



Macquarie University Concept Plan

*Major Project
Modification
Assessment
(MP 06_0016 MOD 1)*

November 2018

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Glossary

Abbreviation	Definition
Consent	Development Consent
Consolidated Concept Plan	Consolidated Approved Concept Plan and Gazetted State Significant Site listing dated December 2009
Council	City of Ryde Council
Department	Department of Planning and Environment
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EP&A (ST&OP) Regulation	Environmental Planning and Assessment Regulation (Savings, Transitional and Other Provisions) 2017
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
MD SEPP Amendment	State Environmental Planning Policy (Major Development) Amendment (Ryde) 2014
Minister	Minister for Planning
RLEP	Ryde Local Environmental Plan 2014
RtS	Response to Submissions
SEARs	Secretary's Environmental Assessment Requirements
Secretary	Secretary of the Department of Planning and Environment
SEPP	State Environmental Planning Policy
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SSS SEPP	State Environmental Planning Policy (State Significant Precincts) 2005
SSD	State Significant Development



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1. Introduction

This report is an assessment of an application seeking to modify the approved concept plan for Macquarie University (MP 06_0016 MOD 1) in the Ryde Local Government Area (LGA). The application was lodged on 8 September 2017 by Macquarie University (the Proponent) pursuant to section 75W of the *Environmental Planning and Assessment Act 1979 (EP&A Act)*.

The modification application seeks to modify the concept plan by:

- modifying height controls and increasing floorspace provisions to ratify recent amendments to local controls approved as part of the Herring Road Priority Precinct amendments delivered through State Environmental Planning Policy (Major Development) Amendment (Ryde) 2014 (MD SEPP Amendment).
- increasing academic floorspace from 61,200sqm to 157,000sqm.
- removing restrictions capping floorspace within certain precincts and redistribution of floorspace.
- increasing student population projections to the year 2036.
- modifying terms of approval and Statement of Commitments.
- revising and consolidating Design Excellence Strategy and Urban Design Guidelines.

1.1 Background

The Macquarie University Campus site is located within the Ryde Local Government Area and has an area of approximately 126ha. It is located 17kms to the north of the Sydney CBD at the western end of the Macquarie Park corridor, a major employment and research business precinct that is generally bounded by Culloden Road, the M2 motorway and Epping Road (refer to **Figure 1**). The site itself is generally bounded by Epping, Herring, Talavera and Culloden Roads (refer to **Figure 2**).

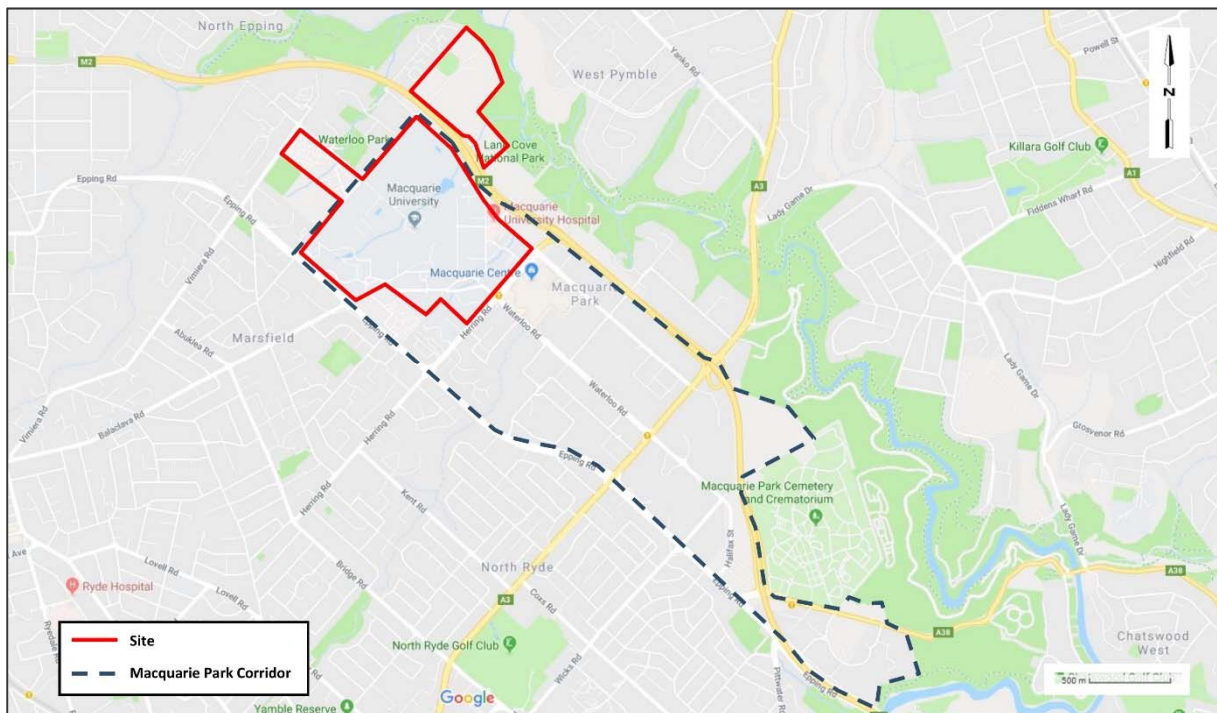


Figure 1 | Regional/local context map (Base source: google)

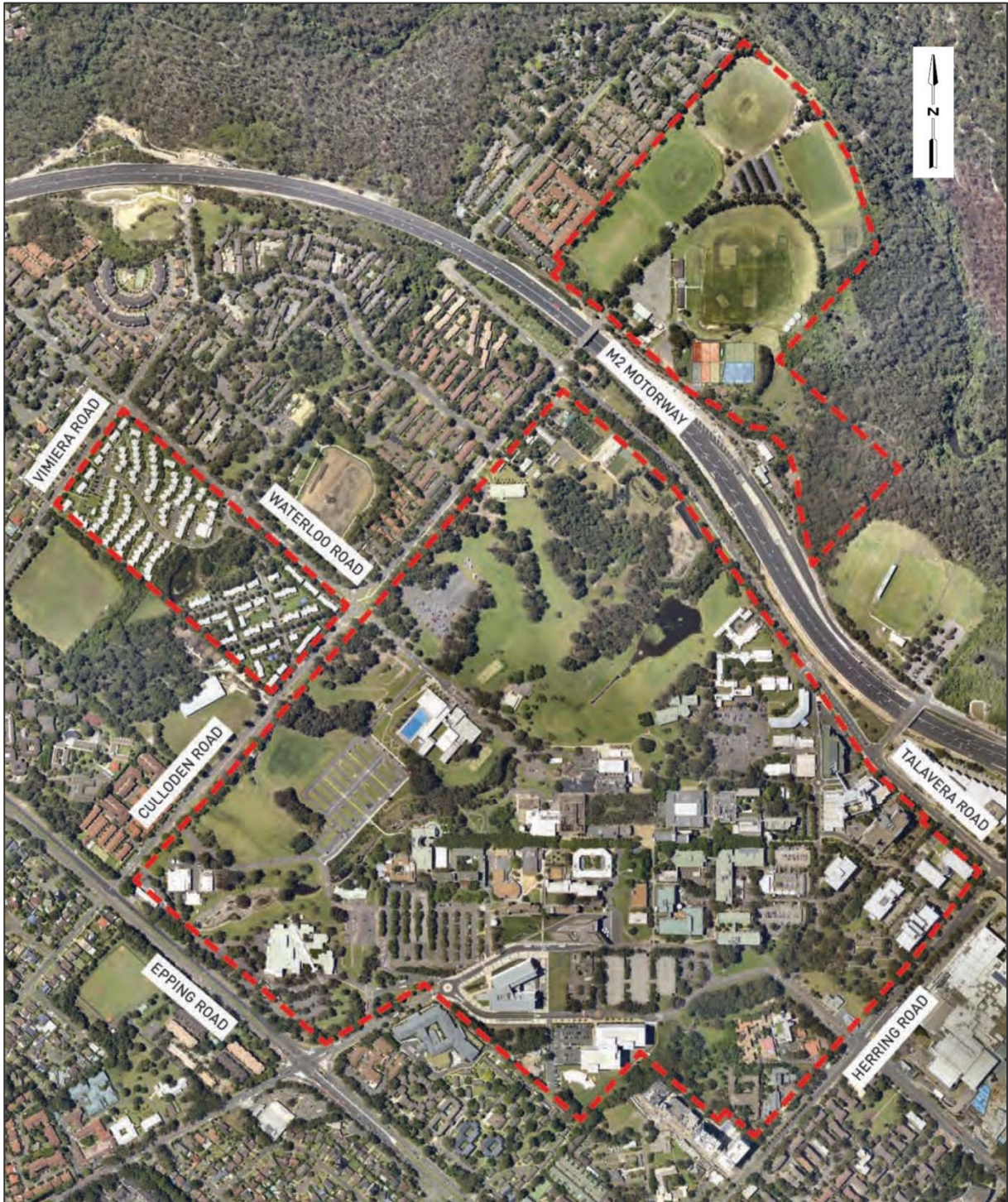


Figure 2 | Site location (campus outlined in red) (Base source: MP 06_0016 MOD 1)

1.2 Approval History

On 13 August 2009, approval was granted by the then Minister for Planning for the concept plan for Macquarie University (MP 06_0016). The concept plan for the development of the Macquarie University campus includes:

- the provision of an additional 400,000sqm of commercial gross floor area (GFA) and associated parking outside of the Academic Core.

