

Modification of Minister's Approval

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

As delegate of the Minister for Planning and Infrastructure under delegation dated 14 September 2011, I approve the modification of the project application referred to in schedule 1, subject to the conditions in schedule 2.

MEMBER OF THE COMMISSION

Sydney

2013

SCHEDULE 1

Project Approval:

MP07_0158 granted by the Minister for Planning and Infrastructure on 16 November 2012

For the following:

University of Sydney Abercrombie Precinct Redevelopment, including:

- site remediation
- lot consolidation and subdivision into two lots for the business school building and student accommodation building
- demolition of all existing structures, except part demolition only of the Faculty of Business and Economics building and reuse reinterpretation of the Joiner's Workshop building façade
- excavation and bulk earthworks across the site for basement and lower ground levels and services
- construction of a new car park, comprising two basement levels for 82 car parking spaces and loading dock facilities
- construction of a four to six storey business school building
- construction of a new three to five storey student accommodation building providing 188 beds
- landscaping and public domain works, including new public plaza/forecourt, through-site-link and retention of Sydney Blue Gum and retention and/or relocation of Crows Ash trees
- ancillary works, including utilities servicing and minor works to Darlington Public School.

Modification Number:

MP07_0158 MOD 2:

- modifications to the design of the business school building and associated landscaping, public domain and vehicle access arrangements.

SCHEDULE 2 CONDITIONS

- Delete condition A2 and replace with the following:

Development in Accordance with Plans and Documents

A2. The proponent shall carry out the project generally in accordance with the:

- (a) Environmental Assessment titled *Abercrombie Precinct Redevelopment Project Environmental Assessment*, prepared by *PJEP Environmental Planning Pty Ltd*, dated March 2011;
- (b) Project Report titled *Preferred Project Report and Response to Submissions, The University of Sydney, Abercrombie Precinct Redevelopment*, prepared by *JBA Planning*, dated April 2012 (amended July 2012);
- (c) Section 75W Modification titled *Section 75W Modification Project Approval (MP07_0158), Abercrombie Precinct Redevelopment, University of Sydney*, prepared by *McKenzie Group Consulting Planning*, dated August 2013;
- (d) Response to Submissions titled *Response to Submissions Section 75W Modification Application (MP07_0158 MOD 2)*, prepared by *McKenzie Group Consulting Planning*, dated October 2013;
- (e) The following drawings, except for:
 - (i) any modifications which are Exempt or Complying Development;
 - (ii) as may be necessary for the purpose of compliance with the BCA and any Australian Standards incorporated in the BCA; or
 - (iii) otherwise provided by the conditions of this approval.

Architectural (or Design) Drawings prepared by KANNFITCH and NETTLETON TRIBE			
Drawing No.	Revision	Name of Plan	Date
A1001	E	SITE ANALYSIS	18/07/13
A1003	E	EXTENT OF WORKS	18/07/13
A1004	A	EXISTING SUBDIVISION PLAN	13/04/12
A1005	B	EXISTING SITE & DEMOLITION	12/07/12
A1006	B	PROPOSED SITE OVERVIEW	12/07/12
A2200	F	PLAN – LOWER GROUND	29/07/13
A2201	F	PLAN – CAR PARK LEVEL	29/07/13
A2202	F	PLAN – GROUND FLOOR	29/07/13
A2203	F	PLAN – MEZZANINE	29/07/13
A2204	F	PLAN – LEVEL 01	29/07/13
A2205	F	PLAN – LEVEL 02	29/07/13
A2206	F	PLAN – LEVEL 03	29/07/13
A2207	F	PLAN – LEVEL 04	29/07/13
A2208	F	PLAN – LEVEL 05	29/07/13
A2209	F	PLAN – ROOF	29/07/13
A2210	F	PLAN – BASEMENT	29/07/13
A3000	F	RENDERED ELEVATIONS – ABERCROMBIE STREET	29/07/13
A3001	F	RENDERED ELEVATIONS – CODRINGTON STREET & DARLINGTON LANE	29/07/13
A3002	F	RENDERED ELEVATIONS – WEST ELEVATION FACING SCHOOL	29/07/13
A3100	F	SECTIONS A & B	29/07/13
A3101	F	SECTIONS C & D	29/07/13
A9000	D	FINISHES – MATERIALS/USBS	04/12/13
TTW-BUS-CIV-SKT-110	P1	DARLINGTON LANE KERB AND PAVEMENT WORKS	03/10/13
MCG-BUS-LDS-DWG	N/A	SUBSTATION PLAN AND DARLINGTON LANE ELEVATION	N/A

