



Western Sydney University Bankstown City Campus

State Significant Development Assessment SSD-9831

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Cover image: View of proposed building form the south (source Lyons Architecture)

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Glossary

Abbreviation	Definition
AHD	Australian Height Datum
BLaKC	Bankstown Library and Knowledge Centre
CIV	Capital Investment Value
Council	City of Canterbury-Bankstown
DCP	Development Control Plan
Department	Department of Planning, Industry and Environment
EESG	Environment, Energy and Science Group, DPIE
EIS	Environmental Impact Statement
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPI	Environmental Planning Instrument
ESD	Ecologically Sustainable Development
GANSW	Government Architect of NSW
LEP	Local Environmental Plan
LoS	Level of Service
Minister	Minister for Planning and Public Spaces
MRV	Medium Rigid Vehicle
RMS	Roads and Maritime Services, TfNSW
RTS	Response to Submissions
SDRP	State Design Review Panel
SEARs	Planning Secretary's Environmental Assessment Requirements
Secretary	Secretary of the Department of Planning, Industry and Environment
SEPP	State Environmental Planning Policy
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SRTS	Supplementary Response to Submissions
SSD	State Significant Development
TfNSW	Transport for NSW
VPA	Voluntary Planning Agreement
WSUD	Water Sensitive Urban Design

Executive Summary

This report by the Department of Planning, Industry and Environment (the Department) provides an assessment of a State significant development (SSD) application for a new stand-alone university campus building in the Bankstown city centre (SSD-9831). The Applicant is Western Sydney University and the proposal is located within the Canterbury-Bankstown local government area (LGA). The proposal seeks approval for construction of a 19-storey building over basement level parking and use as an educational establishment with ancillary retail. A Response to Submissions (RtS) and amended proposal was submitted which demonstrated that the proposal would not have any significant amenity impacts on the surrounding land uses and is an appropriate response in terms of height, bulk and scale in the context of the city centre. Therefore, the Department recommends the development be approved, subject to conditions.

The Department considered the above issues in its assessment, along with the merits of the proposal, in accordance with relevant matters under section 4.15(1), the objects of the *Environmental Planning and Assessment Act 1979*, the principles of ecologically sustainable development, and issues raised in submissions as well as the Applicant's response to these. Conditions of consent are recommended to ensure that any impacts are mitigated or managed appropriately.

Project summary

The proposal seeks approval for construction of a 19-storey building over basement level parking and use of the building as a University (Educational Establishment) with ancillary retail. Approval is also sought for associated landscaping and public domain works.

The proposal has a Capital Investment Value (CIV) of \$264 million and would generate 675 construction jobs and 650 operational jobs.

The proposal is SSD under clause 15 of Schedule 1 of State and Environmental Planning Policy (State and Regional Development) 2011, as it is development for the purpose of tertiary institution with a CIV of more than \$30 million. Therefore, the Minister for Planning and Public Spaces is the consent authority.

Engagement

The application was publicly exhibited between 4 November and 4 December 2019. The Department received a total of 13 submissions, including four submissions from public authorities and nine public submissions. Key issues raised in the submissions related to urban design and interface with the public domain, public domain works, traffic and parking, flooding and stormwater management.

Assessment

The Department's assessment concludes that the:

- proposal is consistent with built form controls applicable to the site under Bankstown LEP 2015 (as amended on 5 February 2021).

- design has evolved through a comprehensive design review process and the Department considers the proposal exhibits a high-quality design that would make a positive contribution to the Bankstown city centre and would not result in any unacceptable adverse environmental or amenity impacts.
- ground floor plans have been revised through the design process to maximise physical and visual connections to the surrounding public domain, while maintaining floor levels that meet flood planning controls. The Department is satisfied that the proposal has been designed to ensure a satisfactory interface with the public domain in the context of the site constraints, including maximising ground floor activation, and quality facades and design to improve the pedestrian experience.
- landscape plans for the site and surrounding public domain demonstrate the proposal can provide a high-quality landscape outcome that would make a positive contribution to the character of the area, provide pleasant outdoor spaces for students and staff, and improve pedestrian amenity and environmental outcomes on the site and in the surrounding area. Outstanding concerns in relation to species selection, detailed design, and integration with public domain works can be resolved through the provision of updated detailed landscape plans. A condition has been recommended accordingly.
- proposal complies with the car and bike parking requirements of the site-specific development control plan, which were specifically designed to minimise the number of car trips to the site and to encourage use of sustainable transport modes. In conjunction with improvements to the surrounding public domain, it is expected that the proposal would achieve greater than 90 per cent of travel by other than car. As such, traffic impacts associated with the proposal would be minimal and would not result in material impacts on the surrounding road network.
- key flooding concerns will be resolved by major stormwater upgrade works proposed by Council in the vicinity of the site. The Applicant has proposed to contribute \$2 million to Council to carry out the works.
- minor outstanding concerns in relation to flooding and stormwater management can be resolved by the provision of updated details to Council and a condition has been recommended accordingly.

In addition, the development would deliver educational infrastructure to address the needs of the community, and facilitate growth of an identified Strategic Centre, Collaboration Area, and Health and Education Precinct consistent with strategic planning objectives for Greater Sydney and the Sydney South Region. The facilities provide further investment in social infrastructure and support new construction and operational jobs.

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1 Introduction

This report provides an assessment of a State significant development (SSD) application for a new stand-alone vertical campus building in the Bankstown city centre (SSD-9831).

The proposal seeks approval for construction of a 19-storey building over basement level parking and use as a University (Educational Establishment) with ancillary retail. Approval is also sought for associated landscaping, road and public domain works on and adjacent to the site.

The application has been lodged by Western Sydney University (the Applicant). The site is located within the City of Canterbury-Bankstown local government area (LGA).

1.1 The site and surrounds

The development site subject to this application is known as 74 Rickard Road, Bankstown and has a legal description of Lot 15 in DP 1256167. The site has an area of 3,678sqm and has frontages to Rickard Road to the north and The Appian Way to the east (**Figure 1**) and is relatively flat with a fall of approximately one metre from the north-west to the south-east. Previously on the site there was at-grade public parking (59 spaces), trees and open space area. The eastern part of the site includes a right-of-way and serves as an extension of The Appian Way public domain.

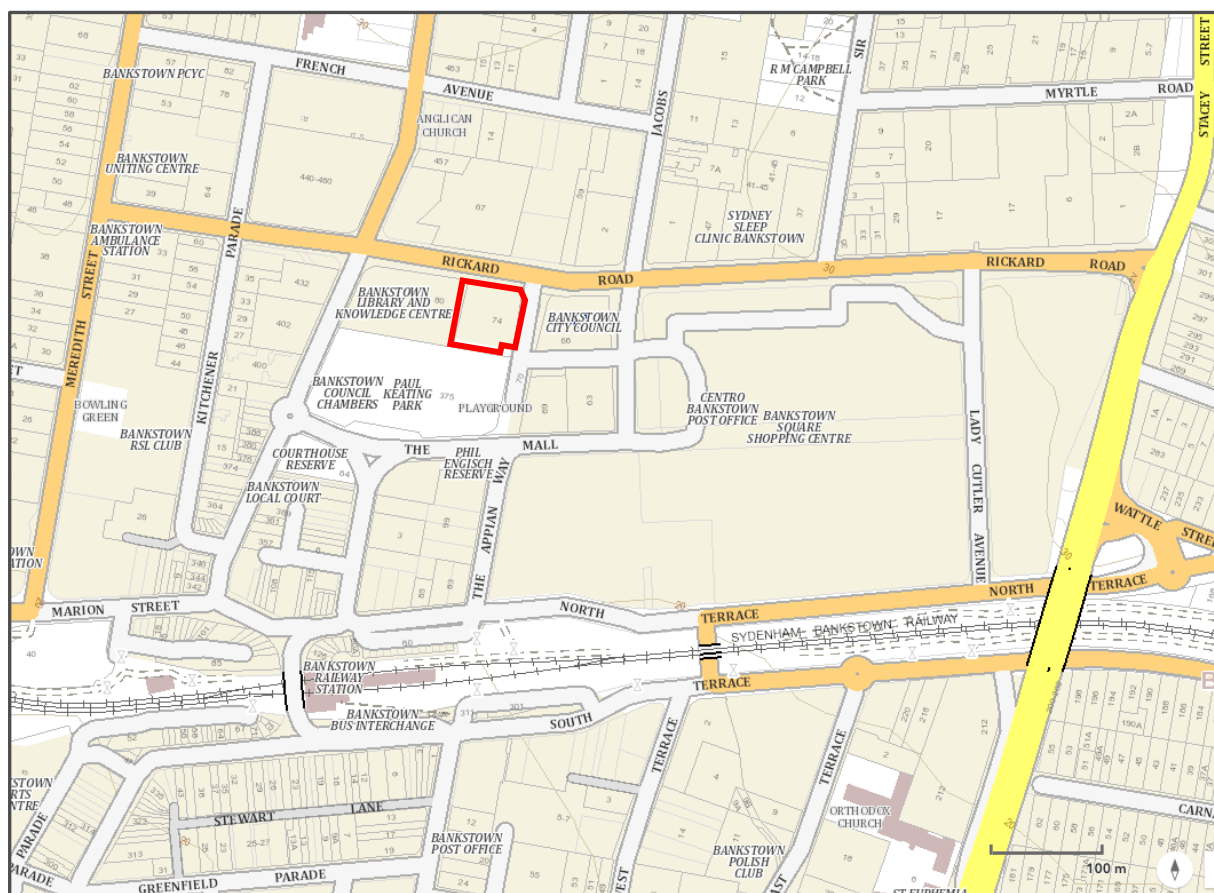


Figure 1 | Site Location Map (Base source: ePlanning Spatial Viewer)

The site is located within the Bankstown City CBD and adjoins Paul Keating Park to the south (including the heritage listed Council Chambers building), Bankstown Library and Knowledge Centre (BLaKC) to the west, Bankstown Civic Tower opposite the site to the east, and mixed use retail and cinemas to the south-east. Opposite the site to the north on Rickard Road are eight to 10 storey residential flat buildings. **Figures 2 to 7** depict the site and surrounding buildings.



Figure 2 | Aerial photo of site and surrounding development (Base source: EIS)

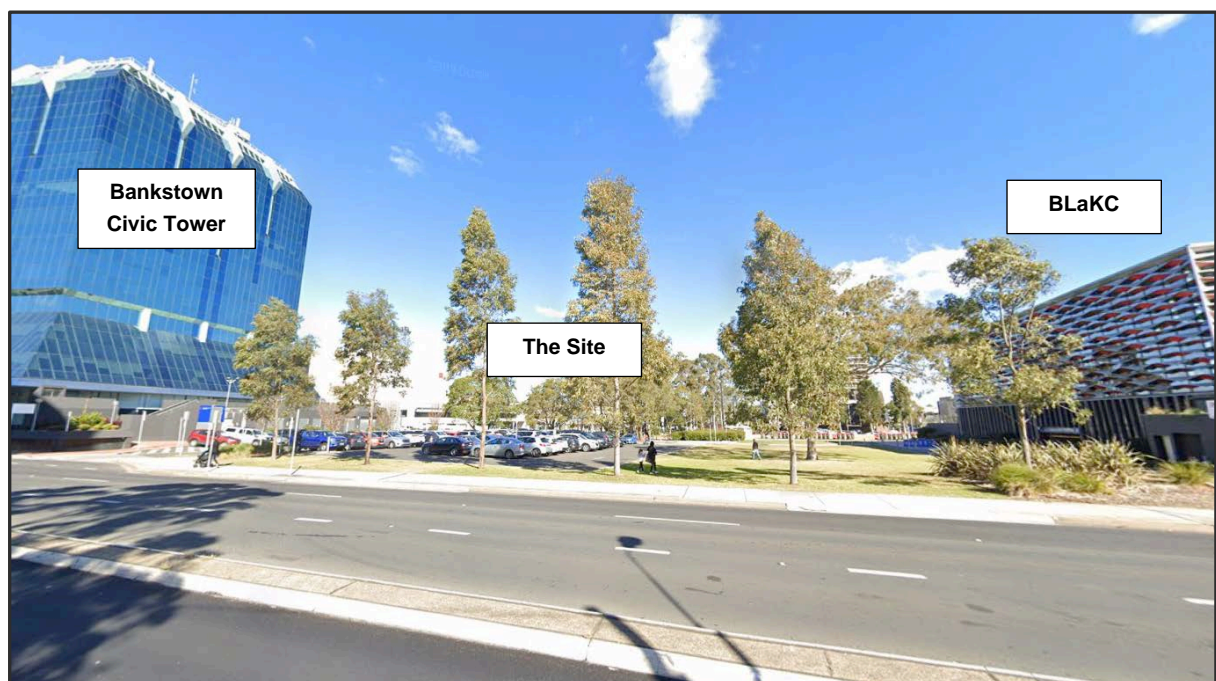


Figure 3 | The site as viewed from Rickard Road (Base source: Google Maps)

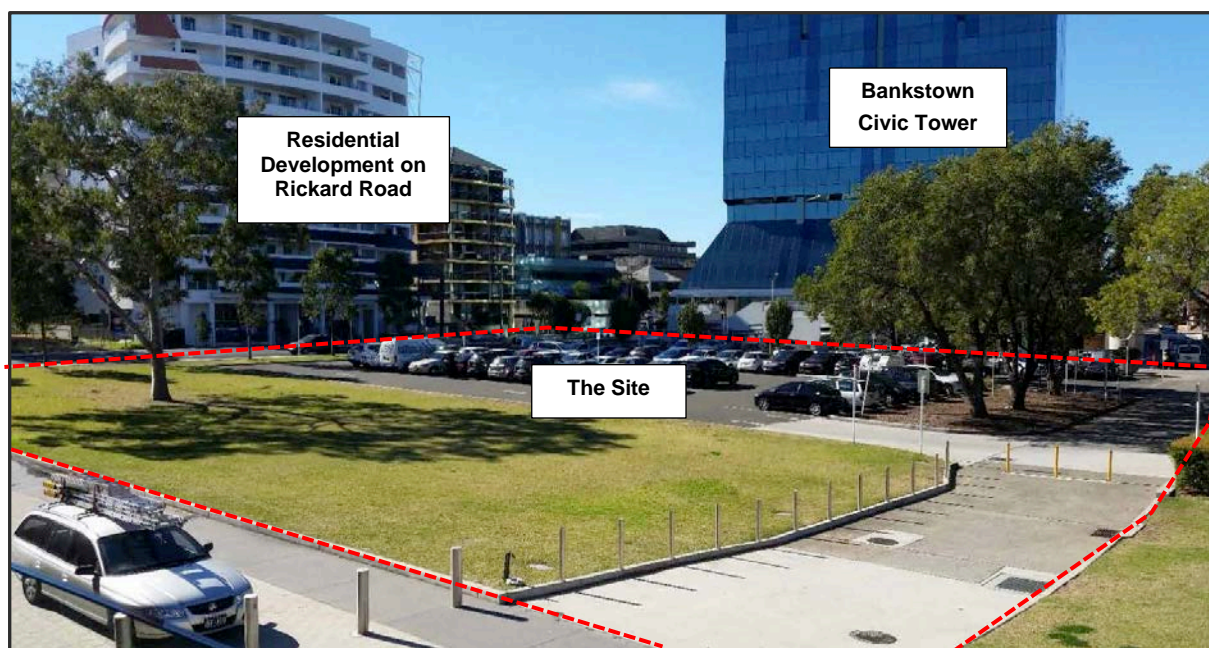


Figure 4 | The site as viewed from Paul Keating Park (Base source: Google Maps)



Figure 5 | The site as viewed from the corner of Rickard Road and The Appian Way (Base source: Google Maps)



Figure 6 | View from The Mall across Paul Keating Park to the site (Base source: Google Maps)

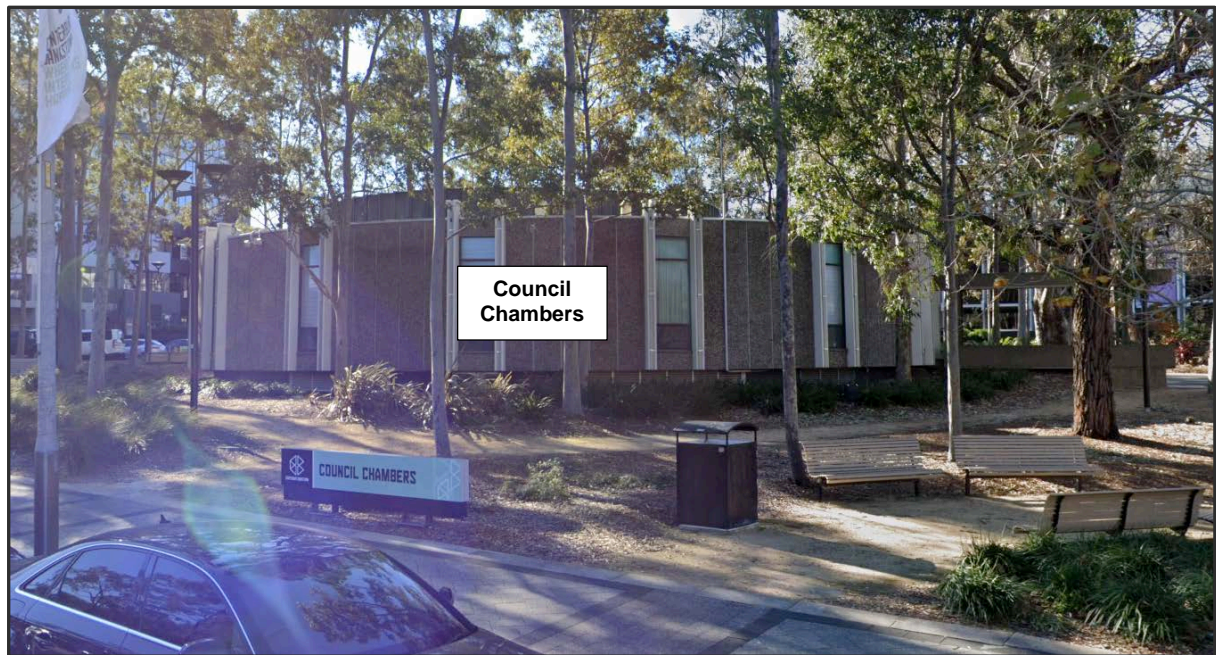


Figure 7 | Heritage listed Council Chambers building in Paul Keating Park (Base source: Google Maps)

Beyond Paul Keating Park to the south is a six-level office tower and retail arcade. This site, in conjunction with neighbouring sites, forms 'The Compass Centre', which was subject to a separate planning proposal and LEP amendment, which increased the permitted height of buildings to 83m and floor space ratio (FSR) to 5:1 (**Figure 8**). It has not yet been redeveloped.



