

Modification of Minister's Approval

Section 75W of the *Environmental Planning & Assessment Act 1979*

I, the Minister for Planning, approve the modification of the project application referred to in schedule 1, subject to the conditions in schedule 2.



The Hon Pru Goward MP
Minister for Planning

Sydney

26 / 11 /

2014

SCHEDULE 1

Project Approval:

MP07_0158 granted by the Minister for Planning and Infrastructure on 16 November 2012

For the following:

University of Sydney Abercrombie Precinct Redevelopment, including:

- site remediation
- lot consolidation and subdivision into two lots for the business school building and student accommodation building
- demolition of all existing structures, except part demolition only of the Faculty of Business and Economics building and reuse reinterpretation of the Joiner's Workshop building façade
- excavation and bulk earthworks across the site for basement and lower ground levels and services
- construction of a new car park, comprising two basement levels for 82 car parking spaces and loading dock facilities
- construction of a four to six storey business school building
- construction of a new three to five storey student accommodation building providing 188 beds
- landscaping and public domain works, including new public plaza/forecourt, through-site-link and retention of Sydney Blue Gum and retention and/or relocation of Crows Ash trees
- ancillary works, including utilities servicing and minor works to Darlington Public School.

Modification Number:

MP07_0158 MOD 4:

- modifications to condition D11 Hours of Work

SCHEDULE 2 CONDITIONS

- Condition A2 is amended by inserting (g) and (h) as follows:

Development in Accordance with Plans and Documents

A2. The proponent shall carry out the project generally in accordance with the:

- (a) Environmental Assessment titled *Abercrombie Precinct Redevelopment Project Environmental Assessment*, prepared by *PJEP Environmental Planning Pty Ltd*, dated March 2011;
- (b) Project Report titled *Preferred Project Report and Response to Submissions, The University of Sydney, Abercrombie Precinct Redevelopment*, prepared by *JBA Planning*, dated April 2012 (amended July 2012);
- (c) Section 75W Modification titled *Section 75W Modification Project Approval (MP07_0158), Abercrombie Precinct Redevelopment, University of Sydney*, prepared by *McKenzie Group Consulting Planning*, dated August 2013;
- (d) Response to Submissions titled *Response to Submissions Section 75W Modification Application (MP07_0158 MOD 2)*, prepared by *McKenzie Group Consulting Planning*, dated October 2013;
- (e) Section 75W Modification titled *Modification to University of Sydney Abercrombie Precinct Redevelopment (MP07_0158)*, prepared by *JBA Planning*, dated 11 October 2013;
- (f) Response to Submissions titled *University of Sydney Abercrombie Precinct Redevelopment (MP07_0158) MOD 3*, prepared by *The University of Sydney*, dated 12 December 2013;
- (g) **Section 75W Modification titled *Section 75W Modification Project Approval (MP07_0158)*, prepared by *McKenzie Group Consulting Planning*, dated April 2014;**
- (h) **Response to Submissions titled *Response to Submissions Section 75W Modification (4) Application (MP07_0158)*, prepared by *McKenzie Group Consulting Planning*, dated June 2014;**
- (i) The following drawings, except for:
 - (i) any modifications which are Exempt or Complying Development;
 - (ii) as may be necessary for the purpose of compliance with the BCA and any Australian Standards incorporated in the BCA; or
 - (iii) otherwise provided by the conditions of this approval.

Architectural (or Design) Drawings prepared by KANNFITCH and NETTLETON TRIBE			
Drawing No.	Revision	Name of Plan	Date
A1001	E	SITE ANALYSIS	18/07/13
A1003	E	EXTENT OF WORKS	18/07/13
A1004	A	EXISTING SUBDIVISION PLAN	13/04/12
A1005	B	EXISTING SITE & DEMOLITION	12/07/12
A1006	B	PROPOSED SITE OVERVIEW	12/07/12
A2200	F	PLAN – LOWER GROUND	29/07/13
A2201	F	PLAN – CAR PARK LEVEL	29/07/13
A2202	F	PLAN – GROUND FLOOR	29/07/13
A2203	F	PLAN – MEZZANINE	29/07/13
A2204	F	PLAN – LEVEL 01	29/07/13
A2205	F	PLAN – LEVEL 02	29/07/13
A2206	F	PLAN – LEVEL 03	29/07/13
A2207	F	PLAN – LEVEL 04	29/07/13
A2208	F	PLAN – LEVEL 05	29/07/13
A2209	F	PLAN – ROOF	29/07/13

A2210	F	PLAN – BASEMENT	29/07/13
A3000	F	RENDERED ELEVATIONS – ABERCROMBIE STREET	29/07/13
A3001	F	RENDERED ELEVATIONS – CODRINGTON STREET & DARLINGTON LANE	29/07/13
A3002	F	RENDERED ELEVATIONS – WEST ELEVATION FACING SCHOOL	29/07/13
A3100	F	SECTIONS A & B	29/07/13
A3101	F	SECTIONS C & D	29/07/13
A9000	D	FINISHES – MATERIALS/USBS	04/12/13
TTW-BUS-CIV-SKT-110	P1	DARLINGTON LANE KERB AND PAVEMENT WORKS	03/10/13
MCG-BUS-LDS-DWG	N/A	SUBSTATION PLAN AND DARLINGTON LANE ELEVATION	N/A
4001_DA01-F	F	BASEMENT PLAN	06.02.14
4001_DA02-F	F	GROUND FLOOR PLAN	06.02.14
4001_DA03-F	F	LEVEL 1 & 2 PLAN	06.02.14
4001_DA04-F	F	LEVEL 3 & 4 PLAN	06.02.14
4001_DA05-F	F	ROOF PLAN	04.12.13
4001_DA06-F	F	ELEVATIONS	06.02.14
4001_DA07-F	F	SECTIONS	06.02.14
4001_DA08-F	F	APARTMENT TYPES	06.02.14
4001_DA010-F	F	FENCE DETAILS	06.02.14
4001_DA011-F	F	FAÇADE DETAILING	06.02.14
LAN-D-001	D	LANDSCAPE PLAN	08/10/13
LAN-D-002	D	TYPICAL LANDSCAPE SECTIONS	08/10/13
LAN-D-003	D	PLANTING PALETTE	08/10/13

- Delete B28(a) and replace with the following:

Alignment Levels

B28.

