



## **Response to Submissions Section 75W Modification (4) Application (MP07\_0158)**

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Abercrombie Precinct

Redevelopment, University of Sydney

Prepared By McKenzie Group Consulting Planning  
for John Holland

**June 2014**

**Response to Submissions - Section 75W Modification Application - Project  
Approval MP07\_0158 – MOD 4**

University of Sydney's Abercrombie Precinct Redevelopment

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# Response to Submissions - Section 75W Modification Application - Project Approval MP07\_0158 – MOD 4

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**Appendix 3** – Mandelbaum House Information Sheet

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## **PART A PRELIMINARY**

### **1.1 Introduction**

This Response to Submissions (RTS) has been prepared by McKenzie Group Consulting on behalf of the Proponent, John Holland Group Pty Ltd, and is submitted to the New South Wales Department of Planning and Environment (DoPE) in support of the University of Sydney's Abercrombie Precinct Redevelopment.

The Project Approval (MP07\_0158) which relates to the site was obtained under the former Part 3A of the *Environmental Planning & Assessment Act 1979* and the subject application which necessitates the response to submissions is made pursuant to Section 75W of the Act to modify the approval. This RTS Report responds to, and addresses, the submissions received following the public exhibition of the Modification to the Project Report prepared for this proposal.

Clause 85A of the *Environmental Planning and Assessment Regulation 2000* permits the Director-General of the DoPE to require the Applicant to provide a written response to issues raised in submissions. This RTS report aims to fulfil the request from the Director General.

This RTS report is structured as follows:

- Part A** Introduction, overview of the proposed development and the site
- Part B** Overview of the exhibition period and summary of the submissions received
- Part C** Response to the submissions
- Part D** Conclusion

### **1.2 Site Location**

The subject site has an area of approximately 1.92 hectares and is located within the southern end of the University of Sydney's Darlington Campus, which has a total area of approximately 16.7 hectares. Frontages of approximately 169m to Abercrombie Street and 110m to Codrington Street are achieved with mature vegetation interspersed. A total of 79 individual allotments make up the project site in addition to Rose Street and Boundary Lane. All 79 Allotments are owned by the University of Sydney.

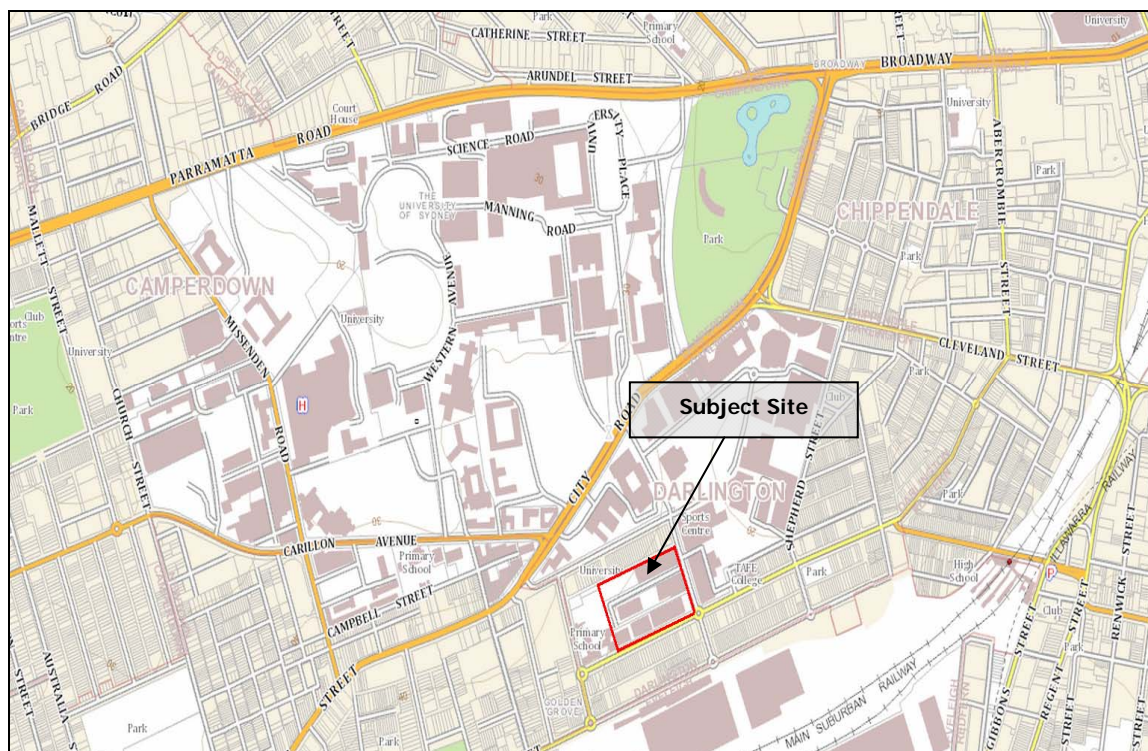
The site is located in a less developed area of the Darlington Campus and comprises a number of buildings which vary in scale, architectural style and physical condition. Rose Street and Boundary Lane have been permanently closed in accordance with Section 34 of the *Roads Act 1993*.



