

08142  
22 December 2008

Mr Sam Haddad  
Director General  
Department of Planning  
23-33 Bridge Street  
SYDNEY NSW 2000

Attention: Jason Perica

Dear Mr Haddad

**PART 3A REQUEST FOR MINISTER'S DECLARATION  
MOORE THEOLOGICAL COLLEGE, NEWTOWN**

We refer to the proposal for the redevelopment of the campus of Moore Theological College, Newtown as discussed in an initial meeting with your officers on 16 December 2008.

We are writing on behalf of Moore Theological College, the proponent, to seek the Minister's opinion that the redevelopment of the College is a development of the kind described in Schedule 1 (Classes of development) of State Environmental Planning Policy (Major Projects) 2005 (the Major Projects SEPP) and therefore, is a 'major project' to be determined under Part 3A of the *Environmental Planning & Assessment Act, 1979* (the EP&A Act).

Should the Minister form the necessary opinion, we request that:

- a) the Minister authorise the proponent to submit a Concept Plan application for the proposed development; and
- b) the Director General issue the requirements for the preparation of an Environmental Assessment to accompany a Concept Plan and Stage 1 Project Application for the proposed development.

To support the request for the Director General's requirements relating to the environmental assessment, a Preliminary Assessment relating to the project follows. The Preliminary Assessment provides detail on the site location and an outline of the project, and identifies the key likely environmental and planning issues associated with the proposal.

**1.0 SITE DESCRIPTION**

**Site Location and Context**

The site is a 2.2 ha (22,955m<sup>2</sup>) wedge-shaped site comprising numerous allotments, which are identified in the attached schedule of legal property descriptions, and are either owned by Moore Theological College or being pursued for acquisition. It is located on the corner of King Street and Carillon Avenue, Newtown, some 1km west of Broadway.

The site has a northern boundary to the Carillon Avenue, and southern boundary to King Street. Access to the site is from Campbell Street (which runs off Missenden Road) and Carillon Avenue.

The site is strategically located within the institutional hub comprising Sydney University and Royal Prince Alfred Hospital, with nearby access to Broadway and the CBD.

The site is currently occupied by various educational, campus and administration buildings of varying architectural styles and ages. The King Street frontage and parts of the site are also characterised by single and two storey retail / commercial premises and terrace houses, which are proposed to be retained (see attached plan).

The contextual location of the site is included in the attached drawing set prepared by Allen Jack + Cottier at Attachment A.

### **Surrounding Development**

Sydney University is the dominant land use in the locality and surrounds the Moore Theological College site to the north and east. The University's land holdings comprise primarily educational uses, however much of the Carillon Avenue frontage is characterised by residential properties and private colleges affiliated with the University. Like Moore Theological College, the University buildings comprise various architectural styles and ages. These include the St Andrews College and Women's College which are both over 100 years old and up to 4 storeys tall.

To the north west of the Moore Theological site is the Royal Prince Alfred Hospital. The Hospital also comprises a mixture of institutional and ancillary buildings and there appears to be no common architectural style or theme across the Hospital campus.

King Street is located to the south of the site and is characterised by various commercial and retail uses in predominantly shop top configuration, although there are some three storey elements (eg: 21 King Street). The cluster of buildings within the College's ownership along King Street are in various states of disrepair, however studies undertaken for the area have concluded that some of these buildings are contributory to the urban environment and their facades should be considered for retention.

The western surrounds of the site are characterised by Newtown North Primary School on Campbell Street which is well patronised by children of the College's students. Attached terrace houses on narrow lots and a child care centre are located adjacent to the Primary School. Further west beyond the site, is the Sydney University Village which is up to nine storeys in height.

## **2.0 THE PROJECT**

Moore College currently has some 325 students studying full time at the Newtown campus and almost 5,000 students in over 50 countries studying by external studies. The existing facilities are not adequate to meet the future needs of the College. To address this, the College has been undertaking a master planning exercise over the past 12 months to explore options for expansion of the campus and its facilities.

