

31 March 2014

**Determination Report
Sydney University Abercrombie Precinct Redevelopment (MOD 3)**

1. BACKGROUND

The original mixed use development for the University of Sydney Abercrombie Precinct was approved by the Planning Assessment Commission on 16 November 2012. The approval allows the site to be developed for educational facilities and student accommodation.

Since the 2012 approval the project has been modified twice. The first one was for a two month extension to a submission deadline for a Pedestrian and Bicycle Access Strategy. The second one was to modify the business school building, associated landscaping, public domain and basement car parking. Both applications were approved subject to conditions.

2. THE SUBJECT MODIFICATION APPLICATION (MOD 3)

This application seeks approval to modify the student accommodation building component of the development including:

- Modification to the design, including the building footprint and façade;
- Modification to the internal configuration including the increase of 12 beds;
- Relocation of the ground floor café;
- Removal of the vehicular access off Abercrombie Street as required by Condition B4; and
- Modification to the layout of the basement.

3. DELEGATION TO THE COMMISSION

The modification application has been referred to the Planning Assessment Commission (the Commission) for determination under Ministerial delegation dated 14 September 2011 as the project received more than 25 objections.

The Commission constituted to determine the matter consisted of Ms Donna Campbell (chair) and Mr Alan Coutts.

4. THE ASSESSMENT REPORT

The assessment report prepared by Planning and Infrastructure (P&I) considered the key issues for this application to be:

- Built form and urban design;
- Landscaping and public domain;
- Environmental and residential amenity; and
- Ecologically sustainable development.

The P&I found the proposed modifications will improve, not only the façade design, but also the development's response to the existing heritage terraces across the road. The built form and scale of the development remains consistent with the approved project with minimal potential amenity impacts. It recommends the application be approved subject to conditions.

5. MEETINGS

Meeting with Proponent

Following a review of the assessment report and associated documents including submissions, the Commission met with the proponent and its consultants on the 26 March 2014 for a briefing on the project.

Prior to the meeting, the proponent, via a letter dated 13 March 2014, requested the Commission to amend the recommended conditions as follows:

- Number of bicycle parking spaces
The original approval requires 30 bicycle parking spaces for the student accommodation. This application sought to increase that to 50 spaces. The recommended condition requires 50 spaces to be provided in the Student Accommodation Building.

Following further review, the University now considers 30 bicycle parking spaces is acceptable given that the students are living on campus and the building is in close proximity to the Redfern Station. The demand for bicycle parking for the development is therefore significantly reduced.
- Condition B15 requires all bicycle parking for occupants of residential buildings must be class 1 bicycle lockers.
The University considers Class 2 bicycle parking for the development is appropriate given the parking spaces are located in a secured basement level.
- The recommended condition B29 requires all habitable areas on all floors to have a minimum 2.7m floor to ceiling height.
The University requests an amendment to require a minimum of 2.5m floor to ceiling height in the kitchen areas to allow for the location of services.

The Commission sought comments from the P&I on the proposed amendments to the recommended conditions. By email dated 20 March 2014, P&I advised that:

- Both P&I and the City of Sydney Council support the increase in bicycle parking spaces from 30 to 50. However, it is of the view that a small reduction would still be consistent with the Council's bicycle parking rate of 1 space per 6 rooms.
- In terms of level of security for bicycle parking spaces, P&I did not object to the proposed amendment if adequate security for the bicycle parking required in condition B14 is provided.
- As to the floor to ceiling height, the minimum 2.7m was requested by the Council. P&I noted that the architectural plans submitted indicated that the ceiling heights for the ground and upper levels are 3.5m and 3.0m respectively. It further advised that P&I does not have a preference, but the Commission should be satisfied that the design of the development meets the relevant standards.

At the meeting, the proponent provided a brief outline of the reasons for the change of design and advised the changes do not result in any increase in scale or height. The proponent considered that the previous design was more suitable for a commercial

development while the proposed design is more contemporary and in keeping with the residential character of the area.

As to the Council's suggestion of using sandstone on the external groundfloor wall and the retaining wall on the southern portion of the eastern elevation, the proponent considered the material inappropriate as there is no sandstone in the design of the building except for the sandstone cladding base for the slat fence along the front boundary.

