Submission: State Significant Development

Regiment mixed use redevelopment University of Sydney, Darlington Campus

I consider that the current proposal should be rejected by NSW Department of Planning in its current form. There are numerous reasons that I consider warrant this action.

Affordable Rental Housing State Environmental Planning Policy (ARHSEPP)

The proponent claims the 656-unit development fits within the terms provided under the ARHSEPP. However, the indicated housing charges to students are well in excess of the basic housing alternatives identified in the Social and Economic housing report. The claim that the proposed development will be an iconic building strongly suggests that the standard of accommodation provided is priced well above that expected for low cost student accommodation or affordable housing. It is disingenuous for the proponent to suggest that this proposal is consistent with the intent of the ARHSEPP that would apply to developments outside the University's grounds. The documents prepared by the proponent do not support the claim that the building will provide low cost rental accommodation for University students.

Application of SEPP 65 – Design Quality of Residential Apartments

The proponent has not provided adequate justification as to why SEPP 65 does not apply. The proponent's targeted marketing suggests that the facility is designed to attract affluent students that are expecting a high standard of building fit out. To satisfy the acoustic and thermal comfort expected by such clients, the building will need to have quality fittings and be designed to exclude external traffic noise. The documentation claims that by only providing natural ventilation, the acoustic amenity for residents will be provided. Air conditioning is not proposed. Acceptance of global warming means that basing thermal comfort on historical temperature records is not satisfactory. Periods of record breaking high temperatures must be accepted in the design given that the building is supposed to have a 40-year life expectancy. Small rooms and thermal stress will not deliver a satisfactory level of comfort to occupants. For these reasons coupled with the road traffic noise on City Road, the proponent must be required to install air conditioning of all occupied spaces.

The ventilation of cooking areas and toilet facilities is unclear.

Zoning

The surrounding residential area is zoned R1:General Residential. The establishment of an 8 storey student accommodation building with a floor space ratio exceeding 3:1 is totally inconsistent with the surrounding area. In a terrace house format, the site might accommodate 40 terraces. The proposal to put an 8 storey building on the site merely because the proponent is seeking an “iconic” building highlights an arrogant disregard for the surrounding residential neighbours.

Floor space ratio (FSR)

The surrounding residential R1 area has a floor space ratio of 1.25:1. The proposal entails an FSR exceeding 3:1. Justification explaining how such a degree of exceedance with the surrounding residential area has not been provided.

Building form and height

The height and bulk of the proposed building form are totally inconsistent with the streetscape in City Road and Darlington Road. The height of the building coupled with the very small setback is an excessive degree of amassing. This displays a lack of concern for the heritage area in Darlington. I am most surprised that the architects were unable to offer a more aesthetic form to the proposed streetscape which is consistent with the heritage area.

The proposed height of the building far exceeds that of the surrounding residences. The proponent makes no attempt to justify why the amassing should be approved. The excessive height and bulk of the structure just adds to the reasons why the current proposal must be rejected.

The failure of the project to provide off street parking for waste and service vehicles means that the proponent is claiming a right to spread its impacts into the surrounding residential area. The claim that service technicians will arrive by public transport is unrealistic. Parking of construction vehicles and equipment will make a significant impact on the local roadway unless the proponent is required to provide off street parking. In my view, the existing street parking is largely unavailable and for this reason, the proponent must be required to provide off-street parking for service vehicles and garbage collection. The blocking of Darlington Road by waste vehicles is not acceptable. At least a 2m average setback from both street frontages would assist to lessen the amass impact of the proposal.

Heritage Area

The proposed building form is not consistent with the requirements which apply in Darlington as a “heritage conservation area.” The bulk of the building form just does not fit. The street frontage in Darlington Road is not consistent with residences on the other side of the street.

Car parking, motor cycle parking and push bike parking

The proponent fails to achieve compliance with NSW Planning SEPP for low cost housing. The proponent seeks exemptions from these requirements in relation to provision of car parking and motor cycle parking.

The “accessible area” allowance requires 0.2 car spaces per room and one bicycle and one motor cycle space per 5 rooms. For 658 rooms, this means parking for 131 cars, 131 motor bikes and 131 bicycles. The provision of just 175 bicycle spaces is a very small provision.

Documents supplied by the proponent indicate that the proponent is attempting to change student and staff behaviour and shift these towards public transport use. The proponent has not supplied any information which indicates whether the proponent has achieved any behavioural change or whether the proposal is merely a statement of wishful intent.

As the building is claimed to have a 40-year life expectancy, the supply of bicycle parking must include the provision of battery recharging facilities. While current NSW regulations on electric two-wheel transport have remained in the twentieth century, this is not the case in much of Europe.