Figure 8 | Compass Centre concept scheme viewed from The Appian Way adjacent to the site
(Source: H3 Architects and Department's Gateway Determination Report)

1.2 Planning proposal and Voluntary Planning Agreement

From 14 October to 13 November 2020, Council exhibited a Planning Proposal, Letter of Offer to enter into a Planning Agreement and a Draft Site Specific Development Control Plan (DCP) for the site.

The Planning Proposal sought to amend Bankstown LEP (BLEP) 2015 to:

- permit a maximum 8:1 FSR on the site (from 4.5:1).
- permit a maximum 83m building height on the site (from 53m).
- insert a site specific, local provision designed to specifically manage the extent of overshadowing to Paul Keating Park, which requires that development must allow for four hours of direct sunlight to at least 50 per cent of Paul Keating Park between 10am and 3pm on 21 June.

The LEP amendment was gazetted on 5 February 2021.

The site specific DCP provides additional guidance for the development of the site including future character, setbacks, active street frontages, public domain, parking, access and traffic, wind, flooding, materials and sustainability. On 8 December 2020, Council resolved to adopt the Draft DCP, subject to amendments, to be brought into effect following finalisation of the LEP.

The Letter of Offer for contributions to Council (to be formalised in a Planning Agreement) included:

- monetary contribution of \$1,713,632 towards car parking infrastructure in the city centre.

- Public Domain and Pedestrian Works within The Appian Way to the value of \$2,600,000.
- monetary contribution of up to \$2,000,000 towards stormwater upgrade works.

The offer was subject to further negotiations between Council and the Applicant to further clarify timing, Council responsibilities and the extent of public domain works. On 8 December 2020, Council resolved to prepare and exhibit a draft planning agreement based on the revisions.

1.3 Development application for demolition and bulk earthworks

On 3 September 2020, Council approved DA 697/2019 for early works, comprising demolition of all structures on the site, removal of all trees and bulk earthworks, including excavation for the basement and shoring walls.

Works have commenced on the site in accordance with this consent.

2 Project

The key components and features of the proposal are provided in **Table 1** and shown in **Figures 9 to 15**. Demolition of existing structures, tree removal and bulk excavation is not part of this application and was approved under a separate early works DA with Council (**Section 1.3**).

Table 1 | Main components of the project

Aspect	Description
Project summary	Construction of a single 19-storey building over basement level parking and use as a University with ancillary retail. Associated landscaping, road and public domain works.
Built form and design	<p>19 storey building (83 metres high) over two levels of basement parking.</p> <p>The building is architecturally distinctive and presents as highly articulated in mass with four discrete stacked building elements separated by three visually recessive floors and outdoor terrace areas.</p> <p>The elements retain the same façade alignment on the northern (Rickard Road) and eastern (The Appian Way) facades, but otherwise are highly differentiated in façade alignment and massing, with the upper element presenting a significant cantilevered element.</p> <p>Facade materials are predominantly characterised by aluminium curtain wall sunshades in a graduation of 10 shades of reds, oranges and yellows, with each tier articulated with grey framing.</p>
Gross floor area	<p>GFA: 29,327sqm.</p> <p>FSR: 8:1.</p>
Building population	<ul style="list-style-type: none"> • 2,000 students. • 650 staff (no more than 250 staff on site at one time).
Layout / Uses	<ul style="list-style-type: none"> • Basement: parking, loading, plant, end-of-trip facilities. • Ground floor: concierge, multi-purpose space, retail. • Levels 1 and 2: engagement, research and student services. • Level 3: student hub and terrace. • Level 4: library. • Levels 5 to 7: learning spaces, staff workspaces, research. • Level 8: conference facilities and terrace. • Level 9: staff workspaces and research. • Levels 10 to 18: university / education use.

Aspect	Description
Car, bicycle and service vehicle parking	<p>Basement level parking accommodating:</p> <ul style="list-style-type: none"> • 87 parking spaces (including 4 accessible spaces). • 56 bicycle parking spaces and end of journey facilities for staff (lockers, showers). • 80 bicycle parking spaces for students and visitors. • 2 loading bays. <p>Another 20 bicycle parking spaces provided at ground level within the public domain.</p>
Public domain and landscaping	<ul style="list-style-type: none"> • Upgrade of the right of way that forms part of The Appian Way to create a landscaped pedestrian zone, including street trees, shrubs and groundcovers, seating and lighting. • Realignment and widening of the footpath on Rickard Road, bike parking and new planters with five street trees. • Improvements to Paul Keating Park to the south of the site, including new tree plantings. • Upper level landscaping to terraces (Levels 3 ,8, 14) including tree planting to create outdoor gathering spaces.
Signage	<p>Four signage zones (separate consent will be sought for the signs):</p> <ul style="list-style-type: none"> • eastern façade (The Appian Way) – top of tower zone 3m x 20.715m. • southern façade (Paul Keating Park) – middle tower zone 3m x 20.715m and podium zone 6.85m x 5.4m. • western façade (Bankstown Library and Knowledge Centre) – top of tower zone 6.85m x 5.4m.
Jobs	<ul style="list-style-type: none"> • 675 construction jobs. • 650 operational jobs.
CIV	<ul style="list-style-type: none"> • \$264 million.



Figure 9 | Aerial view of the proposed building in its context (Base source: RtS)

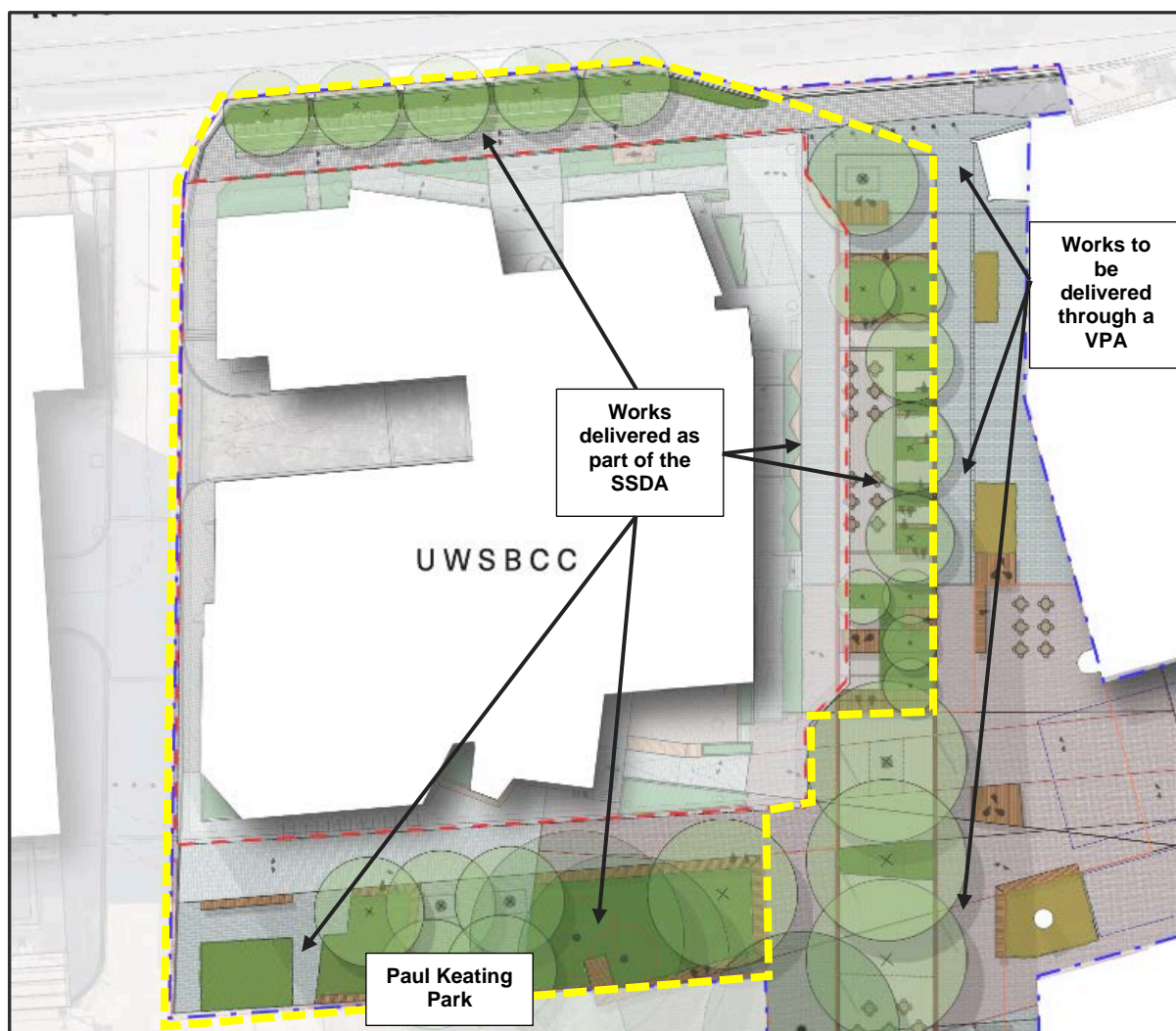


Figure 10 | Extract from Public Domain Reference Design Masterplan indicating site landscaping and public domain works associated with the proposal (Base source: SRTS)



Figure 11 | View from north-east showing improvements to The Appian Way (Base source: SRtS)



Figure 12 | Proposed building as viewed from the south-east (Base source: RtS)

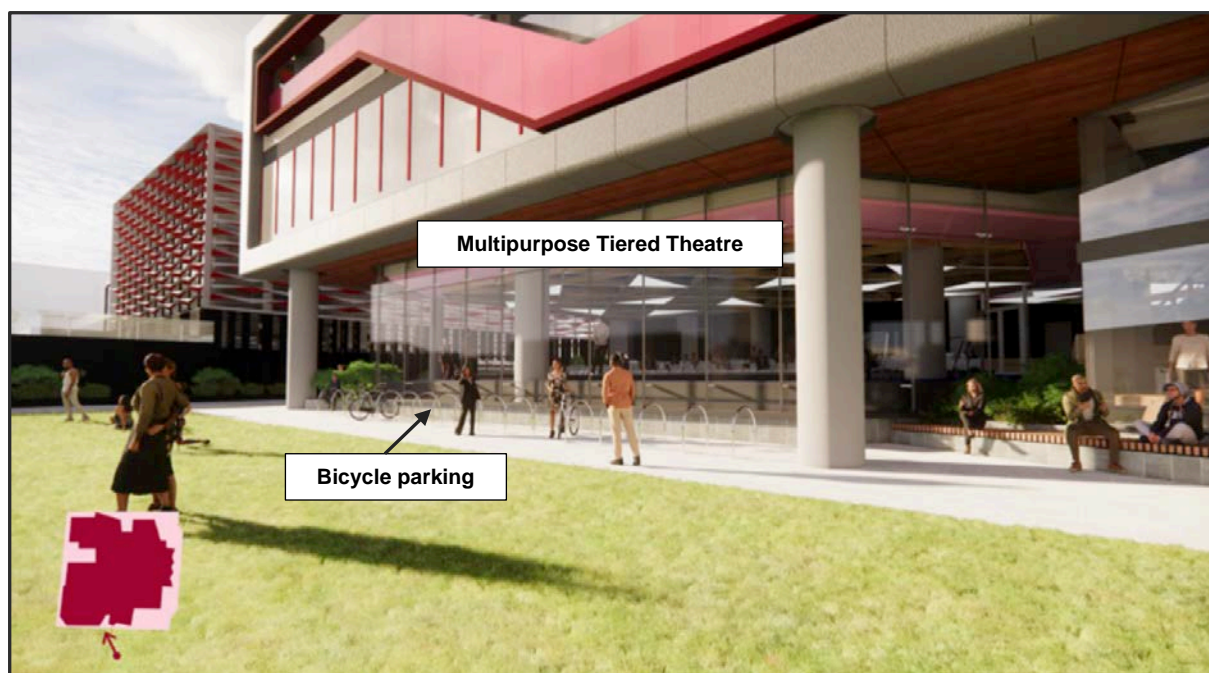


Figure 13 | Close up of interface between building and Paul Keating Park (Base source: RtS)

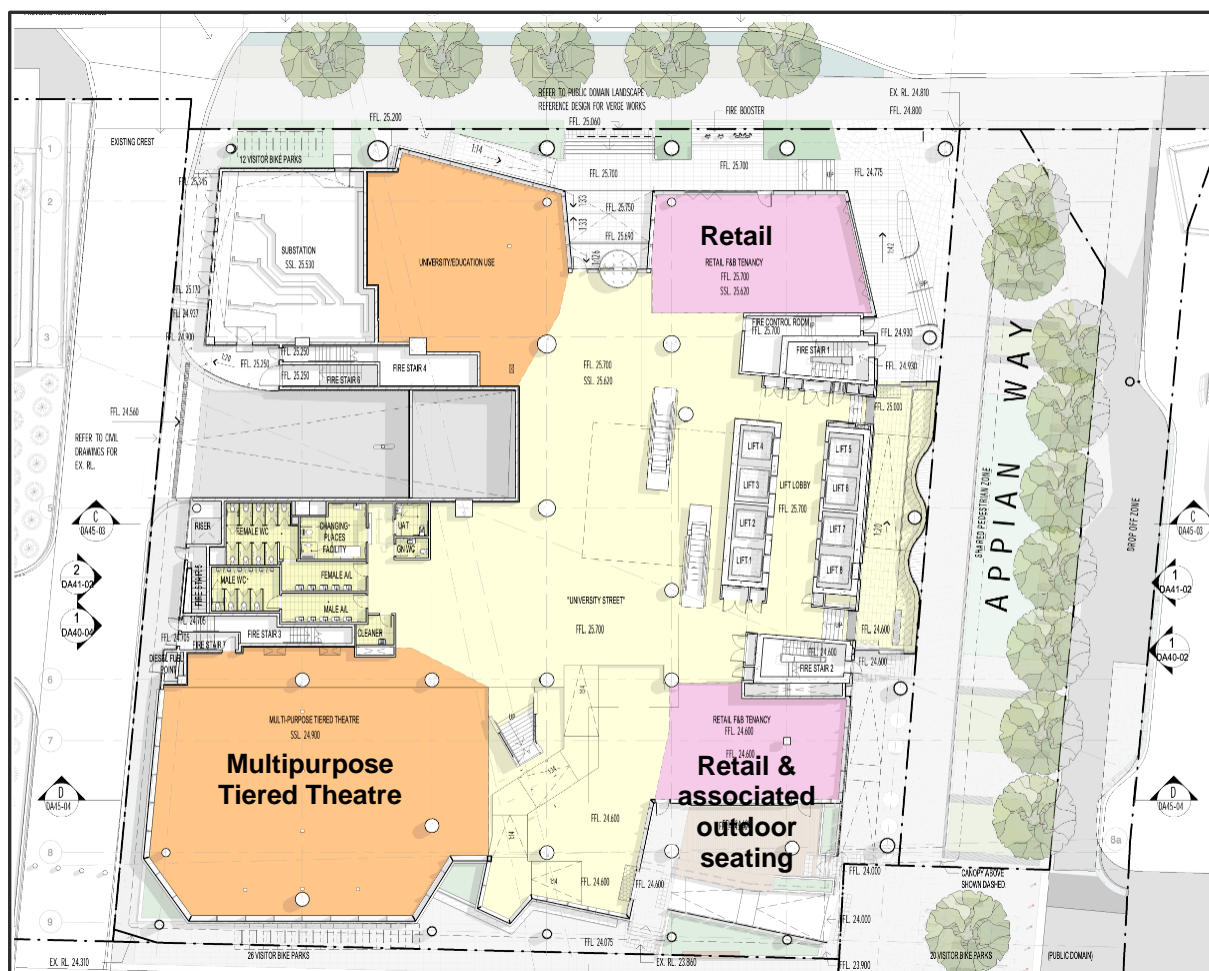


Figure 14 | Ground floor plan showing (Base source: SRtS)



Figure 15 | Proposed building entries as viewed from the south-east (Base source: RtS)

3 Strategic context

The strategic context and justification for the proposal is largely established by the recent planning proposal, which specifically amended BLEP 2015 to facilitate the development on the basis that it would be consistent with State, regional and local planning objectives.

The Applicant states that key objectives of the proposed development are to provide a flexible and adaptable vertical campus to support the delivery of a variety of university programs within a built form and design that makes a positive contribution to Bankstown city centre, a Strategic Centre with an emerging Health and Education Precinct.

The Department considers that the proposal is appropriate for the site given it:

- is consistent with Greater Sydney Region Plan – A Metropolis of Three Cities, as it would facilitate growth and provide improved education facilities in an identified Strategic Centre, Collaboration Area, and Health and Education Precinct under the plan.
- is consistent with the relevant priorities of the Greater Sydney Commission's South District Plan, as it would align growth with infrastructure, integrating land use and transport planning within a 30-minute city (Planning Priorities S1 and S12), establish Bankstown as a health and education precinct (Planning Priorities S2 and S8) and support the growth of Bankstown and higher education (Planning Priorities S9 and S11).
- is consistent with *NSW Future Transport Strategy 2056*, as it limits on-site parking and provides facilities to support active transport travel options, encouraging the use of public transport options.
- would provide direct investment in the region of approximately \$264 million and would support 675 construction jobs and 650 operational jobs.

4 Statutory Context

4.1 State significance

The proposal is SSD under section 4.36 (development declared SSD) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) as the development has a CIV in excess of \$30 million (\$264 million) and is for the purpose of a tertiary institution under clause 15 of Schedule 1 of the State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP).

The Minister is the consent authority under section 4.5 of the EP&A Act.

In accordance with the then Minister for Planning's delegation to determine SSD applications, signed on 9 March 2020, the Executive Director, Infrastructure Assessments may determine this application as:

- the relevant Council has not made an objection.
- there are less than 25 public submissions in the nature of objection.
- a political disclosure statement has not been made.

4.2 Permissibility

The site is zoned B4 Mixed Use under Bankstown Environmental Plan (BLEP) 2015. The proposed development ('educational establishment') is permitted with consent within the zone. The Minister for Planning and Public Spaces or a delegate may determine the carrying out of the development.

4.3 Other approvals

Under section 4.41 of the EP&A Act, several other approvals are integrated into the State significant development approval process, and consequently are not required to be separately obtained for the proposal.

Under section 4.42 of the EP&A Act, a number of further approvals are required, but must be substantially consistent with any development consent for the proposal (e.g. approvals for any works under the *Roads Act 1993*).

