

Development consent

Section 89E of the *Environmental Planning and Assessment Act 1979*

As the Minister for Planning, I determine:

- (a) to grant consent to the development application referred to in Schedule 1, subject to the conditions in Schedule 2.
- (b) that pursuant to section 89D(2) of the *Environmental Planning and Assessment Act 1979*, I determine that any subsequent stage of the development not being for the purpose of an educational establishment with a capital investment value in excess of \$30 million is to be determined by the relevant authority and that stage of the development ceases to be State significant development.

These conditions are required to:

- prevent, minimise, and/or offset adverse environmental impacts including economic and social impacts;
- set standards and performance measures for acceptable environmental performance;
- require regular monitoring and reporting; and
- provide for the ongoing environmental management of the development.

The Hon. Pru Goward MP
Minister for Planning



Sydney

16 Feb

2015

SCHEDULE 1

Application No.:

SSD 6123

Applicant:

The University of Sydney

Consent Authority:

Minister for Planning

Land:

The University of Sydney

Development:

Concept Proposal for The University of Sydney Campus Improvement Program 2014 – 2020, consisting:

- precinct based building envelopes and design guidelines to guide future development and redevelopment of new and existing teaching and learning facilities and ancillary land uses;
- maximum additional gross floor area of 264,650 sqm within identified Campus Improvement Program precincts;
- identification of gateways and access arrangements, parking and servicing arrangements, vehicle/pedestrian/bicycle prioritisation and connectivity;
- open space, landscaping, public art and furniture provisions;
- building demolition, refurbishment and adaptive reuse;
- increase of approximately 10,000 students and 400 full-time equivalent staff, including the consolidation of off-campus staff and students to the Camperdown and Darlington Campuses; and
- total future campus car parking provision of 2,800 spaces.

DEFINITIONS

Advisory Notes	Advisory information relating to the consent but do not form a part of this consent
Applicant	The University of Sydney
Application	The development application for a concept proposal and the accompanying building envelope drawing plans and documentation described in Condition A2.
BCA	Building Code of Australia
Construction	Any works, including earth and building works
Council	City of Sydney
Certification of Crown Building works	Certification under s109R of the EP&A Act
Certifying Authority	Means a person who is authorised by or under section 109D of the EP&A Act to issue a construction certificate under Part 4A of the EP&A Act; or in the case of Crown development, a person qualified to conduct a Certification of Crown Building works
Day time	The period from 7am to 6pm on Monday to Saturday, and 8am to 6pm on Sundays and Public Holidays
Department	Department of Planning and Environment or its successors
EEC	Endangered ecological community
Evening	The period from 6pm to 10pm
Environmental Impact Statement (EIS)	Environmental Impact Statement titled <i>The University of Sydney Campus Improvement Program State Significant Development (SSD 13_6123) Environmental Impact Statement</i> , prepared by Urbis Pty Ltd, dated January 2014.
EPA	Environment Protection Authority, or its successor
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation or Regulation	Environmental Planning and Assessment Regulation 2000
Minister	Minister for Planning, or nominee
Night time	The period from 10pm to 7am on Monday to Saturday, and 10pm to 8am on Sundays and Public Holidays
NOW	NSW Office of Water, or its successor
OEH	Office of the Environment and Heritage, or its successor
Reasonable and Feasible	Reasonable relates to the application of judgement in arriving at a decision, taking into account: mitigation benefits, cost of mitigation versus benefits provided, community views and the nature and extent of potential improvements. Feasible relates to engineering considerations and what is practical to build
Response to Submissions (RtS)	Response to Submissions report titled, <i>Campus Improvement Program 2014-2020 State Significant Development Application (SSD 13_6123)</i> , prepared by The University of Sydney, dated June 2014.
RtS Supplementary Response	Titled, <i>Campus Improvement Program 2014-2020 State Significant Development Application (SSD 13_6123), Supplementary Response to Submissions</i> , prepared by The University of Sydney, dated September 2014.
RMS	Roads and Maritime Services Division, Department of Transport or its successor
Secretary	Secretary of the Department of Planning and Environment, or nominee/delegate
Secretary's approval, agreement or satisfaction	A written approval from the Secretary (or nominee/delegate). Where the Secretary's approval, agreement or satisfaction is required under a condition of this consent, the Secretary will endeavour to provide a response within one month of receiving an approval, agreement or satisfaction request. The Secretary may ask for additional information if the approval, agreement or satisfaction request is considered incomplete. When further information is requested, the time taken for the applicant to respond in writing will be added to the one month period.
Sensitive receiver	Residence, education institution (e.g. school, university, TAFE college), health care facility (e.g. nursing home, hospital), religious facility (e.g. church) and children's day care facility.

