

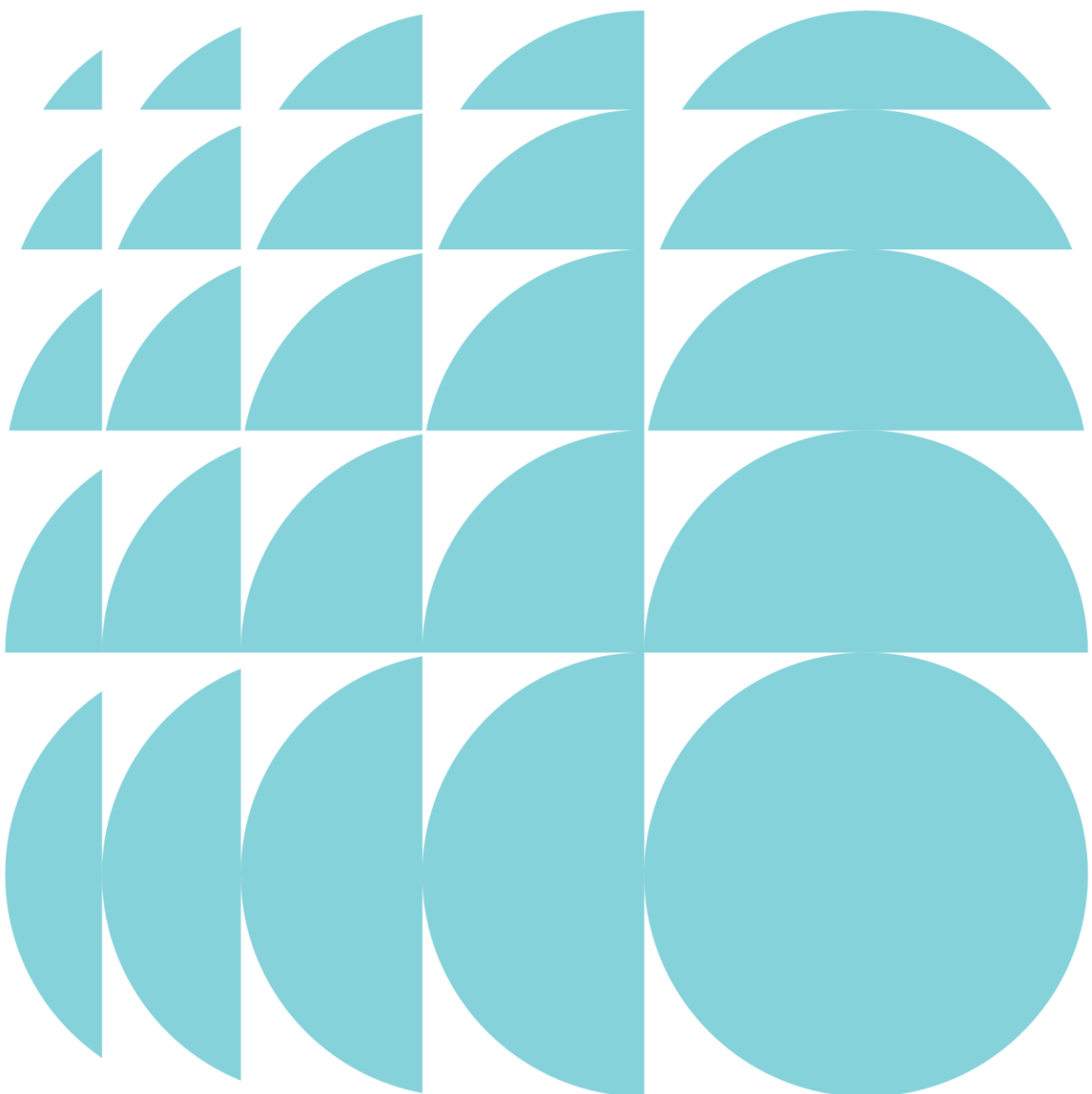
# ETHOS URBAN

## Macquarie University Section 75W to Concept Plan (06\_0016)

Concept Plan Modification (MOD 1)  
Response to Submissions

Submitted to Department of Planning and  
Environment  
On behalf of Macquarie University

August 2018 | 11230



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## 1.0 Introduction

An Environmental Assessment Report (EAR) for modifications to the approved Concept Plan for the Macquarie University Campus (MP06\_0016) was publicly exhibited for a period of 28 days between 22 November 2017 and 19 December 2017.

In total, three (3) submissions were received in response to the public exhibition of the EIS. The submissions were all from government agencies, as outlined below:

- City of Ryde Council (Council);
- Transport for NSW (TfNSW); and
- NSW Environment Protection Authority (EPA).

Of the submissions made, all provided comment. None of the submissions objected to the proposed modification.

In addition, the Government Architect NSW (GA NSW) has prepared a letter outlining additional information and clarifications required prior to the final assessment and determination of the application. A meeting was held between Macquarie University and GA NSW staff on 1 May 2018 to discuss the comments received.

Whilst the Department of Planning and Environment (the Department) did not provide a formal submission, there has been ongoing correspondence and requests for information from the Department throughout the assessment process.

The applicant, Macquarie University, and its specialist consultant team have reviewed and considered all issues raised in the submissions. This report provides a detailed response to the key issues and outlines the proposed amendments to the exhibited EAR. Where individual issues are not discussed in this report, a detailed response can be found in the table at **Appendix A**.

In response to some of the issues raised, the Design Excellence Strategy and Urban Design Guidelines have been amended and are provided at **Appendix B**. The amendments made are discussed in detail at Section 3 of this report.

## 2.0 Key Issues and Applicant's Response

This Section of the report provides a detailed response to the key issues raised by the Department, government agencies and authorities during the public exhibition of the Modification Application. These include:

- Design Excellence;
- Built form and urban design;
- Traffic and parking; and
- Consistency with the Consolidated Approved Concept Plan and Gazetted State Significant Site Listing.

A response to each of the individual issues raised by Council, TfNSW, the EPA and GA NSW is provided in the table at **Appendix A**.

### 2.1 Design Excellence

#### 2.1.1 Issues

GA NSW has noted that the Concept Plan does not appear to have any design excellence strategies in place. In particular, there is no competitive design process or design review programs proposed.

In response, GA NSW has suggested that specific design excellence requirements be included for Lots D01 to D03 and E09 to E11, both at masterplan level as well as the design of individual buildings. GA NSW has recommended a combination of competitive design selection processes and formal design review.