- the provision of an additional 61,200sqm of academic GFA within the Academic Core (Precinct A).
- the provision of an additional 3450 student housing beds within the University Housing Precincts.
- infrastructure upgrading and improvements to the road network.
- rationalisation of university car parking.
- associated landscaping.

A Consolidated Approved Concept Plan and Gazetted State Significant Site listing dated December 2009 (Consolidated Concept Plan) was submitted to address the terms of approval and approved by the Department on 15 February 2010. The Consolidated Concept Plan is shown in **Figures 3 to 6**.

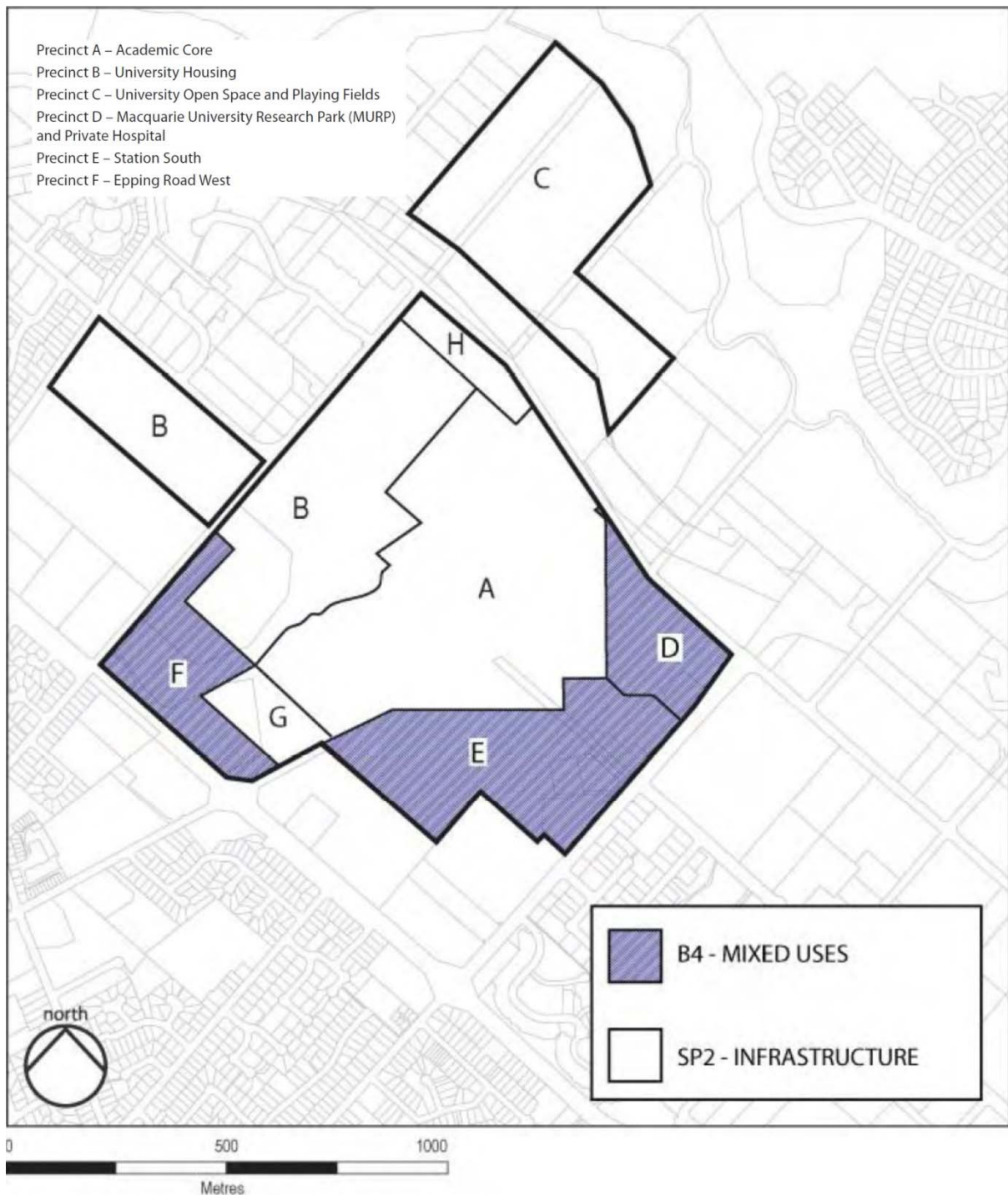


Figure 3 | Approved land use zones and precincts (Source: Consolidated Concept Plan)

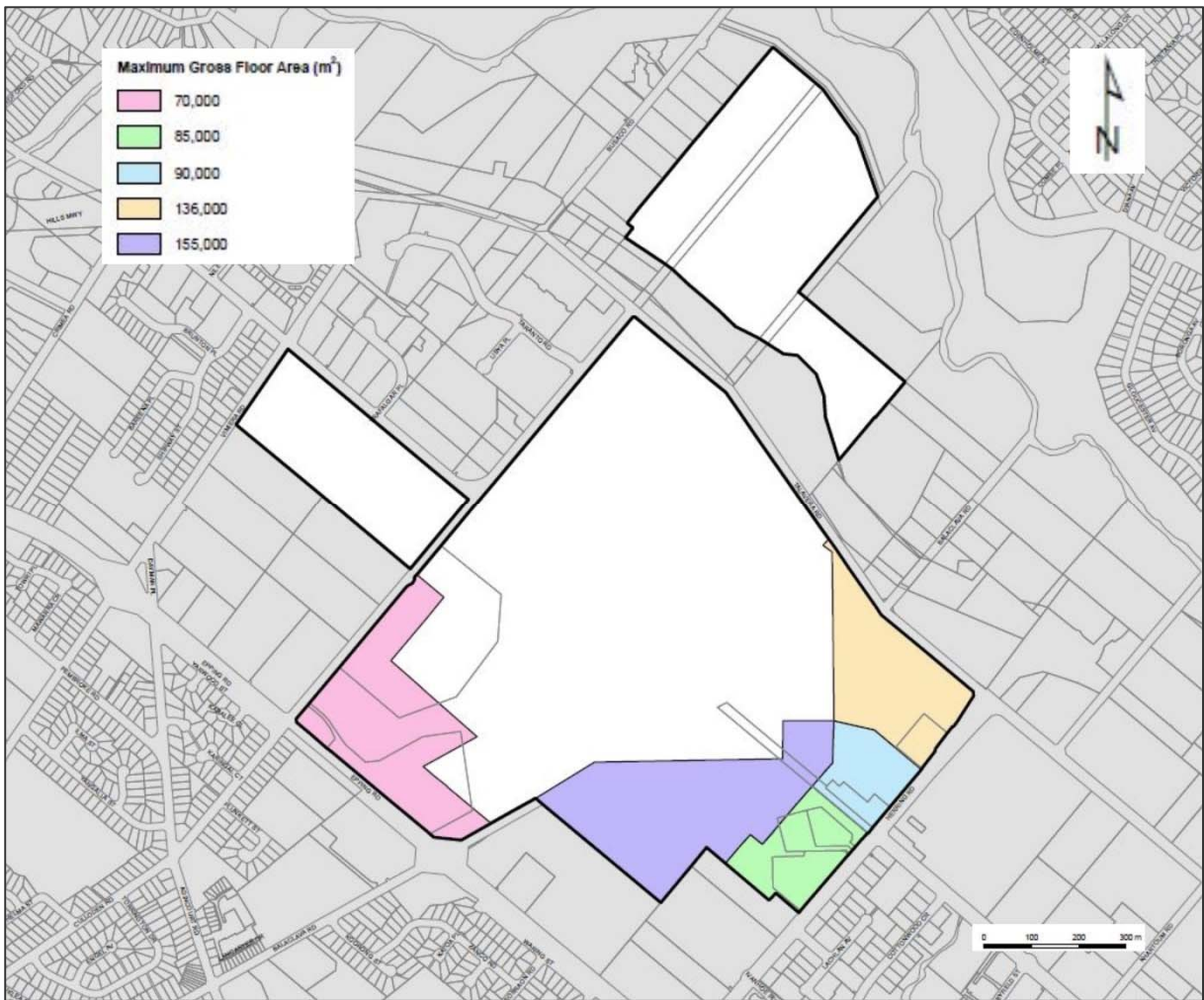


Figure 4 | Approved concept plan floorspace controls (Source: SSS SEPP)