The Department has consulted with the relevant public authorities responsible for integrated and other approvals, considered their advice in its assessment of the project, and included suitable conditions in the recommended conditions of consent (see **Appendix C**).

4.4 Mandatory matters for consideration

Environmental planning instruments

Under section 4.15 of the EP&A Act, the consent authority is required to take into consideration any environmental planning instrument (EPI) that is of relevance to the development the subject of the development application. Therefore, the assessment report must include a copy of, or reference to,

the provisions of any EPIs that substantially govern the project and that have been considered in the assessment of the project.

The Department has undertaken a detailed assessment of these EPIs (including the Planning Proposal which amends BLEP 2015) in **Appendix B** and is satisfied the application is consistent with the requirements of the EPIs.

Objects of the EP&A Act

The objects of the EP&A Act are the underpinning principles upon which the assessment is conducted. The statutory powers in the EP&A Act (such as the power to grant consent/approval) are to be understood as powers to advance the objects of the legislation, and limits on those powers are set by reference to those objects. Therefore, in making an assessment, the objects should be considered to the extent they are relevant. A response to the objects of the EP&A Act is provided at **Table 2**.

Table 2 | Response to the objects of section 1.3 of the EP&A Act

Objects of the EP&A Act	Consideration
(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources	The development would ensure the proper management and development of suitably zoned land for the social welfare of the community and State.
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	The proposal includes measures to deliver ecologically sustainable development as described below.
(c) to promote the orderly and economic use and development of land,	The development would meet the objectives of the zone and deliver improved facilities for tertiary education infrastructure for the State. The development would economically serve the community through new jobs and infrastructure investment.
(d) to promote the delivery and maintenance of affordable housing,	N/A.
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,	The proposed development would not result in the loss of any threatened or vulnerable species, populations, communities or significant habitats.
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	The proposed development is not anticipated to result in unacceptable impacts upon built and cultural heritage, including Aboriginal cultural heritage (see Section 6.5).

Objects of the EP&A Act	Consideration
(g) to promote good design and amenity of the built environment,	The proposal has been reviewed by the Government Architect of NSW (GANSW) State Design Review Panel throughout the development of the proposed design. The Department considers the application would provide for good design and amenity of the built environment (see Section 6.1).
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,	The Department has considered the proposed development and has recommended a number of conditions of consent to ensure the construction and maintenance is undertaken in accordance with legislation, guidelines, policies and procedures (Appendix C).
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,	The Department publicly exhibited the proposal (Section 5.1), which included consultation with Council and other public authorities and consideration of their responses (Section 5 and 6).
(j) to provide increased opportunity for community participation in environmental planning and assessment.	The Department publicly exhibited the proposal (see Section 5.1), which included notifying adjoining landowners, placing a notice in newspapers and displaying the proposal on the Department's website and at Council during the exhibition period.

Ecologically sustainable development

The EP&A Act adopts the definition of ESD found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires the effective integration of economic and environmental considerations in decision-making processes and that ESD can be achieved through the implementation of:

- the precautionary principle.
- inter-generational equity.
- conservation of biological diversity and ecological integrity.
- improved valuation, pricing and incentive mechanisms.

The Applicant is targeting a 5-Star Green Star rating and includes the following ESD initiatives and sustainability measures:

- passive heating and cooling design to optimise internal comfort whilst minimising energy used to maintain that environment.
- façade and glazing performance requirements to minimise energy efficiency.
- installation of energy and water efficient fixtures and fittings.
- solar photovoltaic cells.

- rainwater harvesting and reuse on site.
- support facilities for sustainable travel.

The Department has recommended conditions requiring evidence that the final design targets and achieves the equivalent of the 5-Star Green Star rating be submitted to the satisfaction of the Certifier at appropriate stages during the development process.

New landscaping forms part of the proposal and new plantings would offset the recent removal of 21 trees required for the early works for the development.

The Department has considered the proposed development in relation to the ESD principles. The precautionary and inter-generational equity principles have been applied in the decision-making process via a thorough and rigorous assessment of the environmental impacts of the proposed development. The proposed development is consistent with ESD principles as described in Appendix N of the Applicant's EIS, which has been prepared in accordance with the requirements of Schedule 2 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation).

Overall, the proposal is consistent with ESD principles and the Department is satisfied the proposed sustainability initiatives will encourage ESD in accordance with the objects of the EP&A Act.

Environmental Planning and Assessment Regulation 2000

Subject to any other references to compliance with the EP&A Regulation cited in this report, the requirements for Notification (Part 6, Division 6) and Fees (Part 15, Division 1AA) have been complied with.

Planning Secretary's Environmental Assessment Requirements

The EIS is compliant with the Planning Secretary's Environmental Assessment Requirements (SEARs) and is sufficient to enable an adequate consideration and assessment of the proposal for determination purposes.

Section 4.15(1) matters for consideration

Table 3 identifies the matters for consideration under section 4.15 of the EP&A Act that apply to SSD in accordance with section 4.40 of the EP&A Act. The table represents a summary for which additional information and consideration is provided for in **Section 6** and relevant appendices or other sections of this report and EIS, referenced in the table.

Table 3 | Section 4.15(1) matters for consideration

Section 4.15(1) Evaluation	Consideration
(a)(i) any environmental planning instrument	Satisfactorily complies. The Department's consideration of the relevant EPIs is provided in Appendix B .
(a)(ii) any proposed instrument	Satisfactorily complies. The Department's consideration of relevant draft EPIs is provided in Appendix B .

(a)(iii) any development control plan (DCP)	Under clause 11 of the SRD SEPP, DCPs do not apply to SSD. Notwithstanding, consideration has been given to relevant DCPs at Appendix B .
(a)(iiia) any planning agreement	The proposal is consistent with a draft Voluntary Planning Agreement between the University and Council (see Section 6.5).
(a)(iv) the regulations Refer Division 8 of the EP&A Regulation	The application satisfactorily meets the relevant requirements of the EP&A Regulation, including the procedures relating to applications (Part 6 of the EP&A Regulation), public participation procedures for SSD and Schedule 2 of the EP&A Regulation relating to EIS.
(b) the likely impacts of that development including environmental impacts on both the natural and built environments, and social and economic impacts in the locality	Appropriately mitigated or conditioned (see Section 6).
(c) the suitability of the site for the development	The site is suitable for the development as discussed in Sections 3 and 6 of this report.
(d) any submissions	Consideration has been given to the submissions received during the exhibition period (see Section 5 and 6).
(e) the public interest	Refer to Section 6 .

4.5 Biodiversity Development Assessment Report

Under section 7.9(2) of the *Biodiversity Conservation Act 2016* (BC Act), SSD applications are “to be accompanied by a biodiversity development assessment report (BDAR) unless the Planning Agency Head and the Environment Agency Head determine that the proposed development is not likely to have any significant impact on biodiversity values”.

The proposed works are not likely to have a significant impact on biodiversity values. The relevant Agency heads determined that the application for the Western Sydney University Bankstown City Campus is not required to be accompanied by a BDAR.

Following submission of the application, EESG questioned why the proposed number of trees to be removed has increased from information submitted with the BDAR waiver. The Department notes that all tree removal associated with the development was carried out under a separate early works DA approved by Council. Any biodiversity impacts of tree removal are therefore not assessed under this application.

5 Engagement

5.1 Department's engagement

In accordance with Schedule 1 of the EP&A Act, the Department publicly exhibited the application from 4 November until 4 December 2019 (30 days). The application was exhibited at the Department and on its website, at NSW Service Centres, and at City of Canterbury-Bankstown Council's office.

The Department placed a public exhibition notice in the Sydney Morning Herald and Daily Telegraph. Adjoining landholders and relevant State and local government authorities were notified in writing.

The Department received a total of 13 submissions, including four submissions from public authorities and nine public submissions, including three objections. Copies of the submissions may be viewed at **Appendix A**.

The Department has considered the comments raised in the submissions during assessment of the application (**Section 6**) and/or by way of recommended conditions in the instrument of consent at **Appendix C**.

5.2 Public authority submissions

During the exhibition period, the Department received four submissions from NSW Government agencies and Canterbury-Bankstown Council (Council). A summary of the issues raised in the submissions is provided **Table 4**. Copies of the submissions may be viewed at **Appendix A**.

Table 4 | Summary of Council and agency submissions

Canterbury-Bankstown Council (Council)

Council does not object to the proposal but provided the following comments and recommendations:

- the SSD application must be determined after gazettal of the planning proposal for the site and must comply with the LEP amendments within the planning proposal.
- to resolve flooding issues, the Applicant must contribute to an additional culvert at North Terrace. Other measures (such as lowering Appian Way) are not supported.
- further information and changes to the plans are required to address impacts on existing inlets, floor levels, basement entry levels and flood emergency management.
- measures to improve transport outcomes are required, including pedestrian infrastructure improvements, bike parking and end-of-trip facilities.
- the proposal should address the shortfall in available parking, loss of public parking and issues with the adequacy of the loading facilities.
- the proposal must comply with the planning proposal solar access control for Paul Keating Park and address concerns with wind impacts.
- visual bulk impacts need to be reviewed.

- the proposal is inconsistent with Council's public domain plans for The Appian Way corridor and Paul Keating Park. The building and basement footprints should align with the boundary of the corridor, the landscape and public domain plans should be revised to be consistent with Council's plans and should include a 2.4m wide footpath on the western side of the building.
- improvements are recommended to improve ground level activation, pedestrian access and weather protection and safety.
- further information is required in relation to utility connections, water management and future use of ground level retail.
- Council's contribution plan applies to the proposal.
- recommendations are made with respect to construction management.

Transport for NSW (TfNSW)

TfNSW provided the following comments:

- further information is required in relation to the proposed pick-up and drop-off zone on Appian Way, including traffic impacts and management.
- to achieve mode share targets, a travel plan should be prepared in consultation with TfNSW, further consideration should be given to prioritising some parking spaces for car share / carpool use only, and there should be improved provision of bicycle parking and end-of-trip facilities.
- updated plans are required to resolve conflicts between vehicles entering and exiting the basement and conflict between pedestrians and delivery vehicles.
- a Construction Traffic Management Plan will need to be approved by TfNSW prior to commencement of works.
- a clearway on Rickard Road is to be implemented prior to commencement of works.
- the transport assessment should be updated to reflect revised bus services to the site.

Environment, Energy, and Science Group of the Department of Planning, Industry and Environment (EESG)

EESG made the following comments:

- the landscape plans should be revised to include a diversity of local native provenance species indigenous to the locality rather than exotic or non-local native species.
- the Applicant should address why the proposed number of trees to be removed has increased since the information was submitted with the BDAR waiver and confirm the number of trees that are to be removed.
- replacement tree planting should be at a ratio greater than 1:1, should be native plantings with pot sizes greater than 75-100 litres, and provide sufficient space to allow plants to grow to maturity.
- EESG supports the proposed green terraces and green walls.

NSW Environment Protection Authority (EPA)

The EPA provided the following comments:

- further information is required to assess construction and operational noise impacts to nearby receivers, including background noise monitoring, quantitative noise assessment of impacts and mitigation measures, assessment of impacts to nearby cinemas and Council buildings, assessment of traffic impacts and quantitative assessment of vibration impacts.
- the Applicant is to develop an unexpected finds protocol for contamination and asbestos, including actions for remediation and compliance with the requirements of SEPP 55.
- consent conditions to ensure appropriate waste management, water management and site management should be included on any approval.

5.3 Public submissions

Nine public submissions were received, of which one was in support of the proposal, five provided comments and three objected to the proposal. A summary of the key issues raised in the submissions is provided at **Table 5** below and copies of the submissions may be viewed at **Appendix A**.

Table 5 | Summary of public submissions to the EIS exhibition

Issue	Number of Submissions
Parking <ul style="list-style-type: none"> • loss of existing public parking • construction worker parking • lack of parking provided on site • impacts on nearby ALDI carpark. 	4 (44%)
Building height <ul style="list-style-type: none"> • inconsistent with the area • sets a precedent. 	3 (33%)
Shadowing <ul style="list-style-type: none"> • of the Park • of the Library. 	3 (33%)
Impacts on open space <ul style="list-style-type: none"> • amenity of park reduced, should be upgraded as part of proposal • loss of public toilets • safety of playground due to increased traffic impacts • loss of open space. 	3 (33%)

Issue	Number of Submissions
Other	
• traffic impacts	1 (11%)
• impacts to the Milperra-Bankstown Campus	1 (11%)
• internal storage	1 (11%)
• metering arrangements.	1 (11%)

5.4 Amended DA and Response to Submissions

Following the exhibition of the application, the Department placed copies of all submissions received on its website and requested the Applicant provide a response to the issues raised in the submissions.

On 14 October 2020, the Applicant provided a Response to Submissions (RtS) (**Appendix A**) on the issues raised during the exhibition of the proposal and an Amended Development Application (Amended DA). The Amended DA made key changes to the proposal:

- moving the east façade to match the new Right of Way boundary that delineates The Appian Way.
- reducing the extent of the basement so that it would not encroach into The Appian Way or Paul Keating Park.
- reducing the cantilevered volume, in both height and length resulting in reduced perception of bulk when viewed from Paul Keating Park.
- simplifying the overall building form by removing the Level 13/14 annex and terrace.
- modifying the façade treatments, including how they delineate and articulate the form.
- reducing the extent of southern facades facing Paul Keating Park to reduce the perception of bulk from this vantage point.
- redistributing the balcony and terrace locations within the overall form to ensure a visual connection with Paul Keating Park.

Additional information and updated reports were also submitted with the Amended DA.

The RtS and Amended DA were made publicly available on the Department's website and were referred to relevant public authorities. An additional seven submissions were received from public authorities. A summary of the submissions is provided at **Table 6** and copies of the submissions may be viewed at **Appendix A**.

Table 6 | Summary of Council and agency submissions

Council
Council provided the following advice:
• reiterated that the application must be determined after the determination of the planning proposal.

- there are outstanding issues in relation to flooding, flood modelling, associated road and infrastructure design, floor levels and basement entry levels. Council is in discussions with the Applicant in relation to funding and delivery arrangements of required stormwater infrastructure works to mitigate flood impacts.
- Council is in the process of negotiating a Planning Agreement with the Applicant and a condition of consent will be required to require the agreement to be entered into.
- there are outstanding concerns with the integration of the ground floor with the public domain relating to entry design, visual connections, design of the interface along the Rickard Road frontage, excessive use of ramps, lack of façade details and details of key features, large blank walls, excessive levels of bike parking on public land, tree canopy, wind impacts and provision of awnings.
- deep recesses should be provided at upper levels 3, 8 and 14 and the proposal should be amended so that no part of the upper levels of the building overhangs Council property.
- further information is required in relation to manoeuvring of service vehicles onto the site and through The Appian Way. Pick-up and drop-off arrangements are not fully resolved and may require monitoring and further changes in the future.
- waste management should be reviewed to allow for larger bins, larger waste vehicles and less vehicle trips associated with garbage collection.

TfNSW

TfNSW advised it has reviewed the RTS and has no concerns.

A condition requiring a Construction Pedestrian and Traffic Management Plan was recommended.

EESG

EESG advised:

- the revised landscape design does not adequately address the concerns previously raised and should include a greater diversity of local native provenance species.
- further information is required with regard to tree removal and replacement.
- consultation should be undertaken with the NSW State Emergency Service in relation to the flood emergency response plan.

EPA

The EPA advised it has outstanding concerns with regard to noise impact assessment, including:

- the reliability of the background noise monitoring and therefore the reliability of the project noise trigger levels. It recommends verification of the background noise levels.
- operational noise levels relating to night-time balcony use, night-time carpark use and rooftop plant have not been fully assessed and require further information or restrictions on the operation of the use of the premises.
- outstanding matters in relation to mitigation of construction noise and therefore a detailed Construction Noise Plan would be needed.

Civil Aviation Safety Authority (CASA)

CASA advised it assessed the building and tower crane under Airspace Regulations in 2019 and has no objection to the proposal.

Airservices Australia

Airservices Australia (AA) advised the development should be evaluated by the Bankstown Airport operator in the first instance who would then determine if the development needs to be referred to AA for comment.

Sydney Metro Airports

Sydney Metro Airports are the operator of Bankstown Airport and advise they hold an approval for a building on the site to a height of 106.78 AHD. If the heights change further action will be required.

5.5 Supplementary Response to Submissions

On 21 January 2021, the Applicant provided a revised set of plans and response to agency submissions on the RtS and outstanding concerns raised by the Department (**Appendix A**). The Supplementary Response to Submissions (SRtS) made the following changes to the proposal:

- minor changes to building massing to remove boundary encroachments.
- changes to ground floor plans to reduce the extent of ramps and provide further detail on façade treatments.
- amendments to bicycle parking provision (reduced provision in the public domain and increased provision of parking in the basement).
- provision of a detailed public domain plan to replace existing ground level landscape plans.
- clarification / revision of the expected maximum number of staff to be on site.

Additional information and updated reports were also submitted with the SRtS.

Council reviewed the SRtS and advised that most outstanding matters could be resolved by conditions. Conditions were recommended in relation to the proposed VPA, flood risk management, access, transport and accessibility and public domain and landscaping. A concern was raised in relation to pick-up and drop-off arrangements as the drop-off zone had been removed from the plans.

6 Assessment

6.1 Built form and urban design

Design quality and design review

The proposed building will have a significant visual presence due to its location, scale and distinctive contemporary design. It will serve as a landmark and make a significant contribution to the character of this part of Bankstown.

As such, careful consideration has been given to the quality of the design of the building. Actions taken to ensure a high-quality urban design outcome on the site included the:

- establishment of eight key urban design principles developed in conjunction with Council and in consultation with GANSW and the SDRP. The principles provide guidance on building size, building form, materiality, the relationship to and impact on surrounding spaces including the amenity of The Appian Way and Paul Keating Park, internal functioning, layout and amenity, and the incorporation of an active ground level.
- development of a site-specific DCP to guide development on the site and advancing the design in accordance with that DCP. Detailed consideration of the DCP is in **Appendix B**.
- Applicant attending three SDRP sessions prior to lodgement along with briefing the GANSW and adjusting the design to respond to issues identified through this process. Following submission of the DA, GANSW identified outstanding issues in relation to bulk, scale, overshadowing and exceedance of the current planning controls, but subsequently acknowledged these matters were addressed by the planning proposal and that otherwise, the proposal had addressed the concerns raised by the SDRP.

The Department is satisfied the proposal has undergone comprehensive design review to ensure a high architectural design standard is achieved.

The Department has considered urban design outcomes relating to:

- building heights, scale and associated shadowing impacts.
- building articulation massing and materials.
- activation and interface with the public domain.