#### 2.1.2 Applicant's Response

Macquarie University is committed to buildings that not only meet their specific functional requirements but are well designed, well resolved and appropriate to the site and location. The Design Excellence Strategy and Urban Design Guidelines were conceived in 2009, at a time when the term 'design excellence' as it is known today (i.e. to mean an architectural design competition) was not a commonly used term. It was never the intent of the Guidelines to stipulate a design competition process, rather the Guidelines in themselves outline the measures and controls which will ensure design excellence is achieved for future development on the campus.

Aligned with the objectives of the *Environmental Planning and Assessment Act 1979* around achieving good design and amenity of the built environment, Macquarie University is invested in achieving quality design outcomes and undertakes its own rigorous design procurement process for development across the campus. In particular, the University acknowledges the Government Architect's and the City of Ryde Council's interest in quality design outcomes, particularly for major developments along Herring Road (Lots E09 to E11 and D01 to D03). For major projects (typically those with a value over \$30 million), the procurement of good design is delivered through an Expression of Interest (EOI) and Tender process followed by the involvement of the University's External Design Review Panel in a robust design review process undertaken periodically as the design progresses.

The University's procurement process recognises that Macquarie University is a complex urban environment comprising multiple building types, places and stakeholders, all with widely varying and somewhat complex requirements. Whilst essentially an 'owner/occupier', the nature of universities requires the built environment to give consideration to potential future stakeholder needs, as well as immediate requirements. In this context, functionality, flexibility and the creation of place is critical to the Campus Development Strategy, and as such, the methodology for the procurement of design is a fundamental component underpinning this.

In relation to the level of competitive process relevant to the proposal, the University's procurement process includes an appropriate level of competitiveness without undertaking an 'architectural design competition'. Whilst it is acknowledged that the University occupies a prominent site in Macquarie Park, there is no requirement for design excellence in Ryde Local Environmental Plan 2014 (LEP 2014), and the imposition of a formal design competition process would stifle the ability to meet the objectives of the Campus Development Strategy, whilst diverting public funds away from the provision of social infrastructure. On this basis, the approach is considered to be appropriate for the nature of the proposed development and the locality, including the expectations of the local community and stakeholders.

In lieu of a full architectural design competition, the University adopts a competitive procurement process for major projects which, together with consultation with design panels and assessment against design excellence criteria, inherently encourages design excellence as has been demonstrated with the recently constructed Macquarie University Incubator, which was recently awarded the Internationally renowned Green Good Design award in the research and technology category for 2018. With the new State Design Review Panel in place, the University is committed to liaising with the Panel and incorporating its recommendations as an additional safeguard to achieving design excellence.

Together with the University's Design Excellence Strategy and Urban Design Guidelines, the University's procurement process will ensure that the architecture and urban design of each building achieves design excellence and positively contributes to the campus and the Macquarie Park corridor.

The strategy for development with a value of over \$30 million is outlined below.

### **Overview of Macquarie University Procurement Strategy**

Expressions of Interest are sought from a large field of invited and prequalified consultants to ensure project compatibility and alignment with the design objectives. A short-list of up to five (5) consultants are then invited to participate in the Request for Tender (RFT) process in accordance with University Procurement Policy.

The RFT requires the consultant to submit both price (i.e. fee) and non-price criteria for assessment. The non-price requirements for submission are prepared specific to each project, with the intention to have the proponent present both an understanding of the project and their approach - therefore allowing Macquarie University to align objectives with the design.

Whilst the non-price criteria may differ from project to project, it would typically include a 'design' response specific to the 'task', be it design, graphical imagery, diagrams or words - i.e. to give the Client an understanding of what the proponent is going to design. To acknowledge the time and

effort required to prepare the design response, Macquarie University typically offers a stipend contribution (to a capped amount) to each proponent.

The assessment considers both Price and Non-Price criteria, with the design response forming a significant portion of the Non-Price criteria assessment. Should a number of outstanding submissions be made, Macquarie University may elect to engage two proponents separately and work with them to develop concept designs which can then be brought back to the Design Review Committee for further assessment.

A formal Design Review Committee made up of internal and external experts, typically including Macquarie University Executive and external architects, urban designers and landscape architects, is engaged during the design process to review the design as it progresses, ensuring the delivery of good design.

### **Design Review Panels**

Ongoing engagement with the State Design Review Panel (SDRP) and the Macquarie University Design Review Committee forms a major component of the overall framework to ensure good design outcomes are achieved. An overview of the role that the two Panels will have throughout the design process is provided below.

#### *State Design Review Panel*

The recently established SDRP is convened by the NSW Government Architect and its role is to provide independent, expert and impartial design advice on significant development proposals across the State. The SDRP evaluates the design quality of a proposal by reviewing it against the objectives of *Better Placed* and the requirements of any relevant planning instruments.

The Macquarie University project team is committed to meaningful engagement with the SDRP and endeavours to meet with the SDRP at key stages throughout the design process for each major development in accordance with their Terms of Reference and the project SEARs for each project.

Feedback provided by the SDRP both verbally and through written minutes will be considered by the design team and applied to the project where practicable. A summary of how the proposal responds to matters raised by the SDRP through the consultation process will be documented within the Environmental Impact Statement (EIS) for each project.

#### *Macquarie University Design Review Committee*

The Macquarie University Design Review Committee will be a project-specific panel, compiled specially to oversee major development on the campus, and will be tasked with providing independent, impartial advice on the design of buildings, infrastructure, landscapes and public spaces being delivered.

It is noted that the role of the Design Review Committee is advisory, and that its recommendations are non-binding. The Design Review Committee will not be responsible for authorising any expenditure, works or consultancies, and all meetings and discussions will be confidential unless otherwise confirmed.

## Design Guidelines

To guide the architectural and urban design of the campus, specific design principles and objectives have been developed for the campus as a whole as well as for each development lot. These will be used as part of the evaluation and assessment process to determine whether each project achieves a good design outcome. The Design Guidelines have been developed to shape development and assist in creating:

- A high standard of architectural and urban design, materials and detailing appropriate to the building type and location;
- A form and external appearance for each building that benefits the quality and amenity of the public domain;
- A unique and engaged campus that is welcoming to students, staff and visitors and contributes to a sense of identity and place;
- A functional and inclusive design that satisfies the varied uses and users of the University; and
- Development that meets the University's sustainability standards including demonstrating a commitment to social, environmental and economic leadership.

