



NSW GOVERNMENT

Department of Planning

Strategic Assessments, Strategic Sites and Urban Renewal

Planning Assessment Report
**Application to Modify the Minister's Approval for
the Cochlear Global Headquarters Building, Macquarie University**
Major Project 08_0032 MOD 1

1 BACKGROUND

On 2 January 2009 the Minister for Planning approved a project application for the construction of the Cochlear Global Headquarters at Macquarie University, subject to conditions (MP 08_0032 Cochlear Global Headquarters Stage 1 Building).

On 2 February 2009, the proponent submitted a modification application under section 75W of the *Environmental Planning and Assessment Act 1979* (the Act) (see **Tag A**) seeking amendments to the conditions of consent relating to developer contributions, intersection upgrades, changes to vehicle parking, the childcare centres and construction hours.

The Department considers that the proposed modifications are acceptable as the works shall not significantly alter the original approved building. As such the modifications are considered worthy of support.

2 THE PROPOSED MODIFICATIONS

The proponent requests the following modifications to the approval:

- Section 94 contributions to be in accordance with Council's current Section 94 plan in the event that a Planning Agreement between Council and the University has not been completed.
- RTA approval for the design of intersection upgrades (Waterloo and Herring Roads) be required prior to Occupation Certificate instead of Construction Certificate.
- At-grade car parking spaces be made permanent;
- Time frame for completion of Work Place Travel Plan be deleted;
- Building modifications to childcare centres not be required;
- Relocation of childcare centre playgrounds not be linked to Construction Certificate (Gumnut Cottage) and Occupation Certificate (Waratah); and
- Construction hours on Saturday be extended by 3 hours to 7.00am to 3.00pm.

3 ASSESSMENT PROCESS

Section 75W(2) of the Act provides that a proponent may request the Minister to modify his approval of a project. The Minister's approval is not required if the project as modified will be consistent with the original approval.

The proposed modification seeks to change the terms of the Minister's determination through amendments to the approved plans. Accordingly, the modification will require approval.

Section 75W(3) of the Act provides the Director-General with scope to issue environmental assessment requirements (DGRs) that must be addressed before the consideration by the Minister

or his delegate. DGRs have not been issued for the modification as it is considered that its impacts would be minimal and similar to the original proposal.

Section 75W(4) of the Act gives the Minister the authority to modify the approval (with or without conditions) or disapprove the modification. Following consideration of the proposed modification (see below), the Department recommends the modification be approved.

4 CONSULTATION

Pursuant to Section 75X(2)(f) of the Act the Director-General is required to make publicly available requests for modifications of approvals given by the Minister. In accordance with Clause 8G of the Environmental Planning and Assessment Regulation 2000, the request for the modification was placed on the Department's website. Modifications are not required to be publicly exhibited.

5 CONSIDERATION

5.1 Section 94 contributions

Condition 4 requires that Section 94 contributions be made in accordance with the terms of a Voluntary Planning Agreement (should one be executed prior to completion of the building) or otherwise in accordance with Council's Section 94 Plan.

It is recommended specific reference to "City of Ryde Development Contributions Plan 2007" be made in the condition to clarify that the current Section 94 Plan will continue to apply to this development in the event (albeit unlikely) that Council makes a new Section 94 plan.

5.2 Intersection upgrades

Condition 5 requires that the detailed design of the Waterloo and Herring Road intersection upgrade be approved by the RTA prior to Construction Certificate and the works be completed prior to Occupation Certificate.

The RTA advised that the submission and approval of the intersection design does not need to be linked to the issue of the Construction Certificate and that approval of the design and completion of the works can both occur prior to Occupation Certificate. It is recommended that the condition be amended accordingly.

5.3 At-grade car parking

The development provided a total of 570 car and motorcycle parking spaces. Condition 6 required the at-grade car parking (130 spaces) be phased out over time and the timing/staging for this to occur be outlined in the Work Place Travel Plan (required by Condition 7).

The rationale for phasing out the car parking is to restrict the total amount of car parking provided at Macquarie University in order to achieve Council's target of a 40% public transport mode share by 2031 and to reduce the visual dominance of car parking structures within the campus which leads to poor quality urban design, public domain and visual aesthetic outcomes.

40% public transport mode share

Cochlear currently has 900 employees with approximately 88% (792 employees) on site at any time due to shift arrangements. Based on these factors, if the 570 parking spaces were fully utilised, up to 75% of employees could drive to work and be assured a parking space.

Cochlear anticipates their workforce will increase by 33% to 1250 employees. Once these staffing levels are reached, private car mode share would decrease significantly as a maximum of 57.6% of employees could be guaranteed a parking space. The Department is satisfied that the amount of car parking proposed in conjunction with the preparation of a work place travel plan would not undermine the 40% public transport mode share from being achieved in the longer term.

