 as amended by the Preferred Project Report dated June 2012.	All future development applications to demonstrate compliance.
Contamination		
7.1	A detailed site contamination assessment will be undertaken for future detailed development applications to assess the contamination status of the Underground Storage Tanks and Areas of Environmental Concern.	To be prepared and submitted with the development application for Stage 1 works.
7.2	During future demolition works, care will be taken and should suspected Asbestos Containing Material be identified works will immediately cease and an asbestos specialist will be consulted for identification, removal and disposal of material prior to works recommencing.	During demolition and excavation works for all future development.
7.3	Prior to future detailed development applications, soil sampling of the stockpile at the western end of the site will be undertaken and samples analysed for identified PCOCs and waste classification to determine chemical composition and the potential risk posed to human health by the material. Once composition is determined the waste classification of the stockpile will be determined and the material removed to an appropriately licensed disposal facility.	As part of a Development Application for Stage 1.

Commitment		Timing
7.4	During construction works, should contamination be detected that presents an unacceptable risk to human health or the environment, then management and/or remediation will be instigated.	During construction works for all future development.
Heritage		
8.1	<p>The Conservation Management Plan (CMP) prepared for the campus will be implemented for ongoing future operation and development.</p> <p><u>A Conservation Management Plan (CMP) shall be lodged with the Heritage Council for review prior to the determination of applications after Concept Plan approval.</u></p> <p><u>The CMP shall include a schedule of prioritised conservation works on the site with set timeframes for completion of these works to the satisfaction of the Heritage Council.</u></p> <p><u>An Interpretation Plan for works to interpret the heritage significance of the site shall be submitted to the satisfaction of the Heritage Council prior to the determination of applications after Concept Plan approval.</u></p>	<p>To be implemented by the proponent.</p> <p><u>A CMP is nearing completion in draft form which will address all these requirements.</u></p>
8.2	<u>An archival photographic recording of the site shall be prepared prior to the commencement of works to the satisfaction of the Heritage Council. The recording shall be prepared in accordance with the Heritage Council guidelines 'Photographic Recording of Heritage Items using Film or Digital Capture'. The original copy of the archival record shall be lodged with the Heritage Council. An additional copy shall be provided to Strathfield Council.</u>	<u>An archival recording will be commissioned. A scope of recording will be submitted to the Heritage Council prior to commencement but will include the handball courts.</u>
8.2	Prior to any demolition of the existing handball courts, an interpretation strategy will be developed to communicate the heritage significance of the existing courts.	An interpretation strategy is to be submitted for approval with any Development Application seeking demolition of the handball courts
Aboriginal Heritage		
9.1	During future detailed development applications, the proponent is to consult with the relevant Metropolitan Local Aboriginal Land Council at a minimum to identify if Aboriginal cultural values are present within the study area, and to assess what impact the	During construction, demolition and excavation works for all future development.

Commitment		Timing
	proposed development would have on such values	
9.2	If Aboriginal objects are identified during development of the subject land, works will stop and a suitably qualified archaeologist notified immediately to assess the finds. The finds will be reported to the Office of Environment and Heritage and further approvals may be necessary prior to the commencement of works.	During construction, demolition and excavation works for all future development.
Drainage and Infrastructure		
10.1	Staging of infrastructure will be undertaken in accordance with the infrastructure staging plan within the <i>Australian Catholic University – Infrastructure Assessment</i> prepared by Mott MacDonald Hughes Trueman dated December 2011.	All future development applications for Stages 1 to 4 to demonstrate compliance with infrastructure staging plan.
10.2	The proponent will comply with the requirements of the relevant public authorities with regard to connection, relocation or adjustment of services affected by the construction of the proposed development.	During construction works for all future development.
Flora and Fauna		
11.1	The proponent will retain mature planted trees where possible and in accordance with the tree removal plan shown at Section 3.4 of this Environmental Assessment, <u>as amended by the Preferred Project Report dated June 2012.</u>	All future development applications involving tree removal is to demonstrate compliance with the tree removal plan, <u>as amended.</u>
11.2	The proponent will transplant those existing trees where indicated on the tree removal plan shown at Section 3.4 of this Environmental Assessment, <u>as amended by the Preferred Project Report dated June 2012.</u>	All future development applications involving tree relocation is to demonstrate compliance with the tree removal plan, <u>as amended.</u>
11.3	The proponent will ensure that all mature trees that are to be removed as part of the proposal be replaced. Where possible native trees which naturally occur within the locality will be used as a replacement planting.	All future development applications involving tree removal.
11.4	During construction works, mature planted trees will have adequate tree protection measures implemented to ensure retained trees are not impacted.	All future development applications.
11.5	Naturally occurring, remnant trees including the Fine Leaved Ironbark and Turpentines will be retained where possible and adequate tree	All future development applications. Trees to be maintained during construction, demolition and excavation works for all future