The Design Guidelines are specific to the Macquarie University campus and ensure a high quality design and amenity outcome is achieved for future users of the campus, neighbouring developments and the general public. Their application during the design development and assessment of each development stage will safeguard the delivery of an excellent and coherent vision for the campus. The key principles of the Design Procurement Strategy have been incorporated into the Design Guidelines.

## 2.2 Built Form and Urban Design

### 2.2.1 Issues

GA NSW has noted that the proposed built form controls are minimal, providing little guidance in relation to typology, building dimensions, separation, frontage controls etc. Of particular concern are the large footprints of the development lots with no requirement for a 'finer grain' to humanise the ground plane, enable through site linkages etc.

GA NSW has also noted that the proposed adjustments to the Concept Plan to provide greater flexibility in the distribution of uses and additional GFA across the campus may result in a disparity of scale and built form and incompatible typologies and uses.

In response, GA NSW has suggested that:

- Part 2 of the Guidelines (Precinct Planning Framework) be amended to include an indicative Land Use Plan, identifying areas best suited for particular uses. Principles to guide distribution of uses, particularly areas of potential incompatibility should also be included.
- Part 4 of the Guidelines (Built Form) be amended to include metrics for building envelopes including, but not limited to, building depth (a range to suit different typologies), building separation and maximum horizontal dimensions (block length).
- Part 5 of the Guidelines (Lot Controls) be amended to include opportunities for through site links, particularly where lot dimensions exceed 70m.

Finally, GA NSW noted that there has been no consideration of the environmental impacts of proposed increases to height and building bulk, particularly on the campus' Herring Road frontage or the railway station forecourt i.e. overshadowing, wind turbulence etc. and that provisions for mitigating environmental impacts of large scaled development should be included in the Guidelines.

### **2.2.2 Applicant's Response**

At the recent meeting between GA NSW and Macquarie University, it was acknowledged that whilst an appropriate urban design and built form outcome needs to be achieved, the Guidelines also need to be flexible enough to enable a range of uses and building typologies to be located in various locations across the campus. In this regard, GA NSW acknowledged that it was not their intention for each Lot to be amended to include prescriptive metrics around building depth, horizontal dimensions or building separation, rather general principles should be included in the Guidelines to address GA NSW's concerns.

The Design Excellence Strategy and Urban Design Guidelines have been amended to reflect the comments raised by the GA NSW and were considered in the context of the Better Placed policy and include:

- New Design Excellence provisions in Section 1, highlighting the process for design excellence and review for development on the campus. This includes identification of the design procurement process for major projects through an expression of interest and tender process, followed by consideration by a formal design review panel. The amended provisions note that this process is a requirement for all development on Lots D01 to D03 and E09 to E11.
- Insertion of Design Principles in Section 4.1 that identify overarching principles to be considered in the design of all development. These relate to urban form, building length and depth, solar access, active ground floor plane, typologies, building separation, permeability, environmental amenity, public space, and land use mix. The principles are rigorous and robust and ensure future development is considerate of its impact on the surrounding context and sufficiently flexible to encourage good design.

The combination of the design procurement process and more detailed design principles address issues raised by GA NSW, and are intended to put good design at the forefront of the development process.

With respect to the environmental impacts of large scale buildings on Herring Road, the Concept Plan amendment simply seeks to replicate the height and floor space ratio standards that have been established for this part of the campus under LEP 2012, as part of the Herring Road Priority Precinct process. In preparing and assessing the Herring Road Priority Precinct, the Department considered the impacts of bulk and scale, wind and overshadowing. Further consideration will be given to these matters as part of any future DA for the sites along Herring Road, including north of the railway station.

## **2.3 Traffic and Parking**

### **2.3.1 Issues**

Both Council and TfNSW have raised questions around the traffic impacts associated with the proposed modification.

Council has asked for additional travel trend data for 2016 to ensure that travel trends, and in particular the use of non-car modes of travel, are continuing as forecast. Council has also requested that ARUP's Transport Assessment be updated to confirm that the proposed traffic generation rates remain consistent with the Concept Plan approval.

TfNSW has raised similar concerns, requesting that ARUP confirm whether or not the expansion of academic floor space would result in additional traffic movements to / from the University. Whilst TfNSW acknowledge that the provision of no additional parking would likely reduce the proportion of car users, additional measures may be required and new non-car modal split targets should be included within the modified Statement of Commitments if needed to ensure that the estimated traffic generation as a result of the approved concept plan would be consistent with the modified concept plan, albeit with an increased student population.

### **2.3.2 Applicant's Response**

ARUP's Assessment has been updated to reflect Council's request to utilise the most recent travel data. In summary, the 2017 data shows that:

- The level of public transport usage (train and bus) has increased significantly from 13% in 2010 to 52% in 2017; and
- Private vehicle travel to the University has decreased significantly from 51% in 2010 to 24% in 2017.

Using this travel data, it has been confirmed that even with the proposed increase in student numbers, the significant shift away from cars towards public transport will result in a reduction in the daily number of vehicle trips to the campus, as outlined in **Table 1** below.

**Table 1 – Traffic generation**

Variable	Concept Plan Forecast	Current Forecast
EFTSL (2031 / 2036)	25,200	39,776
Car mode share	60%	24%
Vehicle occupancy	1.1	1.1
Daily attendance	75%	75%
<b>Total daily cars</b>	<b>10,309</b>	<b>6,509</b>

On this basis, there is no need to revise the mode-share target in the Statement of Commitments.

## 2.4 Consistency with the Consolidated Approved Concept Plan and Gazetted State Significant Site Listing

### 2.4.1 Issues

Since the repeal of the site's State Significant Site (SSS) listing, the key development standards for the campus are now contained in LEP 2014. Given that the Concept Plan prevails over LEP 2014, DPE has raised concerns that there is now a disparity in the hierarchy of documents, and the Concept Plan needs to be amended to incorporate the key development standards.

The Department has also raised concerns regarding the inconsistencies between the Concept Plan, as proposed to be modified, and the Consolidated Approved Concept Plan and Gazetted State Significant Site Listing dated December 2009.

### 2.4.2 Applicant's Response

In response to these concerns, a series of maps have been prepared to address key aspects of the Concept Plan including land application, land use, height, floor space and car parking. These maps will replace the maps in LEP 2014 and the former SSS listing. It is suggested that these maps form part of the Concept Plan approval at Condition A2. The maps are provided at **Appendix D**.

