

8 Lander St
Darlington
NSW 2008

23rd June, 2011

Major Projects Assessment
Department of Planning and Infrastructure
GPO Box 39
Sydney
NSW 2001

Attn: Director Metropolitan and Regional Projects North

Dear Sir/Madam

Re: MP07 0158 University of Sydney Abercrombie Precinct Redevelopment

With respect to the above project, I:

- Support Stage 1 of the project, subject to a number of conditions
- Object to Stage 2 of the project, and submit that it should be refused approval altogether
- Propose a number of conditions that should be attached to any approval that might nonetheless be given to Stage 2

Approval of Stage 2 should be refused

Applying for planning approval for Stage 2 through the discredited and soon to be abolished Part 3A process is inappropriate and unnecessary.

It is inappropriate because there is no necessary connection between the Stage 2 developments and Stage 1. Nothing makes them a single project, and nothing connects them other than adjacency. The demolition and rebuilding of Mandelbaum House is quite separate to any development of academic facilities for the Business School, and there is no good reason for planning consent for this project to be bundled with the Stage 1 Business School development. Likewise the Stage 2 facility for the Business School is quite independent of the Stage 1 development, and is linked only by the fact that its occupants form part of the same administrative structure within the University.

Using the Part 3A transitional process for Stage 2 is not only inappropriate, it is quite unnecessary. The applicant's Environmental Assessment includes no commitment to proceed with Stage 2, and no indication of any program to do so. At a public meeting held on April 13th 2011 the University's Director of Campus Infrastructure Services, Mr Colin Rockliff, advised those present that the University had no firm plans to proceed with Stage 2. Negotiations with Mandelbaum House (an independent college affiliated with the University, but not under its control) about the University's redevelopment plans were, Mr Rockliff advised, only at a very early stage, with no clarity as to what the outcome might be. With respect to the Stage 2 Business School development, Mr Rockliff indicated that that would proceed only when the Business School became eligible for a further infusion of University capital works funding, which he suggested would not be for a considerable period of time, given the amount of funding the University was providing for the much larger Stage 1 development.

It is therefore quite unnecessary for planning consent for the Stage 2 developments to be considered at this stage under the Part 3A transitional process. There is strong and widespread support across New South Wales for the new Government's plans to abolish Part 3A, given the numerous abuses it has allowed to occur. Stage 2 of this proposal being considered under the Part 3A process would be a further such abuse given that there is no reason to link Stages 1 and 2 and no reason at all for consent for Stage 2 to be rushed through now.

The Department should consider only Stage 1 of this project, and advise the applicant that planning consent for Stage 2 should be sought at whatever time it forms an intention to proceed with Stage 2, and under whatever new and more appropriate planning arrangements for such developments have been established by that time.

Doing so would have significant benefits to all parties. It would be very well received by the community, for two reasons. First, excluding Stage 2 from the current process would address many of our most serious concerns about the overall development. Second, it offers the prospect of planning consent for Stage 2, if and when it ever proceeds, being considered under a new planning framework that reconciles community welfare with developer interests better than Part 3A has been able to do. It should also be acceptable to the University. It still leaves it the prospect of proceeding with its possible Stage 2 developments, but in a way that is less offensive to the community. In addition, taking Stage 2 as currently proposed off the table would lessen the growing hostility that the Darlington community is feeling towards the University as our neighbour. This is directly consistent with the University's stated objectives for its community relationships.

Conditions on any approval of Stage 2

Should approval for Stage 2 nonetheless be considered at this stage under the transitional arrangements applying to Part 3A applications, a number of conditions should be attached to that approval:

1. The developments should be reduced to no more than 2 stories in height.

The proposal is grossly out of scale with the residential properties opposite. The applicant's comparison with the Royal Hotel opposite and its own Services Building are inappropriate, since these are the only large buildings in the area, and they themselves are out of scale. The applicant has presented no perspectives showing its Stage 2 proposal in context with the terraces opposite, probably for the reason that doing so would show clearly how out of scale its proposals are. The perspective that it has presented, showing the Hotel in the foreground and therefore enlarged with the proposed Stage 2 receding in the background is grossly misleading. One probably has to lie in the gutter outside the Hotel to see the proposed development from the angle depicted.

The Stage 2 proposal would dominate and dwarf the terraces opposite, resulting in a substantial loss of amenity. Privacy would also be lost, since the upper floors would look down directly into first floor bedrooms.

The Stage 2 proposal (and Stage 1) need to be considered alongside the dense and high rise development likely to proceed on the Eveleigh Markets site, should the University or any other developer acquire that site. The two together would create a tunnel, or channel, of large scale development with serious adverse impact on the surviving sliver of residential area between Abercrombie and Wilson Sts.

2. The proposed roof gardens should be deleted

These roof gardens will further detract from amenity and privacy of the terraces opposite. They will be the site of largely uncontrolled student activity from 7am until 11pm, 7 days a week. Students on these

terraces will also look directly down into bedrooms of the houses, and the noise they generate will impact directly on residents. The University will not practically be able to control rooftop student activity. The University has a record of reacting slowly and ineffectively to complaints about student-generated noise. When and if they do react, noise abatement typically lasts only as long as a staff member or security guard remains physically present.