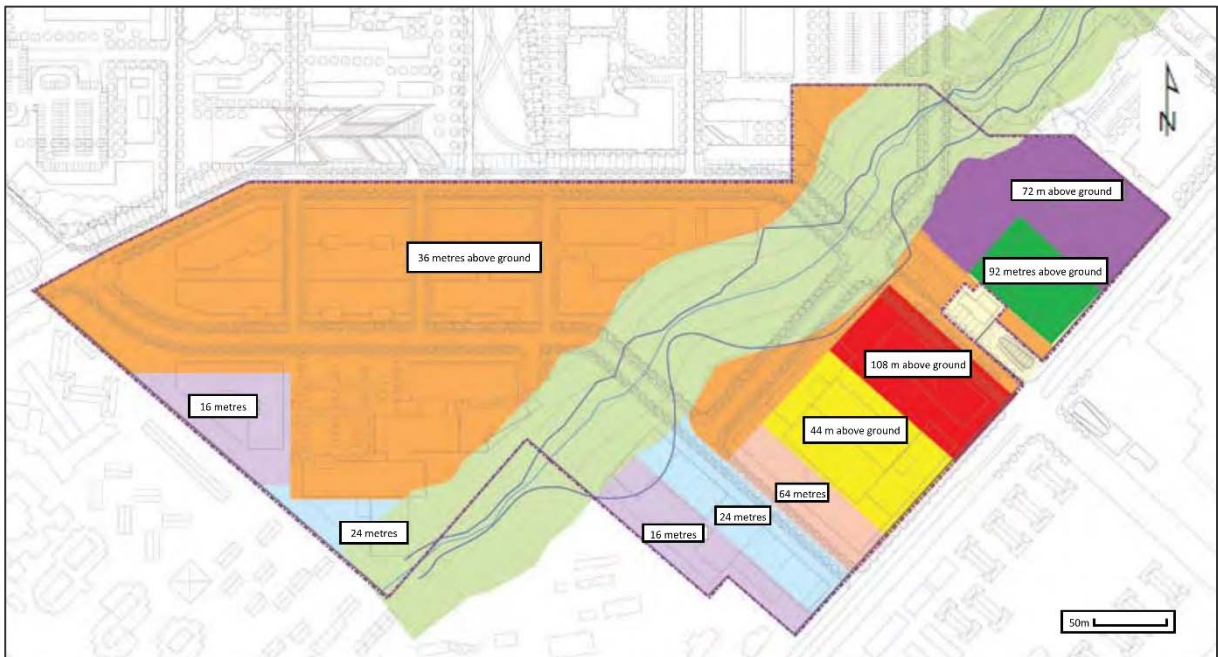


Figure 5 | Approved concept plan height controls for Precinct E (Base source: Consolidated Concept Plan)



Figure 6 | Approved concept plan height controls for Precinct F (Base source: Consolidated Concept Plan)

Two subsequent major projects have been approved for development under the concept plan:

- On 20 December 2010, the Minister’s delegate approved the Australian Hearing Hub (MP 10_0032), a major project comprising construction and fit out of a six storey education building, including 23,182sqm of gross floor area (GFA), two basement levels, 333 car spaces, laboratory, academic/research and office space and ancillary commercial and retail uses. The construction of the AHH has been completed and has been operational since December 2012.
- On 4 May 2018, the Minister’s delegate granted development consent for the development of an integrated Macquarie University Arts Precinct (SSD 8388), a State significant development (SSD) comprising refurbishment of existing buildings, erection of a new five-storey building, atrium spaces connecting to the new building associated landscape works.

Council has also issued various consents for local development for academic floorspace, student housing and commercial floorspace.

A SSD application for the Central Courtyard Precinct Redevelopment (SSD 8755) was lodged with the Department on 8 June 2018, seeking development consent for construction of a multi-storey Student Hub (including retail facilities) and approximately 340 student beds in five and seven storey student accommodation buildings. Approval is also sought for ancillary works, including redevelopment of the landscaped Central Courtyard, service facilities, associated infrastructure, upgrade of western extent of Science Road and landscaping works. This application cannot be determined until the modification request is determined. This application is not consistent with the current concept plan, as the development is located outside of the precincts identified for student housing and commercial development. The application is currently under assessment.



2. Proposed Modification

2.1 Proposed Modifications

On 8 September 2017, the Proponent lodged an application (MP 06_0016 MOD 1) seeking approval to modify the concept plan. The modifications originally included:

- modifying height controls and increasing floorspace provisions to ratify recent amendments to local controls (approved Herring Road Priority Precinct through MD SEPP Amendment).
- increasing academic floorspace from 61,200sqm to 157,000sqm.
- removing restrictions capping floorspace within certain precincts and redistribution of floorspace, including realignment of Precinct boundaries.
- increasing student population projections to the year 2036.
- modifying terms of approval and Statement of Commitments.
- revising and consolidating Design Excellence Strategy and Urban Design Guidelines.

The request was modified in the Response to Submissions to include revised concept plan maps to reflect the Herring Road Priority Precinct amendments, which replace the design controls for the Station South Precinct and Precinct Guidelines which formed part of the original approval. The revised concept plan maps are illustrated in **Figures 7 to 10**.

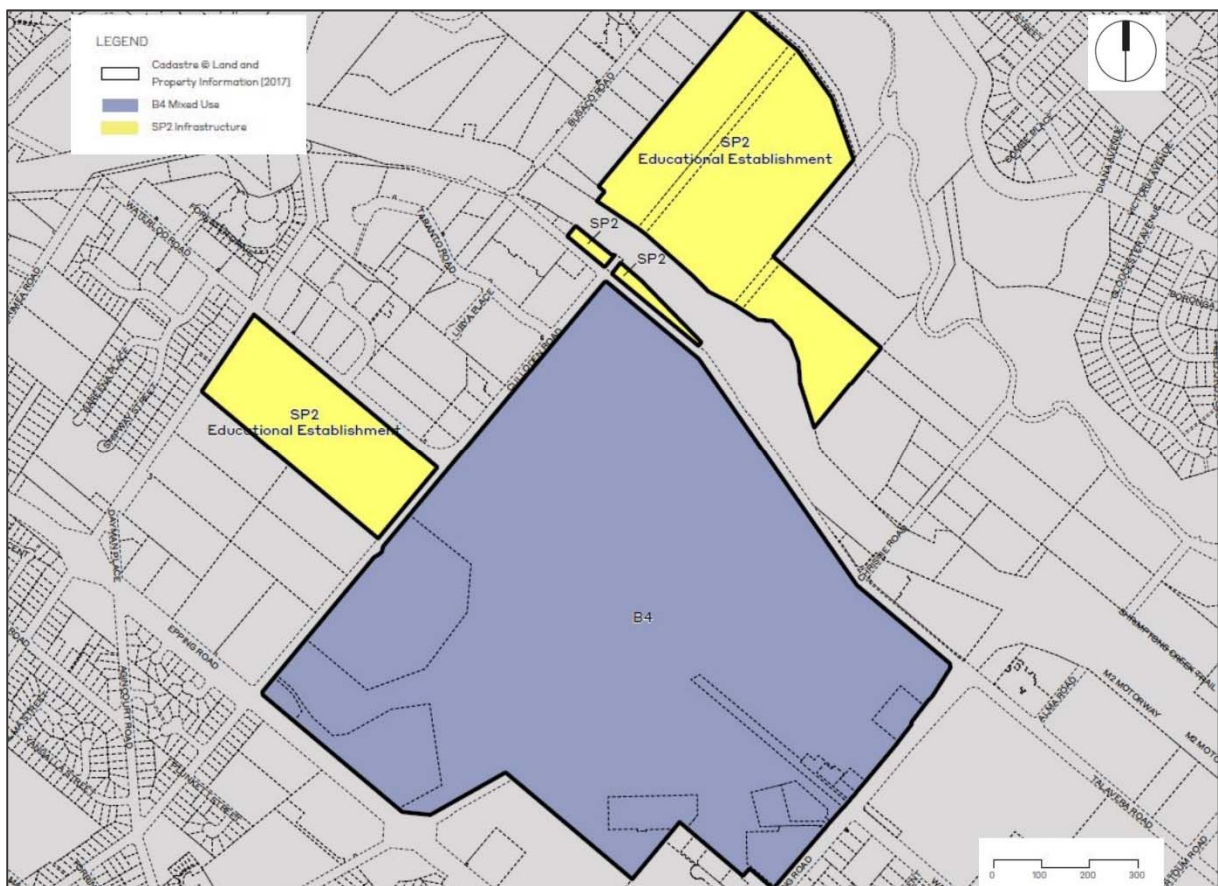


Figure 7 | Proposed land use zones (Source: MP 06_0016 MOD 1)



Figure 8 | Proposed height controls (Source: MP 06_0016 MOD 1)



Figure 9 | Proposed floorspace controls (Source: MP 06_0016 MOD 1)



Figure 10 | Proposed precincts (Source: MP 06_0016 MOD 1)



3. Strategic Context

A part of the University campus formed part of the Herring Road Priority Precinct (formerly known as the Herring Road, Macquarie Park – Urban Activation Precinct). The gazettal of new land use controls under the Herring Road Priority Precinct (delivered by the MD SEPP Amendment) repealed the State significant site listing and introduced new land use controls in the Ryde Local Environmental Plan (RLEP) 2014. These new land use controls do not correspond with the controls in the Macquarie University concept plan.