In addition, Ethos Urban has undertaken a review of the Consolidated Approved Concept Plan and Gazetted State Significant Site Listing dated December 2009, and has prepared a schedule of proposed changes (refer to **Appendix E**). As outlined in the schedule, large parts of the document are now redundant and have been superseded by the Design Excellence Strategy and Urban Design Guidelines. Other parts of the document, whilst outdated, do not necessarily conflict with the proposed amendments to the Concept Plan and can therefore remain unchanged. The University would be willing to update the Consolidated Concept Plan post-approval if considered necessary.

### 3.0 Proposed Amended Development

Since public exhibition of the proposal, minor amendments have been made to the proposed development in response to the issues and comments raised by the Department and GA NSW.

Whilst no changes are proposed to the key components of the Concept Plan Modification, several clarifications are proposed to address the comments made by DPE.

In addition, changes are proposed to the Design Excellence Strategy and Urban Design Guidelines to address the matters raised by the Government Architect (refer to **Appendix B**). The changes are considered to be minor and aim to deliver an improved outcome. Accordingly, and as detailed in **Section 4**, the changes are not considered to give rise to any material alteration to the environmental assessment of the potential impacts considered as part of the original Section 75W Environmental Assessment Report.

#### 3.1 Proposed Conditions

Minor additional changes are proposed to the conditions to address matters raised by DPE, and to clarify several aspects of the Concept Plan Modification. Proposed changes to the conditions are outlined below. For clarity, words to be deleted are shown in ~~bold strikethrough~~ and words to be added are shown in **bold italics**.

##### *A2 Development in Accordance with Plans and Documentation*

It is suggested that Condition A2 be amended to list the maps provided at **Appendix D** of this Response to Submissions Report as part of the development consent.

**Reason:** To give effect to the land application, land use, height, floor space ratio and car parking maps.

##### *A3. Gross Floor Area*

**Concept Plan approval is granted for:**

- (a) The provision of an additional 400,000m<sup>2</sup> of commercial GFA within the Macquarie University Campus.***
- (b) The provision of an additional 157,000m<sup>2</sup> of academic GFA (including support uses such as shared administration spaces and offices, food and beverage outlets, common lecture theatres and classrooms) within the Macquarie University Campus.***

***The maximum FSR for key sites is to be provided in accordance with the Floor Space Ratio Map.***

***If the maximum GFA is not achieved for a particular site, the GFA can be redistributed elsewhere on the Campus pursuant to the maximum GFA caps identified above and the development parameters established under the Design Excellence Strategy and Urban Design Guidelines.***

**Reason:** A new Condition A3 is proposed to reflect the additional academic floor space, and the proposed removal of the precinct-by-precinct breakdown of GFA. It also seeks to clarify the GFA / FSR that is permissible in certain sites in accordance with the proposed Floor Space Ratio Map.

## B1. Car Parking

(2) The maximum car parking across the campus is 10,800 spaces, **comprising a maximum of 5,000 commercial parking spaces and 5,800 parking spaces for other uses. and is distributed for each precinct as follows:**

- a. Precincts A, G, H (total) – 4,095 spaces**
- b. Precinct B – 1,000 spaces**
- c. Precinct D – 705 spaces**
- d. Precinct E and F (total) – 5,000 spaces**

**Reason:** Changes were proposed to Conditions B1(1) and B1(3) as part of the original Section 75W Environmental Assessment Report. On further review, it is considered necessary to also update Condition B1(2) to reflect the removal of the precinct-by-precinct breakdown of GFA and use, and to reflect the more flexible approach that is proposed to development across the University. The intent of the condition remains unchanged, and there will be no changes to the originally approved number of parking spaces.

### 3.2 Clarification of Land Use, Heights, Floor Space and Car Parking

As outlined in **Section 2.4**, a series of maps have been prepared to address land application, land use, building heights, floor space and car parking. The maps align with the provisions of LEP 2014 and the Section 75W Environmental Assessment Report dated November 2017.

For clarity, the permissible uses within the B4 Mixed Use zone are as per the Land Use Table in LEP 2014, including the additional permitted uses at Schedule 1, clause 11A of LEP 2014, as replicated below.

#### **2 Permitted without consent**

*Home occupations*

#### **3 Permitted with consent**

*Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Seniors housing; Shop top housing; Waste or resource transfer stations; Any other development not specified in item 2 or 4*

#### **4 Prohibited**

*Agriculture; Air transport facilities; Animal boarding or training establishments; Biosolids treatment facilities; Camping grounds; Caravan parks; Depots; Eco-tourist facilities; Farm buildings; General industries; Heavy industrial storage establishments; Heavy industries; Home occupations (sex services); Industrial training facilities; Resource recovery facilities; Sewage treatment plants; Sex services premises; Signage; Vehicle body repair workshops; Vehicle repair stations; Waste disposal facilities; Water recycling facilities; Water supply systems*

### **11A Use of certain land at 192 Balaclava Road, Marsfield (Macquarie University)**

(1) This clause applies to the following land at Macquarie University:

- (a) Lots 7 and 8, DP 569359 (Menziess College),
- (b) Lot 17, DP 858135 (Dunmore Lang College),
- (c) Lots 190 and 191, DP 1157041 (Main Campus and Cochlear),
- (d) Lot 1, DP 240970 (Sports fields),
- (e) Lot 5, DP 851713 (Sports fields),
- (f) Lots 7 and 8, DP 1047085 (Old Waterloo Road and Old Golf Range),
- (g) Lots 9 and 10, DP 1047085 (Shell Garage and Arts Facility),
- (h) Lot 17, DP 1058168 (Nortel Building),
- (i) Lot 181, DP 1112777 (Macquarie University Village),
- (j) Lot 115, DP 1129623 (land around Macquarie Railway Station).

(2) Development for the purposes of agriculture, car parks, commercial premises, health services facilities, high technology industries, light industries, places of public worship, recreation facilities (outdoor), research stations, residential accommodation, service stations, serviced apartments, signage, water recycling facilities and water treatment facilities is permitted with development consent on all of the land referred to in subclause (1).

