

**JOINT REGIONAL PLANNING PANEL
(Sydney East Region)**

JRPP No	2015SYE082
DA Number	LDA2015/0267
Local Government Area	City of Ryde
Proposed Development	Alterations and additions to Buildings E7A and E7B at Macquarie University.
Street Address	192 Balaclava Road, Macquarie Park
Applicant	Macquarie University
Number of Submissions	No submissions received
Regional Development Criteria (Schedule 4A of the Act)	Crown development with a CIV over \$5 million
List of all Relevant S79C(1)(a) Matters	Environmental Planning and Assessment Act, 1979 State Environmental Planning Policy (State and Regional Development) 2011 State Environmental Planning Policy No. 55 – Remediation of Land State Environmental Planning Policy (Major Developments) 2005 State Environmental Planning Policy No. 64 – Advertising and Signage City of Ryde Development Control Plan 2014.
List all documents submitted with the report for the Panel's consideration	Conditions of consent
Recommendation	Approval with Conditions
Report by	Sandra Bailey, Team Leader Major Development
Date	21 August 2015

Assessment Report and Recommendation

1. EXECUTIVE SUMMARY

This report considers a proposal for alterations and additions to Buildings E7A and E7B at Macquarie University. The development will facilitate the provision of upgraded and modern teaching spaces as well as enhancing student support facilities.

The site benefits from a Concept Plan Approval MP06_0016 dated 13 August 2009 as well as being identified as a State Significant Site under State Environmental Planning Policy (Major Development) 2005. These documents provide the planning regime and development framework for the University.

Assessment of the application against the relevant planning framework and consideration of various design matters has not raised any fundamental issues of concern. Consequently, this report concludes this application is sound in terms of its design, function and relationship with neighbouring buildings.

This report recommends that consent be granted to this application in accordance with the conditions provided at Attachment 1.