As the concept plan prevails to the extent of any inconsistency with the RLEP 2014 pursuant to Clause 3B(2)(b) of the Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017 (EP&A (ST&OP) Regulation), the modification request primarily seeks to incorporate the modified provisions of the RLEP 2014 within the concept plan. The Proponent has also undertaken further detailed projection of student numbers, as projected numbers in the concept plan have already been exceeded, and seeks to provide additional academic floorspace and recognise these revised projections as part of the concept plan.

The Department considers that the modifications to ratify the changes adopted in RLEP 2014 are appropriate given the NSW government's Priority Precinct initiative is to deliver more homes in places with access to infrastructure, transport, services and jobs. These changes were assessed and considered in the Herring Road Priority Precinct study prepared by the Department. The modifications primarily related to the land use controls for land located along Herring Road and within Precincts E and D of the concept plan. It also applied the B4 Mixed Use zoning across the main campus instead of restricting it to Precincts D, E and F to allow for greater flexibility to deliver more collaborative and integrated developments.

The concept plan, as modified, would continue to be consistent with current strategic planning directions, including:

- State and Premiers Priorities to improve education results through the provision of new and improved teaching and education facilities.
- A Metropolis of Three Cities – the Greater Sydney Region Plan, as it seeks to support education land uses around Macquarie University.
- Greater Sydney Commission's North District Plan, as it would enhance an existing education facility that would consequently improve connections to foster a networked community.
- Future Transport Strategy 2056 as it would promote the growth of educational and integrated facilities in a highly accessible location.



4. Statutory Context

4.1 Scope of Modifications

Recent changes to the EP&A Act have amended the powers to modify concept plans approved under Part 3A using the provisions of the former section 75W of the EPA&A Act. Section 75W of the EP&A Act provides for modification of a Minister's approval including '*revoking or varying a condition of the approval or imposing an additional condition of approval*'.

Clause 3BA(3) of Schedule 2 of the EP&A (ST&OP) Regulation establishes that a request to modify an approved concept plan can be determined under section 75W of the EP&A Act (as per the powers under Section 75W that applied at the time) if it was lodged before the cut-off date (1 March 2018). The request can continue to be determined as clause 3BA(4), which requires determination of these requests by 1 September 2018, does not apply as the Planning Secretary has not notified the Proponent that insufficient information has been provided to deal with the request.

Section 75W(2) of the EP&A Act provides that a Proponent may request the Minister to modify the Minister's approval of a project. The Minister's approval of a modification is not required if the approval of the project as modified would be consistent with the original approval. As the proposed modifications seek to vary the gross floor area, heights, redistribution of the precincts, reconfiguration of the land use controls and associated terms of approval, the modifications require the Minister's approval.

Section 75W(3) of the EP&A Act provides that the Secretary may notify the Proponent of the Planning Secretary's Environmental Assessment Requirements (SEARs) with respect to the proposed modification that the Proponent must comply with before the matter will be considered by the Minister. No additional requirements were issued with respect to the proposed modification to the concept approval, as sufficient information was provided to the Department in order to consider the application and the issues raised remain consistent with the key assessment requirements addressed in the original SEARs.

4.2 Approval Authority

The Minister for Planning is the approval authority for the application. In accordance with the Minister for Planning's delegation to determine section 75W applications, signed on 11 October 2017, the Director, Social and Other Infrastructure Assessments, may determine the application under delegation as:

- the relevant local council has not made an objection.
- a political disclosure statement has not been made.
- there are no public submissions in the nature of objections.



5. Engagement

5.1 Department's Engagement

In accordance with section 89F of the EP&A Act and clause 83 of the EP&A Regulation, the Department publicly exhibited the modification application from Wednesday 22 November 2017 until Tuesday 19 December 2017. The application was publicly available at the Department and on its website, at NSW Service Centres and at City of Ryde Council's Customer Service Centre.

The Department placed a public exhibition notice in the Sydney Morning Herald, Daily Telegraph and Northern District Times on the 22 November 2017 and notified adjoining landholders and relevant State and local government authorities in writing. The Department received a total of four submissions from public authorities. No submissions were received from the general public.

5.2 Summary of Submissions

A summary of the issues raised in the public authority submissions is provided below.

City of Ryde Council (Council) raised no objection to the modifications, however, advised:

- as the proposal does not provide any additional commercial floorspace or increase in student housing, the existing planning agreement with Council remains acceptable and separate planning agreements to deliver transport upgrades with Council and RMS is acceptable.
- heritage impact assessment of the locally listed heritage item should be undertaken.
- the design guidelines should address the upgrade of the bus interchange at Herring Road, including any potential Herring Road setback requirements and any vehicle access requirements from Epping Road.
- that the traffic assessment should be revised to account for the increased academic floorspace and associated student increase, total floorspace provisions and utilise 2016 data to confirm travel trends.

Transport for NSW (TfNSW) advised that the traffic assessment assumes that there would be no additional traffic and transport impacts as there would be no additional on-site parking, but this would only be accurate if the student population increase utilises non-car modes of transport. The car modal split was measured at 30 per cent in 2014. Therefore, the student population increase would result in additional traffic movements and whilst the restricted car parking supply would likely further reduce the proportion of car users, the Statement of Commitments and the University Travel Plan must be updated to reflect revised modal share targets to reflect the changes and maintain estimated traffic generation levels at levels identified in the approved concept plan.

Sydney Water advised that there is sufficient capacity in its trunk water and wastewater systems to accommodate the proposal.

NSW Environment Protection Authority (EPA) advised that the modifications do not seek to alter environment protection measures and it would provide further response in relation to environment protection matters to specific development proposals where required.

5.3 Response to Submissions

Following the exhibition of the application the Department placed copies of all submissions received on its website and requested the Applicant provide a response to the issues raised in the submissions.

On 31 August 2018, the Applicant provided a Response to Submissions (RtS) (**Appendix A**) on the issues raised during the exhibition of the proposal. The RtS:

- provided further revised Statement of Commitments.
- provided revised concept plan maps to reflect the Herring Road Priority Precinct amendments.
- deleted the design controls for the Station South Precinct (superseded by concept plan maps and revised design guidelines).
- deleted the Precinct Guidelines (superseded by the design guidelines).
- deleted the reference to the State significant site listing and associated controls as they have been repealed.
- provided further consideration of the transport and traffic impacts.
- revised the design excellence strategy and urban design guidelines.

The RtS was made publicly available on the Department's website and was referred to the relevant public authorities. An additional two submissions were received from public authorities, including TfNSW and Roads and Maritime Services (RMS). The public authorities noted that the recent travel data provided in the updated transport assessment confirmed that the use of public transport to the University by students and staff is growing. No further issues were raised in response to the RtS.



6. Assessment

The Department has considered the modification request, the issues raised in submissions and the Applicant's RtS in its assessment of the proposal. The Department considers the key issues associated with the proposal are:

- land use planning.
- urban design.
- transport impacts.
- administrative modifications.

Each of these issues is discussed in the following sections of this report. Other issues were taken into consideration during the assessment of the application and are discussed at **Section 6.4**.

6.1 Land use planning

The site formed part of the Herring Road Priority Precinct (formerly Urban Activation Precinct). The investigations for the priority precinct proposed the rezoning of land to support the renewal and revitalisation of the Herring Road Priority Precinct to enhance its role as a specialised centre. The precinct investigations focussed on the walking catchment around Macquarie University Railway Station and along Herring Road. The Herring Road Priority Precinct rezoning amended the Ryde LEP to increase the height and density controls, particularly around the station and major road intersection approaches to the precinct, including land within the University campus along Herring Road.