### **3.3 Changes to Design Excellence Strategy and Urban Design Guidelines**

In response to the comments raised by GA NSW, the following key amendments have been made to the Guidelines:

- Insertion of Design Excellence provisions in Section 1.3 to align with amendments to the EP&A Act and assert the design excellence procurement process conducted by the University;
- Update and insertion of new design principles in Section 4.1 to expand the design excellence considerations and provide more guidance on finer grain detail; and
- Inclusion of a new figure on page 19 of the Guidelines showing the indicative land uses across the campus to convey the spatial arrangement and broad pattern of uses.

In addition, the following changes have been made to reflect new projects being pursued by Macquarie University, or represent minor changes to clarify the design intent for certain Lots. These changes include:

- Identification and inclusion of new Lot D08 and new built form provisions and controls;
- Minor boundary adjustment to Lot B03;
- Edits to the Precinct names in Section 2.1.2;
- Adjustments to the Lot B08 drawing to identify the heritage stone ruins and insertion of a provision to ensure future built form is considerate of the item;
- Minor edits to the Central Courtyard drawing on page 64 to update the proposed building footprint alignments consistent with the proposed development;
- Replacement of the image on page 46, Public Domain, to reflect a more generic public domain condition for the campus rather than a building;
- General housekeeping updates for all relevant illustrations that were affected by the introduction of Lot D08 and boundary adjustment to Lot B03; and

- Modification of Lot E11 controls to clarify setback conditions.

### **3.4 Proposed Statement of Commitments**

The Statement of Commitments have been amended throughout the assessment process in consultation with the Department. The intent of the Commitments generally remains unchanged, with the modifications seeking to make the Commitments easier to apply and more relevant to the variety of works that are carried out on the University campus. The revised Statement of Commitments for which approval is now sought are outlined at **Section 5**.

## 4.0 Additional Information and Assessment

The exhibited EAR assessed the potential impacts of the proposed development against a range of matters relevant to the development. The following matters were assessed in the exhibited EAR:

- Consistency with Concept Plan Objectives;
- Urban Design and Built Form;
- Overshadowing and Solar Access;
- Traffic, Transport and Access;
- Stormwater and Flooding;
- Utilities and Infrastructure; and
- Social and Economic Impacts.

In response to the issues raised, the following consultants' reports and supporting information has been updated in support of the EAR:

- Revised Design Excellence Strategy and Urban Design Guidelines prepared by Macquarie University;
- Supplementary Transport Assessment prepared by ARUP;
- Land application, land use, height, floor space ratio and car parking maps prepared by Ethos Urban; and
- Schedule of proposed amendments to the Consolidated Approved Concept Plan and Gazetted State Significant Site Listing dated December 2009 prepared by Ethos Urban.

The proposed amendments to the Concept Plan do not alter the environmental assessment that was undertaken as part of the submitted EAR, and the conclusions of the original assessments remain unchanged.

The revised Design Excellence Strategy and Urban Design Guidelines seek to respond to the issues raised by GA NSW, with principals included to ensure that an appropriate built form outcome is achieved for the campus.

As outlined in **Section 2.6** with respect to traffic generation associated with the proposed modification, ARUP has confirmed that the ongoing shift away from cars will result in a reduction in the daily number of vehicle trips to the campus, despite the proposed increase in student numbers.

The various maps and schedule of changes to the Consolidated Approved Concept Plan seek to resolve inconsistencies between the approved Concept Plan and the proposed modifications, and the current disparity in the hierarchy of planning documents. The maps reflect key aspects of the Concept Plan, as proposed to be modified, including land application, land use, height, floor space ratio and car parking. It is suggested that these maps form part of the Concept Plan approval at Condition A2.

## 5.0 Revised Statement of Commitments

The revised Statement of Commitments for the project are outlined in **Table 2** below. These measures replace those outlined in the original EAR.

Modifications are required to the approved Statement of Commitments. Words proposed to be deleted are shown in **~~bold italics strike through~~** and words to be inserted are shown in **bold italics**.

**Table 2 – Revised Statement of Commitments**

Subject	Commitments	Approved / Assessed by Whom	Timing
Environmentally Sustainable Development	<ul style="list-style-type: none"> <li>▪ Commercial development on the site shall be capable of achieving the following targets:                             <ul style="list-style-type: none"> <li>- Buildings should achieve a minimum 4-star Green Star rating.</li> <li>- Buildings should achieve a minimum 4.5-star NABHERS rating.</li> <li>- Retail development will comply with any reasonable future rating tool provided by the Australian Greenhouse Rating Scheme.</li> </ul> </li> <li>▪ Each development <b>involving external works</b> is to provide measures to capture, retain, and minimise litter, oil, sediment, nutrients, and pollutants prior to stormwater runoff discharge to the receiving creeks.</li> <li>▪ <del>A precinct-based supply vs. demand analysis will be performed at the detailed design stage of the development to provide</del> <b>Each development is to consider opportunities for</b> water re-use <del>storage system</del> <b>system</b> to service non-potable uses such as irrigation for landscape areas and for toilet flushing, <b>as relevant to the scope of the proposal.</b></li> </ul>	<p><del>Director – General of the Department of Planning</del></p> <p><b>The relevant consent authority</b></p>	<p><del>Prior to or with submission of each Project Application for building works</del></p> <p><b>Each Development Application is to demonstrate consistency with these requirements as relevant to the scope of the proposal.</b></p>
<p><b>Access, traffic and transport</b></p> <p><b>University Travel Plan</b></p>	<ul style="list-style-type: none"> <li>▪ A University Travel Plan (UTP) will be formulated by Macquarie University for the academic / educational uses at the site only. <b>A copy of the UTP is to be published on the University's website.</b></li> <li>▪ Details of the academic mode share targets (staging/mode split) will be incorporated in the UTP and will be reviewed on a regular basis against achievement as per the timing above.</li> <li>▪ A car parking management strategy will be developed as part of the UTP.</li> <li>▪ A strategy for bicycle parking including end of trip facilities will be developed as part of the UTP.</li> <li>▪ A strategy for intra-university travel will be developed as part of the UTP and will include recommendations on travel to/from university housing, connections to the rail station, and night travel. Consideration will be given to the development of a campus shuttle bus service in</li> </ul>	<p><del>Director – General of the Department of Planning</del></p> <p><b>Secretary of the Department of Planning and Environment</b></p>	<p><b>Prior to the first application for academic / educational uses.</b></p>