3. The current park on Abercrombie St should be retained

This park, while small, is mature, well formed, and a pleasant respite. In the proposed development it is to be replaced with crowded, hard to access, interior courtyards. These will not have the quiet serenity that the park has. The interior courtyards will be very much University space, dominated by the hustle and bustle of staff and students moving around inside the University. The result will be a loss of neighbourhood amenity.

4. Stage 2 should be further set back from, and better activated to, Abercrombie St

Stage 2 presents unappealingly to Abercrombie St. It is largely closed to the street, and proposed with little setback. Effectively the University is turning its back on the community and focussing inwards on itself. A greater setback, with appropriate streetscaping should be required.

Conditions on approval of Stage 1

While Stage 1 is less offensive in both substantive and procedural terms than Stage 2, there are several conditions that should be attached to approval of it in order to lessen its adverse impacts on the community.

1. Stage 1 should be reduced in height by at least 2 stories

At 7 stories, with rooftop plant, the proposal is out of scale with the neighbourhood. While set further back from the street than Stage 2, its greater height means that it would have a similar adverse impact on amenity and privacy. Seven storey development here, with similar or higher future development on the Eveleigh Markets site would be intolerable for the intervening residential area.

2. The carpark entrance should be relocated off Abercrombie St

The applicant appears to have selected the option for carpark access that causes it least cost and which has least impact within the campus. In doing so, it has also chosen the option that has the most adverse impact on the community through creating a new and serious traffic hazard directly outside Darlington School.

Of all of the aspects of the proposal where the applicant has sought to maximise its own interests at the expense of those of the community, this is probably the most egregious.

The applicant should be required to develop an alternative access route, accepting some cost and inconvenience to itself as the price of protecting the safety of the children of Darlington School.

3. Construction management plans should be separately displayed and approved

The applicant's EA is frustratingly vague on how construction will be managed so as to mitigate noise, dust, vibration, traffic etc impact on the community. For example, on p.77 the EA states 'access to the proposed construction site would be via the existing road network'. No further detail is given. While this statement rules out construction traffic accessing the site by subterranean tunnel or helicopter, the reader is otherwise left completely in the dark about how construction will impact the community. No one knows whose streets will become corridors for high-volume heavy traffic from early morning until late at night.

The result of the EA being so opaque on key issues is that potentially affected residents are left completely uninformed about the project's impact on them and thus unable to meaningfully respond to the proposal in this respect.

More detailed statements on the management of construction impacts on the community should be prepared by the applicant and opened for public comment. Only after a proper opportunity for informed comment, which is precluded by the current EA, should the Department consider approval of these aspects of the proposal.

4. Further consultation with the community should be mandated

With respect to this proposal, and another in the immediate locality, the applicant has shown that its preference is to consult the community minimally or not at all. The applicant did not comply with the DGRs with respect to consultation on this project, and recently submitted a DA for another substantial project to the City of Sydney without any consultation at all.

Conditions of approval of another current Major Project by a university abutting a residential area (MP08_104 COFA Redevelopment) included a requirement for the applicant to inform and consult with the local community on construction-related matters through a Construction Liaison Committee. The relevant condition (92) is attached.

Given this applicant's demonstrated reluctance to consult, and poor record of responding meaningfully to such consultation as it does undertake, there should be strict stipulations as to frequency of meeting, business to be considered, community rights to participate and access to information and documents. Further, the applicant should be required to regularly satisfy the Director-General that it is consulting in good faith through the Committee and demonstrate that it is giving reasonable consideration to community feedback.

Yours sincerely

Jonathan Blakeman

(92) CONSTRUCTION LIAISON COMMITTEE

(a) Prior to the commencement of **ANY WORK**, a Construction Liaison Committee is to be established by the developer, to ensure that demolition and construction related impacts (including construction noise and vibration, loading, issues associated with construction workers and vehicles, traffic issues, management of the construction site) from the site can be dealt with expeditiously and co-operatively. The committee is to comprise nominated representatives of **all adjacent properties and all properties opposite the subject site**.

(b) The committee shall meet prior to the commencement of works on the site and at monthly intervals or as considered appropriate by the Committee throughout the construction process. Details of the consultation with the adjoining sites must be submitted to and approved by Council prior to the commencement of work.

(c) The meetings are to be recorded/minuted and such records/minutes are to be provided to Council within 7 days of the meeting(s). The following plans are to be tabled at a meeting of the Construction Liaison Committee prior to being provided to Council:

- (i) Geotechnical Report
- (ii) Demolition Report
- (iii) Demolition and Traffic Management Plan
- (iv) Construction Management Plan
- (v) Construction Program (A rough forward estimate of the construction timetable shall be tabled and discussed at the first meeting)
- (vi) Construction Traffic Management Plan
- (vii) Dilapidation Reports
- (viii) Reports on Noise and Vibration
- (ix) Plans to apply for temporary road or footpath closure or use of mobile cranes
- (x) Complaints register

(d) Prior to the commencement of work, the Site Manager is to provide the members of the construction liaison committee and Council, with 24 hour contact details (including location of site office and 24 hour phone number), to ensure that any matters which arise during the construction period are addressed immediately. The site manager shall be available during normal business hours to provide information to the public about activities on site and to bring any complaints to the attention of the applicant.

(e) The Site Manager is to inform, by way of writing, on a regular monthly basis (including at the Construction Liaison Committee) of the construction program, construction progress and impending work.

(f) A register of all complaints received shall be kept by the applicant through out the duration of the project, and the register is to be made available to Council on request.