In response to the Commission's questions, the proponent advised that:

- They would not object to providing 50 bicycle parking spaces. Their main concern is the requirement of level 1 security parking as it is considered not necessary when the bicycle parking is in a secure area. It will require a much larger area to accommodate the 50 parking spaces. The proponent did however express concern that too much bicycle parking might encourage the abandonment of bicycles in the parking area.
- The two access paths on either side of the building will have gates which will be locked at 6pm or when it is dark. In addition to the gates, there will be CCTV camera over the site to ensure security.
- The 3m height indicated on the plan is floor to floor including the slab.
- The university has already appointed a communication officer to deal with issues of concerns to the community and the contact number is available on the university's website. Although the facility will be operated by an external service provider, the university is still responsible for the facility and will ensure the facility will be operated within its guidelines and policies.

City of Sydney Council

The City of Sydney Council declined to meet with the Commission for a briefing of its concerns. It advised that Council's concerns remain as identified in its submission to P&I. By email dated 21 March 2014, Council provided additional comments for the Commission's consideration. The key concern to Council is the erosion and marginalising of landscaping area through changes via modification applications. It is also noted that there are inconsistencies in the landscape dimensions to Abercrombie Street in terms of figures quoted versus plan details and the setbacks are deemed inadequate for landscaping.

The recommended condition requiring the landscape plan to be approved by Council is also a concern to Council as it maintains the view that the already approved landscaping proposal (as in the case of Modification 2) is inadequate or inappropriate. Council would be in a difficult position to approve any subsequent landscape plan if required by a consent condition as recommended.

Public Meeting

On Wednesday, 26 March 2014 the Commission held a public meeting to hear the community's views on the assessment and recommended conditions. Six people spoke at the meeting. (see Appendix 1) There were about 20 people at the meeting including the speakers.

Issues raised at the meeting included:

- Density and built form
 - The design and choice of materials for the building is inconsistent with the heritage protected terraces across the road and the building should be reduced in height and scale so that it is consistent with Mandelbaum House and conforms to the existing character of the area, mostly 2-3 storey buildings along Abercrombie Street.
 - There should be no increase in student number as the current approved 188 students will already generate an unacceptable loss of residential amenity.
- Building setback and landscaping
 - The building setback should increase to reflect the current setbacks of other residential buildings in Abercrombie Street. A minimum of 2m setback should be required.
 - More extensive planting along Abercrombie Street is required to protect residential privacy and preserve the heritage streetscape.
- Access paths
 - The access paths at both sides of the building should be deleted and the areas landscaped as green buffers to provide privacy and ensure security of residents in Mandelbaum House and prevent noise from student congregation in these areas.
 - The bikes that use the access paths will create a safety issues for school children when they are walking to and from school along Abercrombie Street.
- Other issues
 - There was inadequate public consultation. The community was misled when the application was first discussed as the focus at the time was on the business school and the location of the access on Abercrombie Street.
 - The opening of the lift adjacent to Mandelbaum House should face away from Mandelbaum House to minimise noise and amenity impacts on residents.
 - There is a need to have an on-site manager 24 hours a day to ensure any issues are addressed promptly.
 - The photomontages are misleading as they provide inaccurate perspective and proportions of the height and scale of the proposed building.

6. COMMISSION'S CONSIDERATION

The Commission has carefully considered the assessment report and recommendations, other relevant documents, written submissions, and views expressed at meetings with the proponent and the public meeting. The Commission finds:

a) Access Paths

The community's concern about the access paths on both sides of the building mainly relates to safety and security issues. The Commission has carefully reviewed the ground floor plan and sought the proponent's confirmation that there will be a security fence with a door at both ends of the access paths. The doors will be locked when it is dark. The Commission is satisfied that the provision of security fence and gate (with CCTV camera) will address the security and safety issues raised by the community and Mandelbaum House.

b) 24 hours on site manager

The Community considers there is a need for a 24 hours on-site manager to ensure proper management of the facility. The Commission notes that in the proponent's response to issues raised by the community, it stated that the facility will be run via an open tender process to select an operator who will prepare and implement an operational plan to address, among other things, the issues raised by the community.