It is my view that the proponent has not articulated sufficient justification for its failure to provide for off street parking for both motor vehicles and motorised two-wheel (or three-wheel) bikes. The proponent has not addressed the existing motor vehicle street parking issues in the local area arising from students parking while attending Sydney University nor has the proponent addressed the need for off-site parking for service vehicles and waste collection.

Acoustic Impacts including vibration

The documentation provided by the proponent is inadequate. There is a complete failure to identify actual noise levels associated with construction activities. The proponent has not identified the magnitude of construction noise. Given the proximity of neighbouring residents, the proponent claims that it is sufficient merely to respond should any complaints occur. This is not satisfactory. Construction noise levels can be predicted and it is incumbent on the approving body to specify noise limits which are not to be exceeded. Depending upon what

the predicted noise levels are, it may be necessary for the proponent to completely change the construction arrangements not simply tell the residents they have to put up with whatever arises.

No vibration assessment is provided. The documentation indicates that piles will be installed during construction work. There is no assessment of sound and vibration created during the placement of piles.

It is a requirement that the proponent demonstrate that the proposed method of construction will not cause offensive noise to any of the neighbours. The proponent has not done so. The project should not be approved until an acceptable methodology has been submitted and assessed against the EPA's requirements.

Based upon my experience with construction activities, this project will exceed the EPA's construction noise guideline given both the type of construction work, the scale of those works and the proximity of neighbouring residents. The construction period is likely to be in the vicinity of 18 months or more. The construction noise guideline includes a "reasonable and feasible" provision. In the case of this development, neighbouring residents will be subject to offensive noise for the duration of the construction works because the scope of the construction activities precludes the application of "reasonable and feasible" measures to reduce the extent of offensive noise.

The documentation asserts that the NSW EPA's Industrial Noise Policy (INP) is a relevant policy for this development. The reference is erroneous as the proposed development is commercial housing not an industrial premises. Noise emitted from the premises is subject to regulation by Council as the appropriate regulatory authority. Conditions of consent need to include garbage collection noise. The intensity of development will result in a considerable increase in waste collection services. The failure of the development to include provision of off-street vehicle standing means that Darlington Road will be partially closed by garbage collection vehicles handling waste generated on the site. The likelihood of waste collection services taking place late at night or before 7am, will cause offensive noise to adjoining residents. This is not acceptable. Conditions of consent must include the times at which waste can be collected.

The noise assessment provides a very optimistic claim of the noise generated by residents using the rooftop outdoor space. This is not acceptable. The development of an external open air space for possibly hundreds of students could be expected to generate noise not dissimilar to that of a hotel beer garden. The sound power level of a typical beer garden far exceeds the claimed 72dB(A) by the proponent. A more realistic sound power level of 90dB(A) should be used. If this were used, use of the roof space would impose an

unacceptable impact on neighbouring residents. It is my view that the roof space should be reduced in size so that only a very small number of students can use the area at any time. Its use by 200 students would be totally unacceptable and should be rejected by the approving authority. It is the responsibility of the determining authority to ensure that appropriate controls are imposed upon the development to protect the amenity of neighbouring residents. The simplistic time control limitation proposed by the proponent will not protect the amenity of neighbouring residents and therefore is inadequate.

Waste management

The waste management plan displays a lack of innovation on waste minimisation and reuse details. Source separation and on-site composting of putrescible material should be deployed. The students are all attending university and should be capable of changing practices to minimise the need for off-site transport of wastes and those that need to be removed from the site are recycled. The proposed use of 660L skip bins with waste chutes encourages throw-away practices. This does not represent best management for waste minimisation.

Given the very limited building setbacks on the site, there is a significant risk of sediment being tracked onto public roads and into stormwater drains during construction of the facility. Without designated on-site parking and waste loading areas coupled with sealed surfaces for wash down of vehicle wheels, the proponent has not adequately addressed how it will address the risk of water pollution arising from construction activities.

Water management

The proponent failed to identify measures used to prevent polluted water from being discharged to the street drainage system during the construction phase. With no area of the site being set aside for the management and treatment of sediment laden water, the risk of water pollution arising from pumped discharge of sediment laden water has not been adequately addressed by the proponent.

The excavation of the site will prevent construction works from taking place during rain events without dewatering of the pit. No measures for the treatment of collected surface water and cleanup of trucks carrying excavated material are provided.

Traffic management

The proponent failed to identify the road traffic impacts of this project during the construction phase. Given the scale of the excavation, the proponent will need to close one lane of

Darlington Road for various activities, such as, material unloading, concrete truck deliveries and concrete pumping units. The proponent has glossed over the assessment of this activity on local residents and traffic movements. The queueing of trucks waiting to be loaded with excavated materials needs to be addressed. The parking of construction vehicles will intensify the street parking issue during university terms. The proponent has only paid superficial attention to this issue.