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**Figure 1: Site Location and Existing Development – (University of Sydney, 2013)**



**Figure 2: Site Context – (Land and Property Information, 2013)**

## **PART B EXHIBITION AND SUBMISSIONS**

A Report was prepared to support the modification of Project Approval MP07-0158 and assess the relevant impacts. The Report and accompanying documentation were placed on public exhibition until 30 May 2014 also made available on the DoPE website. During this period, submissions were invited from anyone with an interest in the Project.

A summary of all the submissions received by the public and the various agencies is detailed in Table 1 in Part C.

In total, 32 submissions were received by the Public (majority of which are pro-forma submissions).

One (1) submission was received from community interest group Residents Acting in Darlington's Defence (RAIDD).

One (1) additional submission was received by the City of Sydney Council.

A full copy of each submission is provided at Appendix 1.

The submission from the City of Sydney raised the following items:

- Extended Working Hours
- Scope of Acoustic Assessment
- Noise Mitigation From workforce
- Light spill

The submissions received from the public raised the above items and a few additional:

- Construction programme
- Precedent for future projects in the area
- Limit workforce numbers
- Complaint Management

Part C of this RTS provides responses to each of these items.

## PART C RESPONSE TO SUBMISSIONS

A summary of all submissions and response to the issues raised is addressed in the following tables.

<b>Table 1 – Submissions and Responses</b>		
<b>Summary of Submission</b>	<b>Category</b>	<b>Response</b>
<b>City of Sydney Council Submission</b>		
<i>Restricting the extended hours to 10:00pm would provide greater certainty and respect for sleeping hours for nearby residents.</i>	Extended Working Hours	John Holland is committed to ensuring that the mitigation measures described in Attachment A of the City of Sydney submission (see <b>Appendix 2</b> ) are adhered to. Compliance with these measures will ensure a sufficient level of amenity to surrounding properties while internal construction works are carried out. It is not considered feasible to reduce the construction hours to 10pm as John Holland would have to start the evening shift at 3:00pm which would conflict with daytime activities and program efficiencies will not be met.
<i>The City has received copies of submissions from concerned residents on Abercrombie Street. On review of the acoustic assessment, and the calculated noise levels being significantly above the construction management levels at the assessed noise affected receivers, it is questioned why residential properties on the opposite side of Abercrombie Street were not included/assessed as noise affected receivers.</i>	Scope of Acoustic Assessment	<p>The Abercrombie Street residences are located across the road from Mandelbaum House. For the purpose of the acoustic assessment, these residences are considered to be in a better position than Mandelbaum House due to their increased distance from the construction site.</p> <p>Previous acoustic modelling carried out has confirmed that the noise impacts will be acceptable subject to mitigation measures been imposed. John Holland is committed to complying with the condition outlined in Attachment A of the City of Sydney's submission, as noted in <b>Appendix 2</b>.</p> <p>Mandelbaum House was considered the most sensitive receiver when undertaking the acoustic assessment for extended work hours due to its proximity and purpose. John Holland consulted with Mandelbaum House</p>