Subject	Commitments	Approved / Assessed by Whom	Timing
<p><b>Access, traffic and transport</b></p>	<p>the UTP.</p> <ul style="list-style-type: none"> <li>▪ A detailed micro-simulation transport model of the University internal road network and surrounding “area of influence” will be developed. The model will be used to assess in detail proposed changes to the internal road network and review internal intersection performance. The model will be utilised for assessment of project applications and to determine staging of works. The timing of the model would be based on full operation of the Epping-Chatswood rail link being realised and any major redevelopment of the Station South portion of Precinct E.</li> <li>▪ Development on the site (academic and commercial) shall be consistent with the aim of the Macquarie Park Traffic Study which seeks a target of 40% non-car modal split over time.</li> <li>▪ Development on the site shall promote as far as practicable reduced use of private single occupant vehicles and promote public transport use, walking and cycling – including implementation of the Macquarie University Cycle Access Plan.</li> <li>▪ Commercial developments will be required to prepare a Workplace Travel Plan (WTP) for individual sites in accordance with City of Ryde DCP <del>2006</del> <b>2014</b> Part 4.5 (Section <del>6.3.9</del> <b>4.4</b>).</li> <li>▪ All internal roads are to be designed and constructed consistent with the requirements of all relevant Australian Standards, and the requirements of Council and Austroads as applicable.</li> <li>▪ The design facilities will permit effective, appropriate and safe use by all people, including those with disabilities in accordance with the Building Code of Australia and Australian Standard AS 1428.</li> <li>▪ <b>4,800 car parking spaces are to be retained for academic (4,095) and existing commercial and MURP related (705) uses on site. New car parking for non-academic uses shall be at a maximum rate as identified within the Concept Plan for each precinct.</b></li> </ul>	<p><b>Director – General of the Department of Planning</b></p> <p><b>The relevant consent authority</b></p>	<p><b>Ongoing and prior to the first application for commercial development after the first modification of the Concept Plan (Concept Plan MOD 1).</b></p>
<p><b>RTA RMS roads</b></p>	<ul style="list-style-type: none"> <li>▪ Macquarie University shall provide for regional road upgrades in negotiation with the <b>RTA RMS</b> consistent with recommendations contained in the revised TMAP as prepared by Cardno Eppell Olsen <b>or by way of a monetary contribution in accordance with the agreement(s) with the Minister</b>. The negotiated position shall seek to determine the appropriate schedule of works, value, responsibilities, and timing.</li> </ul>	<p>Minister for Planning <b>or their delegate.</b></p>	<p>As <b>part of the Concept Plan approval and as</b> determined by the negotiations with the <b>RMS, or by the time specified in the agreement(s) with the Minister where the</b></p>

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			commitment is by way of the payment of a monetary contribution.
Environmental management and contamination	<ul style="list-style-type: none"> <li>▪ A hazardous material audit which will include sampling and identification of asbestos and Polychlorinated Biphenyls (PCBs) will be completed to determine the extent and integrity of the hazardous building materials which exist on <b>each development site the site.</b></li> <li>▪ Any demolition / removal of Polychlorinated Biphenyls (PCBs) and asbestos containing material will be conducted in accordance with current NSW EPA waste classification and disposal guidelines, and WorkCover occupation health and safety procedures.</li> <li>▪ <b>A Phase 1 contamination assessment is to be prepared for each Development Application involving ground works. If recommended by the Phase 1 contamination assessment, A a targeted Phase 2 intrusive contamination assessment is to be prepared</b> to assess whether any contamination, from potential sources outside the site, has migrated onto the property. This would involve the drilling and collection of soil samples as the installation of ground water wells. In addition, limited surface soil sampling as will be conducted across any sporting fields and open spaces which may have been treated with organochlorine / organophosphate pesticides. The result of Phase 2 soil and groundwater investigations will be assessed against the relevant land-use criteria stated by NSW EPA, NEPM and ANZECC guidelines. If concentrations of contaminants exceed the relevant land-use guideline, a remedial action plan will be developed, with remediation and validation works completed in accordance with EPA guidelines, CLM Act (1997) and SEPP 55.</li> </ul>	<p><b>Director – General of the Department of Planning</b></p> <p><b>The relevant consent authority</b></p>	<p><b>Prior to or with submission of each Project Application for building works, based on assessment on a precinct by precinct basis.</b></p> <p><b>Each Development Application is to demonstrate consistency with these requirements, as relevant to the scope of the proposal.</b></p>
Environmental management and contamination – <b>the Australian Film and Television School and the site of the existing service station</b>	<ul style="list-style-type: none"> <li>▪ Development at particular sites (including the Australian Film and Television School and the site of the existing service station) will include a detailed soil investigation and appropriate management of any contamination, if determined.</li> </ul>	<p><b>The relevant consent authority</b></p>	<p><b>Each Development Application at the site of the former Australian Film and Television School and the site of the existing service station.</b></p>
Geotechnical and construction impacts	<ul style="list-style-type: none"> <li>▪ A report detailing the existing geotechnical conditions of each development site (<b>within the relevant precinct</b>) and any potential geotechnical impacts of development consistent with the Concept Plan shall be submitted with future</li> </ul>	<p><b>Director – General of the Department of Planning</b></p>	<p><b>Prior to or with submission of each Project Application for building works.</b></p>