Subject Site

The University of Sydney, legally described Part Lot 1 DP 1171804; Lot 1 DP 179963; Lot 1 DP 89825; Lot 11 DP 1171806; Lot 1001 DP 1159799; Lot 1 DP 1124852 to be consolidated from the Camperdown Campus and Lot 1 DP 790620; Lot 1 DP 996657; Lot 5 DP 996629; Lot 4 DP 996629; Lot 3 DP 996629; Lot 2 DP 996629; Lot 1 DP 996629; Lot 12 DP 33326; Lot 11 DP 33326; Lot 10 DP 33326; Lot 9 DP 33326; Lot 8 DP 33326; Lot 7 DP 33326; Lot 6 DP 33326; Lot 5 DP 33326; Lot 4 DP 33326; Lot 3 DP 33326; Lot 2 DP 33326; Lot 1 DP 33326; Lot 1 DP 185534; Lot A DP 185532; Lot 1 DP 1067807; Lot B DP 436059; Lot A DP 436059; Lot 30 DP 76419; Lot 31 DP 76419; Lot 32 DP 76419; Lot 33 DP 76419; Lot 34 DP 76419; Lot 35 DP 76419; Lot 1 DP 996663; Lot 2 DP 996663; Lot 3 DP 996663; Lot 4 DP 996663; Lot 1 DP 69635; Lot 96 DP 1073648; Lot 9 DP 1118985; Lot 11 DP 1172041; Lot 1 DP 794041; Lot 1 DP 1069922; and Lot 1 DP 832273.

SCHEDULE 2

PART A TERMS OF APPROVAL

Development Description

- A1. Except as amended by the conditions of this consent, development consent is granted only to the 'concept proposal' as described in Schedule 1 and the Environmental Impact Statement, as amended by the Response to Submissions, dated June 2014 (as further amended by the Response to Submissions supplementary response dated September 2014), and the conditions contained in this development consent.

Determination of Future Applications

- A2. In accordance with section 83B(3)(a) of the EP&A Act, all future development under the 'concept proposal' shall be the subject of future development application(s).
- A3. The determination of the future development application(s) are to be generally consistent with the terms of this development consent as described in Schedule 1, and subject to the conditions in Part B, Schedule 2.
- A4. This approval does not preclude additional development outside identified Campus Improvement Program precincts, subject to future approval (where required) and the demonstration of satisfactory environmental impacts.

Development in Accordance with Plans and Documents

- A5. The applicant shall carry out the development generally in accordance with the:
- a) Environmental Impact Statement titled *The University of Sydney Campus Improvement Program State Significant Development (SSD 13_6123) Environmental Impact Statement*, prepared by Urbis Pty Ltd, dated January 2014.
 - b) Response to Submissions report titled, *Campus Improvement Program 2014-2020 State Significant Development Application (SSD 13_6123)*, prepared by The University of Sydney, dated June 2014.
 - c) *Campus Improvement Program 2014-2020 State Significant Development Application (SSD 13_6123), Supplementary Response to Submissions*, prepared by The University of Sydney, dated September 2014.
 - d) following drawings, except for:
 - i) any modifications which are Exempt or Complying Development;
 - ii) as otherwise provided by the conditions of this consent.

Building Envelope Drawings prepared by The University of Sydney			
Drawing No.	Issue	Name of Plan	Date
A-DIA-08 Rev B	B	CIP PRECINCTS – PROPOSED	–
A-DIA-03 Rev C	C	BUILDINGS FOR DEMOLITION – PROPOSED	–
City Road Precinct			
SSD-B-11	C	CITY ROAD – PROPOSED ENVELOPE PLAN	08/09/2014
SSD-B-12	C	CITY ROAD ELEVATION – PROPOSED	12/09/2014
SSD-B-13	B	MAZE CRESCENT ELEVATION FROM CADIGAL GREEN – PROPOSED	12/09/2014
SSD-B-14	A	SECTION FROM CADIGAL GREEN TO CITY ROAD – PROPOSED	05/09/2014