The Department considers the proposal will achieve a high standard of urban design and make a positive contribution to the character of the locality.

Building height, bulk, scale and overshadowing

Public submissions raised concerns with the proposed height and scale of the development, noting the planning controls at the time of the exhibition of the proposal did not permit the scale of development proposed. Planning controls at the time included a maximum building height of 53m and maximum FSR of 4.5:1. Submissions also raised concerns that the scale of the building would result in unacceptable levels of shadowing to the Paul Keating Park, significantly reducing amenity in the park. The Department notes these submissions were made prior to the amendment of the planning controls.

The State Design Review Panel (SDRP) and Government Architect's Office (GANSW) considered the scale of the proposal prior to the amendment of the planning controls. While they did not identify any specific concerns with regard to bulk and scale, they considered the proposal did not demonstrate tangible public benefits to justify the exceedance of the planning controls and made suggestions in relation to appropriate solar access controls for Paul Keating Park. GANSW subsequently acknowledged that the planning proposal supersedes GANSW / SDRP comments with regard to these issues.

The recent amendment to Bankstown LEP made on 5 February 2021 established new planning controls which determine the acceptable overall height and scale of the development. The relevant planning controls are now:

- 8:1 maximum FSR on the site.
- 83m maximum building height on the site.
- development must allow for four hours of continuous solar access to Paul Keating Park between 10am and 3pm on 21 June (mid-winter).

The amendments to the planning controls were supported by Council because they would enable provision of an educational establishment to facilitate the growth of an emerging health and education precinct in Bankstown, consistent with strategic planning objectives for the area.

The proposal was designed to comply with the controls, having a maximum height of 83m and an FSR of 8:1. The proposal was also amended in the RtS and StRS and the revised proposal ensures 50.9 per cent of Paul Keating Park would receive four hours of continuous solar access at mid-winter. Solar access to the park at mid-winter is shown in **Figure 16**.

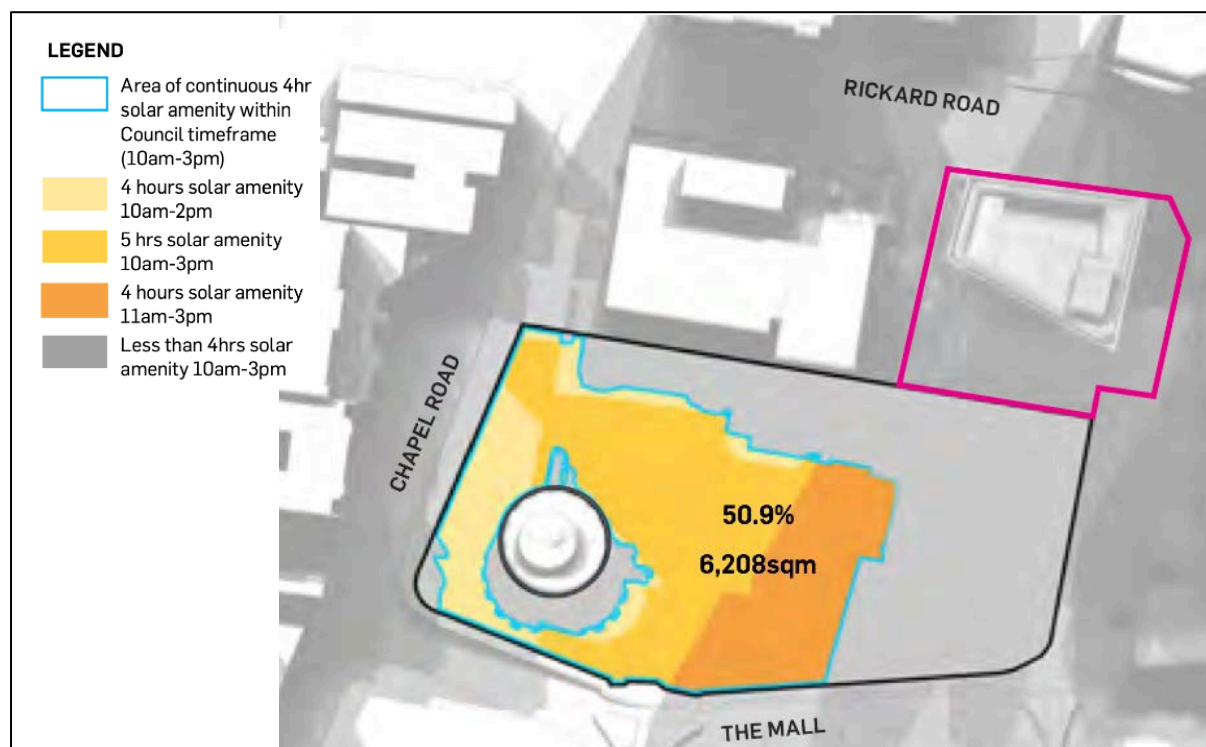


Figure 16 | Areas of Paul Keating Park that would retain four or more hours of solar access at mid-winter (Base source: SRtS)

As described in **Section 6.5**, a minor reduction in building height of 0.25m is recommended to ensure aircraft safety requirements are met as design development has increased the height of the design

marginally above that approved by the airspace regulator. Subject to this amendment, the Department considers that the overall height and scale of the proposal is acceptable, given it is consistent with applicable planning controls and Council's strategic objectives for the site.

Building articulation, expression and materials

The building is architecturally distinctive and presents as highly articulated in mass with four discrete stacked building elements separated by three visually recessive floors and outdoor terrace areas.

Consistent with requirements of the DCP, the elements retain the same façade alignment on the northern (Rickard Road) and eastern (The Appian Way) facades (**Figure 19**) but otherwise are highly differentiated in façade alignment and massing, with the upper element presenting a significant cantilevered element (**Figure 18**).

Also, as required by the DCP, the western elevation of low-rise tower volume is set back above the podium volume to emphasise the strong base of the building and its visual relationship to the adjoining Bankstown Library and Knowledge Centre (BLaKC) and the southern elevation is designed to be narrow with the upper levels set back from the southern façade to minimise the building mass from viewpoints in Paul Keating Park and The Appian Way (**Figure 18**).

Building massing and articulation was refined in the Amended DA / RtS and amended slightly in the SRtS to further reduce the visual bulk of the building as viewed from Paul Keating Park to the south and improve solar access outcomes and remove encroachment of the building on Council land (**Figures 17 and 18**).

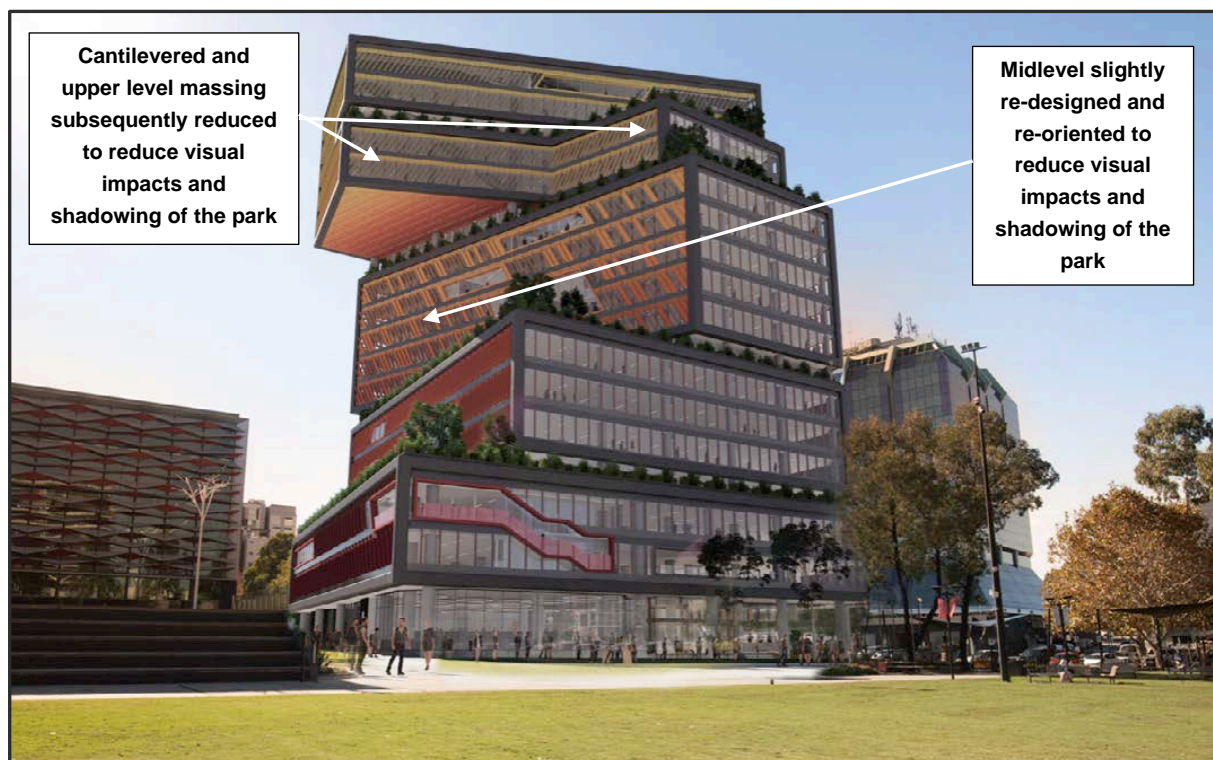


Figure 17 | Proposed building as initially lodged as viewed from Paul Keating Park (source: EIS)

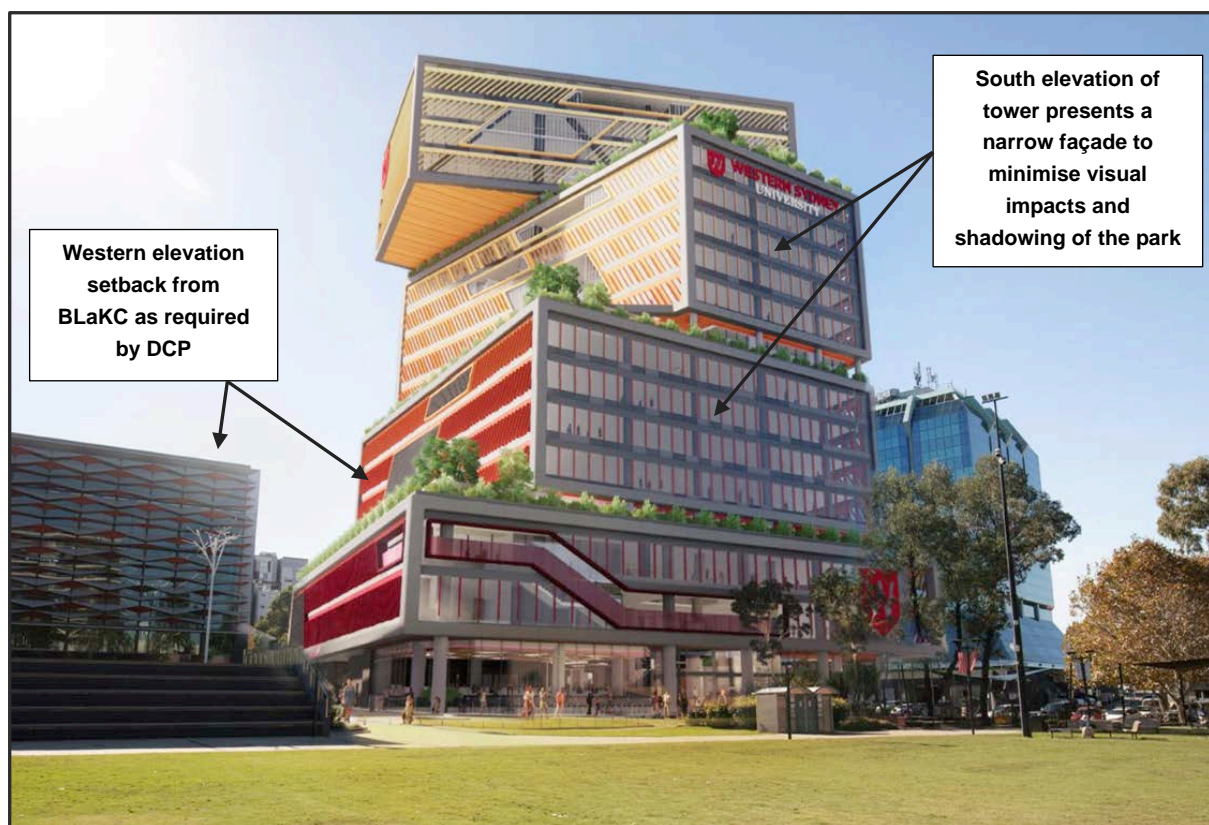


Figure 18 | Proposed building as viewed from Paul Keating Park (Base source: SRtS)

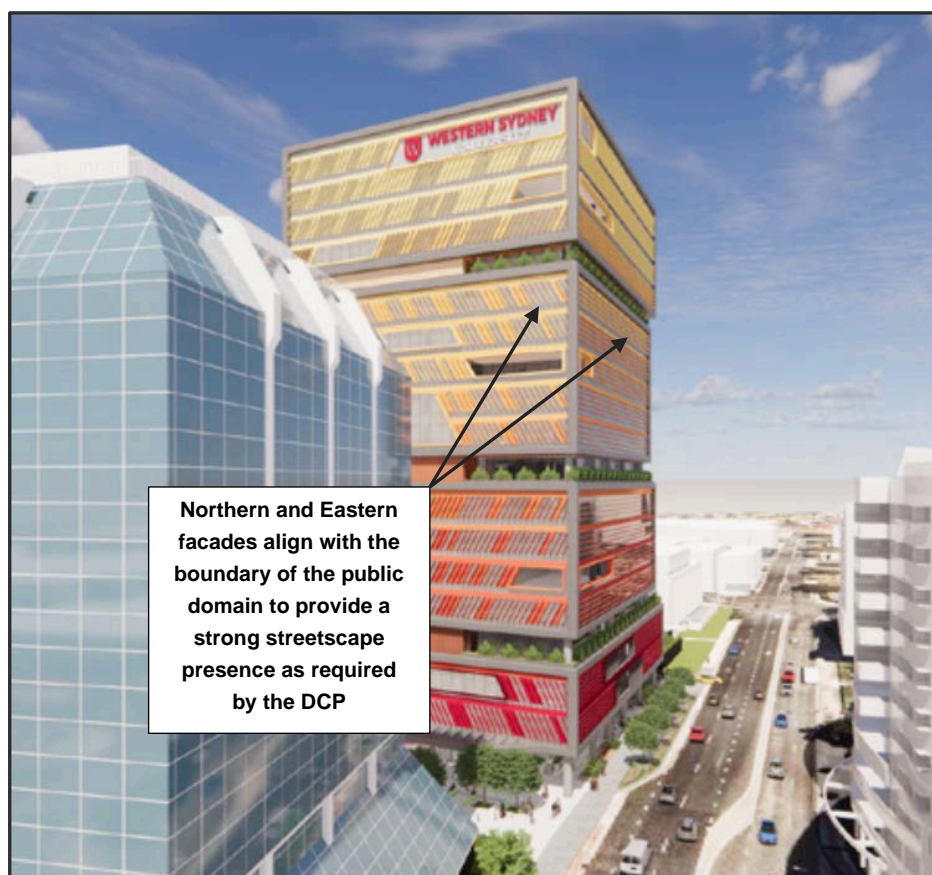


Figure 19 | Proposed building as viewed from the north-east along Rickard Road (Base source: RtS)

Facade materials are predominantly characterised by aluminium curtain wall sunshades in a gradation of 10 shades of reds, oranges and yellows, with each tier articulated with grey framing. The Amended DA / RtS improved the scheme by simplifying the number of proposed colours and introducing coloured mullions to the southern façade (noting it doesn't require sun shading) to ensure a continuation of the gradation of shading on all four facades.

These design elements were developed having regard to the site specific DCP requirements and detailed review and advice from the SDRP, which acknowledged the design issues it raised have been addressed and it broadly supports the architectural approach for the project.

Council initially raised some concerns with the arrangement of the building massing in terms of its visual and shadowing impacts to the park, the size of the upper level recesses and encroachment of the facades onto Council land. However, following revisions made to the tower in the RtS and SRtS, Council did not raise any concerns with these aspects of the building design.

The Department considers the building articulation and facade design ensures the building presents high-quality architectural design that will provide visual interest, and make a positive contribution to the building stock of the Bankstown CBD generally. It would also relate appropriately to the scale of adjoining buildings and respect the amenity of the adjoining park.

Ground floor activation and interface with public domain

The design of the ground floor and public domain interface has evolved, having regard to design input from the SDRP and Council throughout the process. The key requirements of Council and advice of the SDRP have been reflected in the site specific DCP and the proposal complies with the requirements of the DCP by providing:

- active and highly visually and physically permeable frontages to the adjoining public domain, particularly Paul Keating Park, The Appian Way and Rickard Road (**Figure 20**).
- minimisation of blank walls, fire escapes, service doors, plant and equipment hatches to that required to service the development.
- incorporation of publicly accessible and attractive uses at the ground level, including two retail tenancies at the north-east and south-east corners ensuring activation of all three facades (**Figures 11 and 15**).
- sheltered external dining area associated with the south-east retail, further activating the frontage and improving the relationship of the site to the adjoining park (**Figure 21**).
- multiple legible and accessible entry points (**Figure 20**).
- a high standard of finish and level of architectural detail for shopfronts.
- all-weather pedestrian protection awning on The Appian Way and through building overhangs on other frontages.