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Table 1 – Submissions and Responses		
Summary of Submission	Category	Response
		prior to the public exhibition period and note that no objection was raised. For further details regarding engagement, refer to Part D.
<i>All windows and doors are to be closed during works within the extended construction hours.</i>	Noise (Mitigation)	The design of the New Business School does not include windows that can be opened.
<i>The underground car parking be complete prior to extended working hours commencing for use by staff and workers, such that staff and workers are not permitted to park in permit parking areas and on surrounding streets.</i>	Noise (Work Force)	Parking will be made available for all evening shift staff and workforce in the underground car park (once accessible) to minimise the impact on surrounding streets and limit noise when leaving site at the end of the shift. Sub-contractors will also be encouraged to car pool to and from the site.
<i>No assessment is provided as to the potential lighting to be used, or light spill to surrounding properties. The operations of internal plastering and painting at night require high levels of lighting to achieve high level industry finishes. Appropriate mitigation measures need to be included to prevent adverse light spill onto surrounding properties.</i>	Light Spill	<p>A significant portion of works occurring during extended hours will be taking place away from the perimeter of the building in “glue spaces”, and windowless lecture theatres and case study rooms and light spill will not be an issue.</p> <p>Scaffolding with a shade cloth covering is being erected around the building envelope prior to each level being constructed, providing a barrier to light permeation.</p> <p>Further mitigation techniques that can be put in place if light spill is determined to be noticeable including:</p> <ul style="list-style-type: none"> <li>- Blackening of any nearby glass windows with black plastic.</li> <li>- Direct temporary lighting away from perimeter windows.</li> </ul>



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Table 1 – Submissions and Responses		
Summary of Submission	Category	Response
<b>Public Submissions</b>		
<ul style="list-style-type: none"> <li><i>Originally, the University of Sydney informed residents that Stage 1 of the Abercrombie Precinct Development (APD) was only to consist of the Business School. Construction of Stage 1 started at the beginning of 2013 and it was to be completed and ready for operation by February 2015. The University of Sydney has belatedly included the Student Accommodation Building (Stage 2) in the project but despite the vastly increased scope the deadline has not been changed.</i></li> <li><i>Why John Holland is so far behind schedule that this modification request is warranted. I do not think the weather conditions have warranted it. Was the original time planning defective?</i></li> </ul>	Construction Programme	<p>The contracted completion dates for the two projects that comprise Abercrombie Precinct Redevelopment have always been different.</p> <p>Stage 1: New Business School, 31 Jan 2015 Stage 2: Abercrombie Student Accommodation, 29 Apr 2015</p> <p>These project dates are shown on the information signs on the hoardings on Abercrombie and Codrington Streets.</p> <p>The New Business School has been beset by a number of uncontrollable occurrences which include, but are not limited to, inclement weather conditions and inconsistent ground conditions resulting in a significant pressure on the ability to safely construct to programme. Works have been delayed to such a point that without extended work hours the project cannot be completed on time.</p>
<ul style="list-style-type: none"> <li><i>If these extended hours are allowed, a precedent will be set and any other development in the area will find it easier to obtain similar hours of operation.</i></li> </ul>	Precedent	Future requests will be determined on a project by project basis by the applicable governing body.
<p><i>That there can only be a maximum of 82 workers on the site during the extended hours: 6pm - midnight Monday - Friday and 3pm - 10pm on Saturday.</i></p> <p><i>This is what was quoted to a RAIDD member by Rachael, John Holland's community liaison person, because this is the number of car spaces in the APD car park.</i></p>	Limit Workforce	The intent of the wording is not to limit the number of workers, but to indicate the capacity to reduce workforce parking is residential streets.
<ul style="list-style-type: none"> <li><i>If noise from the site itself and from workers arriving and leaving the site is greater than the normal background noise and residents are disturbed in any way then work should be stopped immediately and the right to the extended hours forfeited from then on.</i></li> </ul>	Complaint Management	John Holland prefers the wording provides by Council (item (2) in <b>Appendix 2</b> ). It is considered reasonable that that in the event a complaint is made, it be substantiated first and John Holland is given a chance to improve the attenuation controls in place.