Merewether Precinct			
SSD-C-11	C	MEREWETHER – PROPOSED ENVELOPE PLAN	05/09/2014
SSD-C-12	C	MEREWETHER – CITY ROAD ELEVATION – PROPOSED	12/09/2014
SSD-C-13	C	MEREWETHER – DARLINGTON ROAD ELEVATION – PROPOSED	05/09/2014
SSD-C-14	C	MEREWETHER – BUTLIN AVE ELEVATION – PROPOSED	12/09/2014
SSD-C-15	B	MEREWETHER – INSTITUTE BUILDING SECTION – PROPOSED	27/06/2014
SSD-C-16	A	MEREWETHER – G08 CARPARK SITE BUTLIN AVE ELEVATION – PROPOSED	01/07/2014
SSD-C-17	A	MEREWETHER – G08 CARPARK SITE ELEVATION – PROPOSED	01/07/2014
SSD-H-11	B	DARLINGTON TERRACES – PROPOSED ENVELOPE PLAN	01/07/2014
SSD-H-12	A	DARLINGTON TERRACES –ELEVATION FROM CODRINGTON STREET – PROPOSED	06/11/2014
SSD-H-13	B	DARLINGTON TERRACES – DARLINGTON LANE ELEVATION – PROPOSED	06/11/2014
SSD-H-14	B	DARLINGTON SECTION PROPOSED	06/11/2014
Engineering Precinct			
SSD-D-11	C	ENGINEERING – PROPOSED ENVELOPE PLAN	08/09/2014
SSD-D-12	A	ENGINEERING – SHEPHERD STREET ELEVATION– PROPOSED	01/07/2014
SSD-D-13	A	ENGINEERING – MAZE CRESCENT ELEVATION – PROPOSED	27/06/2014
SSD-D-14	A	ENGINEERING SECTION 1 – PROPOSED	27/06/2014
SSD-D-15	A	ENGINEERING SECTION 2 – PROPOSED	01/07/2014
SSD-D-16	A	ENGINEERING SECTION 3 – PROPOSED	01/07/2014
Health Precinct			
SSD-E-11	C	HEALTH – PROPOSED ENVELOPE PLAN	12/09/2014
SSD-E-12	B	HEALTH – SECTION 1 PROPOSED	12/09/2014
SSD-E-13	B	HEALTH – SECTION 2 PROPOSED	12/09/2014
SSD-E-14	B	HEALTH – SECTION 3 PROPOSED	12/09/2014
SSD-E-15	B	HEALTH – SECTION 4 PROPOSED	12/09/2014
SSD-E-16	-	HEALTH – SECTION 5 PROPOSED PHASE 1	09/09/2014
Life Sciences Precinct			
SSD-F-11	C	LIFE SCIENCE – PROPOSED ENVELOPE PLAN	08/09/2014
SSD-F-12	B	LIFE SCIENCE – PARRAMATTA ROAD ELEVATION PROPOSED	01/07/2014
SSD-F-13	A	LIFE SCIENCE – SCIENCE ROAD ELEVATION PROPOSED	01/07/2014
SSD-F-14	A	LIFE SCIENCE – ROSS STREET SECTION PROPOSED	01/07/2014
SSD-F-15	A	LIFE SCIENCE – GUNN AND MCMASTER BUILDING SECTION PROPOSED	01/07/2014
SSD-F-21	B	LIFE SCIENCE – GRANDSTAND CROSS-SECTION PROPOSED	27/06/2014
SSD-F-22	B	LIFE SCIENCE – GRANDSTAND ELEVATION FROM	01/07/2014

		UNIVERSITY OVAL NO.2 PROPOSED	
Cultural Precinct			
SSD-G-11	A	MACLEAY – PROPOSED ENVELOPE PLAN	06/12/2013
SSD-G-12	A	MACLEAY – CROSS-SECTION PROPOSED	29/11/2013
SSD-G-13	A	MACLEAY – ELEVATION FROM PARRAMATTA ROAD PROPOSED	29/11/2013
Concept Landscape Plan prepared by Clouston Associates			
Drawing No.	Issue	Name of Plan	Date
S14-0047	D	THE UNIVERSITY OF SYDNEY CONCEPT LANDSCAPE PLAN	01/07/2014

e) the conditions of this consent.

Gross Floor Area

A6. The maximum additional gross floor area allowed by this approval for new built form within building envelope development sites of the Campus Improvement Program within each precinct is detailed in the following table:

Precinct	Total Additional Gross Floor Area
Merewether Precinct	63,400 sqm
City Road Precinct	62,800 sqm
Engineering Precinct	42,500 sqm
Health Precinct	56,700 sqm
Life Sciences Precinct	37,250 sqm
Cultural Precinct	2,000 sqm

Modifications to the Concept Proposal

- A7. To ensure that a satisfactory design outcome is achieved for future development under the Campus Improvement Program, future development applications within the Merewether Precinct shall incorporate the following design modifications:
- The Darlington Road frontage of future built form within the Regiment building envelope (No.1) shall be restricted to a maximum building height of RL 67.30 at its western edge, which tapers down to a maximum building height of RL 55.45 at its eastern edge, adjacent to building envelope No.2.
 - Future built form within the G08 Carpark building envelope (No.5) shall be restricted to a maximum building height of RL 65. No approval is given in this consent for future built form above the existing Molecular Sciences Building adjacent to the G08 Carpark building envelope site.