- (a) **Prior to the certification of Crown Building Works for the public domain, footpath alignment levels for the building must be submitted to council for approval. The submission must be prepared by a registered surveyor and must be in accordance with council's Public Domain Manual.**

- Delete D11 and replace with the following:

Hours of Work

D11. The hours of construction, including the delivery of materials to and from the subject site, shall be restricted as follows:

- (a) between 7:00 am and 6:00 pm, Mondays to Fridays inclusive
- (b) between 8:00 am and 3:00 pm, Saturdays
- (c) **between 6:00 pm and 10:00 pm, Mondays to Fridays inclusive for non-structural internal works within the business school building only**
- (d) **between 3:00 pm and 10:00 pm, Saturdays for non-structural internal works within the business school building only**
- (e) no work on Sundays and public holidays
- (f) works may be undertaken outside these hours where:
 - (i) the delivery of materials is required outside these hours by the Police or other authorities

- (ii) it is required in an emergency to avoid the loss of life, damage to property and/or to prevent environmental harm
- (iii) variation is approved in advance in writing by the Secretary or her nominee.

- Delete D13 and replace with the following:

Construction Noise Management

D12.

- (a) The construction noise objective for the project is to manage noise from construction activities so it does not exceed the requirements of the EPA *Interim construction noise guidelines*.
- (b) Background noise levels are those identified in Environmental Assessment or otherwise identified. The proponent shall implement all feasible noise mitigation and management measures with the aim of achieving the construction noise objective.
- (c) Any activities that have the potential for noise emissions that exceed the objective must be identified and managed in accordance with a Construction Noise and Vibration Management Plan, approved by the Director-General.
- (d) If the noise from a construction activity is substantially tonal or impulsive in nature (as described in Chapter 4 of the NSW Industrial Noise Policy), 5dB(A) must be added to the measured construction noise level when comparing the measured noise with the construction noise objective.
- (e) The proponent shall schedule rock breaking, rock hammering, sheet piling, pile driving and any similar activity only between the following hours, unless otherwise approved in the Construction Noise and Vibration Management Plan.
 - (i) On school days, from 7.30 am to 10.00 am, and from 2.30 pm to 6.00 pm;
 - (ii) Monday to Friday during the Darlington Public School holidays, from 7.30 am to 12.00 pm and from 2.00 pm to 6.00 pm
 - (iii) 9.00 am to 1.00 pm, Saturday.
- (f) Wherever practical, and where sensitive receivers may be affected, piling activities are completed using bored piles. If driven piles are required they must only be installed where outlined in a Construction Noise and Vibration Management Plan approved by the Secretary.
- (g) **All recommendations contained in the acoustic report prepared *Marshall Day Acoustics ref Lt001 R04 2013244SY*, dated 17 July 2014 must be implemented during construction and use of the premises, including the following:**
 - (i) **Construction works undertaken during the extended hours of work shall only commence on each level of the business school building once the façade has been made watertight;**
 - (ii) **Noisier construction activities taking place within the business school building shall be scheduled to take place away from sensitive receivers (i.e. Mandelbaum House, Abercrombie Street and Darlington Street residents) during the later hours of the evening as far as practicable;**
 - (iii) **Tiling activities are restricted to the installation of tiles only and any tile cutting shall not take place during the extended hours of work stipulated in condition D11(c) and (d);**
 - (iv) **Deliveries to the site shall not occur outside of standard hours of work stipulated in condition D11(a) and (b);**

- (v) Scaffolding erection associated with painting activities shall not take place outside of standard hours of work stipulated in condition D11(a) and (b);
 - (vi) All sub-contractors shall be encouraged to car pool or use public transport;
 - (vii) The basement car park is to be completed prior to works being undertaken during the extended hours of work stipulated by D11(c) and (d). The basement car park is to be used for all construction staff and workers, such that staff and workers are not permitted to park in permit parking areas and on surrounding streets;
 - (viii) If any tools/equipment related construction work undertaken during the extended hours of work are found to give rise to complaints from affected receivers, then these activities must be rescheduled to only occur during the standard construction hours stipulated in condition D11(a) and (b);
 - (ix) All windows and doors are to be closed during works within the extended hours of work;
 - (x) The Principal Certifying Authority (PCA) shall obtain a statement from appropriately qualified acoustic consultant who possesses the qualifications to render them eligible for membership of the Australian Acoustic Society, Institution of Engineers Australia or the Australian Association of Acoustic Consultants, certifying that the acoustic mitigation measures outlined in the above stated report have been suitably incorporated into the development and that relevant noise criteria have been satisfied prior to issue of Occupational Certificate.
- (h) In the event any complaint is received regarding construction works undertaken within the business school building during the extended hours of work in accordance with condition D11(c) and (d), works in the area of concern must cease operation and appropriate mitigation measures are to be identified, and the department and complainant are to be informed of the measures that will be implemented to address the complaint prior to those works recommencing.