A9001	B	FINISHES – MATERIALS / STUDENT HOUSING	12/07/12
4001_DA01	D	GROUND FLOOR PLAN	12/07/12
4001_DA02	D	LEVEL 1 PLAN	12/07/12
4001_DA03	D	LEVEL 2 PLAN	12/07/12
4001_DA04	D	LEVEL 3 PLAN	12/07/12
4001_DA05	D	LEVEL 4 PLAN	12/07/12
4001_DA07	C	ELEVATIONS	11/05/12
4001_DA08	C	SECTIONS	12/07/12
4001_DA10	A	BASEMENT PLAN	13/07/12

- Delete condition B5 and replace with the following:

Design Modifications

B5. In order to minimise amenity impacts on Mandelbaum House, the louvres of the business school building facade fronting Mandelbaum House are to be fixed to minimise overlooking and privacy impacts on the adjacent residential college. Details are to be submitted to the satisfaction of the PCA and referred to the department for its information prior to the certification of Crown Building Works for above ground works.

- Delete condition B9 and replace with the following:

Educational Facility Green Star Rating

B9. To ensure that ecologically sustainable development initiatives are implemented in the project, a 5 star sustainability rating under the Green Star – Education v1 rating tool shall be targeted. Details are to be identified in relevant construction plans and management plans to the satisfaction of the PCA.

- Delete condition B14 and replace with the following:

Number of Car and Bicycle Parking Spaces

B14. The number of car spaces to be provided for the development shall comply with the table below. Details confirming the parking numbers shall be submitted to the satisfaction of the PCA prior to the certification of Crown Building Works.

Car/Bicycle Parking Space Allocation	Number
Car Parking Spaces	82
Business School Building Bicycle Parking Spaces	383
Student Accommodation Building Bicycle Parking Spaces	31

- Insert the following new condition B25 after condition B24:

Business School Building Landscape Plan

B25.

- (a) A detailed landscape plan, drawn to scale, by a qualified landscape architect or landscape designer, must be submitted to and approved by council prior to the certification of Crown Building works for above ground works. The plan must include:
 - (i) Location of existing and proposed structures on the site including existing trees (if applicable);

- (ii) Details of earthworks including mounding and retaining walls and planter boxes (if applicable);
 - (iii) Location, numbers and type of plant species;
 - (iv) Details of planting procedure and maintenance; and
 - (v) Details of drainage and watering systems.
 - (b) The landscape plan must also provide details for the establishment of a green roof between level 4 and the roof level.
 - (c) Prior to construction, a maintenance plan is to be submitted to and approved by the PCA. The maintenance plan is to be complied with during occupation of the property.
 - (d) All landscaping in the approved plan is to be completed prior to occupation or commencement of use of the business school building.
- Insert the following new condition B26 after new condition B25:

Public Domain Plan

B26. The design of the public domain must be further resolved in consultation with council officers and all other relevant stakeholders to satisfactorily address the following:

- (a) Footway finishes and the delineation and design of the public plazas adjoining it;
- (b) The footway adjoining the private landscape in Darlington Lane at the western end of the site must be designed with respect to accessibility issues. Changes in height along the edge of the public footway are to be design and certified as being compliant with the relevant Australian Standard with certification submitted to council prior to the certification of Crown Building Works for the public domain;
- (c) The stormwater gardens proposed in Codrington Street must be designed in consultation with council's engineers and approved prior to construction.

Three copies of a detailed Public Domain Plan must be prepared by suitably qualified architect, urban designer or landscape architect and must be lodged with council's Public Domain Section and approved by council prior to the certification of Crown Building Works for the public domain.

The Public Domain Plan must be prepared in accordance with council's Public Domain Manual. The works to the public domain are to be completed in accordance with the approved plan and Public Domain Manual before occupation or commencement of use of the business school building, whichever is earlier.

Note: A Public Domain Works Guarantee deposit will be required in accordance with council's adopted fees and charges and the Public Domain Manual. The Public Domain Works Guarantee must be submitted as an unconditional bank guarantee in favour of council as security for completion of the obligations under this consent.

Council's Public Domain section must be contacted to determine the guarantee amount prior to lodgement of the guarantee. The guarantee must be lodged with council prior to a road opening permit for works on the public way being issued.

The Bank Guarantee will be retained in full until all Public Domain works are completed and the required certifications, warranties and works-as-executed documentation are submitted and approved by council in writing. On satisfying the above requirements, 90% of the total securities will be released. The remaining 10% will be retained for the duration of the specified effects Liability Period.