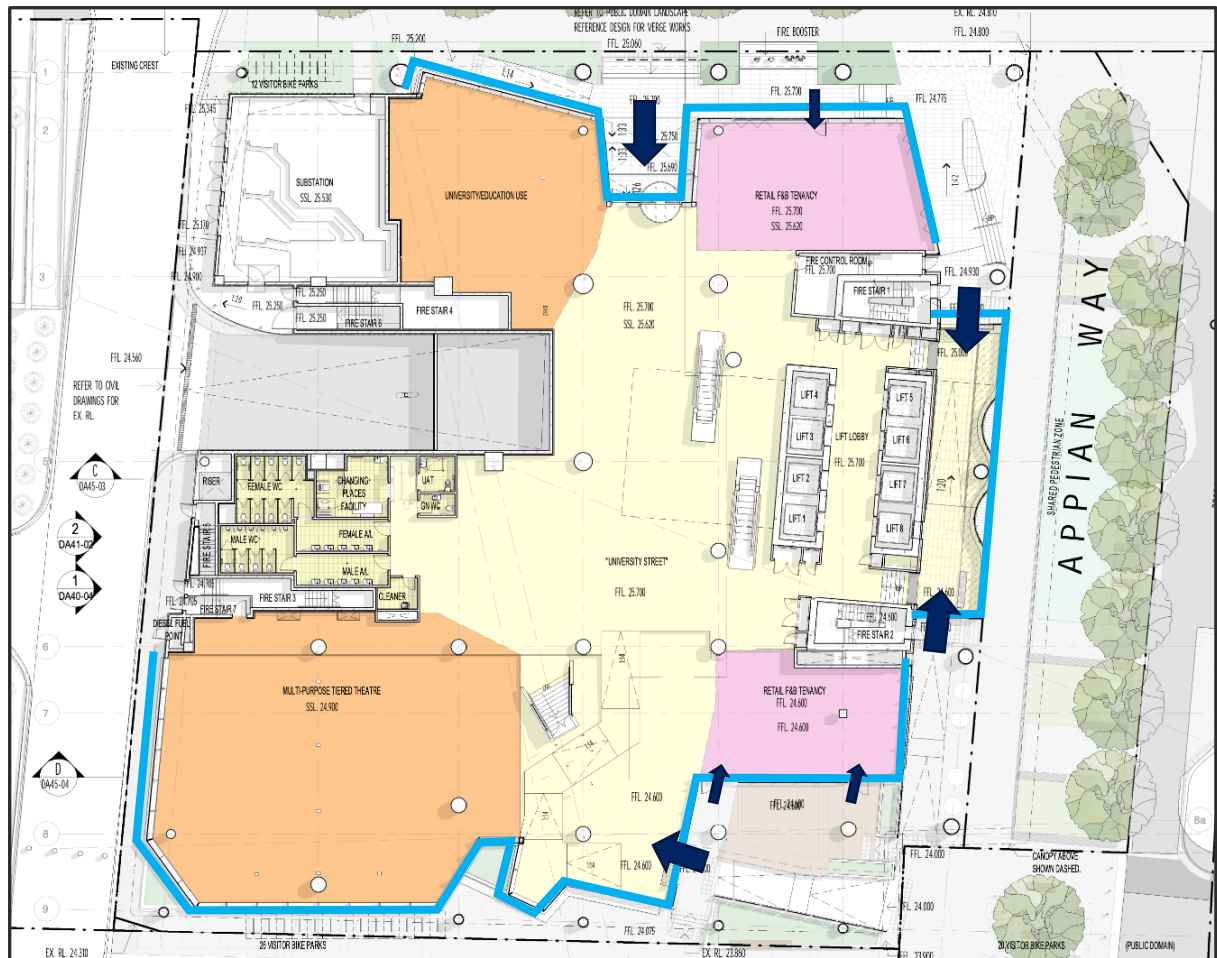


Figure 20 | Ground floor plan with active frontages shown in blue and pedestrian entries (Base source: SRTs)



Figure 21 | Sheltered external dining space provides high level of activation to the south-east (Source: RtS)

The building must provide ground floor levels to meet flood safety requirements (see **Section 6.3**), while maintaining a visual and physical relationship to the adjoining footpaths and provision of accessible and legible entries without extensive use of ramps across all frontages. This was achieved in the final design by stepping the internal ground floor levels to be as close as possible to the external footpath levels while still complying with the flooding requirements. Further, in consultation with Council, the Applicant gave careful consideration to balancing the provision of ramps and stairs to accommodate the change in levels, while ensuring equitable access to the site and minimising visual impacts and physical barriers. The Department considers the proposal incorporates attractive solutions to building entry and permeability given the flooding constraints of the site.

The SDRP and Council raised concerns about the location of the building's lift core and the limited opportunities for activation to The Appian Way as a result. To improve activation, Council recommended a condition requiring incorporation of digital art or other creative solutions to the eastern face of the lift core within The Appian Way Lobby. The Department agrees that digital art would further improve a sense of activation in this location and has recommended this condition. In conjunction, the Department considers that the proposal would provide for a good level of activation to The Appian Way, due to the:

- provision of two retail tenancies both with frontages to The Appian Way.
- visually interesting floor to ceiling transparent curved façade design adjacent to the core (**Figure 22**).
- use of this area for two key building entry points, ensuring significant pedestrian movement and opportunities for casual surveillance between the inside and outside spaces.



Figure 22 | Eastern façade adjacent to lift core (Source: RtS)

The SDRP acknowledged its design issues have been addressed. Following provision of updated ground floor plans with the SRtS, Council did not raise any concerns in relation to ground floor design or activation, but recommended conditions requiring incorporation of digital art, prohibition of any

opaque glass, film or security roller door to the retail areas, and under-awning lighting. These conditions have been recommended.

The Department is satisfied that the proposal has been designed to ensure an excellent interface with the public domain in the context of the site constraints, including maximising ground floor activation, and high-quality facades and design to improve the pedestrian experience adjacent to the site.

6.2 Landscaping and public domain works

Scope of landscaping and public domain works, including VPA works

The application was accompanied by landscape plans which proposed landscaping works within the site and surrounding public domain. The plans were updated with the RtS. Concerns were raised by Council and agencies regarding aspects of the proposed works, including access, plant selection, and integration of stormwater works. As part of the VPA negotiations, the Applicant and Council progressed plans for public domain upgrades surrounding the site. An updated public domain plan developed in consultation with Council was submitted to Council in January 2021. The Public Domain Reference Design Masterplan is intended to supersede the architectural and landscape plans for all landscape and public domain works at the ground floor level both within the site and surrounding public domain.

In the planning agreement negotiated with Council (see **Section 6.5**), and shown in **Figure 23**, landscape works associated with the development fall into three categories:

1. landscape works being delivered as part of this application including both on-site landscaping and public domain works.
2. landscape works being delivered and funded to a value of \$2.6 million by the Applicant under the VPA, to improve the surrounding public domain.
3. associated landscape works funded by Council (and delivered by the Applicant in accordance with funding arrangements under the VPA).

The landscape and public domain works being delivered through the VPA do not form part of this application and have not been assessed. The final design of the works, including access, species selection and associated stormwater works, will be subject to Council approval through the VPA process.

However, the Department considers that generally the works: will provide for a material improvement to the pedestrian network and will significantly improve pedestrian connections between the site and public transport; and are considered necessary to achieve mode share targets discussed in **Section 6.4**. As also discussed in **Section 6.4**, the detailed design phase for these works will need to consider provision of a drop-off and pick-up zone.

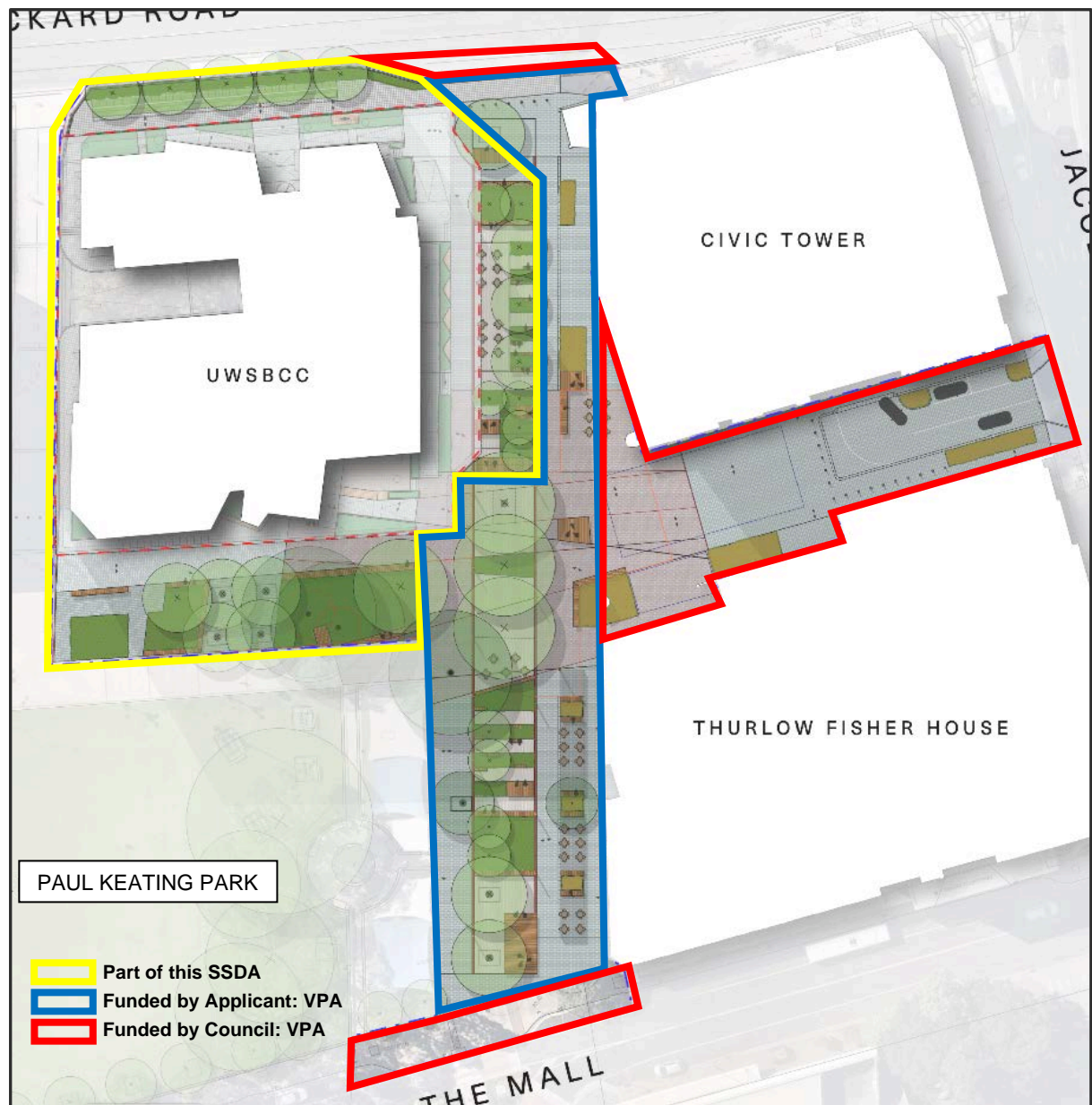


Figure 23 | Extract from Public Domain Plan indicating location and responsibility/delivery of landscape and public domain works (Source: SRTS)

Works proposed under this SSDA

Public domain and landscape works proposed as part of this application include:

- upper-level landscaped outdoor terraces and landscaped recesses on the buildings at Level 3 (student hub), Level 8 (conference terrace) and Level 14 (terrace) and internal landscaping to library courtyard (**Figure 24**). The proposed terraces would incorporate plantings of a range of small trees and shrubs.
- ground level landscape works within the site, including:
 - landscape and public domain works to the right of way forming part of The Appian Way, including six new street trees, water sensitive urban design (WSUD) landscaping, including raingardens, street furniture, lighting (**Figure 25**).
 - building entries, garden beds and bicycle parking to the north and south of the building.

- landscape and public domain works to the Rickard Road frontage, to create a separate bicycle lane and footpath, provision of five new street trees and bicycle parking.
- landscape and public domain works to part of Paul Keating Park, including six new trees, and the retention and protection of two existing significant trees.



Figure 24 | Level 3 Student Hub landscape design (Source: RtS)



Figure 25 | Public domain works in The Appian Way (Source: SRtS)

EESG reviewed the original and RtS landscape plans. It recommended that replacement tree planting should be provided to offset trees removed from the site at a ratio greater than 1:1, should include a diversity of local native provenance species indigenous to the locality, have pot sizes greater than 75-100 litres, and provide sufficient space to allow plants to grow to maturity. The Department notes 21 trees were removed within, or immediately adjacent to, the site under the early works DA (**Section 1.3**).

Council raised a number of concerns with the proposed landscaping and public domain works as initially proposed, but following provision of the updated public domain plan with the SRtS, Council advised that all outstanding concerns could be resolved. It recommended conditions requiring updated plans that ensure general compliance with the Public Domain Reference Design Masterplan submitted in January 2021, but requires additional details or amendments to ensure:

- acceptable levels of tree canopy cover.
- use of native tree species to meet Council requirements.
- appropriate landscaping and WSUD measures.
- adequate soil depth and volume.
- compliance with Council standards for kerbs, pathways and pedestrian works.

It also recommended proposed fire hydrants within the landscaping be enclosed and screened from view. In relation to the upper-level terraces, it recommended canopy cover and soil volumes and that sufficient plantings be provided to the recesses for urban greenery to be perceptible from the public domain.

The Department notes that many of the matters raised by EESG and Council have been subsequently incorporated into the site specific DCP.

The Department is satisfied that, in concept, the proposed landscaping scheme for the site and adjoining public domain demonstrates that the site is capable of providing a high-quality landscape outcome that would make a positive contribution to the character of the area, provide pleasant outdoor spaces for students and staff, improve pedestrian amenity and environmental outcomes on the site and surrounding area. However, to address the matters raised by EESG and Council, and ensure compliance with the site-specific DCP, the Department recommends updated landscape plans be provided to Council including provision of at least 21 trees at ground level of appropriate indigenous species satisfactory to Council, noting currently only 17 trees are proposed at ground level. This will enable the final design to be refined, to resolve outstanding concerns and ensure consistency with the final design of the public domain plan for the VPA works.

6.3 Flooding and stormwater management

The site and surrounding public domain are susceptible to flooding and overland flow during large rain events. Flood modelling submitted with the proposal demonstrates that the proposal would result in increased flood levels and increased flood risk without flood mitigation measures. The modelling considered mitigation measures being carried out, or proposed to be carried out, in the vicinity of the site by Council, and found that subject to completion of these infrastructure upgrades, the proposal would comply with Council requirements in relation to flooding.

Although a number of mitigation measures were considered and modelled, a new box culvert underneath North Terrace (approximately 200m to the south of the site) is required to resolve flooding and stormwater issues in the vicinity of the site (**Figure 26**). Council engineers have advised that

impacts for flooding on the site, and confirmation of compliance of the proposal with the recommendations of the updated report.

- provision of a 150mm crest at the entrance to the basement carpark to divert water away from the carpark.
- appropriate design of all structures that are subject to flooding.
- detailed plans to ensure footings and foundations do not adversely affect adjacent Council and Sydney Water pipelines.

The Department relied on the advice of Council engineers who have worked closely with the Applicant to resolve issues relating to flood risk and stormwater management in the public domain surrounding the site. The Department notes in principle agreement has been reached between Council and the Applicant in relation to the VPA (see **Section 6.5**) to provide the stormwater infrastructure upgrades prior to occupation. The Department has included conditions to address Council's above recommendations and is satisfied that, subject to final approval of the flood impact assessment and mitigation measures by Council, the proposal would be appropriately designed and not result in unacceptable flood risks.

A condition is also recommended requiring that the FERP be updated in consultation with the NSW State Emergency Service and Council.

6.4 Traffic, transport and access

Car parking

The proposal incorporates basement car parking for 87 cars, including four accessible spaces.

Public submissions raised concerns that the proposal would result in the loss of existing public car parking spaces on the site, that proposed parking would be inadequate to cater for the University, and may result in on-street parking impacts and impacts to private car parking, such as the nearby ALDI carpark.

Council advised that the proposal should be assessed against the car parking rates in the DCP for the site, established having regard to sustainable modes of transport and changed travel behaviour in line with the Bankstown Metro Station and other public transport available to the site. Council advised any deficiency of car parking spaces is to be offset in line with Council's VPA Policy.

Amended details submitted by the Applicant in January 2021 indicated that no more than 250 staff and 2,000 students are anticipated to be on the site at any one time.

Applying the parking rates in the site specific DCP, the proposal would require the provision of 140 onsite parking spaces (38 staff, 100 student and two visitor spaces). The Applicant initially advised the 87 basement parking spaces would be available for staff only, but as this would be inconsistent with the parking demand, a condition is recommended to enable the basement parking to be available to students and visitors.

As the proposal results in a shortfall of 53 spaces from the 140 required, the Applicant proposes to make a contribution of \$1.7 million (for 50 parking spaces at a rate of \$34,272.63 per space) to Council to fund improvements to Council operated public car parking spaces as part of the VPA (see **Section 6.5**).

Council is supportive of the arrangements and, following provision of the public benefit offer, has not raised any further concerns in relation to parking.

The Department considers the shortfall of the remaining three spaces would not result in material consequences for parking in the vicinity of the site. On this basis, the Department is satisfied that the proposal adequately caters for the parking demand associated with the use of the site and will not result in unacceptable impacts on on-street parking or use of private carparks. The Department notes that while some students or staff may attempt to park in nearby private carparks it is up to the operators of those carparks to manage their access arrangements or charges for public car parking.

The Department also notes planning controls do not require any offset for the loss of public parking on the site, which was the previously approved use under a separate DA. Removal of public car parking is consistent with Council's strategic planning for Bankstown CBD, including Council's 'Complete Streets' strategy, which seeks to reduce traffic impacts and encourage use of public transport in Bankstown CBD rather than provide increased car parking.

Non-car mode share and bicycle parking

In accordance with Council's 'Complete Streets' strategy, the application encourages the use of sustainable transport and aims to minimise cars travelling to the site, with mode share targets of no more than 15 per cent of staff and five per cent of students driving to and parking at the site. The proposal aims to achieve these targets by:

- keeping parking to a minimum.
- providing bicycle parking facilities for students, visitors and teachers.
- public domain improvements, including pedestrian connections from the site to public transport (see **Section 6.2**).

TfNSW reviewed the proposal and advised that to achieve these mode share targets, there should be improved provision of bicycle parking and end-of-trip facilities. TfNSW also recommended conditions requiring a travel plan be prepared in consultation with TfNSW, with further consideration given to prioritising some parking spaces for car share / carpool use only. Council initially raised concerns with the provision of bike parking, particularly the proposed location of parking in the public domain, and the lack of provision of end-of-trip facilities for students.

In response, the Applicant amended the bicycle parking arrangements. The amended scheme includes 156 bicycle spaces, with:

- 56 bicycle basement parking spaces and end of journey facilities for staff (lockers, showers).
- 42 basement spaces for students and visitors.
- 38 ground level spaces within the site for students and visitors.
- 20 spaces in the adjoining public domain.
- lockers available for students, but no showers.

The proposal exceeds the requirements of the site specific DCP, which was designed having regard to the mode share targets and requires a minimum of 132 spaces, of which no more than 20 are permitted to be in the adjoining public domain. End-of-trip facilities are only required for staff in the DCP, noting there would be limited demand for students to access showers. The Department is satisfied that adequate provision is made to encourage the use of bicycles to meet mode share

targets for cyclists. Following provision of the updated information, Council and TfNSW did not raise any concerns regarding bicycle parking or facilities.