The rezoning also resulted in the majority of the Macquarie University Campus (excluding part of the University Housing Precinct and the University Open Space and Playing Fields Precinct) being rezoned from SP2 Education Establishments to B4 Mixed Use (refer to **Figure 11**). This provides the University with the flexibility to deliver a mix of academic, commercial and ancillary services within the campus compared to the defined precinct basis previously endorsed under the concept plan. The rezoning also repealed the State significant site listing for the campus and incorporated the key built form controls for zoning, maximum building height and maximum floor space into Ryde LEP (refer to **Figures 12 and 13**). These controls would apply where they are not inconsistent with the concept plan, as the concept plan prevails to the extent of any inconsistency pursuant to clause 3B(2)(f) of Schedule 2 in EP&A (ST&OP) Regulation. The concept plan includes maximum GFA controls as outlined in **Table 1** and height controls as illustrated in **Figures 5 and 6**.

Table 1 | MP 06_0016 Concept Plan Approval, Part A – Administrative Terms of Approval, A3 Gross Floor Area

Precinct	GFA (sqm)
Precinct D	136,000
Precinct E (Station North)	90,000
Precinct E (Station South)	85,000
Precinct E (Triangle South of University Avenue)	155,000
Precinct F	70,000
Academic Core	61,200

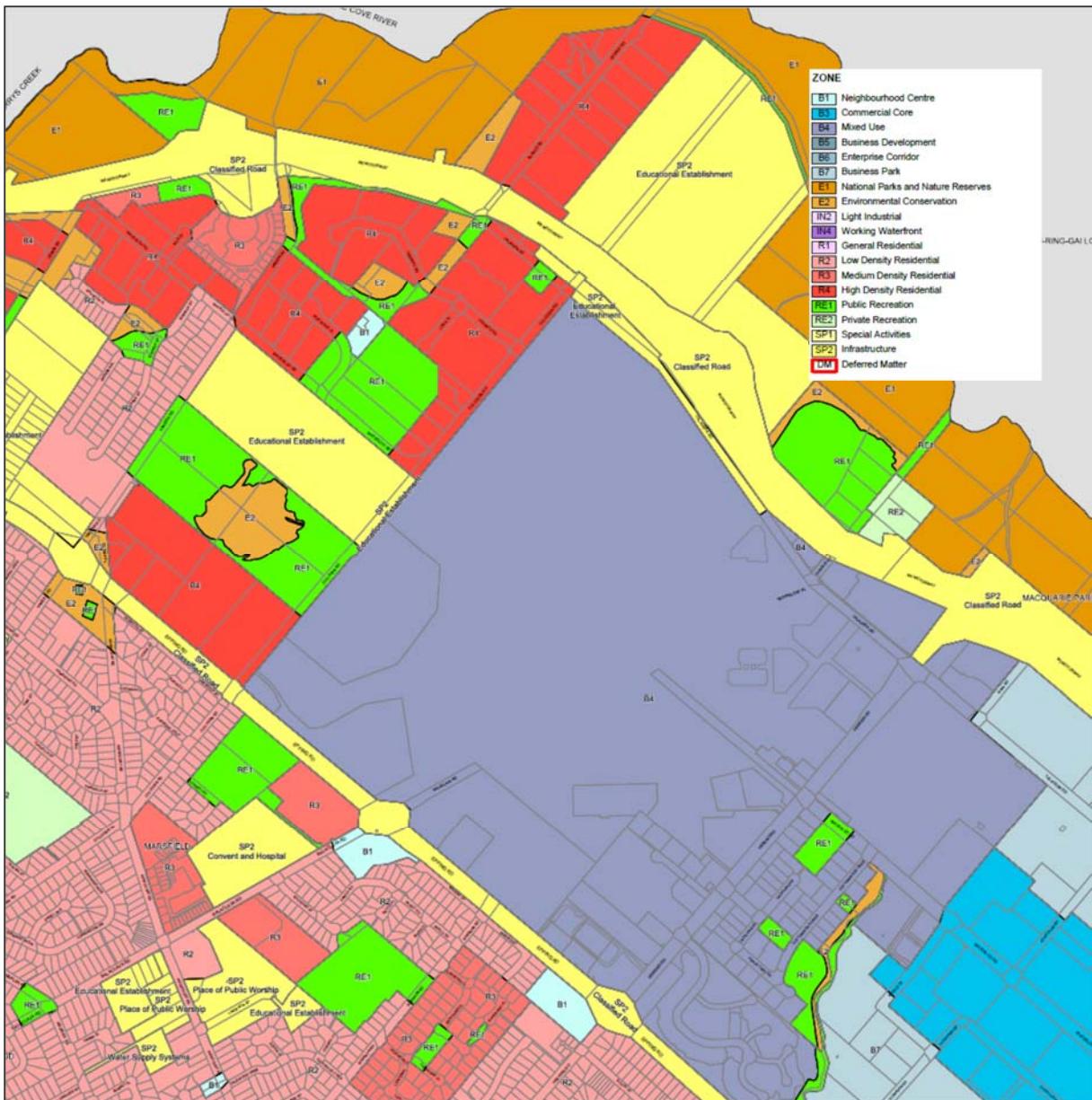


Figure 11 | Zoning Map (Source: Ryde LEP)

The Proponent therefore seeks to remove the key built form controls in the concept plan and replace them with the built form controls that mirror those contained within Ryde LEP (refer to **Figures 12 to 13**), including an additional 35,000sqm of gross floor area (GFA) for Precinct D which reflects the additional GFA permitted with the increased FSR along Herring Road. This would equate to an increase in a total GFA for Precinct D from 136,000sqm to 171,000sqm.

The Proponent also seeks to increase the total additional GFA for academic use across the concept plan by 95,800sqm from 61,200sqm to 157,000sqm to accommodate a projected increase in equivalent full-time student load (EFTSL) from 25,200 in 2031 to 39,766 EFTSL in 2036. The additional GFA for academic uses also seeks to accommodate support services, more space intensive faculties and increase floorspace allocation per student to meet benchmarking studies. The Proponent does not seek to vary the additional commercial GFA of 400,000sqm, but does seek to replace the built form controls with those in Ryde LEP and remove the GFA caps for individual precincts and zones approved under the concept plan.

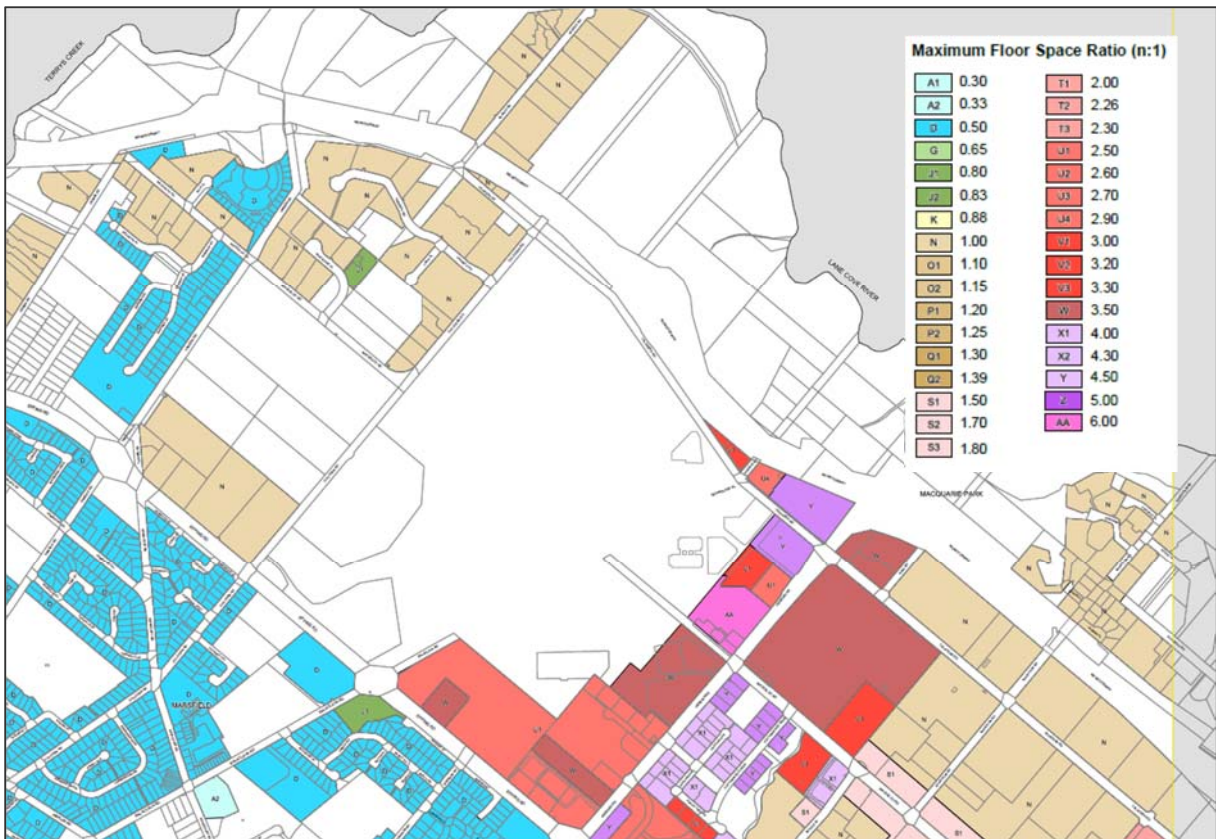


Figure 12 | FSR Map (Source: Ryde LEP)