- Insert the following new condition B27 after new condition B26:

Public Domain Works – Hold Points and Handover

B27.

- Prior to commencement of public domain works, a set of hold points for approved public domain and civil construction work are to be determined with and approved by council's Public Domain section in accordance with council's Public Domain Manual.
- Completion and handover of the constructed public domain works is to be undertaken in accordance with council's Public Domain Manual, including requirements for as-built documentation, certification and defects liability period.

- Insert the following new condition B28 after new condition B27:

Alignment Levels

B28.

- Prior to the commencement of works, footpath alignment levels for the building must be submitted to council for approval. The submission must be prepared by a registered surveyor and must be in accordance with council's Public Domain Manual.
- The alignment levels approved by council are to be incorporated into the plans submitted to the PCA.
- If a Public Domain Plan condition applies to the development, the Alignment Levels application must be made concurrently with the submission of a Public Domain Plan.

- Delete condition D9 and replace with the following:

Protection of Trees

D9.

- All trees on the Subject Site that are not approved for removal are to be suitably protected by way of tree guards, barriers or other measures as necessary are to be provided to protect root system, trunk and branches, during construction.
- Before the commencement of works, a/the Tree Protection Zone/s (TPZ) must be established around all tree/s to be retained not less than the distance indicated in the TPZ schedule below. Tree protection must be installed and maintained in accordance with the Australian Standard 4970 Protection of Trees on Development Sites.

TPZ Schedule

Tree No.	Species Name	Location	Radius (m) from trunk
1x	<i>Eucalyptus saligna</i> (Sydney Blue Gum)	Eastern end of the block bounded by Rose Street, Codrington Street and Boundary Lane	12 m
5x	<i>Flindersia australis</i> (Crow's Ash)	Adjacent to the western elevation of Mandelbaum House	4 m

- Insert the following new condition C21 after condition C20:

Stormwater Drainage – Major Development

C21. On-site detention, treatment and re-use is encouraged.

- (a) Prior to construction, details of the proposed stormwater disposal and drainage from the development including a system of on-site stormwater detention in accordance with council's standard requirements and details of the provision and maintenance of overland flow paths must be submitted to and approved by council. All approved details for the disposal of stormwater and drainage are to be implemented in the development.
- (b) Any proposed connection to the council's underground drainage system will require the owner to enter into a Deed of Agreement with the council and obtain registration on Title of a Positive Covenant prior to construction and prior to the commencement of any work within the public way.
- (c) The requirements of Sydney Water with regard to the on-site detention of stormwater must be ascertained and complied with. Evidence of the approval of Sydney Water to the on-site detention must be submitted prior to construction.
- (d) An "Application for Approval of Stormwater Drainage Connections" must be submitted to the council with the appropriate fee at the time of lodgement of the proposal for connection of stormwater to the council's drainage system.

- Insert the following new condition C22 after new condition C21:

Preservation of Survey Marks

C22. All works in council's streets must ensure the preservation of existing permanent survey marks (a brass bolt, or a lead plug holding a brass tack, covered by a cast iron box).

At least forty-eight hours prior to the commencement of any works in the public way within 1 metre of a permanent survey mark contact must be made with council's Project Manager Survey / Design Services to arrange for the recovery of the mark.

Prior to construction, a survey plan, clearly showing the location of all permanent survey marks fronting the site and within 5 m on each side of the frontages must be submitted to council.

At least forty-eight hours prior to the commencement of any works in the public way within 1 m of a permanent survey mark contact must be made with council's Senior Surveyor to arrange for the recovery of the mark.

A fee must be paid to council for the replacement of any permanent survey mark removed or damaged in accordance with council's Schedule of Fees and Charges (Reinstatement of Survey Box).

- Delete condition G1 and replace with the following:

Educational Facility Green Star Rating

G1. The project shall implement operational and design measures to target a 5 Star – Education v1 rating.

- Insert the following new condition G10 after condition G9:

Darlington Lane Road Network Arrangements

G10. Within six months of the commencement of use of the business school building, a separate application must be made to council's City Infrastructure and Traffic Operations Unit for the change to the road network.

Note: Details on the information required to be submitted as part of this application and the process which is required to be undertaken is available from council's Traffic Operations team.