Inconsistency between Documents

A8. If there is any inconsistency between the plans and documentation referred to above the most recent document shall prevail to the extent of the inconsistency. However, conditions of this consent prevail to the extent of any inconsistency. Where there is an inconsistency between approved elevations and plans, the elevations prevail.

Car Parking

A9. Total on-campus (Camperdown and Darlington Campuses) car parking provisions shall not exceed 2,800 spaces at the completion of all future development approved under the Campus Improvement Program.

Lapsing of approval

A10.

- a) This approval does not allow any components of the Campus Improvement Program Concept Proposal to be carried out without further approval or consent being obtained.
- b) This approval will lapse five years from the date of this approval unless works the subject of any related application are physically commenced, on or before that lapse date.

Secretary as Moderator

A11. In the event of a dispute between the proponent and a public authority, in relation to an applicable requirement in this approval or relevant matter relating to the Development, either party may refer the matter to the Secretary for resolution. The Secretary's resolution of the matter shall be binding on the parties.

Legal notices

A12. Any advice or notice to the consent authority shall be served on the Secretary.

PART B CONDITIONS TO BE MET IN FUTURE DEVELOPMENT APPLICATIONS

Design Excellence

B1.

- a) Consent must not be granted to a new building or to external alterations to an existing building unless the consent authority has considered whether the proposed development exhibits design excellence.
- b) In considering whether proposed development exhibits design excellence, the consent authority must have regard to the following matters:
 - i) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,
 - ii) whether the form and external appearance of the building will improve the quality and amenity of the public domain,
 - iii) whether the building meets sustainable design principles in terms of sunlight, natural ventilation, wind, reflectivity, visual and acoustic privacy, safety and security and resource, energy and water efficiency,
 - iv) if a design competition is held in accordance with the requirements of clause 6.21 Design excellence of *Sydney Local Environmental Plan 2012*, the results of the competition.

NOTE: Where future development does not trigger the City of Sydney design competition process requirements under clause 6.21 of SLEP 2012, the applicant shall have regard to The University of Sydney's Architect Panel Establishment and Competitive Design Process.

Built Form and Urban Design

B2. To ensure that a high quality urban design and architectural response is achieved, future development applications shall demonstrate the following:

Merewether Precinct

- a) Future built form within the Merewether building envelope (No.4) and Regiment building envelope (No.1) shall not impact on the Obstacle Limitation Surface for Sydney Airport, including the satisfactory compliance with any requirements of the Federal Department of Infrastructure and Regional Development.
- b) Future built form within the Merewether Precinct shall provide sufficient space between new built form and the Institute Building to maintain and preserve the visual integrity of the Institute Building and its relationship to the Superintendent's Residence and boundary fences.
- c) Future built form within the Merewether building envelope (No.4) and G08 Carpark building envelope (No.5) shall be of a distinct podium and tower design.
- d) Future built form within the Darlington Terrace building envelopes (No.3) shall ensure that the original terrace row subdivision pattern is satisfactorily interpreted within its Darlington Lane elevation and does not appear as a single large built form mass.

City Road Precinct

- e) Future built form within the International and Wilkinson building envelope (No.4 and No.5) shall be in the form of a podium and tower design, with a minimum of four tower elements and maximum podium height of RL 42.075.
- f) Future built form within the Wentworth building envelope (No.1) shall be of a distinct podium and tower design.

Engineering Precinct

- g) Future built form within the Shepherd Street car park building envelope (No.1) fronting Shepherd Street shall be designed to ensure that the front row of existing mature eucalypt trees is retained and protected in the future development of the site. Prior to any detailed design an AQF Level 5 Arborist is engaged to determine suitable setbacks to trees (including street trees) to be retained, and an Arboricultural Impact Assessment report is submitted with any development application within this envelope.

Life Sciences Precinct

- h) The applicant shall demonstrate that the design, form, function and materials and finishes of the aboveground link identified between future built form within the Ross Street building envelopes (No.1 and No.2) will ensure a visual link through to Oval No.2 is retained.
- i) The design and form of the south western elevation of future built form within building envelope No.3 shall be appropriately designed to articulate its façade and minimise any potential for a poor design response to its St John's Oval frontage.
- j) The extent of future built form within the Grandstand building envelope (No.5) should ensure the retention of significant views identified within The University of Sydney Grounds Conservation Management Plan, including the retention of existing views and setting of the nearby JD Stewart Building.

- B3. Future building demolition, site layout and architectural design of future development shall be generally consistent and have regard to the following:
- a) Camperdown Darlington Campus Strategy Plans at Appendix C of the EIS (as amended by the RtS);
 - b) Design Principles at Appendix F of the EIS; and
 - c) *Campus Improvement Program 2014-2020 State Significant Development Application (SSD 13_6123), Urban Design Justification*, prepared by Cox Richardson and The University of Sydney, dated June 2014.