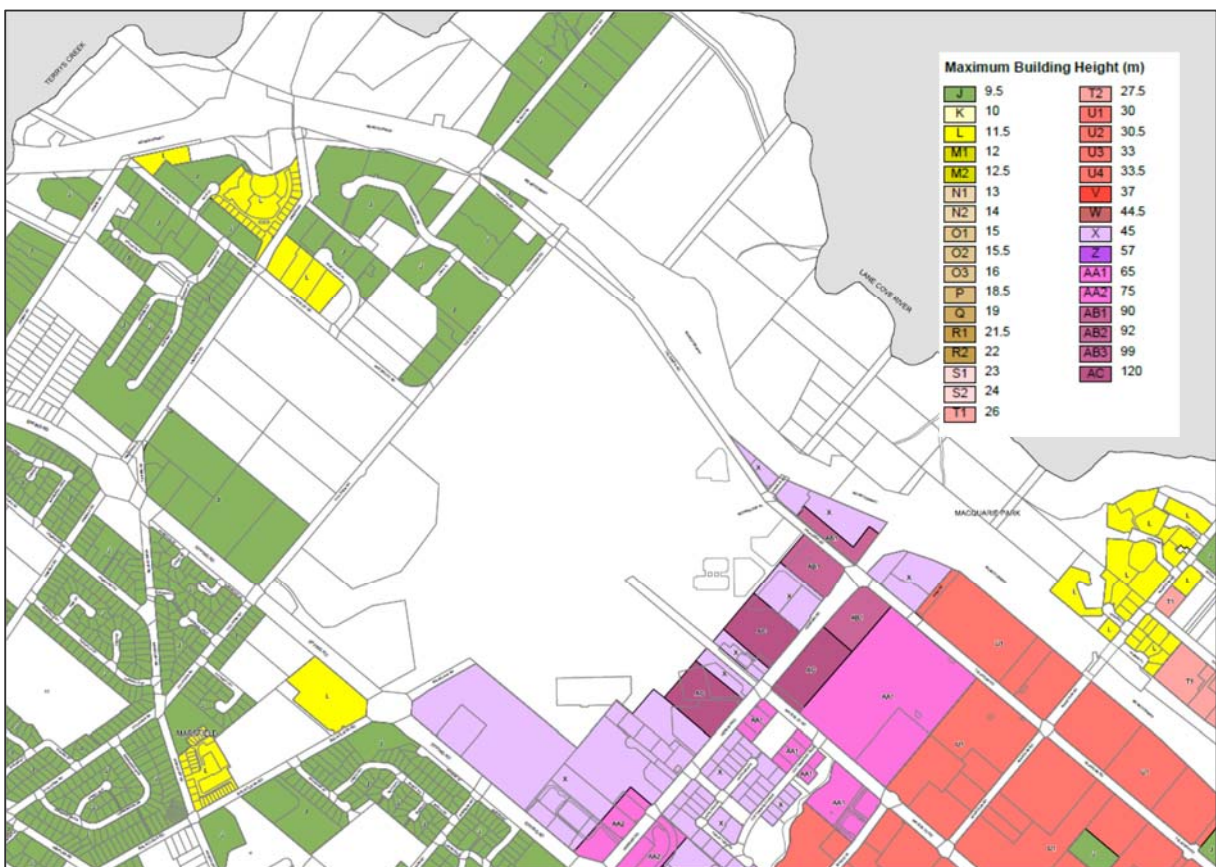


Figure 13 | Height Control Map (Source: Ryde LEP)

The Department considers that the increased GFA for Precinct D and the changes to the distribution of the GFA for commercial, academic and Precinct D can be supported and reflect those already endorsed under the rezoning. The Department also accepts that the campus can accommodate the increase in academic GFA, which would primarily be located within the Academic Core, as the transport and traffic impacts can be managed (refer to **Section 6.3**) and the development would be guided by the Design Excellence and Urban Design Guidelines (design guidelines). The design guidelines establish the design parameters for future development, including identifying development lots that accommodate the additional 95,800sqm. The removal of the caps for the individual precincts to facilitate integration of academic, research and commercial uses to enable collaboration and innovation and improved learning outcomes is also considered appropriate.

Accordingly, the Department recommends that the terms of the concept plan approval in relation to GFA are amended as follows:

A3 Gross Floor Area

- (1) *The maximum additional gross floor area for academic use across the Macquarie University campus must not exceed 157,000sqm.*
- (2) *The maximum additional gross floor area for commercial use across the Macquarie University campus must not exceed 400,000sqm.*
- (3) *The maximum total gross floor area for Precinct D must not exceed 171,000sqm. If the maximum gross floor area is not achieved in Precinct D, it can be redistributed elsewhere on the Macquarie University campus but Precinct D must not exceed a total of 171,000sqm (inclusive of existing gross floor area in Precinct D).*
- (4) *The maximum floor space ratio for any building on land identified within Macquarie University Concept Plan MP 06_0016 Floor Space Ratio Map 004 is not to exceed the floor space ratio shown for the land.*

A8 Building Height

The maximum height of any building on land identified within Macquarie University Concept Plan MP 06_0016 Height of Buildings Map 003 is not to exceed the maximum height shown for the land.

6.2 Urban design

The design excellence guidelines are required to address the following matters as per modification B4 Design Excellence and Urban Design Guidelines of the concept plan approval as follows:

- (1) *The Design Excellence Strategy and Urban Design Guidelines to be prepared (as referred to on page 5 of the Statement of Commitments) are to have regard to Macquarie Park Corridor DCP.*
- (2) *The Design Excellence Strategy and Urban Design Guidelines are to be prepared in consultation with Council and include provision for the accommodation of car parking in the basement of new buildings, including details in relation to the achievement of activated frontages, and details related to the provision of bicycle paths and associated facilities.*
- (3) *The Design Excellence Strategy and Urban Design Guidelines for Precinct E are to specifically address pedestrian crossing from the Macquarie Park railway station to the Academic Core, creating active frontages around the station particularly after hours, and integration of station services buildings into design of new buildings around the station plaza.*
- (4) *The Design Excellence Strategy and Urban Design Guidelines are to indicate the extent of setbacks required by the RTA. Such guidelines to be prepared in liaison with the /RTA, having*

regard to the micro simulation modelling and the extent of setback required to achieve additional capacity improvements and bus priority.

- (5) *The Design Excellence Strategy and Urban Design Guidelines are to be submitted for approval by the Department of Planning prior to the or with the first application for new building works within each precinct.*

The Design Excellence Strategy and Urban Design Guidelines were previously approved for Precinct E and submitted for the remainder of the University campus. A consolidated version has been submitted to the Department with the modification request. The consolidated version includes the amended built form controls identified in Ryde LEP and the proposed relaxation of the designation of uses to specific precincts.

The Department and the Government Architect NSW (GANSW) have reviewed the design guidelines and are generally supportive as the guidelines generally align with the provisions in Ryde LEP, as relevant to the campus, and also with Council's DCP provisions for the Macquarie Park Corridor. The proposal to concentrate scale and density at a key transport hub and to use this scale to landmark the main campus entry is also supported.

Notwithstanding the support for the overall vision, the Department and GANSW noted that the design guidelines do not satisfactorily:

- address design excellence, including competitive design process or design review programs, as it common practice for any development of the scale and prominence proposed for precincts D and E.
- address the potential disparity of scale and built form and incompatible typologies and uses as the modification seeks to allow flexibility for the redistribution of additional GFA across the campus.
- provide built form controls in relation to typology, building dimensions, separation, frontage controls and subsequently no requirements to establish a 'finer grain' at the ground plane for the large footprints of the development lots.
- consider potential environmental impact of proposed increases to height and building bulk, particularly on the Herring Road frontages or the railway station forecourt (i.e. overshadowing, wind turbulence).
- establish sustainability requirements as measures are generally discretionary and measures such as water re-use storage are proposed to be removed.

The Department and GANSW requested that the design guidelines be refined to:

- establish design excellence requirements for Lots D01 to D05 and E09 to E11 comprising competitive design processes and formal design review.
- include an indicative Land Use Plan, identifying areas best suited for particular uses, and principles to guide distribution of uses, particularly areas of potential incompatibility.
- 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).
- include provisions for mitigating environmental impacts of large scaled development including, but not limited to, wind turbulence, overshadowing and noise management.
- include opportunities for through site links, particularly where lot dimensions exceed 70m.
- include mandatory provisions for water detention, water re-use and water re-use storage.