Subject	Commitments	Approved / Assessed by Whom	Timing
	<p><b>project development</b> applications where ground works are proposed.</p> <ul style="list-style-type: none"> <li>▪ A Construction Management Plan will be submitted with subsequent applications to address issues related to construction impacts such as, but not limited to, noise, vibration, dust, soil and erosion and waste materials.</li> <li>▪ An Erosion and Sedimentation Control Plan will be developed <b>for all proposals involving ground works</b> to address <b>both</b> the construction phase to ensure erosion and sedimentation controls will be put in place prior to any works beginning to ensure that any potential increase in run-off from removal of vegetation or leaf litter does not impact on downstream or off-site environments and development does not contribute to environmental damage <b>if of</b> the waterways, bushland or air quality.</li> <li>▪ Buildings around the new rail station will be designed having regard to the Epping-Chatswood Rail Link Underground Infrastructure Protection Guidelines (TIDC – May 2008), with future applications accompanied by appropriate engineering advice and design measures to protect TIDC infrastructure.</li> </ul>	<p><b>The relevant consent authority</b></p>	<p><b>Each Development Application is to demonstrate consistency with these requirements, as relevant to the scope of the proposal.</b></p>
<p>Flora and fauna – <b>Preparation of Management Plans</b></p>	<ul style="list-style-type: none"> <li>▪ <del><b>Ecological restoration management plans will be developed for retained flora remnants and include pest and weed management.</b></del></li> <li>▪ <del><b>As part of each Project Application that potentially affects Remnant Areas 1 – 4 of STIF</b></del>                      A Vegetation Management Plan (VMP) is to be submitted that addresses the restoration and rehabilitation of the STIF, as relevant. <b>A copy of the Vegetation Management Plan, as endorsed by the Secretary of the Department of Planning and Environment, is to be published on the University's website.</b></li> <li>▪ Indirect impacts on bushland such as weeds and fire will be managed by the implementation of management plans and strategies including:                     <ul style="list-style-type: none"> <li>- A Threatened Species Management Plan will be prepared to address relevant actions to conserve threatened species across the site.</li> <li>- A Weed Management Plan will be prepared as part of Project Applications to link into stormwater control strategies.</li> </ul> </li> <li>▪ <b>A copy of the Threatened Species Management Plan and Weed Management Plan, as endorsed by the Secretary of the Department of Planning and Environment, are to be published on the</b></li> </ul>	<p><b>Director – General of the Department of Planning</b></p> <p><b>Secretary of the Department of Planning and Environment.</b></p>	<p><b>Prior to or with submission of each Project Application for building works.</b></p> <p><b>With the first modification to the Concept Plan (Concept Plan MOD 1)</b></p>

Subject	Commitments	Approved / Assessed by Whom	Timing
Flora and fauna – <b>Ongoing Management</b>	<p><b>University's website.</b></p> <ul style="list-style-type: none"> <li>▪ Where possible, endangered vegetation remnants will be retained and protected from further encroachment/degradation or supplemented with appropriate offsets at other remnants.</li> <li>▪ Where possible, individual remnant trees outside remnant areas will be retained.</li> <li>▪ Detailed flora and fauna surveys and assessments will be undertaken as part of each future application where development is proposed that may impact upon flora and fauna and STIF remnants or areas nominated as potential endangered ecological communities (EEC).</li> <li>▪ <b>Demonstrate consistency with the published Vegetation Management Plan, Threatened Species Management Plan and Weed Management Plan.</b></li> </ul>	<b>The relevant consent authority</b>	<b>Each Development Application is to demonstrate consistency with these requirements, as relevant to the scope of the proposal.</b>
Trees - <b>Preparation of Management Plan</b>	<ul style="list-style-type: none"> <li>▪ A Landscape Management Plan will be prepared for <b>each site the Campus</b> that will address. <ul style="list-style-type: none"> <li>- Retention or replacement of planting of suitable tree species (preferably endemic and mature where possible); and</li> <li>- Long term preservation and maintenance of tree assets.</li> </ul> </li> <li>▪ <b>The Landscape Management Plan, as endorsed by the Secretary of the Department of Planning and Environment, is to be published on the University's website.</b></li> </ul>	<p><b>Director – General of the Department of Planning</b></p> <p><b>Secretary of the Department of Planning and Environment.</b></p>	<p><b>Prior to or with submission of each Project Application for building works.</b></p> <p><b>With the first modification to the concept plan.</b></p>
Trees – <b>Ongoing Management</b>	<ul style="list-style-type: none"> <li>▪ <b>Demonstrate consistency with the published Landscape Management Plan.</b></li> </ul>	<b>The relevant consent authority</b>	<b>Each Development Application is to demonstrate consistency with these requirements, as relevant to the proposal.</b>
Bushfire Protection	<ul style="list-style-type: none"> <li>▪ All habitable development <b>within bushfire prone land within Precincts B or H</b> will comply with the requirements of Planning for Bushfire Protection 2006 (NSW Rural Fire Service), <del>particularly with Precinct B.</del></li> </ul>	<p><b>Director – General of the Department of Planning</b></p> <p><b>The relevant consent authority</b></p>	<p><b>Prior to or with submission of each Project Application for building works.</b></p> <p><b>Each Development Application for habitable development in Precinct B or H</b></p>
Infrastructure	<ul style="list-style-type: none"> <li>▪ A detailed water supply infrastructure needs analysis will be undertaken to allow for identification and controlled connection of the Mobbs Hill and Marsfield reservoirs, in consultation with Sydney Water.</li> <li>▪ Duplication of the existing sewer system will be</li> </ul>	<p><b>Director – General of the Department of Planning</b></p> <p><b>The relevant</b></p>	<p><b>Prior to or with submission of any subsequent Project Application or commencement of building works (as</b></p>

Subject	Commitments	Approved / Assessed by Whom	Timing
	<p>investigated with Sydney Water as development envisaged under the Concept Plan progresses, to ensure existing services may remain and new services provided as development occurs.</p> <ul style="list-style-type: none"> <li>▪ Macquarie University will investigate all opportunities to maximise efficiency of existing Energy Australia assets in consultation with Energy Australia.</li> <li>▪ Macquarie University will investigate additional power generation opportunities beyond that supplied by Energy Australia.</li> <li>▪ New medium pressure gas mains will be provided as required, dependent upon take-up of existing gas supply and cogeneration power options.</li> <li>▪ Water detention areas are to be provided within the development area, <b>where appropriate</b>.</li> <li>▪ All relevant certificates and approvals, including those required under Section 68 of the Local Government Act 1993 or section 73 of the Sydney Water Act 1994 will be obtained.</li> </ul>	<p><b>consent authority</b></p>	<p><b>applicable). Each Development Application, as required.</b></p>
<p>Heritage / archaeology</p>	<ul style="list-style-type: none"> <li>▪ The Metropolitan Local Aboriginal Land Council will be requested to monitor surface works during initial construction phase.</li> <li>▪ Should any Aboriginal relics or artefacts be unexpectedly discovered, then all excavations or disturbances to the area will cease and National Parks and Wildlife will be informed in accordance with section 91 of the National Parks and Wildlife Act 1974.</li> <li>▪ Should any historical relics be unexpectedly discovered, all excavations and disturbance to the area will stop immediately, and the Heritage Council of NSW will be informed in accordance with section 146 of the Heritage Act 1977.</li> </ul>	<p><b>Director – General of the Department of Planning</b></p> <p><b>The relevant consent authority</b></p>	<p><b>Prior to or with submission of each Project Application for building works.</b></p> <p><b>Each Development Application</b></p>
<p>Design Excellence and Urban Design Guidelines – <b>Preparation</b></p>	<ul style="list-style-type: none"> <li>▪ A Design Excellence Strategy will be prepared to ensure a quality built form and public domains achieved during the life and construction of the project.</li> <li>▪ The Strategy will clearly articulate a process to achieve design excellence, and may include the preparation of site specific design guidelines and principles.</li> <li>▪ Urban design guidelines will be developed to ensure design excellence is achieved in the architecture of the buildings and public domain (streets, parks and squares). This will include building designs and standards.</li> <li>▪ The detailed urban design guidelines will be provided as part of precinct plans and a detailed urban design guideline will be provided. The guidelines will address the following: <ul style="list-style-type: none"> <li>- Building form;</li> </ul> </li> </ul>	<p><b>Director – General of the Department of Planning</b></p> <p><b>Secretary of the Department of Planning and Environment.</b></p>	<p><b>Prior to or with submission of each Project Application for building works and on a precinct by precinct basis.</b></p> <p><b>With the first modification to the Concept Plan (Concept Plan MOD 1)</b></p>