In broad terms, Moore Theological College is seeking to redevelop part of its campus to provide up to 35,000m<sup>2</sup> of new and refurbished floor space up to seven storeys high (see Attachment A). To ensure an appropriate urban design and heritage outcome is realised, the College proposes to redevelop up to 15,681m<sup>2</sup> of the 22,955m<sup>2</sup> owned by Moore College. The 15,681m<sup>2</sup> site area includes 2,800m<sup>2</sup> of land currently being pursued for acquisition by the College. Approval would be sought for:

- a new library and learning centre (at the corner of King Street & Carillon Avenue);
- new teaching and administration floor space;
- new student and teaching staff accommodation fronting Carillon Avenue;

- public domain improvements including pedestrianisation of part of Little Queen Street;
- 450 car parking spaces provided both at grade and within basement parking;
- refurbishment of terrace houses facing Little Queen Street;
- construction of utilities and services connections from adjacent locations to the site; and
- stormwater, drainage and bulk earth works associated with the development of the site.

The development will be staged over a number of years commencing with the library redevelopment. It is the College's intention to seek concurrent Project Application approval for the construction of a new 7 storey library building on the corner of Carillon Avenue and King Street and Concept Plan approval for the remainder of the site. The Concept Plan will seek approval for broad land use distribution and maximum permissible parameters (including gross floor area, heights, densities), building envelopes and car parking.

### 3.0 PLANNING CONTROLS

The planning instruments, development control plans and planning policy documents of key relevance to the proposed development are listed below, and a short summary of the primary controls of the South Sydney LEP and DCP follows. The proposal clearly satisfies the Major Projects SEPP criteria (see Section 3.2) and as such the EAR will consider and address the other environmental planning instruments and policies as relevant to the proposal.

- South Sydney Local Environmental Plan 1998;
- Proposed City of Sydney City Wide LEP;
- State Environmental Planning Policy No.55 – Remediation of Land
- State Environmental Planning Policy No.65 – Design Quality of Residential Flat Development
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy (Major Projects) 2005
- City of Sydney Access Development Control Plan 2004
- Development Control Plan No 11 – Transport Guidelines for Development 1996
- South Sydney Development Control Plan 1997: Urban Design
- South Sydney (Heritage Conservation) Development Control Plan 1998

#### 3.1 South Sydney Local Environmental Plan 1998 and South Sydney DCP 1997

Four land use zones occur within the College site, under the South Sydney LEP. These land use zones comprise:

- 2(b) Residential (Medium Density);
- 3 Business;
- 5 Special Uses (University); and
- 10 Mixed Uses.

Refer to the zoning map at Figure 1 for the zoning controls applying to specific properties.

The proposal is consistent with the land use zone objectives and is permissible with consent under the current zonings.