The Proponent provided revised design guidelines in the RtS that generally responded to matters raised. However, the Proponent advised that it has developed a Campus Development Strategy - Design Procurement and does not consider competitive design processes appropriate for the campus as adequate strategies exist, including the State Design Review Panel, to promote and encourage good design.

The Department and GANSW acknowledges that the University has design review procedures in place for new development on campus, however, as development within Precincts E and D would be of a significantly greater scale than existing buildings on the campus, and with a more significant impact on the public domain, it would be appropriate that specific Design Excellence provisions be mandated. Further, no detailed provisions or metrics have been provided to ensure that the built form would be of a suitable design quality in keeping with a transport interchange and campus gateway. Whilst the Proponent has stated that State Design Review Panel would provide a means to ensure design excellence, this process is only available to State significant development. Therefore, the Department recommends that B4 Design Excellence and Urban Design Guidelines be modified prescribing specific Design Excellence provisions for development of lots E10 and E11 (design competition or alternative design process) given the important public domain interface of these lots and the scale of development envisaged for these lots.

The provisions within the guidelines for the lots that form the edges to the major public forecourt around the railway station should also provide further consideration of public amenity (for example provision of awnings and colonnades), and the design guidelines should be updated to identify the need to address this issue in the future design of buildings at these locations. The Department also recommends that overarching design principles around height, depth, building separation and horizontal dimensions, including dimensional limits, should still be provided within the design guidelines and has included a requirement that the design guidelines be updated to the satisfaction of GANSW within four months of approval of the modification request.

As the design guidelines may need to be updated from time to time, the Department has included a requirement that the revisions are documented and submitted to the Department. An additional term of approval requiring the Proponent to update the design guidelines as directed by the Planning Secretary has also been recommended, as the Proponent seeks to update management plans and strategies, including the design guidelines, from time to time without requiring approval.

6.3 Transport impacts

The University has revised its student projections and is seeking to increase academic floorspace from 61,200sqm to 157,000sqm to accommodate a projected student increase from 25,200 equivalent full-time student load (EFTSL) in 2031 to 39,766 EFTSL in 2036. The University exceeded the projected EFTSL for 2031 by 2016 with a EFSTL of 28,913 in 2016. The Proponent stated that the proposed modifications would not have any transport or traffic impacts as car parking would be constrained on the site to the maximum approved under the concept plan.

TfNSW advised that the traffic assessment assumes that there would be no additional traffic and transport impacts as there would be no additional on-site parking, but this would only be accurate if the additional student population and associated staff increase utilises 100 per cent non-car modes of transport. The car modal split was measured at 30 per cent in 2014. Therefore, the increased staff and student population would result in additional traffic movements. Whilst the restricted car parking supply would likely further reduce the proportion of car users, TfNSW recommended that the Statement of Commitments and the University Travel Plan be updated to reflect revised modal share targets to maintain estimated traffic generation levels at levels identified in the approved concept plan.

The Proponent has advised that the modal split for journey by car is continuing to decline and was measured at 24 per cent in 2017. Consequently, the projected student increase from 25,200 equivalent full-time student load (EFTSL) in 2031 to 39,766 EFTSL in 2036 would result in less traffic than previously projected.

The Department notes that this would require there to be sufficient sustainable transport facilities to support the assumption that reduction in reliance in private vehicle travel can be sustained. The Department therefore

considers that terms of approval of the concept plan should be modified to amend the non-car mode share target for academic use to reflect the increase proportion of students and staff that would need use non-car modes to maintain the traffic projections in the approved concept plan. The Department recommends that the non-car mode share target for academic use increase from 40 per cent to 62 per cent, which would maintain the EFSTL of approximately 15,120 travelling by car. The revised target would ensure that any future development and the University Travel Plan consider the sustainable transport requirements to support the higher non-car mode share target.

6.4 Administrative modifications

The Proponent has proposed changes to the terms of approval of the concept plan with the insertion of the **bold and underlined** words and deletion of the ~~struck-out~~ words as follows:

B1 Car Parking

- (1) Car parking for commercial uses shall not exceed a maximum rate of 1 space per 80m² of gross floor area ~~across Precincts E and F.~~

Note: variations to the car parking rates could be considered only where it can be demonstrated with certainty that upon completion of **all commercial uses** ~~the full development of Precincts E and F~~ in accordance with the approved Concept Plan, compliance is achieved with the maximum prescribed car parking rate.

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

~~(a) Precincts A, G and 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~~

- (3) New car parking for commercial buildings ~~within Precincts D, E and F~~ shall be located within basements (part of which may be above ground due to the slope of the site) and generally contained within the footprint of the building above. The design of any above ground car parking shall include architectural treatment of the elevations to reduce their visual impact and dominance.

The Department considers the above modifications are administrative changes in response to the relaxation of the precinct specific land use controls. The Department considers the modifications appropriate.

B3 Road Works

- (1) **The outstanding road intersection upgrades in paragraphs (2)(a) and (2)(b) are to be addressed via agreement(s) with the Minister or Council for the relevant road and intersection works, or via a monetary contribution in lieu thereof.** ~~Within 3 months of the date of this approval, or as otherwise agreed to by the Department, indicative timing and staging plans of the above intersection works shall be submitted to the Department. As part of any application that generates the need to undertake the above intersection works, detailed design plans for the relevant intersection upgrade(s) and a commitment to enter into a Works Authorisation Deed (or similar type of agreement) with the RTA, shall be submitted to the Department.~~

The Department recommends that B3(1) be modified to ensure all road upgrades are addressed as follows:

- (1) Indicative timing and staging plans for road intersection upgrades forming part of the concept plan must be addressed via agreement(s) with the Minister or Council for the relevant road and intersection works, or via a monetary contribution in lieu thereof. As part of any application that generates the need for the road intersection upgrades, details demonstrating compliance with any agreement or detailed plans for delivery of the upgrades must be provided.

B5 Setbacks

- (1) An amendment to the Concept Plan is to be prepared in consultation with Council and the RTA, and approved by the Department of Planning, which makes provision for adequate setbacks along Balaclava Road (from Epping Road to University Avenue) and Waterloo Road (from Herring Road to Research Park Drive), to facilitate additional capacity improvements and bus priority, **if identified as being required by the detailed micro-simulation model. If required, the amendment is to be prepared in accordance with the timing approved under the Hearing Hub MP10_0032 approval, as modified** ~~prior to or with the lodgement of the first application for new building works within Precinct E.~~

The Department notes that the Proponent has subsequently received approval from TfNSW and RMS in relation to setback requirements at the University Avenue, Herring Road and Waterloo Road intersection. The Proponent has submitted a copy of the approved plan. The Department recommends that B3(1) be modified to ensure that the road setbacks endorsed by TfNSW and RMS are also endorsed by Council and that any future development adjoining this intersection demonstrates the setback requirements have been met as follows:

- (1) Road setbacks to facilitate additional capacity improvements and bus priority as identified in drawing University Avenue Revised Concept Plan, revision number P4, prepared by TaylorThomsonWhitting, dated 02.06.17, must be endorsed by Council. Any development adjoining the University Avenue, Herring Road and Waterloo Road intersection must demonstrate these setbacks have been adhered to.

The Proponent has also proposed changes to the future assessment requirements with the insertion of the **bold and underlined** words and deletion of the ~~struck-out~~ words in **Table 2**.

Table 2 | The Department’s consideration of amendments to future assessment requirements.

Proposed amendments to future assessment requirements	Department’s consideration
<p>C3 Landscaping</p> <ul style="list-style-type: none"> (1) The Landscape Management Plan referred to on Page 4 of the Statement of Commitments is to be integrated with the Design Excellence Strategy and Urban Design Guidelines referred to in B4 of this approval and is to demonstrate: <ul style="list-style-type: none"> (a) Maintenance of the bush land setting of the site. (b) Achievement of the landscape principles articulated in the Statement of Commitments, and as shown in Figure 26 to the Environmental Assessment Report. (2) The Landscape Management Plan is to be prepared for each precinct, and <u>publicly available on the University’s website prior to or with the first application for new building works in each precinct.</u> submitted for approval prior to or with the first application for new building works within each precinct. 	<p>Appropriate given the revised approach to publish Management Plans required for the concept plan on the University’s website instead of submitting a copy with each development application is supported.</p>