In the operation phase, the proponent has not identified specific action that will be used to ensure that students do not have motor vehicles or motor bikes that they seek to park in the local street. Without such plans, it should be a requirement that the proponent provide an area within the campus where students can park their vehicles. The University has numerous roadways within the campus and these could be closed to become one way roads to provide parking for students in the proposed accommodation block.

The proposal to include only 175 bicycle spaces reflects the view that public transport will be widely used in the future. While this may occur, it is apparent that transport authorities in NSW are continuing to provide new roads for private motor vehicles. The development of battery supplemented two wheel vehicles is not being supported by the current NSW government. However, the European and Chinese economy both have a growing two-wheel economy. This project should be futuristic and provide for the two-wheel economy.

Air quality management

There is a major air quality issue which has not been identified by the proponent. The proponent, a learned institution, has not identified the known health effects of motor vehicle pollution on students that it proposes to provide housing for. Sydney University has a duty of care to ensure that the health of its student residents is not impacted by the housing that it proposes to provide. The proposal is for the students to be housed in naturally ventilated units. Given the current traffic count on City Road is around 30,000 vehicles per day, it is incumbent upon Sydney University to ensure that the air quality of natural ventilation will not harm the health of those students. This issue was not identified by the proponent.

The environmental assessment contains no information on the current air pollution levels on City Road. While it is also noted that the NSW Planning Department provided no direction to the proponent to present an assessment of air quality, as the regulatory body it also has a duty of care to ensure that if the project is approved, future residents will not be harmed by the existing high levels of motor vehicle air pollution.

While previous NSW Planning Department documents have made references to the Australian Air Quality Guidelines (NEPMs), the NEPMs have failed to be updated to reflect

current World Health Organisation (WHO) guidelines. It is appropriate that this proposal is evaluated against the best available health guidelines. For this reason, the WHO guidelines should be used as a primary basis to evaluate this proposal.

The air quality monitoring network operated by the NSW Office of Environment and Heritage (OEH) has no monitoring site in close proximity to a busy road, such as, City Road. Consequently, there is no data which shows the current level of air pollution on City Road. Given the known and accepted extent of health effects of motor vehicle pollution, it is incumbent on both the proponent and the regulator to exercise the duty of care towards future residents of the proposed accommodation block.

Although there is no current air quality data, the proponent should have completed an air quality modelling assessment to assess the concentrations of pollutants from motor vehicles against accepted international guidelines. The current guidance for placement of new dwellings is that they should be separated from major roads by at least 200 metres.

There is a very serious unidentified and unaddressed air quality issue arising from the proposal to house over 600 students in naturally ventilated units on a major road. Had the proponent opted for providing air conditioning of these units, it still would have been necessary for the proponent to address the issue of pollution levels in make-up air for the air conditioning system to ensure that air pollutant levels within the accommodation block are less than WHO guidelines.

The project also includes the provision of some air-conditioned spaces for student teaching and other activities. It is necessary for the proponent to assess the air quality of make-up air for this system to ensure that air pollutant concentrations in the air-conditioned space are less than WHO guidelines. The location of make-up air inlets needs to be chosen to minimise motor vehicle emissions. Due to the proximity of City Road, it would be desirable for the siting of the inlets to be based on air quality measurement data. The operation of make-up air intake using carbon dioxide monitoring would compound the complexity of design to protect potential health impacts of motor vehicle pollution.

The proponent failed to detail the measures it will deploy to monitor and manage the generation of dust from excavation activities during the construction phase. With excavation taking place under windy dry conditions, the ability to prevent dust from leaving the site is greatly diminished.

Ecologically sustainable development (esd)

The esd components of the project described by the proponent are noteworthy because of what is omitted from consideration. The proponent has proposed to use electric heating in the units during winter. This option should be assessed against the use of heat pumps or reverse cycle air conditioning. The use of refrigerants with low or no global warming potential was not identified. The use of gas for cooking should have been assessed against the use of induction cooking. Air emissions for the combustion of gas in cooking could be eliminated by using induction cooking systems.

The use of roof space for student recreation instead of its use for the installation of more solar voltaic systems is not acceptable. Noise from students using the roof space will cause annoyance to neighbouring residents.

The opportunity for green vertical external walls was not identified. Green walls, a larger setback and steps in the walls would have diminished the amassing of the buildings appearance and improved is thermal performance.

An important feature of esd is the degree to which the proponent has engaged with the local community and reflected community concerns in the project design. The exceedance of the FSR in the local area, the height of the buildings and lack of setback from the footpath shows that the proponent has displayed a lack of concern towards its local community. Instead, the project focus is on building what is permitted under the planning scheme. In doing so, the project has generated hostility within the community. This is not a responsible way to undertake such a project. The result is that Council will have to decide the future of the project in a hostile environment.

On the basis of the information contained in my submission, I consider that the NSW Department of Planning should reject the proposed development.

Regards,

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