It is considered acceptable to provide a higher ratio of car parking during the early stages of development to create an incentive to attract development to the area particularly while public transport service levels have not yet reached their full potential (the Epping to Chatswood rail link

has opened but is only operating a shuttle service). A similar approach is taken by Council's Macquarie Park DCP, which allows additional car parking to be provided up front which is later on converted to storage space.

Notwithstanding the above, the ratio of car parking to development at Macquarie University will need to be significantly reduced over time in order to achieve a 40% public transport mode share by 2031 and therefore the car parking rates for Cochlear (ie 1 space per 46m²) should not be viewed as a precedent or justification for the future development of the rest of the campus. A coordinated car parking strategy will be needed for the whole of the campus and this is best addressed at macro scale as part of the Concept Plan application, currently under assessment.

A campus wide car parking strategy should take into account the travel behaviour of different users (eg staff, students, employees, etc), the availability and service levels of various public transport, both of which may change over time and the staging of development (eg opportunities to "decant" existing above ground car parking into new basement car parks). Measures to discourage private car use (eg pricing and availability of car parking) and promote public and active transport (eg work place travel plans, improved cycle/footpaths etc) and how these might vary over time should also be considered.

Urban design

Approximately 5,341 car parking spaces are currently provided within the Macquarie University campus, the majority of these in multi-storey car parks. The car parking areas are a visually dominant element within the campus and result in poor quality public domain and urban design outcomes.

The provision of at-grade car parking for new developments (as opposed to exclusively at basement level) could perpetuate this urban design problem, although, in the case of the Cochlear proposal, which replaces an existing at-grade car park, the impact is less noticeable. The visual impact could be further reduced by providing a greater amount of landscaping and/or more shade trees to the car park area. A condition to this effect is recommended.

There is opportunity to rationalise some of the existing car parking on the University campus either by consolidating it into fewer multi-storey car parks or accommodating it within the basements of new buildings. This issue should be examined holistically as part of the Concept Plan application, and in this regard, approval of the Cochlear proposal should not be viewed as a precedent or as a general endorsement for above-ground car parking across the whole of the campus.

5.4 Work Place Travel Plan

Condition 7 required that a Work Place Travel Plan be prepared prior to issue of an Occupation Certificate and include details of the staging/timing for the phasing out of the at-grade car park. The latter is now redundant as it is recommended that the at-grade car park be permanent.

In relation to the timing of the Work Place Travel Plan, it is important that a time frame is nominated to provide certainty in the condition. It is also important that the Work Place Travel Plan be prepared as early as possible when its potential to influence employee travel behaviour is greatest and then reviewed following Cochlear's relocation to their new premises.

Therefore, it is recommended Condition 7 be modified to require prior to Occupation Certificate, an information package be distributed to all employees advising of the transport options for travel to Macquarie University, an employee survey be undertaken to identify employees likely transport mode choice for journey to work and a preliminary work place travel plan be prepared and submitted to the Department of Planning. The preliminary work place travel plan should be reviewed and finalised within six months of the issue of an Occupation Certificate and detail the measures to be implemented to achieve a 40% public transport mode share and the on-going monitoring and reporting to be carried out to ensure the target continues to be met.

5.5 Building modifications to childcare centres

The car parking area for Cochlear encroaches onto the playground areas of Gumnut and Waratah childcare centres. Condition 10 required a design to be submitted showing the car parking, playground areas, pedestrian access and building modifications to the childcare centre.

Any building modifications (if any) required to the childcare centres to access the new playground areas, could be undertaken by Macquarie University without consent under the Infrastructure SEPP. Therefore, there is no need for this information to be submitted to the Department of Planning as the impacts can be managed by the University as the land owner through their internal processes.

5.6 Childcare centre playground relocation

Condition 11 required that Gumnut's playground be relocated prior to Construction Certificate and Waratah's prior to Occupation Certificate.

Gumnut Cottage's playground was scheduled to be relocated before the commencement of the 2009 university year (ie is likely to have already occurred) and the Waratah Centre will be closed for at least the duration of the construction of the new Cochlear building.

The University will need to ensure that suitable playground areas are provided in order to satisfy the licensing requirements for childcare centres and this issue can be adequately resolved as part of that separate process.

5.7 Construction hours

Condition 18 permitted construction on Saturdays between 8.00am and 1.00pm. Council's standard construction hours on Saturdays are 8.00am to 4.00pm. However, given there are no residential receivers immediately surrounding the site, the proponent's request to begin construction work at 7.00am on Saturdays and finish by 3.00pm is supported.

6 RECOMMENDATION

The proposed modifications to the conditions of approval are considered to be acceptable subject to the provision of additional landscaping to the at-grade car park and the completion of the Work Place Travel Plan within 6 months of Occupation Certificate. The application is recommended for the approval.

It is recommended that ^{D.G.}~~Executive Director of Strategic Sites and Urban Renewal~~ under delegated authority, approve the modifications as detailed in this report and in doing so sign the attached Modification Approval under Section 75W (Modification of Minister's Approval) of Part 3A of the Act at Tag C.

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