- Delete Schedule 3 Statement of Commitments and replace with the following:

SCHEDULE 3

Subject	Commitments	Timing
Design	The proposed development (New Business School and Student Accommodation) will be constructed in accordance with the plans. The plans will be amended to incorporate the response to submissions.	Ongoing upon approval
Subdivision	A final plan of subdivision and a Section 88B instrument will be submitted prior to occupation of the building	Prior to issue of an Occupation Certificate (or equivalent certification)
Site Contamination	A Remediation Action Plan has been prepared in accordance with the recommendations of the Phase II Environmental Assessment prepared by WSP Environment & Energy (Remedial Action Plan, Abercrombie Precinct Redevelopment, Darlington, updated 18 June 2013).	Prior to issue of an Occupation Certificate (or equivalent certification)
Works at Darlington Public School	The University will continue to work with Darlington Public School on the detailed design and location of works to be undertaken on and adjoining the school site.	Prior to issue of an Occupation Certificate (or equivalent certification)
Consultation with Mandelbaum House	The University will continue to work with Mandelbaum House to address security concerns at ground level, and treatments to address concerns surrounding residents' privacy.	Prior to issue of an Occupation Certificate (or equivalent certification)
Vehicular Access and Pedestrian Safety	The University will adopt the pedestrian safety measures outlined in Arup's statement titled 'Response to Comments from Planning NSW' and dated July 2012.	Prior to issue of an Occupation Certificate (or equivalent certification)
Construction Noise	Construction noise will be managed in accordance with the recommendations of: ▪ Noise Impact Statement - Prepared by Marshall Day - Dated February 2012 ▪ Preliminary Construction Management Plan - Prepared by the University of Sydney - Dated February 2012 - The Marshall Day Acoustics statement is supported by an acoustic logic statement dated July 24 2013, confirming that the original statement is still valid. ▪ Construction Noise & Vibration Management Plan - Prepared by Marshall Day Acoustics for John Holland - Dated 11 July 2013 - Approved by the Director-General 18 July 2013 to satisfy Condition C12 of the Project Approval	Throughout the duration of construction works
Relocation of the Shepherd Centre	The Shepherd Centre will be relocated and operational off-site, subject to negotiation of an agreement between both parties and the obligations of the lease arrangement.	Prior to demolition of the Shepherd Centre
Boundary Lane Children's Centre	A new childcare centre will be provided to replace the existing childcare centre on the site. The new childcare centre will have the same capacity as the existing centre.	Prior to demolition of the Childcare Centre
Non-Indigenous Archaeology	The recommendations put forward in the Non-Indigenous Archaeological Assessment prepared by Casey & Lowe Pty Ltd and dated November 2007 (Supported by Casey & Lowe Statement Dated 30 July 2013 confirming report is still valid) will be undertaken.	Prior to issue of an Occupation Certificate (or equivalent certification)
Tree Protection	Trees to be retained will be protected in accordance with AS4970-2009 and the recommendations of: ▪ Arboriculture Impact Report - Prepared by Landscape Matrix Pty Ltd. - Dated 5 April 2012 ▪ Addendum to Tree Retention & Protection Plan - Prepared by Landscape Matrix Pty Ltd. - Dated 30 July 2013	Throughout the duration of construction works

Subject	Commitments	Timing
Landscaping	The Sandstone kerbing will be retained and reused on the site as part of the landscaping design	Prior to issue of an Occupation Certificate (or equivalent certification)
Environmentally Sustainable Design	The proposed development will include self-evaluation of the project using Green Star Education v1 tool, implementing all reasonable and feasible measures to target a 5 Star Green Star rating with the Green Star Education v1 design calculator.	Prior to occupation of the building
Wind	The University will undertake the wind mitigation measures outlined in the Pedestrian Wind Environment Statement prepared by Windtech and dated February 2012.	Prior to issue of an Occupation Certificate (or equivalent certification)
Environmental & Construction Management	The following Management Plans will be issued prior to the commencement of construction: ▪ Waste Environmental Control Plan ▪ Soil & Water Environmental Control Plan ▪ Contamination Environmental Control Plan ▪ Air Quality & Visual Amenity Environmental Control Plan ▪ Construction Traffic Management Plan ▪ Construction Management Plan	Prior to the commencement of construction
Flood Study	The University will undertake a flood study and implements its recommendations prior to commencement of any works. The University will continue to work with Darlington Public School to develop an appropriate Stormwater Management Plan to protect the school building assets from stormwater discharge and flooding. The Flood Study to be provided prior to the certification of drainage and stormwater designs.	Prior to issue of an Occupation Certificate (or equivalent certification)