In accordance with TfNSW recommendations, a condition requiring a Green Travel Plan (GTP), including consideration of car share and carpooling, is included in the recommendation.

Traffic generation and impacts on the road network

The application was accompanied by a Transport Management and Accessibility Plan (TMAP), which considered the impact of the development on the operation of the surrounding road network. The TMAP demonstrates that, due to the measures adopted to encourage sustainable transport use, traffic associated with the use of the site would not be significant and intersections in the vicinity of the site would continue to operate well, with good to satisfactory levels of service (LoS A to LoS C) following completion of the development.

Other than localised issues relating to servicing and drop-off, TfNSW and Council had no concerns with the traffic impacts of the development on the surrounding area. The Department is satisfied the proposal would not result in any unacceptable traffic impacts on the locality.

Vehicle access and loading

All loading and unloading associated with the site will be carried out within the basement loading dock. Updated plans and additional information were submitted by the Applicant in response to concerns raised by Council and TfNSW to demonstrate all vehicles, including medium rigid vehicles (MRV), could access the loading dock without unacceptable safety impacts or conflicts with other vehicles or pedestrians.

Following provision of the additional information, no further concerns were raised by TfNSW.

Details provided by the Applicant show that MRVs accessing the site from the east on Rickard Road would either need to swerve into oncoming traffic on Rickard Road to enter the driveway or could make the turn without changing lanes on Rickard Road by manoeuvring onto the western side of the BLaKC driveway, potentially conflicting with oncoming traffic on the driveway. Council raised traffic safety concerns with the first scenario, noting that Rickard Road is a very busy road and therefore recommended conditions requiring appropriate line marking and signage on the driveway to encourage safe manoeuvring of MRVs.

A condition has been recommended requiring the provision of line-marking and signage to the satisfaction of Council. The Department has also recommended a condition requiring a loading dock management plan that includes procedures for the management of deliveries and pick-ups, including provision for advance bookings with the building manager, access hours, and details of how traffic flow conflicts on the driveway would be managed.

The Department considers that through appropriate signage, line-marking and loading dock management, including traffic control while MRVs enter and exit the site, the proposal would not result in unacceptable traffic safety concerns.

The Department notes that the design of the basement would not comply with the required height clearance for MRVs as it would only have a 3.8m height clearance, and a 4.5m clearance is required for MRVs under AS2890.2. The Applicant advised that the waste contractor would use trucks with a height of less than 3.4m, therefore the 3.8m clearance would be adequate. To ensure the safety of all

vehicles accessing the site, a condition is recommended restricting service vehicles to medium rigid vehicles or smaller with a height of less than 3.4m.

Subject to this condition, the Department is satisfied no safety concerns arise with regard to vehicle access.

Pick-up and drop-off

It was initially proposed that the public domain works in The Appian Way would enable vehicle access, including a pick-up and drop-off zone that could accommodate up to three vehicles at a time.

TfNSW and Council both raised concerns with the adequacy of the information in relation to the pick-up and drop-off area, and whether it could accommodate the demand for the site. Council also raised concerns that the design of the public domain works would not properly accommodate service vehicle movements.

The new Public Domain Reference Design Masterplan submitted in January 2021 removed the vehicle access from The Appian Way, including the previously proposed pick-up and drop-off zone.

While Council has given support for the plan and the pedestrian only arrangements on The Appian Way, concerns were raised that pick-up and drop-off have now not been provided for.

The Applicant advised the final resolution of the drop-off zone will be determined with Council via the design process underway for the Public Domain works. There are potentially four options for the drop-off zone on Council land (**Figure 27**):

1. in Rickard Road, using the existing layby.
2. in The Appian Way, with vehicles entering from Rickard Road and exiting via Civic Drive.
3. in Civic Drive, with vehicles entering and leaving via Civic Drive.
4. in The Mall, close to the interface with The Appian Way Public Domain works.

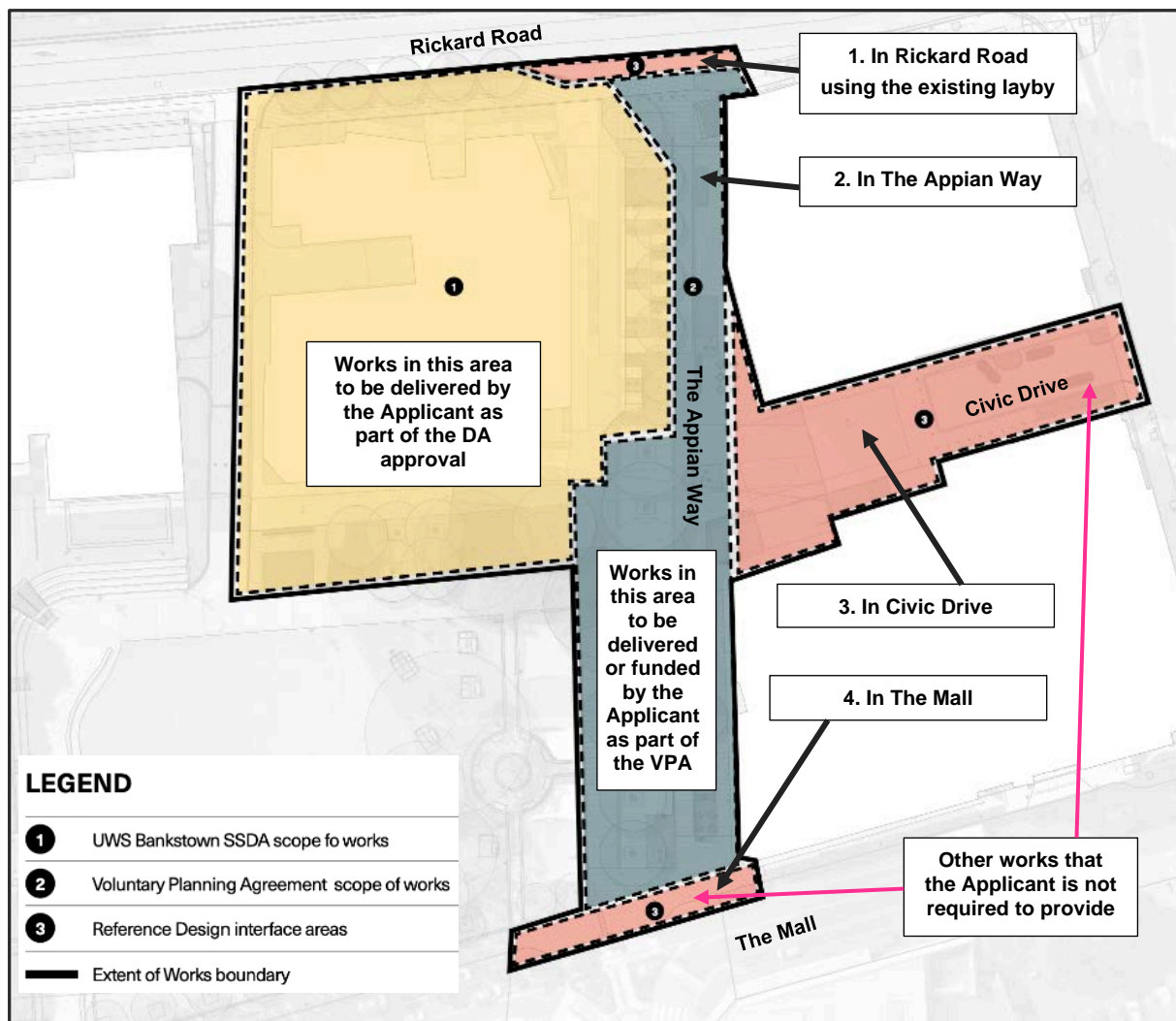


Figure 27 | Extract from Public Domain Plan showing responsibility for delivery of works by location and potential drop-off zone locations (Base source: SRTS)

Council has advised that drop-off in Rickard Road and in The Appian Way (Options 1 and 2) are not supported. It has not provided advice on Options 3 or 4, which could be further resolved with Council in finalising the design of the public domain. The Department is not aware of any consideration or assessment of the design and traffic impacts of the options, and notes that, other than Option 2, the potential locations are all outside areas designated as the Applicant's responsibility under the VPA (see **Figure 27**). The public domain plan currently does not provide a pick-up and drop-off zone. Further, should the above options not be suitable, an alternative location outside of the planned public domain works may be required. The Department notes Council raised concerns that the pick-up and drop-off zone has potential to cause queuing and adverse impacts on the surrounding road network.

The Department considers the provision of a convenient pick-up and drop-off zone is essential to mitigate the impacts of the development, including to minimise parking impacts in the area and to minimise unsafe or illegal set-down and drop-off in surrounding streets, with associated potential traffic impacts. It is also a requirement of the DCP.

The Department considers the location and size of the pick-up and drop-off zone must be resolved, and agreement reached between the Applicant and Council as to who is responsible for delivering the works. The Department considers that, subject to appropriate assessment in relation to location and

size / capacity of the drop-off zone, it is possible to deliver a convenient facility near the site that would adequately cater for the demands of students and staff without unacceptable traffic impacts.

The Department has therefore recommended conditions requiring:

- agreement (within six months after determination) between the Applicant and Council for plans for the zone and how the works would be delivered.
- completion of the works prior to occupation.

Conditions are recommended to enable monitoring and mitigation measures to be required if Council is not satisfied the design of the zone can cater for the demand created by the facility.

Subject to these conditions, the Department is satisfied that provision of an appropriate pick-up and drop-off zone can be adequately resolved, prior to operations commencing on the site.

Construction parking and traffic

A preliminary Construction Traffic Management Plan (CTMP) was submitted with the application which considered potential vehicle routes, traffic generation and impacts on surrounding streets and footpaths.

Council did not raise any specific concerns with construction traffic or parking, other than advice that Civic Drive, The Appian Way and the BLAKC Driveway must not be used for construction vehicle egress due to structural issues.

TfNSW did not raise any specific concerns with construction traffic or parking, but recommended the provision of a detailed CTMP to be developed in consultation with Council.

One public submission raised concern with the potential impacts of construction worker parking, particularly that parking would not initially be provided on site for workers, with potential impacts on the nearby ALDI carpark.

To address these issues, the Department has recommended conditions which require:

- the development of a detailed CTMP, in consultation with Council, which includes a range of measures including measures to prevent vehicles from using Civic Drive, The Appian Way and the BLAKC Driveway.
- a construction worker transportation strategy, to minimise demand for parking in nearby public and residential streets, or public parking facilities and to ensure construction workers do not use the ALDI carpark.
- measures to accommodate construction vehicles, including heavy vehicles, on the site.

Subject to these conditions, the Department considers traffic and parking impacts associated with the construction stage would be appropriately managed.

6.5 Other issues

Issue	Findings	Recommendation
Development Contributions	Under the Bankstown Development Contributions Plan 2019 (Contributions Plan), the applicable contribution (a section 7.12 Development Contribution) would be 1 per	No conditions have been included to require payment of

Issue	Findings	Recommendation
and Planning Agreement	<p>cent of the estimated cost of the development. The Applicant has requested exemption from payment of contributions. The Contributions Plan outlines types of development that would be excluded from development contributions, but the list does not include universities. The Applicant has sought an exemption to the payment of development contributions as:</p> <ul style="list-style-type: none"> the application includes public benefits including improvements to the public domain adjoining the site. the Applicant is seeking to enter into a Voluntary Planning Agreement (VPA) with Council which proposes the following contributions in lieu of contributions under the Contributions Plan: <ul style="list-style-type: none"> public domain works to The Appian Way (to a value of \$2.6 million). \$2 million contribution to Council to carry out flood mitigation and stormwater upgrade works in the vicinity of the site. \$1.7 million contribution to Council to fund 50 public carparking space (at a rate of \$34,272 each). <p>The need for the VPA works or contributions to mitigate the impacts of the development have been discussed in Sections 6.2, 6.3 and 6.4 of this report.</p> <p>Following submission of the letter of offer to enter into a VPA, Council has not raised any concerns with contributions being waived.</p> <p>The Department notes the Minister can exercise discretion in applying development contributions. Circular D6 'Crown Development Applications and Conditions of Consent' guides Crown Applications and development contributions. Circular D6 states that Crown activities providing a public service or facility leading to significant benefits for the public (by providing essential community services) are not likely to require the provision of public services and amenities, like those undertaken with a commercial objective.</p> <p>Circular D6 provides that for educational services, contributions should only be levied towards funding for drainage (where the proposal is likely to increase site</p>	<p>contributions under the Bankstown Development Contributions Plan 2019.</p> <p>A condition is recommended requiring the Planning Agreement be executed within six months of approval of the DA.</p>

Issue	Findings	Recommendation
	<p>runoff or add to drainage infrastructure needs) or local traffic management at the site entrance, if required.</p> <p>The Department notes section 7.12 plans do not require any connection between the development on which the levy is imposed and the facilities to be funded. Notwithstanding, any contribution levied must be reasonable.</p> <p>The Department considers that as the proposal is Crown development that provides a significant social benefit to the wider community, the principles of Circular D6 should be applied. Further, as the proposed VPA would provide for stormwater works and improvements to the public domain including roadworks adjacent to the site, the Department considers the contributions plan levy should not apply in this circumstance.</p> <p>Council noted the requirement for the Minister to be a party to the VPA if it includes a clause waiving payment of section 7.12 contributions. As no section 7.12 contributions will be required under this consent, the Department considers there is no requirement for a clause in the VPA waiving their payment.</p>	
Acoustic impacts	<p>An acoustic report was submitted with the EIS, and updated with the RtS, to provide additional information to address concerns raised by the EPA. It assessed the potential construction and operational noise and vibration impacts on nearby sensitive land receivers, including residences opposite the site on Rickard Road, Paul Keating Park, and adjacent civic and commercial buildings.</p> <p>Construction impacts</p> <p>The EPA's Interim Construction Noise Guideline (ICNG) outlines the process of establishing construction noise management levels for surrounding sensitive receivers. Based on the established background noise levels, construction noise management levels of 64dB(A)Leq,15mins were established for standard construction hours at the nearest residential receivers, 60dB(A) for Paul Keating Park, and 70dB(A) for nearby commercial properties.</p>	<p>A condition is recommended requiring a CNVMP to ensure appropriate mitigation measures are undertaken to minimise construction impacts.</p>

Issue	Findings	Recommendation
	<p>The Department notes that the noisiest activities relate to excavation and piling works which are subject to the separate early works DA. Other works would have less impact, although residential neighbours and users of Paul Keating Park would experience some noise above the recommended levels (up to 70 - 72dB(A)). The assessment noted it would be possible to incorporate mitigation measures such as reducing the operation of noisier equipment through time restrictions, substituting with quieter machinery or acoustic barriers.</p> <p>The assessment also demonstrates that traffic noise associated with construction would not be material and no adverse vibration impacts would arise from the construction works proposed as part of this DA.</p> <p>The EPA recommends a Construction Noise and Vibration Management Plan (CNVMP), which includes consultation with and consideration of the unique operating conditions of neighbours, including the Cinema and Council buildings as well as appropriate measures to manage construction vibration levels.</p> <p>Subject to conditions the Department is satisfied construction noise would be appropriately mitigated and managed.</p> <p>Operational Impacts</p> <p>Operational noise generated by the proposal would be associated with the operation of mechanical plant, outdoor balcony use, and traffic noise associated with cars accessing the site.</p> <p>The acoustic assessment considers that subject to appropriate acoustic enclosure and attenuation, all plant could comply with noise emission goals.</p> <p>The assessment also finds that use of the outdoor terraces would be unlikely to result in adverse acoustic impacts, subject to terraces not being used after 10pm.</p> <p>Traffic noise associated with vehicle movements to and from the site was also found to comply with noise emission goals, providing the carpark is not used intensively after 10pm. The traffic assessment demonstrates that use of the carpark after 10pm would be negligible.</p>	<p>Conditions are recommended requiring additional background noise monitoring and verification, to confirm plant and noise mitigation measures would ensure compliance with noise goals based on reliable data.</p> <p>Conditions are also recommended to restrict use of the terraces after 10pm, and post-construction monitoring to further ensure noise goals have been achieved.</p>

Issue	Findings	Recommendation
	<p>The EPA raised concern that despite the additional information provided with the RtS, it could not be satisfied that the background noise monitoring, and therefore the project trigger noise levels, could be relied upon, and recommended verification of the background noise levels.</p> <p>The Applicant subsequently provided additional information to demonstrate how background noise and project trigger noise levels were derived. The Department reviewed the information provided and is satisfied that the information provided is sufficiently accurate to make a general assessment of the likely noise impacts of the proposal and on this basis the Department is satisfied the proposal would not result in significant operational acoustic impacts.</p> <p>However, as there are gaps in the data (one noise logger was stolen while measuring background noise), the Department considers that further measurements should be taken and existing results verified to ensure the final design of acoustic mitigation measures are designed to meet noise goals based on reliable data.</p>	
Signage	<p>The development includes four signage zones:</p> <ul style="list-style-type: none"> • eastern façade (The Appian Way) – top of tower signage zone 3m x 20.715m. • southern façade (Paul Keating Park) – middle tower signage zone 3m x 20.715m. • southern façade (Paul Keating Park) – podium signage zone 6.85m x 5.4m. • western façade (Library and Knowledge Centre) – top of tower signage zone 6.85m x 5.4m. <p>Council recommended that the two taller signs be reduced in scale to a single storey in height to match building proportions. GANSW and the SDRP did not raise any concerns with the size of the proposed signage zones.</p> <p>The signage zones have been assessed against the requirements of SEPP 64 (refer Appendix B) and the Department considers the signage zones are appropriate for the scale of the development and, subject to appropriate design as part of future DAs, will not result in any unacceptable impacts.</p>	No additional conditions required.