Subject	Commitments	Approved / Assessed by Whom	Timing
	<ul style="list-style-type: none"> <li>- Heights;</li> <li>- Road widths;</li> <li>- Streetscape character;</li> <li>- Civic spaces;</li> <li>- Parking provision;</li> <li>- Lighting, safety and security;</li> <li>- Water sensitive urban design;</li> <li>- Energy efficiency; and</li> <li>- Materials and colours.</li> </ul> <p>The guidelines will address CPTED principles for Safer by Design best practice models, to which all future applications will need to accord.</p> <ul style="list-style-type: none"> <li>▪ <b>The Design Excellence Strategy and Urban Design Guidelines, as updated from time to time, are to be published on the University's website.</b></li> </ul>		
<p>Design Excellence and Urban Design Guidelines – <b>Ongoing Application</b></p>	<ul style="list-style-type: none"> <li>▪ <b>Demonstrate consistency with the published Design Excellence Strategy and Urban Design Guidelines.</b></li> </ul>	<p><b>The relevant consent authority</b></p>	<p><b>Each Development Application</b></p>
<p>Riparian Zone , Flooding and Stormwater</p>	<ul style="list-style-type: none"> <li>▪ Adoption of the 100-year storm event as the interim design flood level standard and that proposed structures to have 500mm freeboard to the finished floor level, 300mm freeboard for flood egress roads, and 150mm freeboard for flood egress footpaths.</li> <li>▪ Location of the proposed development outside the 100-year storm flood extent as shown in the TTW report.</li> <li>▪ Location of the proposed development outside the riparian zone (except for development for approved revegetation and creek rehabilitation and stabilisation works).</li> <li>▪ Provision of a flood management/evacuation plan for proposed development within the PMF flood extent as shown in the TTW report.</li> <li>▪ <b>Precinct-based Where required</b>, stormwater detention storages are to be implemented to limit flow to that of the pre-development flowrates, from the 5-year to the 100-year ARI storm events.</li> <li>▪ A detailed creek rehabilitation and riparian vegetation management plan will be prepared to establish a short, medium and long-term revegetation and rehabilitation strategy for the Mars and University Creeks beds, banks, and riparian zones.</li> </ul>	<p><b>Director – General of the Department of Planning</b></p> <p><b>The relevant consent authority</b></p>	<p><b>Each Development Application is to demonstrate consistency with these requirements, as relevant to the scope and location of the proposal.</b></p>
<p>Other matters</p>	<ul style="list-style-type: none"> <li>▪ The payment of the Long Service Levy under section 34 if the <i>Building and Construction Industry Long Service Levy Payment Act 1986</i> will be paid for any works costing \$25,000 or more.</li> </ul>	<p><b>Director – General of the Department of Planning</b></p> <p><b>The relevant consent</b></p>	<p>Prior to the commencement of building works for each individual application.</p>

Subject	Commitments	Approved / Assessed by Whom	Timing
	<ul style="list-style-type: none"> <li>▪ The University will prepare a childcare strategy, based on, amongst other things, ensuring timely notification, relocation, decanting and reopening of childcare facilities within the campus as a result of new development.</li> </ul>	<p><i>authority</i></p> <p><b>Director – General of the Department of Planning</b></p>	<p><b>Childcare Strategy to be prepared prior to the first application for new floor space.</b></p>
Transitional issues	<ul style="list-style-type: none"> <li>▪ As the Triangle South of University Avenue is developed, at-grade parking required in the earlier stages of development will be relocated into basements of new buildings so that when the Triangle is fully developed, the open space will be provided in accordance with the Concept Plan.</li> </ul>	<p><b>Director – General of the Department of Planning</b></p> <p><i>The relevant consent authority</i></p>	<p>Prior to the Triangle South of University Avenue being fully developed by <b>2031-2036</b>.</p>
<b>Contributions/ VPA</b>	<ul style="list-style-type: none"> <li>▪ <del>Developer Contributions will be made consistent with the terms of the Macquarie University VPA(s) presently being prepared and formalised in consultation with Macquarie University, City of Ryde Council, and other relevant parties.</del></li> <li>▪ <del>See above for relevant arrangements for contributions to the RTA.</del></li> </ul>	<p><del>Minister or Director – General of the Department of Planning (as relevant).</del></p>	<p><b>Consistent with the terms of the VPA</b></p>

## 6.0 Conclusion

The applicant, Macquarie University and its expert consultant team have considered all submissions made in relation to the public exhibition of the proposed modification. A considered and detailed response to all submissions made has been provided within this report and the accompanying documentation.

In responding and addressing the range of matters raised by the government agencies and authorities, Macquarie University has sought to refine the proposed conditions of consent and the Design Excellence Strategy and Urban Design Guidelines, and has prepared land application, land use, height, floor space ratio and car parking maps to be inserted into the conditions of consent.

As outlined within this report, the analysis of the amendments to the proposed development confirms that all key elements of the proposed modification, as originally proposed and exhibited, have remained unchanged. The modification continues to have significant planning merits as it will:

- Assist in meeting the increased demand for tertiary education;
- Support the creation of additional jobs;
- Support a more skilled workforce;
- Strengthen a key industry of Sydney and NSW that plays a crucial role in making NSW Number One; and
- Strengthen the University's role within the Macquarie Park corridor, and the provision of education and research uses within the corridor.

Given the planning merits described above, and the public benefits associated with the proposed development, it is recommended that this application be approved.