Proposed amendments to future assessment requirements	Department's consideration
<p>C4 Riparian Zone, Flooding and Storm water</p> <p>(1) The Stormwater Management Plan and other various plans referred to on page 6 the Statement of Commitments are to be:</p> <p>(a) Integrated with the Vegetation Management Plan and Threatened Species Plan referred to on page 4 of the revised Statement of Commitments.</p> <p>(b) Revised in accordance with any modifications undertaken as part of this approval.</p> <p><u>A copy of the Stormwater Management Plan, as updated from time to time, shall be published on the University's website.</u></p> <p>(2) AThe Stormwater Management Plan is to be submitted for approval with each application for new building works, as relevant.</p>	<p>Appropriate given the revised approach to publish Management Plans required for the concept plan on the University's website instead of submitting a copy with each development application is supported.</p>
<p>C6 Flora and Fauna</p> <p>(1) The Vegetation Management Plans, the Threatened Species Plan, and the Weed Management Plan referred to on page 4 of the Statement of Commitments shall detail responsibility for each action, and shall include on going measures. <u>A copy of the Plans shall be published on the University's website.</u></p> <p>(2) A copy of the Plans shall be submitted with each application for building works.</p> <p>(3) All future development is to be undertaken in accordance with the 'Guidelines for Development Adjoining Department Of Environment and Conservation Land' by DECC dated August 2006.</p>	<p>Appropriate given the revised approach to publish Management Plans required for the concept plan on the University's website instead of submitting a copy with each development application is supported.</p>
<p>C8 Environmental Management and Contamination</p> <p>(1) The hazardous material audit, <u>a Phase 1 contamination assessment</u> and a targeted Phase 2 intrusive contamination assessment <u>(if required)</u> referred to on page 2 of the Statement of Commitments is to be prepared be submitted for approval with each application for building works, <u>as relevant to the scope of the proposal.</u> based on an assessment on a precinct by precinct basis.</p>	<p>Acceptable as a contamination assessment for each individual development is considered to be an acceptable approach.</p>
<p>C13 Construction Staging</p> <p>(1) A Staging Plan including details of proposed bulk earth works must be submitted for approval with the first application for new building works within each precinct.</p> <p>(2) The Staging plan is also to address those matters identified in C10 above.</p> <p>(3) A Construction Management Plan, an Erosion and Sedimentation Plan, and a report detailing the existing geological conditions of each development site (within the relevant precinct), and any potential geological impacts of development consistent with the Concept Plan must be submitted with any application for the development of the particular precinct or site and is to be integrated with any Vegetation Management Plan and Threatened Species Management Plan referred to on page 3 and 4 of the revised Statement of Commitments; and integrated with the Staging Plan referred to in C1 of this approval.</p>	<p>Acceptable as staging is likely to change given the life of the concept plan and mandating a staging plan for precincts would provide no significant value.</p>

C15 Agency and Council Agreements

- (1) ~~An Agreement~~ **(s) are** ~~is~~ to be made with the **Minister** RTA for relevant road and intersection works nominated **under Conditions B3(2)(a) and B3(2)(b)** prior to or with the first application for new commercial floor space on the site. **Alternatively, an Agreement is to be made with the Minister for the provision of a monetary contribution in lieu of the upgrade of these intersections.**
- (2) **Where appropriate,** The agreement **(s)** referred to in (1) above **are** ~~is~~ to provide details on the staging for the road based infrastructure provision **or the provision of a monetary contribution, as the case may be** outlined in Condition B3(1) as well as the construction of **the shared use path referred to in (6) below** ~~missing cycleway connections on Epping Road~~ and details of appropriate bus priority measures to be implemented throughout the University.
- (3) Proposed road works/significant intersections modifications along the classified road network and local street network, as identified within the agreement referred to in (1) above, are to be designed to meet the **RMS** RTA standards and endorsed by a suitably qualified and chartered engineer, and approved by the Department of Planning.
- (4) The agreement **(s)** referred to in (1) above **are** ~~is~~ to include provision for a Works Authorisation Deed for any works referred to in the agreement as may be required by the **RMS** RTA. The Proponent to be responsible for all public utility adjustment/relocation works and all works/regulatory signposts associated with the proposed development shall be at no cost to the **RMS** RTA.
- (5) ~~An Agreement~~ **(s) are** ~~is~~ to be made with Council for the provision of development contributions and/or agreed works in kind required for the development of the site, prior to, or with the first application for new floor space on the site.
- (6) Agreement(s) are to be made with Council for the construction of the shared use path on Epping Road, or the provision of a monetary contribution in lieu of the construction of the shared use path on Epping Road in accordance with the terms of the offer dated November 2017 made by the Proponent to Council.**

Generally acceptable except C15(2) as it duplicates other requirements and has been deleted. Staging and bus priority requirements have been incorporated into C15(1).

6.5 Other Issues

The Department's consideration of other issues is provided at **Table 3**.

Table 3 | Department's assessment of other issues

Issue	Findings	Recommended Modifications
Revisions to Plans (such as Vegetation Management Plan, Stormwater Management Plan, etc)	The Proponent intends on updating plans, strategies and documents submitted for approval and endorsed from time to time. To avoid requiring approval of all changes, such as administrative changes given the timeframe of the concept plan, any documents that are revised must be supported by a description of the amendments and submitted to the Planning Secretary. The Planning Secretary can then review whether the changes require any further approval.	An additional term of approval has been recommended allowing the Planning Secretary to direct the Proponent to update any guidelines, strategy, study, system, plan, program, review, notification, report or correspondence submitted under or otherwise made in relation to this approval.
Revised Statement of Commitments	The Statement of Commitments have been modified to clarify responsibility for endorsing documents, timing and plans to be submitted to address the commitments. These have also been updated to reflect the proposal to publish endorsed documents and plans on the University's website instead of re-submitting with every application.	The Department has recommended the revised Statement of Commitments be referenced as part of the modified approval and no further amendments are necessary.
Term of Approval A5 Approval authority	<p>The terms of approval currently stipulate that: <i>in the event that the Council is the consent authority for any future applications on the site, any reports specified in the Statement of Commitments to be submitted to the Director General for approval, shall be instead be required to be approved by the Council.</i></p> <p>The Statement of Commitments have been modified to clarify responsibility for endorsing documents and plans submitted to address the commitments as well as timing.</p>	The Department has recommended that the term of approval be deleted as the Statement of Commitments have been revised to provide clarity regarding who would be the relevant authority for the required documents and relevant timing.
Development Contributions	The existing planning agreement with Council for development contributions identifies development contributions for commercial floorspace and student housing. Academic related floorspace is exempt from development contributions. No additional commercial floorspace or student housing is being sought and therefore the existing planning agreement with Council does not need to be revised.	The Department considers no additional terms of approval or amendments are necessary.



7. Evaluation

The Department has assessed the modification application and supporting information in accordance with the relevant requirements of the EP&A Act. The Department has considered the key issues associated with the modification request to ratify height and floorspace amendments resulting from the approved Herring Road Priority Precinct, increase academic floorspace from 61,200sqm to 157,000sqm, remove restrictions capping floorspace to certain precincts, increase student population projections to the year 2036, modify terms of approval, amend the Statement of Commitments and consolidate Design Excellence Strategy and Urban Design Guidelines.

The modifications are considered acceptable as the modifications are largely administrative or have minimal environmental impact. The modifications regarding increased academic floorspace and student projections is considered reasonable for the site and timeframe of the concept plan. The revisions and consolidation of the Design Excellence Strategy and Urban Design Guidelines would generally be appropriate to guide future development that is an appropriate contextual fit within the envisaged urban context, subject to the recommended modifications.

The Department acknowledges that the proposed development would result in an overall increased development intensity, but appropriate terms of approval and future assessment requirements will ensure that associated impacts can be managed and would be further assessed in the subsequent applications for the future development.

The Department's assessment concludes that the concept plan as modified is consistent with current State government policy and directions, including State Priorities, Premier Priorities, *A Metropolis of Three Cities – the Greater Sydney Region Plan*, *Greater Sydney Commission's North District Plan* and *Future Transport Strategy 2056*. The modification would facilitate further development of an education precinct to support additional student demand in a highly accessible location. It is therefore in the public interest and should be approved, subject to modifications.

The Department has recommended additional further assessment requirements to address design excellence, modified non-car mode share targets for academic uses and modified arrangements regarding setback and road work requirements. The Department therefore recommends the modification application be approved, subject to additional modifications to the concept plan.



8. Recommendation

It is recommended that the Director, Social and Other Infrastructure Assessments, as delegate of the Minister for Planning:

- **considers** the findings and recommendations of this report.
- **determines** that the application (MP 06_0016 MOD 1) falls within the scope of section 75W of the EP&A Act.
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to grant approval to the application.
- **modify** the approval MP 06_0016.
- **signs** the attached instrument of modification at **Appendix C**.

Recommended by:

Recommended by:

Megan Fu

A/Team Leader

Social and Other Infrastructure Assessments



9. Determination

The recommendation is: **Adopted by:**

9/11/2018

Karen Harragon

Director

Social and Other Infrastructure Assessments



Appendices



Appendix A – Modification Application

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8741

Appendix B – Submissions

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8741

Appendix C – Recommended Modifying Instrument

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8741