The Commission considers that making a summary of the operational plan available on the university website allowing public access to information such as the house rules, noise policy and facility management's contact details will assist in addressing the community's concern. A condition is imposed accordingly (Condition A13(a)).

c) Bicycle parking number and security level

The University requested a reduction in the bicycle parking number from 50 to 30. The Commission does not agree and is of the view that the increase in bicycle parking is appropriate given the site is in an inner city area with good access to bike paths and the trend towards increasing use of bicycle for short distance travel.

As to the level of security required for bicycle parking spaces, the Commission accepts the University's request that level 2 security is sufficient given the parking area is located in the basement and access to the parking area is via a lift, which requires security pass to get in. The Commission notes that the basement space will accommodate more bikes at the level 2 standard. In relation to the University's concern about bikes being abandoned in the basement if more parking is provided, the Commission considers that this can be managed through the operational plan.

Conditions 14 and 15 are amended accordingly.

d) Direction of lift opening

Mandelbaum House requested that the lift opening face away from Mandelbaum House to minimise noise and amenity impacts on its residents. The Commission requested the proponent to reconsider the lift opening at ground level. In response the proponent advised that it would re-direct the opening to the north as shown in the plan below. An amended plan to reflect the change shall be submitted to the satisfaction of the PCA. A condition is imposed accordingly (Condition B31).

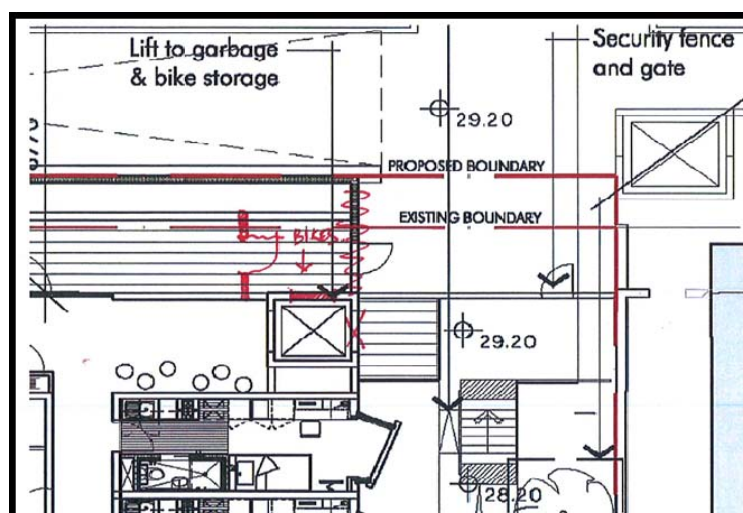


Figure 1: Draft sketch submitted by the proponent

e) *Other issues*

- The Commission has considered the request to change the floor to ceiling height for kitchen area, the P&I's advice and the proponent's response to the Commission's questions at the meeting and concluded that it is a reasonable request. Recommended condition B29 is amended accordingly.
- The Commission is satisfied that the landscape plan requirement in condition B25 to include a landscaping maintenance plan will address the concerns raised in relation to the adequacy and maintenance of the landscaping areas.
- As to Council's concern that the approval condition requires the landscape plan to be submitted to Council for approval, the Commission understands the concern, and has amended condition B25 to require the plan to be submitted to and approved by the Director General.

7. COMMISSION'S DETERMINATION

The Commission has considered all relevant information in relation to the proposed modification and concluded that the assessment report's recommendation for approval subject to conditions is reasonable.

The Commission notes that its role in determining this application is confined to the modifications proposed. Whilst it has noted the concerns of some residents expressed at the meeting, it cannot undo what has already been approved.

The application is approved subject to further conditions imposed by the Commission. These include –

- a requirement for a summary of the operational plan for the management of the student accommodation to be published on the University website
- a requirement for 50 bicycle parking spaces at class 2 standard
- the lift opening face away from Mandelbaum House
- the landscaping plans be submitted to the Director General for approval instead of the Council.



Donna Campbell
Member of the Commission



Alan Coutts
Member of the Commission

Appendix 1

List of Speakers

Planning Assessment Commission Meeting Sydney University Abercrombie Precinct Redevelopment Mod 3

Date: 4 pm, Wednesday, 26 March 2014
Place: Harris Community Centre, 97 Quarry Street, Ultimo

1. Lynne Sheridan representing Rabbi David Freedman
2. John Berry
3. Jullian Bartlett
4. Mary Ellen McCue
5. Colin Sharp
6. Shana Kerlander