

10070
3 March 2010

Sam Haddad
Director General
Department of Planning
22 - 33 Bridge Street
SYDNEY NSW 2000

Attention: Daniel Keary

Dear Mr Haddad

PART 3A REQUEST FOR MINISTER'S DECLARATION AUSTRALIAN HEARING HUB PROJECT

We write on behalf of Macquarie University (the proponent) regarding a Part 3A Project Application for the development of a new purpose-built research, training, teaching and learning facility in hearing, hearing-related speech, language, and reading disorders at University Avenue within the Macquarie University Campus at North Ryde (the proposal). The proposal is known as the 'Australian Hearing Hub'.

The purpose of this letter is to seek a declaration by Order of the Minister in accordance with s75B(1) of the *Environmental Planning & Assessment Act, 1979* (the EP&A Act) that the Proposal is a project to which Part 3A of that Act applies.

Should the Minister form the above opinion, we request that the Director General issue the requirements (DGRs) as to the level and scope of the necessary documentation and assessment for the preparation of an Environmental Assessment to accompany a Project Application for the proposal.

To support the request for the Director General's requirements relating to the environmental assessment, this letter also forms a Preliminary Environmental Assessment relating to the proposal. The Preliminary Environmental Assessment provides detail on the site location and an outline of the project, its background, and identifies the key likely environmental and planning issues associated with the proposal.

1.0 BACKGROUND

As you would be aware, the Minister for Planning approved the Macquarie University Campus Concept Plan on 13 August 2009, subject to conditions. The State Significant Site listing of the Campus under Schedule 3 of the Major Development SEPP was also subsequently gazetted on 11 September 2009.

Issues and matters concerning the conditions of approval and the approved Statements of Commitment are dealt with in greater detail below in the sections addressing development controls and permissibility, as well as in the preliminary environmental assessment.

2.0 SITE DESCRIPTION

The proposal is located at the current junction of University Avenue and Macquarie Drive within the north-western extremity of 'Precinct E – Station South' of the Macquarie University Campus, as shown in the approved Concept Plan (see **Figure 1**). The development site has an area of about 1 ha and is generally irregular in shape. The proposed street address of the proposal is 21 University Avenue.

The site is currently occupied by existing multi-deck carparks W1 and W2 and C1. These car parks (and other similar multi-deck parking structures within Precinct E and elsewhere) are proposed to be removed from this part of the University and be consolidated to 3 or 4 locations peripherally around the Academic Core (as part of separate applications). A Development Application for a temporary car park (at vacant University land at Culloden Road) to accommodate parking lost to the demolition of these structures is presently before Ryde City Council and is anticipated to be approved shortly. The demolition of car parks W1, W2 and C1 will be undertaken separately to this project application through Development without Consent provisions under the Infrastructure SEPP.

The proposed development site is immediately to the south of the new Macquarie University Library (presently under construction), and sits to the north-west of the new Cochlear Global Headquarters development (also presently under construction). Multi-deck carparking structures sit to the east of the Australian Hearing Hub site. The existing Gumnut Cottage childcare facility sits to the south of the site.

The site is owned by Macquarie University, with future users / occupiers of the building being tenants under lease to Macquarie University. The range of uses and tenants is described below.

3.0 THE PROJECT

The Australian Hearing Hub project will be a unique, world-class facility for research, training, teaching and learning in hearing, hearing-related speech, language, and reading disorders. It will bring together key University groups and major organisations involved with hearing technology and services to allow collaboration in local and extended global partnerships in hearing and cognitive sciences, neurosurgery, special education, and electronic engineering. Given the location of Cochlear's new global headquarters directly to the south of the Australian Hearing Hub site, this will form a major centre for research, training, and manufacturing of audiology-based technologies in Australia.

The project involves site preparation works including road realignment, and the construction of a 6-storey building with two levels of basement parking for some 300 vehicles. Vehicular and pedestrian access to the building is principally proposed off University Avenue. A summary of the project is provided in the **Table 1** below.

Table 1 - Summary of Project

Australian Hearing Hub	
Land use	Principally educational (research / training/ teaching / learning) with ancillary commercial and retail uses
Height	Approx. 27m / 6 storeys
GFA	Approx. 24,000 m ²
Potential operational jobs	Approx. 285
Car Parking	Approx. 300 spaces



Figure 1 – Precinct E – Station South

The GFA is generally distributed as shown in **Table 2** below.