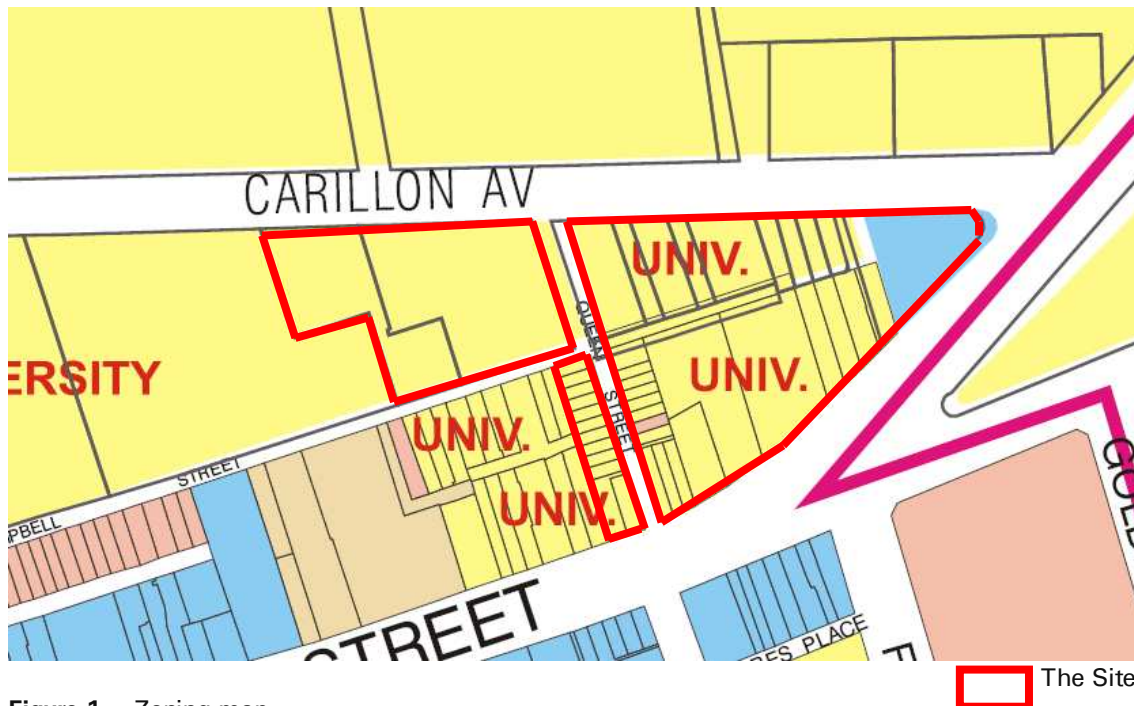


Figure 1 – Zoning map

#### ***Maximum floor space ratio***

Under the South Sydney DCP, a maximum floor space ratio of 1.5:1 applies only to 1 King Street, Newtown. Other properties within the College site do not have a maximum floor space ratio prescribed under the South Sydney DCP.

#### ***Height***

The College site does not have a maximum height limit prescribed under the South Sydney DCP.

#### ***Heritage***

Heritage items within the College site listed under the South Sydney LEP are identified below:

- 6 Little Queen Street, Newtown;
- 8 Little Queen Street, Newtown;
- 10 Little Queen Street, Newtown;
- 12 Little Queen Street, Newtown;
- 14 Little Queen Street, Newtown;
- 16 Little Queen Street, Newtown;
- 18 Little Queen Street, Newtown; and
- 20 Little Queen Street, Newtown.

All land within the College falls within Heritage Conservation Areas identified under the South Sydney LEP. These Heritage Conservation Areas comprise:

- Sydney University Conservation Area – includes College properties north of Carillon Avenue, Camperdown.
- King Street Conservation Area – includes College properties with frontage to King Street, Newtown.
- Bligh and Camperdown Terrace Conservation Area – all other properties.

Refer to Attachment A for the location of heritage items and heritage conservation areas at the College and in surrounding properties.

### **3.2 Major Projects SEPP 2005**

Clause 6 of the Major Projects SEPP provides that development that in the opinion of the Minister is development of a kind referred to in Schedule 1 (Classes of development) and Schedule 2 (specified sites) is declared to be a project to which Part 3A of the EP&A Act applies.

Clause 20 (Group 7) in Schedule 1 in the Major Projects SEPP, entitled Educational Facilities, identifies development for the purpose of teaching or research (including universities, TAFE or schools) that has a capital investment value of more than \$30 million.

The proposed development is for such facilities as identified above and has an estimated capital investment value of \$120 million.

It is therefore requested that the Minister form an opinion that the proposed development is of a type listed in Schedule 1 of the SEPP and is therefore a Major Project to which Part 3A of the EP&A Act applies. In doing so, it is further requested that the Minister authorise a Concept Plan for the site.