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Table 1 – Submissions and Responses		
Summary of Submission	Category	Response
<p>- <i>The 1800 number that is unmanned, so we can leave a message so someone can call us the next day and say nothing happened. The Contractor must be forced to have direct phone to the person performing the work, so that they can stop immediately. In addition, larger penalties should apply for failure to comply, as the current penalty rate is too small, as such the contractor can continue to ignore the approvals and pay a small insignificant fine.</i></p>		<p>If such a complaint becomes a regular occurrence or John Holland is not responsive to legitimate feedback, then it would be fair for the regulatory authorities to take further action.</p> <p>The community information line (1800 855 262) is directed to the Construction Liaison Officer's (CLO) mobile phone and is contactable on a 24 hour basis. If a phone call is missed or a message left, the CLO endeavours to return the call as quickly as possible.</p> <p>It is preferable for the CLO to manage these phone calls and liaise with the supervisors on site, rather than direct the calls to the supervisors.</p>

## **PART D PUBLIC CONSULTATION**

Prior to and during the exhibition phase for Modification 4, John Holland liaised with the stakeholders that share the same block as the Abercrombie Precinct Redevelopment. A summary of this consultation is outlined in **Table Y**.

<b>Table 2 – Public Consultation</b>	
<b>Stakeholder</b>	<b>Consultation</b>
<b>Mandelbaum House</b> 385 Abercrombie St	<p>Mandelbaum House is a residential college catering for up to 38 students and is affiliated with the University.</p> <p>John Holland set up a meeting for 29 April 2014 with Mandelbaum House management and representatives from Campus Infrastructure &amp; Services (CIS) at the University to inform of the proposed extension to work hours, why it was needed and the controls in place to ensure residents are still able to function effectively.</p> <p>Some questions were raised about how John Holland would mitigate sound and light from impacting on Mandelbaum House. The John Holland Project Manager explained how the double glazed window units on the New Business School exterior would impede the ability of sound to travel and that black plastic can be put up to block light.</p> <p>An information sheet was also provided to Mandelbaum House management to aid discussions with the student residents. See attached in <b>Appendix 3</b>. Following this meeting Mandelbaum House informed John Holland of their intention to not submit an objection to Modification 4.</p>
<b>H69 – Economics &amp; Business Building</b> Cnr Codrington St & Darlington Ln	<p>This University building is accessible to some students on a 24/7 basis. Otherwise the computer labs are open until 9:00pm on week nights. Consultation with H69 is facilitated by CIS. No objection has been raised by the Infrastructure Manager for the Business School.</p>
<b>Darlington Public School</b> Golden Grove St	<p>The Principal of Darlington Public School was advised of the Modification in case of queries from parents and staff. The Principal acknowledged that the extension of work hours would not affect the operation of the school.</p> <p>A brief summary was provided to the Principal for inclusion in the weekly bulletin that is issues to all parents, guardians and carers. Refer to attached in <b>Appendix 4</b>.</p>

## **PART E CONCLUSION**

This RTS provides a response to each item raised by the public and agencies during exhibition. As demonstrated, the proposal can be undertaken without significant alteration to the development as originally approved and shall result in no unacceptable environmental impacts.

Based on the findings of the Environmental Assessment, this RTS and the supporting documentation, it is recommended that the proposal be supported by the Department of Planning and Environment, subject to appropriate conditions.

## **Appendix 1 – Copy of Submissions**

## **Appendix 2 – City of Sydney Recommendations and John Holland Commitment**



## **Appendix 3 – Mandelbaum House Information Sheet**

## **Appendix 4 – Darlington Public School Briefing**