Table 2 – GFA distribution / area summary

Proposed use allocation	Approx. GFA
Hearing-related organisations	7,500m ²
Macquarie University faculties	7,500m ²
Non-hearing but co-related health services	6,500m ²
Medical professionals' suites	250m ²
Shared research and teaching spaces and other ancillary floorspace	2,250m ²
TOTAL	24,000m²

At present, prospective key tenants and occupiers of space include:

- Australian Hearing;
- Cochlear;
- Sydney Cochlear Implant Centre;
- Macquarie University Faculty of Human Sciences, including areas concerned with Audiology, Linguistics, Speech Pathology, and Micro-Neuro Surgery; and
- Not-for-profit organisations such as the Royal Institute for Deaf and Blind Children, the Shepherd Centre, the Motor Neuron Association, MS Australia, the Huntington's Disease Association, the Parkinson's Disease Association, and Alzheimer's Australia NSW.

The building will be designed to achieve a minimum 5-star Green Star rating and minimum 4.5-star NABERS rating.

The attached plans (prepared by Perumal Pedavoli) illustrate the development's proposed envelope and form as well as proposed floor plans and sections. It must be noted that the images of the indicative form of the development are derived from a preliminary model of the scheme which shows the proposal as being 7 storeys in height. These images should be used for indicative purposes only with the knowledge that the scheme is a 6-storey proposal.

The approximate Capital Investment Value of the project is \$106.27 million – see advice provided by Slatery Australia Pty Limited as attached. This will be confirmed prior to the formal lodgement of the application.

The proposal is in part funded by the Commonwealth Government under the Education Investment Fund (EIF) program, and funding allocation is strictly tied to project timing and milestones being able to be demonstrated and achieved. The currently envisaged commencement of construction is beginning of January 2011 with construction to occur over 2011 and the majority of 2012. The building is proposed to be operational in late 2012. It is requested that planning approval be expedited to ensure funding allocations can be guaranteed to in turn facilitate realisation of the project. The forfeit of any external funding would jeopardise the delivery of the project.

It should be noted that the project is at present confidential.

4.0 MAJOR DEVELOPMENT SEPP 2005

Clause 6 of the Major Development SEPP provides that development in the opinion of the Minister is development of a kind referred to in Schedule 1 (Classes of development) and Schedule 2 (specified sites) is declared to be a project to which Part 3A of the EP&A Act applies.

Clause 19 of Schedule 1 of the Major Development SEPP identifies the following development as being a Part 3A Major Project:

19 Medical research and development facility

Development for the purpose of health, medical or related research (which may also be associated with the facilities or research activities of a NSW Government Area Health Service, a University or an independent medical research institute) and that:

- (a) has a capital investment value of more than \$15 million, or*
- (b) employs 100 or more people.*

The proposal (as described above) is principally a medical and health-related research facility associated with the facilities and activities of Macquarie University and has a Capital Investment Value in excess of the \$15 million threshold. The proposal will also employ more than 100 people on a full-time basis once operational.

5.0 RELEVANT PLANNING CONSIDERATIONS

As noted above, the Macquarie University Campus was recently rezoned via a Schedule 3 State Significant Site listing under the Major Development SEPP (see Part 21 of Schedule 3). Amongst other things the listing zoned the Campus SP2 – Educational Establishment and B4 Mixed Use. The Australian Hearing Hub project sits entirely within the B4 – Mixed Use zone.

Under the B4 zone, *educational establishments* are permissible with consent. The proposal falls within the definition of an *educational establishment* as it is a development undertaken by a university constituted under an Act that, amongst other things, provides for formal education. The project would also qualify as a *health services facility* (also permitted in the B4 zone with consent), as it will be a building *used as a facility to provide medical or other services relating to the maintenance or improvement of the health, or the restoration to health, of persons or the prevention of disease in or treatment of injury to persons, and includes the following:*

- (a) day surgeries and medical centres,*
- (b) **community health service facilities** (our emphasis),*
- (c) **health consulting rooms** (our emphasis),*
- (d) facilities for the transport of patients, including helipads and ambulance facilities,*
- (e) hospitals.*

The proposal is permitted with consent in the B4 – Mixed Use under the Macquarie University listing under Part 21 of Schedule 3 of the Major Development SEPP.

Further, under the Schedule 3 listing, the relevant planning controls solely relate to a maximum GFA and maximum building height by precinct. The proposal is compliant to both as it (and other recent development) fits well within the cap of 155,000m² for Precinct E (within which it is proposed) whilst the proposed height of about 27m is under the maximum height control of 36m. The proposal's 24,000m² combined with the Cochlear New Global Headquarters approved GFA of 24,343m² allows for some further 107,000m² of GFA within Precinct E.