### **4.0 PRELIMINARY ENVIRONMENTAL ASSESSMENT**

Once the Minister forms the opinion that the proposal is a project to which Part 3A applies, and authorises the preparation of a Concept Plan, it is requested that the Director General issue the environmental assessment requirements. The scope of environmental planning issues proposed to be addressed in an Environmental Assessment Report (EAR) to accompany the Part 3A Concept Plan and Stage 1 Project Application is provided below to assist the Department and Director-General in identifying the Environmental Assessment Requirements for the project.

The key environmental planning considerations associated with the proposed development are as follows:

- urban design and built form;
- heritage;
- traffic, transport and access;
- ESD performance; and
- construction management.

#### **4.1 Built form and visual impact**

The EAR will include an assessment of the scale, bulk, height, form, design of the development as well as consider the potential for land use conflict of the proposed buildings within their context.

The EAR will also consider overshadowing and privacy impacts arising from an intensification of uses on the College site and having regard to the primarily low density residential character of land uses immediately adjacent to the College. Visual impacts will also be addressed in the EAR.

#### **4.2 Heritage**

The conservation of heritage is a significant site consideration in determining the potential development proposal for the redevelopment of the College site. The entire College site is included within one or other of three Heritage Conservation Areas, identified under the South Sydney LEP. Several buildings and other works on the College site are likely to be considered of significant heritage conservation and archaeological value, despite not having currently been listed on a

recognised statutory register. In addition, several items in the vicinity of the site have State or Commonwealth heritage significance.

Given the significant nature and extent of heritage fabric found on the site, the management of heritage conservation measures during construction and ongoing will be addressed in detail in the EAR.

#### **4.3 Traffic, transport and access**

A transport and access report will be prepared for the EAR to address access for the site, traffic generation and capacity of the road network, access and road layout arrangements, service and delivery movements, parking and public transport provision, pedestrian and bicycle access.

The EAR will also assess the impacts of the proposed partial closing of Little Queen Street and restricting the street to pedestrian use only.

Disabled access within and around the site will also be addressed in the EAR.

#### **4.4 Sustainability Performance**

The EAR will include a sustainability assessment and commitments to the overall management of the development and its ongoing operations, including indoor environmental quality, energy, transport, water, materials, ecology and emissions.

#### **4.5 Construction management**

A construction management strategy will be included in the EAR to address the potential impacts of construction activities including management of site security and access, construction traffic, erosion and sediment controls, materials storage, construction waste, noise, and staging, particularly as they relate to the Stage 1 Project Application being construction of the new library.

#### **4.6 Other matters**

Other matters for consideration that will be addressed in the Environmental Assessment and may assist the Director General in identifying the general requirements and key project specific issues to be addressed are as follows:

- Compliance with relevant planning controls
  - Consideration of the relevant planning controls affecting the site and justification for any departures
- Planning agreements/developer contributions
  - Review of the proposal against the requirements in the City of Sydney Section 94 Contributions Plan 2006
- Soil and water
  - Stormwater management, including on site detention and relationship to the overland flow path that traverses the site
  - Flooding
  - Water quality management
  - Water supply including the potential for rain water harvesting
  - Wastewater disposal
  - Proposed erosion and sediment control measures
- Infrastructure and Servicing
  - Provision of services and easements for services.

## 5.0 CONCLUSION

We trust that the above and enclosed Preliminary Assessment is sufficient to enable the Minister to form an opinion that the proposed development is a Major Project to be dealt with under Part 3A and to allow the Director General to issue requirements for the preparation of the necessary Environmental Assessment.

Should you have any queries about this matter, please do not hesitate to contact me on 9409 4957 or [sballango@jbaplanning.com.au](mailto:sballango@jbaplanning.com.au).

Yours faithfully

A handwritten signature in black ink, appearing to read 'Ballango', with a stylized flourish at the end.

Stephanie Ballango  
*Principal Planner*

Enclosed:

- Attachment A – Allen Jack + Cottier Plans and Diagrams
- Attachment B – Schedule of land (legal property descriptions)