Commitment		Timing
	protection measures will be implemented to ensure retained trees are not impacted by the proposal during the construction phase	development.
11.6	The identified noxious weed Broad Leafed Privet (<i>Ligustrum lucidum</i>) will be managed by the proponent in accordance with the legal requirements for the control of a Class 4 weed. The growth and spread of the plant will be controlled according to the measures specified in a management plan published by the local control authority.	To be managed by the proponent during future operation of the campus.
Waste		
12.1	As part of future detailed design and subsequent development applications for each new building, a fully detailed Construction Waste Management Plan will be submitted for approval. These plans will document waste management practices that comply with all relevant legislation relating to waste and resource recovery, environmental protection, and occupational health and safety,	To be submitted for approval with all future development applications.
12.2	General waste collection will continue to be collected on a daily basis from the dedicated waste storage area.	To be implemented by the proponent during future operation of the campus in consultation with the relevant waste contractor.
12.3	Recycled waste collection will occur on a twice weekly cycle from the dedicated waste storage area. Collection days will be agreed with the nominated waste contractor.	To be implemented by the proponent during future operation of the campus in consultation with the relevant waste contractor.
12.4	Prior to the commencement of works at the site all asbestos based and other hazardous materials that will be disturbed during refurbishment works will be removed. Removal of asbestos based materials will be undertaken in accordance with the regulations and requirements of the NSW Government and the Worksafe	Prior to any construction works commencing.
Construction Management Plan		
13.1	Prior to commencing construction, a Construction Environmental Management Plan will be prepared. This plan will include: 1. Hours of work, 2. Contact details of the site manager 3. Air quality/dust control procedures, 4. Noise management procedures, 5. Waste management procedures, 6. Flora and Fauna Protection,	To be prepared and submitted to prior to construction.

Commitment		Timing
	7. Community Safety, 8. Site specific soil erosion and sediment control plan 9. Arrangements for temporary pedestrian and vehicular access 10. Storage and Handling of Materials Procedures, 11. Environmental Training and Awareness, 12. Contact and complaints handling procedures, 13. Emergency Preparedness and Response.	
13.2	Measures to control soil erosion during construction will be introduced in accordance with currently accepted principles, as described in Managing Urban Stormwater (EPA NSW) and Soil Erosion and Sediment Control (The Institution of Engineers, Australia).	To be prepared and submitted prior to construction.
Arborist Report		
14.1	A detailed arborist report will be prepared in relation to all trees to be removed or relocated. This report will detail all measures to be taken to ensure that proposed works do not threaten the ongoing viability of these trees.	Reports to be submitted for assessment as part of any future development applications involving tree removal or relocation.
Demolition		
15.1	Demolition will be undertaken in accordance with the requirements of Australian Standard AS2601– 2001: The Demolition of Structures which is incorporated into the Occupational Health and Safety Act 2000 administered by WorkCover NSW.	During any future demolition works.
15.2	A licensed asbestos contractor will be engaged to monitor demolition of buildings containing asbestos or other contaminants. Following removal of all asbestos from the site final clearance certificates will be obtained. Further analysis will be undertaken where significant amounts of soil are to become exposed or disturbed as part of the redevelopment works. Further investigations of groundwater conditions and quality will be undertaken if soil contamination is encountered.	A licensed asbestos contractor is to be engaged by the proponent prior to any future demolition works commencing.
Archaeological Relics		
16.1	<u>Before excavation commences on site, the proponent must engage a suitably qualified historical archaeologist to undertake an archaeological assessment to determine</u>	<u>To be submitted for approval with all future development applications</u>

Commitment	Timing
<p><u>the likelihood and significance of any archaeological relics in areas proposed for excavation. This assessment must contain an appropriate methodology for any archaeological work required and an appropriate research design to guide the archaeological works. This archaeological assessment must be submitted to the Heritage Branch, Office of Environment and Heritage, for comment prior to any archaeological works commencing on the site.</u></p>	