Under the approved Concept Plan, there are a variety of precinct-specific objectives and general controls with respect to access and circulation, vistas, planting and landscaping, setbacks, and activation. A precinct-wide car parking control (with flexibility on a site-by-site basis as long as the overall rate is achieved) applies. This car parking rate is 1 space per 80m² of GFA. The currently proposed 300 car spaces will satisfy this development control.

More detailed development controls for Precinct E (and for the Australian Hearing Hub parcel) are presently being drafted by Macquarie University to satisfy Condition B4 of the Concept Plan approval. It is envisaged that the project will be generally compliant with these objectives and

controls. It is anticipated that the Precinct E Design Excellence Strategy and Urban Design Guidelines will be submitted either prior to or concurrently within the Project Application for the Australian Hearing Hub. The Environmental Assessment for the Australian Hearing Hub will address compliance with these objectives and controls.

From a strategic planning viewpoint, the project will satisfy all relevant Metropolitan and Sub-regional Strategy objectives with respect to fostering growth and business investment within the Macquarie Park Corridor that aligns with and supports innovation, knowledge and technology. The project is also the first significant step since the approval of the Concept Plan for the University Campus that will seek to create a critical mass of new development to make increased and best use of new Government rail infrastructure.

6.0 KEY ISSUES FOR CONSIDERATION

The key environmental and planning issues for consideration are as follows:

- Compliance with Concept Plan Conditions and Statements of Commitment
- Urban Design
- Social and Economic Benefits
- Public Domain and Landscaping Treatment
- Transport, Traffic and Access
- Construction and Waste Management
- Infrastructure and Services
- Contamination
- Stormwater and Run-off
- Noise and Vibration
- Environmental Sustainability
- Aboriginal Archaeology
- Contributions
- BCA Compliance

These are discussed in more detail below.

6.1 Compliance with Concept Plan Conditions and Statements of Commitment

In approving the Concept Plan, the Minister imposed a variety of conditions which require further action by Macquarie University either prior to, or with, the submission of the first academic or commercial development application within the Campus and/or Precinct E.

The Australian Hearing Hub is the first Major Development submitted since the approval of the Concept Plan, and accordingly Macquarie University is presently preparing a number of strategies, studies or reports to address a range of environmental issues.

It is Macquarie University's intent, in the interest of facilitating the Australian Hearing Hub proposal, to submit as many of these documents as far as they are relevant to Precinct E, and in turn as far as relevant to the Australian Hearing Hub, as soon as possible. Essentially, where the Australian Hearing Hub generates the need, the relevant documentation will be prepared to address the relevant issue.

For the purposes of the Australian Hearing Hub application, Macquarie University will be providing documentation to address:

- Condition B3 – Roadworks: The only potential roadworks and intersection upgrades that may be tied to the Australian Hearing Hub relates to Condition B3(2)(a). This will however be determined by the traffic assessment undertaken as part of the Australian Hearing Hub project. This will also include indicative timing and staging of this work (if relevant);
- Condition B4 – Design Excellence and Urban Design Guidelines: Macquarie University is presently working with Cox on the submission of a Design Excellence Strategy and Urban Design Guidelines for Precinct E. This documentation will be lodged with the Australian Hearing Hub application;
- Condition B5 – Setbacks and Condition C3 - Landscaping: This work is presently under way with Cox as part of the requirements of Condition B4;
- Condition C11 – Child Care Strategy: The Child Care Strategy is a work in progress and will be submitted with the Project Application; and
- Condition C14 – Utilities: Analysis on the servicing needs of the University have already commenced as part of the Concept Plan process. Documentation regarding wider infrastructure issues will accompany the Project Application as well as the project itself addressing its own servicing requirements.

The Australian Hearing Hub project in turn will also address all relevant environmental issues as identified by the Concept Plan's approval and the its Statement of Commitments to a level of detail commensurate with the Project Application.

6.2 Urban Design

The Environmental Assessment report will analyse the proposed built form and outline how the proposed building envelope is consistent with Concept Plan and the relevant details of the Design Excellence Strategy and Urban Design Guidelines for Precinct E presently being completed.

6.3 Social and Economic Benefits

The proposal will have a positive social and economic impact including synergies with teaching and research services offered by Macquarie University. The location of the Australian Hearing Hub project is in direct response to the opportunities of co-locating with Cochlear and the University's applicable faculties within a single campus. The location of the project has distinct advantages to the Sydney Region and Macquarie Park Corridor in providing a further reinforcement of the links between industry and education and the development of innovative businesses within the Macquarie University Campus. This will assist in providing both the subregion and the University with investment potential.