Issue	Findings	Recommendation
European heritage	<p>A Heritage Impact Statement (HIS) was prepared to assess potential heritage impacts of the proposed development. The site does not contain any heritage items, nor is it within a conservation area. The only heritage item in the vicinity of the site is the Council Chambers Building in Paul Keating Park (Figure 7). The HIS indicates the proposal would not result in adverse impacts to the significance of the Council Chambers Building, noting the mature plantings around the building would ensure it is visually separate from the proposal and read in isolation. As the proposed building for an education purpose, it is in keeping with the civic character of this part of the CBD.</p> <p>No submissions raised any concerns with the heritage impacts of the proposal. The Department supports the conclusions of the HIS and considers the proposal does not result in any heritage concerns.</p>	No additional conditions required.
Aboriginal heritage	<p>The EIS was accompanied by an Aboriginal Cultural Heritage Assessment Report (ACHAR).</p> <p>The assessment concluded that the site has been significantly disturbed and has low archaeological potential. Aboriginal community consultation did not identify specific Aboriginal cultural heritage values on the site. The ACHAR recommends works proceed, subject to ongoing consultation with the Aboriginal community, inclusion of the community in the discussion on the potential for interpretation of Aboriginal history and cultural heritage values and subject to an unexpected finds protocol.</p> <p>The Department notes no concerns were raised with regard to Aboriginal heritage, and unexpected finds would be dealt with under the separate early works DA, which includes excavation. Subject to ongoing consultation and interpretation as recommended, the Department considers the proposal would not result in adverse outcomes for Aboriginal cultural heritage.</p>	Conditions are recommended to undertake ongoing consultation with the Aboriginal community and interpretation in accordance with the recommendations of the ACHAR.
Wind impacts	One public submission mentioned potential wind impacts to the park and Council initially recommended the provision of awnings for the full length of the building facing The Appian Way, Rickard Road and the south	Conditions are recommended requiring the provision of mitigation measures in accordance with the

Issue	Findings	Recommendation
	<p>elevation (park) to mitigate the impacts of wind down drafts.</p> <p>The EIS includes a pedestrian wind environment study based on wind tunnel testing. An addendum report was provided with the RtS, which considered the wind environment conditions for pedestrian areas within and around the site based on the revised plans. It did not consider the results of the original wind tunnel testing would be materially altered by the revisions to the plans.</p> <p>The assessment concludes that pedestrian areas around the site at ground level and on upper level terraces would have a wind environment suitable for their intended use subject to a number of mitigation treatments, including:</p> <ul style="list-style-type: none"> • evergreen tree planting on The Appian Way and tree retention in Paul Keating Park. • ground level landscape plantings at three corners of the building. • revolving front entry door at Rickard Road. • full height screening or balustrades at key locations on the ground floor and on each terrace level. • landscape plantings on the Level 14 terrace. <p>The Department has considered the assessment and notes that the proposal would not result in any unacceptable wind impacts outside the site. All areas in the public domain would experience wind speeds that would be comfortable for their likely use. Wind affected areas are located within the site and impacts would be mitigated by the measures described above. The measures have been included in the updated plans.</p> <p>The Department is satisfied the proposal would not result in unacceptable wind impacts to the public domain and would provide comfortable open space areas within the site. The Department therefore considers there are no additional mitigation measures required.</p>	wind impact assessment.
On-site stormwater management	In addition to public domain stormwater works discussed in Section 6.3 , the proposal includes onsite stormwater management.	No additional conditions or mitigation measures required.

Issue	Findings	Recommendation
	<p>A civil design report has been submitted with the application which details:</p> <ul style="list-style-type: none"> the provision of onsite detention, to ensure that runoff from the developed site would not exceed predevelopment runoff. a rainwater reuse tank in addition to onsite detention, to capture and reuse rainwater on site. water quality treatments, including water sensitive urban design measures which demonstrate the proposal would reduce water pollutants in stormwater leaving the site, well beyond the minimum applicable requirements. <p>The Department is satisfied the proposal would improve outcomes for stormwater management on the site and would not result in any adverse impacts for water quality or downstream waterways.</p>	
Air safety	<p>The Commonwealth Department of Infrastructure, Transport, Cities and Regional Development has issued approval for the construction of the building to a maximum height of RL106.78 AHD, subject to conditions including obstacle lighting, restrictions on construction cranes, and certification of constructed building height.</p> <p>The Application was referred to CASA, Bankstown Airport and Airservices Australia, and no objections were raised.</p> <p>The Department notes the amended plans result in a minor encroachment of this approval with a corner of the roof over the lift core proposed to a height of RL107.03. The Department considers this could be easily resolved by a small reduction in the roof height or through a revised application to the Commonwealth Department of Infrastructure, Transport, Cities and Regional Development.</p>	<p>A condition is recommended requiring the plans be amended to comply with a maximum building height of RL106.78, or the Applicant obtain an updated approval from the Department of Infrastructure, Transport, Cities and Regional Development.</p>
Waste generation and collection	<p>An Operational Waste Management Plan was submitted with the application and amended in the RtS, outlining how waste would be managed on site.</p> <p>Council raised concern that the size of the waste storage area was not sufficient given the amount of waste expected to be generated.</p>	<p>A condition requiring a detailed operational management plan including measures to reduce food waste generation has been recommended.</p>

Issue	Findings	Recommendation
	<p>It also raised concerns that the size of the bins and of the waste trucks (required to be relatively small due to the design of the basement: see Section 6.4) would result in increased waste vehicle collection trips with associated noise and traffic impacts in the CBD. It recommended the University amend the design to incorporate larger bins and large waste vehicles as well as to implement a food waste recycling system to reduce waste to landfill.</p> <p>In response, the Applicant provided further information of waste generation rates from an existing comparable size university building at another campus. Based on the information provided, the Department is satisfied adequate provision would be made for waste storage on site. Further, the Department considers less frequent waste collection by larger vehicles is not necessary to mitigate impacts of the development, noting no significant issues in relation to noise or traffic were identified for the site (Section 6.4 and 6.5).</p> <p>However, the Department agrees that recycling opportunities should be maximised to reduce waste to landfill and notes the waste management plan does not make provision for food waste recycling. The Department considers there are opportunities to reduce food waste to landfill and recommended an updated plan be prepared which incorporates measures to reduce food waste.</p> <p>The Department is satisfied waste management impacts can be managed through conditions.</p>	
Construction impacts	<p>A preliminary Construction Management Plan (CMP) was submitted with the application outlining how construction impacts would be managed and mitigated.</p> <p>Construction traffic was considered in Section 6.2 and construction noise has been considered above.</p> <p>Council and the EPA recommended conditions to ensure submission and implementation of a detailed CMP, dust control and management, sediment control, and waste control and management during the construction phase.</p> <p>The Department is satisfied construction impacts can be managed through conditions.</p>	<p>Conditions to mitigate construction impacts have been recommended.</p>

Issue	Findings	Recommendation
Utilities	<p>Council raised concern that an Infrastructure Management Plan, and Integrated Water Management Plan required by the SEARs, were not submitted with the application.</p> <p>The RtS included an Infrastructure Management Plan, inclusive of an Integrated Water Management Plan which demonstrated that subject to appropriate augmentation, the site is able to be adequately serviced by existing utility infrastructure.</p> <p>The Department is satisfied the proposal is capable of being serviced in accordance with utility provider requirements.</p>	<p>A condition requiring a Section 73 Certificate from Sydney Water and standard advisory note requiring relevant approvals from service providers have been recommended.</p>

7 Evaluation

The application seeks approval for a new vertical university campus in the Bankstown city centre. The Department has reviewed the EIS, RtS and SRtS and assessed the merits of the proposal, taking into consideration advice from the public authorities, including Council. All environmental issues associated with the proposal have been thoroughly addressed.

The Department considers that the project is justified and in the public interest, and that the site is suitable for the proposed development. Consequently, the Department recommends that the application be approved, subject to conditions.

The Department's assessment of the proposal concludes that:

- the built form and urban design is suitable for the site and is consistent with controls and principles established for the site under the recent LEP amendment gazetted on 5 February 2021 and site-specific DCP.
- the proposal has been designed to ensure a high-quality interface with the public domain in the context of the site constraints, with good levels of ground floor activation, and well-designed facades and entrances.
- subject to refinements in the final design, the proposal would provide a high-quality landscape outcome that would make a positive contribution to the character of the area, provide pleasant outdoor spaces for students and staff, improve pedestrian amenity and environmental outcomes on the site and in the surrounding area.
- the proposal would not result in any adverse traffic or parking impacts and includes appropriate measures to encourage sustainable transport use and ensure reduced reliance on private vehicles.
- flood impacts would be resolved by new infrastructure provision that would be partly funded by the Applicant through the VPA, as well as conditions requiring additional information to resolve other minor outstanding matters.

The proposal is consistent with key government strategic plans and policies, including the *Greater Sydney Region Plan*, *South District Plan*, *State Infrastructure Strategy 2018-2038* and *Future Transport Strategy 2056*.

The proposal is considered to be in the public interest as it would provide public benefits, including:

- additional investment in educational infrastructure within a highly accessible location.
- support the continuing growth of identified Strategic Centre, Collaboration Area, and Health and Education Precinct.
- delivery of approximately 675 new construction jobs and 650 operational jobs.

Recommended conditions of approval, and the implementation of measures detailed in the Applicant's EIS and RtS, and SRtS would ensure that the proposal minimises and mitigates the residual environmental impacts.

8 Recommendation

It is recommended that the Executive Director, Infrastructure Assessments as delegate of the Minister for Planning and Public Spaces:

- **considers** the findings and recommendations of this report.
- **accepts and adopts** all the findings and recommendations in this report as the reasons for making the decision to grant consent to the application.
- **agrees** with the key reasons for approval listed in the notice of decision.
- **grants consent** for the application in respect of Western Sydney University Bankstown City Campus (SSD-9831), subject to the conditions in the attached development consent.
- **signs** the attached development consent and recommended conditions of consent (**Appendix C**).

Recommended by:



Megan Fu
Principal Planner
Social and Infrastructure Assessments

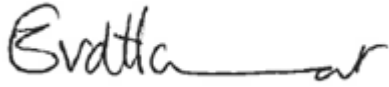
Recommended by:



Karen Harragon
Director
Social and Infrastructure Assessments

9 Determination

The recommendation is **Adopted** by:

A handwritten signature in black ink, appearing to read 'Erica Van Den Honert', with a long horizontal flourish extending to the right.

18/02/2021

Erica Van Den Honert
Executive Director
Infrastructure Assessments

Appendices

Appendix A – List of referenced documents

1. Environmental Assessment

<https://www.planningportal.nsw.gov.au/major-projects/project/11456>

2. Submissions

<https://www.planningportal.nsw.gov.au/major-projects/project/11456>

3. Amended DA and Response to Submissions

<https://www.planningportal.nsw.gov.au/major-projects/project/11456>

4. Additional Information and Supplementary Response to Submissions

<https://www.planningportal.nsw.gov.au/major-projects/project/11456>

Appendix B – Statutory Consideration

State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)

Table 1 | SRD SEPP compliance table

Relevant Sections	Consideration and Comments	Complies
3 Aims of Policy The aims of this Policy are as follows: (a) to identify development that is State significant development	The proposed development is identified as SSD.	Yes
8 Declaration of State significant development: section 4.36 (1) Development is declared to be State significant development for the purposes of the Act if: (a) the development on the land concerned is, by the operation of an environmental planning instrument, not permissible without development consent under Part 4 of the Act, and (b) the development is specified in Schedule 1 or 2.	The proposed development is permissible with development consent and the proposal is for the purpose of an educational establishment with a capital investment value (CIV) in excess of \$30 million, under clause 15 (3) of Schedule 1.	Yes

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

The Education SEPP standardises the approval process for child care centres, schools, TAFEs and universities while minimising impacts on surrounding areas and improving the quality of the facilities. The Education SEPP includes planning rules for where these developments can be built, which development standards can apply and constructions requirements. The application has been assessed against the relevant provisions of the Education SEPP.

Clause 45(1) of the Education SEPP provides that development for the purpose of a university may be carried out by any person with development consent on land in a prescribed zone. The site is within land zoned B4 Mixed Use under BLEP 2015, which is identified as a prescribed zone in clause 43 of the Education SEPP. As the proposed development is for a university, it is therefore permissible with consent under the SEPP.

Clause 57 requires traffic generating development that involves addition of 50 or more students to be referred to TfNSW. Accordingly, the application was referred to TfNSW, and traffic impacts and the response from TfNSW were considered in **Section 6.4**.

Environmental Planning Policy No. 64 - Signage

SEPP 64 applies to all signage that under an EPI can be displayed with or without development consent and is visible from any public place or public reserve. The development includes four signage zones, which will be subject to further detailed DAs:

- eastern façade (The Appian Way) – top of tower signage zone 3m x 20.715m.
- southern façade (Paul Keating Park) – middle tower signage zone 3m x 20.715m.
- southern façade (Paul Keating Park) – podium signage zone 6.85m x 5.4m.
- western façade (Library and Knowledge Centre) – top of tower signage zone 6.85m x 5.4m.

Under clause 8 of SEPP 64, consent must not be granted for any signage application unless the proposal is consistent with the objectives of the SEPP and with the assessment criteria which are contained in Schedule 1. **Table 2** below considers the consistency of the proposed signage with these assessment criteria.

Table 2 | SEPP 64 compliance table

Assessment Criteria	Comments	Compliance
1 Character of the area		
Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	The signs would be consistent with the civic and commercial character of the area, would not detract from the desired future character of the Northern CBD core of Bankstown, which is to continue to function as the heart of Bankstown and is characterised by tall buildings.	Yes
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	A specific theme does not apply to the area.	Yes
2 Special areas		
Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The signs would be visible from Paul Keating Park, including some potential views from the heritage listed Council Chambers Building. However, providing the signs are designed to be complementary to the building façade design, no adverse visual impacts would arise.	Yes
3 Views and vistas		
Does the proposal obscure or compromise important views?	The proposed signs would be located on the facades of the building and therefore would not impact on any views.	Yes
Does the proposal dominate the skyline and reduce the quality of vistas?	Two signs would be at the top of the building, and form part of some skyline views but, subject to appropriate future design to complement the building façade, the signs would not result in any adverse visual impacts and are considered	Yes

Assessment Criteria	Comments	Compliance
	appropriate relative to the scale of the building and purpose as building identification signs.	
Does the proposal respect the viewing rights of other advertisers?	The proposal would not affect any other advertising.	Yes
4 Streetscape, setting or landscape		
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The signage zones, which have been located and sized to read as equal to a single storey or double storey in scale, have been designed to be compatible with the architecture of the building, and although large, are considered appropriate for scale of the building and the site.	Yes
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	Subject to appropriate future detailed design, the signs would complement the building design and therefore the visual interest of the streetscape.	Yes
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	There is no existing advertising.	N/A
Does the proposal screen unsightliness?	N/A.	N/A
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The signs would not protrude above the building.	Yes
Does the proposal require ongoing vegetation management?	N/A.	N/A
5 Site and building		
Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The signage zones, which have been located and sized to read as equal to a single storey or double storey in scale, have been designed to be compatible with the architecture of the building. Although large, they are considered appropriate for scale of the building and the site.	Yes
Does the proposal respect important features of the site or building, or both?	The signs do not affect any important site features. The location and size of the signage zones have been designed to complement the architecture of the building.	Yes
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The proposal is for the location of signage zones only.	N/A

Assessment Criteria	Comments	Compliance
6 Associated devices and logos with advertisements and advertising structures		
Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	Detail of any devices or logos will be a matter for the detailed DA.	N/A
7 Illumination		
Would illumination result in unacceptable glare? Would illumination affect safety for pedestrians, vehicles or aircraft?	As above.	N/A
Would illumination detract from the amenity of any residence or other form of accommodation?	As above.	N/A
Can the intensity of the illumination be adjusted, if necessary? Is the illumination subject to a curfew?	As above.	N/A
8 Safety		
Would the proposal reduce safety for pedestrians, particularly children, by obscuring sightlines from public areas?	Signs will be located on the facades and therefore will not affect sightlines.	Yes
Would the proposal reduce safety for any public road?	The flush wall signs are not located near traffic lights and would have no impact on road safety.	Yes

Environmental Planning Policy No. 55 - Remediation of Land

SEPP 55 aims to ensure that potential contamination issues are considered in the determination of a development application. The EIS includes a detailed site investigation and contamination assessment for the site, which concludes that the site has a low potential for contamination. Soil and groundwater sampling did not find contaminants above reporting limits, except for some groundwater concentrations of zinc and copper, however these were considered to be typical for groundwater conditions within an urban setting.

The EPA recommended the Applicant develop an unexpected finds protocol for contamination excavated including appropriate actions for remediation and compliance with the requirements of SEPP 55.

The Department notes management of contamination and classification of excavated material would largely occur under the early works DA which includes excavation of the site, but has recommended

conditions requiring an unexpected finds protocol and classification of waste removed from the site to cover incidental works (such as changes to the public domain).

The Department is satisfied that subject to the imposition of conditions, the site would be suitable for the proposed use and will not result in unacceptable contamination risks.

Draft State Environmental Planning Policy (Remediation of Land)

The Draft Remediation SEPP will retain the overarching objective of SEPP 55 promoting the remediation of contaminated land to reduce the risk of potential harm to human health or the environment.

Additionally, the provisions of the Draft Remediation SEPP will require all remediation work that is to be carried out without development consent, to be reviewed and certified by a certified contaminated land consultant, categorise remediation work based on the scale, risk and complexity of the work and require environmental management plans relating to post-remediation management of sites or ongoing operation, maintenance and management of on-site remediation measures (such as a containment cell) to be provided to council.

The Department is satisfied that the proposal will be consistent with the objectives of the Draft Remediation SEPP.

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development (SEPP 33)

In accordance with the requirements of the SEARs, consideration has been given to SEPP 33. SEPP 33 aims to identify proposed developments for the purpose of industry or storage with the potential for significant off-site impacts, in terms of risk and or offence (odour, noise). A development is defined as potentially hazardous and / or potentially offensive, if, without mitigating measures in place, the development would have a significant risk and/ or offence impact on off-site receptors.

The information provided with the application demonstrates the quantities of goods to be stored on the site (diesel storage and water treatment chemicals) are not classed as dangerous or only small quantities would be stored that would not trigger SEPP 33 or be considered as potentially hazardous.

Conditions have been recommended to ensure all chemicals, fuels and oils are appropriately stored in accordance with relevant standards.

Greater Metropolitan Regional Environmental Plan No 2 – Georges River Catchment

The Georges River Catchment REP aims to maintain and improve the water quality of the Georges River and provides planning principles for development on land within the Georges River catchment. The site is located within the catchment area. The proposal is consistent with the planning principles for the catchment and will not have any significant adverse impact on the catchment as it does not result in any adverse ecological impacts and includes measures to improve stormwater management and runoff from the site (see **Section 6.3** and **6.5**).

Draft State Environmental Planning Policy (Environment)

The Draft Environment SEPP is a consolidated SEPP which proposes to simplify the planning rules for a number of water catchments, waterways, urban bushland, and Willandra Lakes World Heritage Property. Once adopted, the Draft Environment SEPP will replace seven existing SEPPs, including

the Georges River Catchment REP (discussed above). The proposed SEPP will provide a consistent level of environmental protection to that which is currently delivered under the existing SEPPs. Where existing provisions are outdated, no longer relevant or duplicated by other parts of the planning system, they will be repealed.