6.4 Public Domain and Landscaping Treatment

The application will provide sufficient graphic and diagrammatic detail to demonstrate how the proposed development will improve upon the existing appearance and level of activity at ground level as well as pedestrian permeability to and through the site and Precinct. A Landscaping Plan will detail proposed interface conditions between the proposal and the adjoining future public domain.

6.5 Transport, Traffic and Access

Transport, traffic and access is a significant issue at the University, particularly through the need to effectively and progressively decant carparking to other parts of the Campus. Similarly, the project will bring new operational traffic onto the site, whilst the staging of construction around the University calendar will be a further issue requiring resolution from the Australian Hearing Hub project's perspective. Accordingly, the application will be accompanied by a Traffic Assessment prepared by a specialist traffic consultant. Specifically the assessment will look at:

- Onsite parking requirements;
- Site access and circulation;

- Impact of generated traffic upon the surrounding local and arterial road network and intersections; and
- Opportunities to encourage public transport usage.

6.6 Construction and Waste Management

A Construction Management Plan (and as relevant supplemented by Statements of Commitment) will be submitted with the application which will deal with the following issues:

- Construction staging;
- Noise;
- Air and water quality;
- Construction waste;
- Construction traffic management;
- Waste Management;
- Pedestrian safety; and
- Site management

6.7 Infrastructure and Services

It is expected that the existing services on the site will need to be augmented to some extent to accommodate the new development. The Environmental Assessment will outline what services currently exist on the site and how these will need to be upgraded. This will be supported by wider Precinct-based and/or Campus based infrastructure consultation and reporting undertaken by Macquarie University.

6.8 Contamination

Although the site is not expected to be highly contaminated, an environmental investigation will be submitted with the application which will satisfy the requirements of SEPP 55 and the Statement of Commitments for the approved Concept Plan, as far as is relevant.

6.9 Stormwater & Run-off

Stormwater and run-off will be addressed through design, landscaping and detention mechanisms. Details of these measures will be included in the Environmental Assessment and Stormwater Management Plan. The objective will be to provide a system that addresses the Development's own needs, but that can also feed into a wider stormwater network within Precinct E.

6.10 Noise and Vibration

Operational noise is not expected to be a significant issue. Notwithstanding this an acoustic report will be prepared which will deal with the potential future plant noise emission and other noise issues.

6.11 Environmental Sustainability

The proponent is targeting a 5-star Green Star rating and a 4.5-star NABERS rating for the building consistent with (and in part exceeding) the University's approved commitments under the Concept Plan. As such, the proposed development will demonstrate a high level of environmental sustainability. A suitably qualified ESD consultant will be engaged to advise and report on the ESD features of the project, particularly from a design perspective and at an operational level.

6.12 Aboriginal Archaeology

The Environmental Assessment will address any potential impacts on Aboriginal Archaeology that may arise. An AHIMS search undertaken as part of the Concept Plan indicated that no registered

Aboriginal sites exist within, or in the vicinity of, the University. Pre-existing Statements of Commitment with regard to the protection of Aboriginal Archaeology will also be applied to the Australian Hearing Hub project.

6.13 Contributions

It is intended that the contributions relative to the project be based upon the Concept Plan's approved Schedule of Contributions. To that end it is anticipated that a balanced approach of contributions relative to floorspace allocation within the development be applied. Under this approach any floorspace devoted to and used by Macquarie University Faculties be subject to a zero contribution (as 'Academic, Medical, Scientific' under the Schedule), with any non-Faculty space being subject to a \$28.33/m² of GFA contribution where it can be categorised as 'Research and Development and Business Incubation'.

As you may be aware, the contributions schedule is presently being negotiated with Ryde Council. Despite the resolution of this matter, the principles of the payment of the contributions should remain as per the Concept Plan approval.

6.14 BCA Compliance

The proposed development will need to comply with the relevant provisions of the BCA.

7.0 CONCLUSION

We trust that this Preliminary Environmental Assessment is sufficient to enable the Minister to form an opinion that the proposed development is a Major Development to be dealt with under Part 3A and to allow the Director General to issue requirements for the preparation of the necessary Environmental Assessment.

Should you have any queries about this matter, please do not hesitate to contact me on 9956 6962 or oklein@jbaplanning.com.au

Yours faithfully



Oliver Klein
Associate

*Encl. Project drawings and supporting material prepared by Perumal Pedavoli Architects
Quantity Surveyors report by Slattery Australia Pty Limited*