Given that the proposal is consistent with the provisions of the existing SEPP that is applicable, the Department concludes that the proposed development will generally be consistent with the provisions of the Draft Environment SEPP.

Bankstown Local Environmental Plan (BLEP) 2015

The BLEP 2015 aims to encourage the development of housing, employment, infrastructure and community services to meet the needs of the existing and future residents of the Canterbury-Bankstown LGA and conserve and protect natural resources and foster economic, environmental and social well-being.

BLEP 2015 was amended on 5 February 2021 to enable the development of the site. Specifically, the LEP amendment:

- permits a maximum 8:1 FSR on the site.
- permits a maximum 83m building height.
- requires four hours of continuous solar access to 50 per cent of Paul Keating Park at mid-winter.

The Department has consulted with Council throughout the assessment process and considered all relevant provisions of the BLEP 2015 and matters raised by Council in its assessment of the development (see **Section 5**). The Department concludes the development is consistent with the relevant provisions of the BLEP 2015. Consideration of the relevant clauses of the BLEP 2015 is provided in **Table 3**.

Table 3 | Consideration of the BLEP 2015

BLEP 2015	Department Comment / Assessment
Clause 2.1 Land Use Zones	The site is zoned B4 Mixed Use. The proposed development is an educational establishment which is permissible with consent, and consistent with the zone objectives to provide a mixture of compatible land uses, integrate development in accessible locations to maximise public transport patronage, and to maintain the role of Bankstown CBD as a major metropolitan centre.
Clause 4.3 Height of Buildings	The proposal has a maximum height of exactly 83m and complies with the 83m height control.
Clause 4.4 Floor Space Ratio	The proposal would have an FSR of 7.99:1 and therefore complies with the 8:1 control.
Clause 5.10 Heritage conservation	The site is not a heritage item or within a heritage conservation area. The Department considered the potential heritage impacts in Section 6.5 and is satisfied the proposal would not result in any adverse outcomes for heritage conservation.

BLEP 2015	Department Comment / Assessment
Clause 6.2 Earthworks	N/A. All earthworks will be carried out under a separate early works DA.
Clause 6.3 Flood Planning	<p>The clause provides that the consent authority must be satisfied that the development is compatible with the flood hazard of the land, will not significantly affect flood behavior resulting in adverse impacts on other development or properties, incorporates measures to manage risk, and will not significantly impact the environment or result in costs to the community.</p> <p>The Department considered flooding impacts in detail in Section 6.3 and is satisfied that subject to conditions, the development will not result in unacceptable flood risk.</p>
Clause 6.9 Restrictions on Certain Development in Zone B4 Mixed Use	The proposal complies with the clause, which requires the ground floor and first floor to be used for the purposes of commercial or non-residential premises.
Clause 6.13 Sun Access to Certain Public Spaces	The clause provides development consent must not be granted to development on this site that results in less than 50 per cent of Paul Keating Park receiving at least four hours of direct sunlight between 10am and 3pm on 21 June. As discussed in Section 6.1 , the proposal achieves this requirement, with 50.9 per cent of the park receiving four hours of continuous solar access at mid-winter.

Bankstown Development Control Plan 2005

In accordance with Clause 11 of the SRD SEPP, Development Control Plans do not apply to State significant development. However, as a site-specific DCP was developed for the site in conjunction with the Planning Proposal and LEP amendment, consideration has been given to the controls of the site-specific DCP, as set out in **Table 4**.

Table 4 | DCP compliance table

DCP Control	Comments	Complies
Height		
The maximum height of any building is 83m in accordance with the Bankstown Local Environment Plan 2015 Height of Buildings Map (as amended).	The proposal has a maximum height of exactly 83m.	Yes
Setbacks		
The building is to achieve design excellence and respond to advice issued by the State Design Review Panel. The	See Section 6.1 . The building is considered to achieve design excellence	Yes

DCP Control	Comments	Complies
building is to incorporate design cues in response to surrounding civic buildings, though not to the detriment of achieving design excellence.	and the final design responds to the advice of the SDRP and to its setting.	
The building's east elevation is to align with the western edge of The Appian Way carriage way to facilitate pedestrian movement, maintain a view corridor and facilitate tree planting and hard and soft landscaping as envisioned in Council's Bankstown Complete Streets and draft Paul Keating Park 2040 Masterplan. Note: The 'Appian Way carriage way' is defined as the area including the Right of Way (variable width), labelled 'X' on DP 1256167.	The building's east elevation aligns with the western edge of The Appian Way. The basement also aligns and enables street tree planting in the carriage way consistent with Council's 'Complete Streets' and draft Paul Keating Park 2040 Masterplan (see Section 6.2).	Yes
Above the ground level, the building's north elevation is to align with the northern boundary to create a defined street edge to Rickard Road.	The building's north elevation aligns with the Rickard Road boundary.	Yes
Awnings must be designed to allow growth including canopy trees capable of achieving 20m height at maturity suitable for street planting, avoiding the need for cutouts or holes if possible.	Awnings are only proposed on the eastern façade (The Appian Way) and are sufficiently set back from proposed street trees so that they would not materially inhibit their growth.	Yes
To facilitate deep soil zones the basement is not to extend under the alignment of The Appian Way carriage way.	The basement does not extend beyond the boundary of The Appian Way alignment.	Yes
The west elevation of low-rise tower volume is to be set back above the podium volume to emphasis the strong base of the building and its visual relationship to the adjoining Bankstown Library and Knowledge Centre.	The west elevation of the low-rise tower is set back from the western façade of the podium level, creating a strong visual relationship between the podium and the adjoining Library and Knowledge Centre.	Yes
The south elevation of the mid-tower volume is to be as narrow as possible to minimise the building mass from viewpoints in Paul Keating Park and The Appian Way.	The mid-tower southern façade is narrow in comparison to all other building elements minimising the visual impact of the building from southern vantage points.	Yes
The south and west elevations of the cantilever volume are to be set back from the middle volume to mitigate shading onto Paul Keating Park.	The south elevation of the cantilever volume is set back from the middle volume and achieves the intention of the control as the proposal complies with solar access requirements in relation to Paul Keating Park.	Yes

DCP Control	Comments	Complies
Solar Access		
The building must allow for four hours of continuous solar access to a consolidated area of Paul Keating Park between 10am and 3pm on 21 June (inclusive of existing shadow). The size of the consolidated area must be a minimum 50 per cent of the area of Paul Keating Park (not including the footprint of existing buildings).	As discussed in Section 6.1 , the proposal achieves this requirement, with 50.9 per cent of the park receiving four hours of continuous solar access at mid-winter.	Yes
Active Street Frontages		
Active street frontages that are visually or physically permeable to the adjoining public domain are to be provided along the site frontage to The Appian Way, Rickard Road and Paul Keating Park to the extent identified in Figure 3.	The Appian Way, Rickard Road and Paul Keating Park are all highly visually and physically permeable and active.	Yes
Publicly accessible and attractive uses are to be incorporated at the ground level, with entrances that are inviting to use and relate to pedestrian paths around the site and in its vicinity.	Retail food and beverage outlets with dual frontages add to activity and invite entry to the building.	Yes
Minimise blank walls, fire escapes, service doors, plant and equipment hatches.	Non-active facades have been minimised.	Yes
Where services such as fire escapes, service doors and equipment hatches / fire boosters cannot be avoided on ground level facades, elements of visual interest, such as display cases, or creative use of materials must be incorporated into the design.	Facades to services to the laneway are finished with a patterned screen of coloured terracotta baguettes which are considered to add visual interest to the facade.	Yes
Provide a high standard of finish and level of architectural detail for shopfronts.	Shopfronts incorporate extensive glazing to maximise activation. The south-east outlet includes a landscaped terrace area to further improve activity and amenity.	Yes
Shopfront floor levels are to be as close to the footpath level as possible, with consideration of flood levels adjoining the building.	Floor levels have been designed to meet minimum flood planning requirements (see Section 6.3).	Yes

DCP Control	Comments	Complies
Public Domain and Landscaping		
Ground level landscaping shall be integrated with Bankstown Complete Streets and the draft Paul Keating Park 2040 Masterplan and incorporate soft landscaping, paving, street furniture, bike parking, and the like, to be coordinated with new and existing services infrastructure. The works will be subject to detailed design in consultation with Council.	<p>Refer to discussion in Section 6.2. Public domain plans have been developed in consultation with Council for all ground level landscaping works. The plans have been prepared having regard to 'Complete Streets' and the Paul Keating Park Masterplan.</p> <p>Conditions are recommended to ensure the final and detailed design is in accordance with Council requirements.</p>	Yes
Public domain works to occur in accordance with Figure 4 below and the Reference Design and Performance Specifications attached to the planning agreement letter of offer dated 30 November 2020, or as otherwise amended in the final planning agreement. Note: These works relate to the State Significant development application and planning proposal.	Conditions have been recommended to ensure the final design of the Public Domain works reflects the requirements of this condition.	Yes
Pedestrian weather protection will be provided in the form of awnings and building overhang on Rickard Road, The Appian Way and Paul Keating Park.	An awning is proposed along The Appian Way. Weather protection is provided on other sides of the building by the overhang of the upper levels.	Yes
Street tree planting will be provided along The Appian Way and Rickard Road for shade, amenity and to ensure appropriate pedestrian wind comfort conditions (see Section 1.12 of this DCP).	Street tree planting is proposed along The Appian Way and Rickard Road. Wind is discussed below.	Yes
Ensure ground floor frontages are pedestrian oriented and of high design quality to add vitality to streets.	Complies – see Active Frontages above.	Yes
Presentation of services such as substations and fire boosters must be designed into the building and must not detract from the building presentation or pedestrian experience.	Generally complies – see Active Frontages above. A condition is recommended to ensure fire boosters proposed in the public domain would be enclosed and screened (see Section 6.2).	Yes
Tree selection must not be suitable for Australian White Ibis birds. Other Ibis management techniques must be implemented, utilising Council's Australian White Ibis Management Plan as a guide.	A condition is recommended to ensure species selection in the final landscape plans comply with this requirement.	Yes

DCP Control	Comments	Complies
Clearly identifiable wayfinding signage must be provided along The Appian Way to encourage students walk along The Appian Way and The Mall, in preference to Jacobs Street for student safety. The wayfinding signage must be approved by Council.	A condition is recommended to consult with Council and install signage as appropriate.	Yes
The Green Travel Plan required by 1.10 Parking, Access and Transport, C1 must include provisions to remind students to safely cross Jacobs Street at crossings and signalised intersections.	A condition is recommended requiring a detailed Green Travel Plan which incorporates this requirement.	Yes
Site landscaping and planting in the Public Domain and street tree planting along The Appian Way and Rickard Road to use a diversity of appropriate local native provenance species (trees, shrubs and groundcover species) from the relevant local native vegetation communities that once occurred in this location to improve local biodiversity (rather than use exotic species and non-local native species). Tree planting schedules to be determined by Council.	Refer to discussion in Section 6.2 . A condition is recommended to ensure the final landscape plans comply with these requirements.	Yes
Trees removed by the development shall be replaced by a diversity of local native provenance species at a ratio greater than 1:1 at ground level.	As above.	Yes
Tree planting shall use advanced and established local native provenance trees with a minimum plant container pot size of 100 litres, or greater for local native tree species which are commercially available. Other local native tree species which are not commercially available may be sourced as juvenile sized trees or pre-grown from provenance seed.	As above.	Yes
The Landscape Plan for development of the site shall be prepared and implemented by a suitably qualified bush regenerator and include details on: a) The native vegetation community that once occurred in this locality; b) A list of local provenance tree, shrub and groundcovers to be used in the landscaping or if not possible due to microclimates created by the built environment, other native	As above.	Yes

DCP Control	Comments	Complies
<p>alternatives; c) The quantity and location of plantings; d) The pot size of the local native trees to be planted; e) The area/space required to allow the planted trees to grow to maturity; and f) Plant maintenance. The planted vegetation should be regularly maintained and watered for 12 months following planting. Should any plant loss occur during the maintenance period the plants should be replaced by the same plant species.</p>		
Parking, Access and Transport		
A comprehensive Green Travel Plan is to be prepared for the Campus to ensure mode share targets are implemented and maintained during operation. The travel plan is to include strategies for encouraging students to utilise The Appian Way down to The Mall, in preference as opposed to diverting across Jacobs Street.	A condition is recommended requiring a detailed Green Travel Plan which incorporates this requirement.	Yes
Vehicular access to the basement is to be via the adjoining Library accessway.	Vehicle access is via the adjoining Library accessway.	Yes
All vehicular parking is to be located within the building's basement.	All parking is in the basement.	Yes
Any passenger drop-off and pick-up activities are to occur on The Appian Way.	A condition is recommended to ensure the location of drop-off and pick-up activities is resolved, although the Department notes this may not occur on The Appian Way (see Section 6.4).	No
All loading and unloading is to be undertaken within the university basement loading dock.	Conditions are recommended requiring a Loading Dock Management Plan to ensure compliance with these requirements and to ensure loading and unloading is undertaken within the basement loading dock.	Yes
	As above.	
A Loading Dock Management Plan is to be submitted with any development application that demonstrates that deliveries and pick-ups will be properly managed without impacting on Rickard Road, access into the Bankstown Library and Knowledge Centre and the University basement driveway. The Plan must specify the times when deliveries or pick-		Yes

DCP Control	Comments	Complies
ups can be made and require advance bookings to be made with the loading dock manager.		
High-quality, secure bike parking and end-of-trip facilities will be provided for staff within the building's basement.	Secure bike parking for 56 staff bicycles as well as end-of-trip facilities have been included in the plans for the basement.	Yes
A minimum of 100 bicycle spaces for student and visitors are to be provided. A maximum of 20 bicycle spaces are permitted within the public domain footprint.	100 bicycle spaces for student and visitors are proposed. 80 are located on the site and 20 proposed on the adjoining public domain.	Yes
A minimum of 32 staff bicycle spaces are to be provided within the basement in an accessible location. Cages or lockers are not to be in the public domain.	56 spaces are provided in the basement.	Yes
Access to bike parking is to be clearly identified by signage	A condition has been recommended to ensure compliance with this requirement.	Yes
Parking is to be provided in accordance with the rates specified in Table 1. Any shortfall in parking provision may be addressed through a Planning Agreement in accordance with Section 7.4 of the <i>Environmental Planning and Assessment Act 1979</i> .	Refer to discussion in Section 6.4 . The proposal results in a small shortfall of 3 spaces either not provided on site or addressed through a Planning Agreement. This is considered acceptable and would not result in material adverse impacts to the surrounding area.	No
A Traffic Management Plan is to be prepared that sets out management principles for pick-up and drop-offs along The Appian Way in peak periods.	Pick-up and drop-off arrangements are to be resolved through an agreement with Council. Refer to discussion in Section 6.4 . This would include any arrangements for traffic management plan or principles.	No

Wind

A Wind Impact Assessment is to be submitted with any development application that demonstrates compliance with pedestrian wind comfort and safety criteria both within the public domain and usable open spaces within the building.	Refer to discussion in Section 6.6 . The EIS includes a pedestrian wind environment study based on wind tunnel testing, updated by an addendum report provided with the RTS and SRTS.	Yes
All mitigation measures recommended by the Wind Impact Assessment must be incorporated into the building.	The assessment concludes that pedestrian areas around the site at ground level, including The Appian Way and Paul Keating Park, and on upper level terraces, would have a wind environment suitable for their intended use subject to a number of mitigation treatments, including	Yes

DCP Control	Comments	Complies
	landscaping, screening and front entry design.	
Wind mitigation measures must facilitate ground floor activation and must not include the incorporation of opaque panels or walls.	The measures have been included in the updated plans and do not include opaque screening.	Yes
Wind mitigation measures must address potential impacts on pedestrian comfort in The Appian Way and Paul Keating Park associated with the proposed building.	Conditions have been recommended to ensure the inclusion of the wind mitigation measures.	Yes
Flooding		
Implement the relevant Flood Planning Controls including Clause 6.3 'Flood Planning' of the Bankstown Local Environmental Plan 2015, Part B12 'Flood Risk Management' of the Bankstown Development Control Plan 2015 and Bankstown Development Engineering Standards 2009.	Flooding has been considered in Section 6.3 . Council has reviewed the flood impacts of the proposal and considers that subject to conditions, the proposal can comply with Council controls.	Yes
Habitable floor levels are to be at least 500mm above the 100-year average recurrence interval (ARI) flood level.	Habitable floor levels have been designed to be 500mm above the 100 year average.	Yes
The basement entry must have a crest point with a surface level of at least 100mm above the 100-year ARI water surface level. All other means of water ingress to the basement (including stairways, lift entries and vents) must also be protected to at least the same level of immunity.	As recommended by Council, a condition has been included requiring a 150mm crest.	Yes
Velocity-depth product (VxD) shall be limited to 0.4 m ² /s for flows in an overland flow path where there is high pedestrian use and/or vehicular use as per Bankstown Development Engineering Standards 2009.	Flood risk has been considered by the Applicant in the Flood Impact Assessment and reviewed by Council. Council considers that, subject to conditions requiring an updated assessment to the satisfaction of Council, the proposal can comply with Council controls.	Yes
A Flood Emergency Response Plan is to be submitted with any development application which needs to be prepared in consultation with the NSW State Emergency Service (SES) and Canterbury-Bankstown Council.	A Flood Emergency Response Plan was submitted with the application but was not prepared in consultation with the SES. A condition requiring an updated plan in consultation with the SES and Council has been recommended.	Yes

DCP Control	Comments	Complies
The stormwater design must be consistent with the Salt Pan Creek Catchments Floodplain Risk Management Plan 2013. The final stormwater and infrastructure design must be to Council's satisfaction.	Council has reviewed the stormwater design of the proposal and considers that subject to conditions, the proposal can comply with Council requirements.	
Materials		
Utilise high quality building materials. Design building components including the structural framing, roofing and facade for longevity.	Building facades and materials have been discussed in Section 6.1 . The Department is satisfied the proposed building materials are high quality, designed for longevity and low maintenance.	Yes
Utilise low maintenance building materials. Any part of the building within the nominated flood planning levels is to be built from flood compatible materials to minimise damage or erosion from floodwater.	A condition is recommended to ensure compliance with this requirement.	Yes
Sustainability		
The building should be designed to achieve 5 Star Green Star rating	A 5 Star Green Star Rating is proposed.	Yes

Appendix C – Recommended Instrument of Consent

<https://www.planningportal.nsw.gov.au/major-projects/project/11456>