2. APPLICATION DETAILS

Name of applicant: Macquarie University

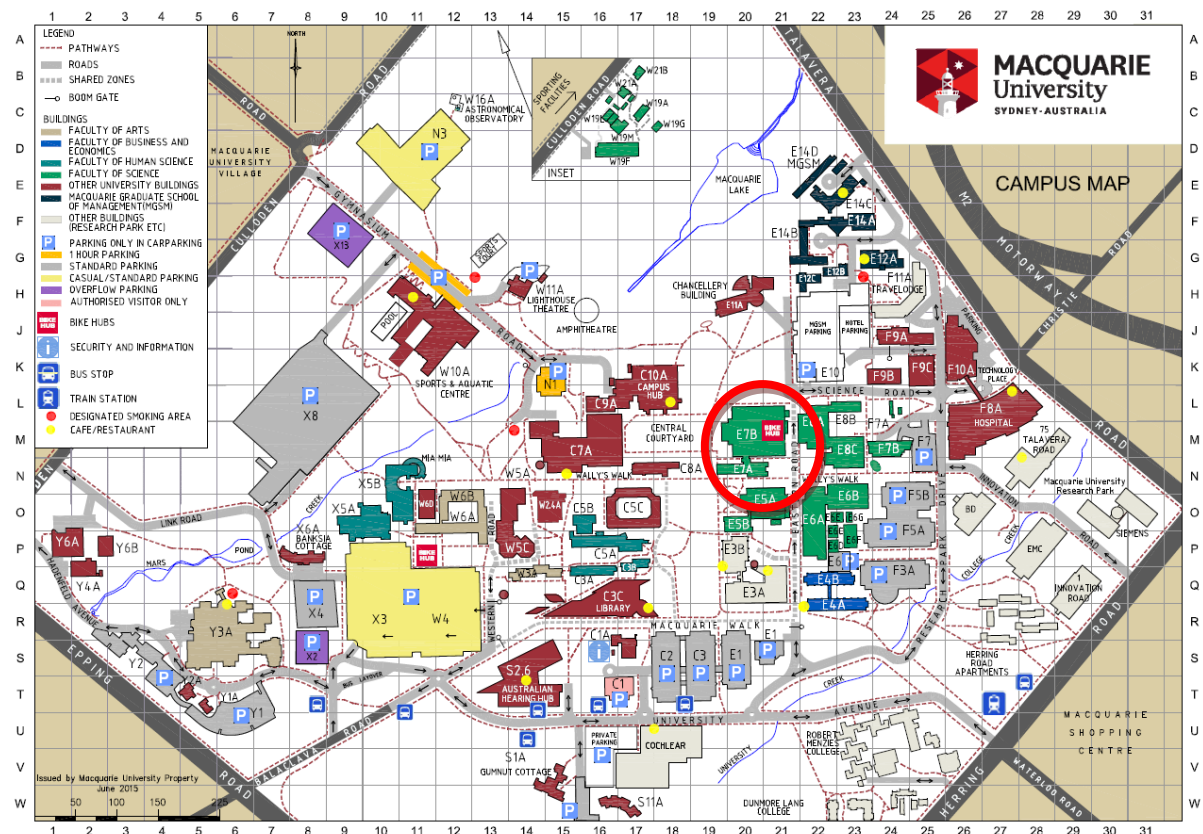
Owner of site: Macquarie University

Estimated value of works: \$28,930,081

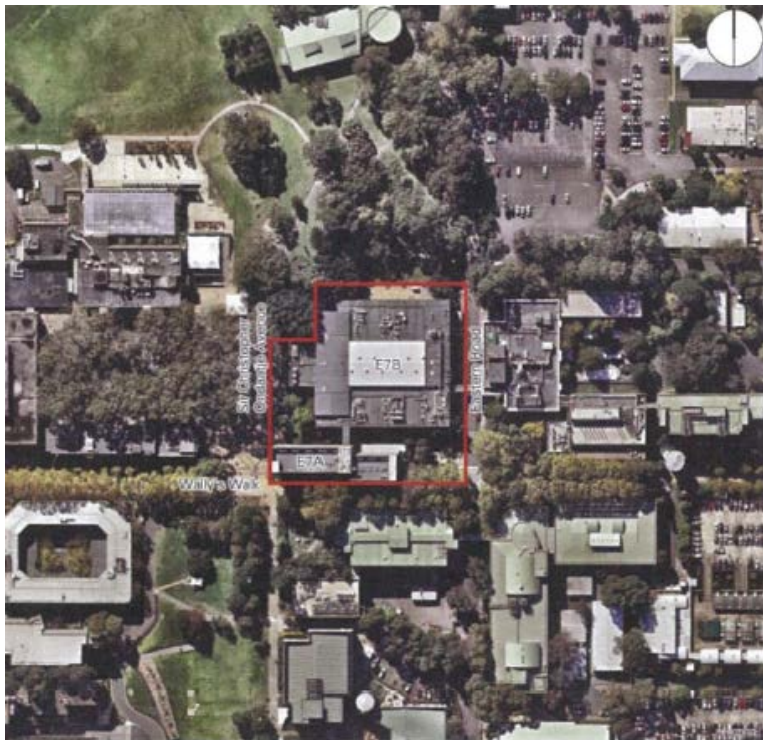
Disclosures: No disclosures with respect to the Local Government and Planning Legislation Amendment (Political Donations) Act 2008 have been made by any persons.

3. SITE DESCRIPTION

The site is legally described as Lot 191 in DP1157041 and is part of Macquarie University. The development involves Buildings E7A and E7B, both of which are located in the Academic Core of the University. The following map demonstrates the location of these buildings within the campus.



An aerial photograph of the site is demonstrated in Figure 2.



Building E7A is currently an 8 storey building and is currently utilised by the Faculty of Science and its departments and research institutes as office space. Building E7B is a three storey building of concrete construction which houses a number of learning spaces and auditoriums.

4. PROPOSAL

The development proposes the following works:

- Internal fitout of Building E7A (levels 1 to 7) to include heads of departments' offices, academic staff offices, hot desks, cluster and shared space work modes.
- Construction of a roof top addition to Building E7A at level 8. This level will accommodate new conference rooms, associated services and a terrace area.
- Relocation of the existing lift core and services to the northern façade of Building E7A. The new lift core will house two lifts, with internal fire stairs adjacent to the lift well. New bathroom facilities are proposed on all levels (excluding the ground floor) to the west of the lifts. The new core will be clad in metal with glazed elements. It is also proposed to construct a new hydrant pump room to the west of the building at ground floor and air handling rooms between levels 1 and 7. This is demonstrated on the following figure.



Figure 3. Typical floor plan. The new lift core and services are circled in red.

- Construction of a three storey glazed atrium roof to provide additional internal space between Buildings E7A and E7B. The new atrium space will accommodate student services facilities, informal meeting and break out spaces and a new café at ground level. Mezzanine meeting rooms will be provided at level 1 and 2. Enclosing walls and new entry doors will be provided to the east and west facades. This will be constructed with a glass façade system. The existing bridge link between Buildings E7A and E7B will be maintained at Level 1 and Level 2. The following figure demonstrates an indicative view of the atrium space.



Figure 4. Indicative view of the space proposed between Buildings E7A and E7B.

- Construction of a new façade to the western elevation of Building E7B and installation of a new digital screen. The façade will be glazed to ensure consistency with the new atrium. There is currently a digital screen on the western façade of Building E7B. It is proposed to erect this digital screen onto the new façade. The screen will have dimensions of 4.5m x 9m. The screen is used to promote upcoming University events and broadcast ceremonies taking place within the auditorium
- Minor landscaping works. This involves making good works to the existing garden beds and paving surrounding the building.

The development will not accommodate any additional staff or students.

The following photomontages illustrate the proposed development.



Figure 5. Proposed building looking south east.



Figure.6. Proposed building atrium from the south east.

5. BACKGROUND

Concept Plan Application No. MP06-0016

On 13 August 2009, the Minister approved a Concept Plan for Macquarie University. The plan included:

- The provision of an additional 400,000m² of commercial GFA and associated parking outside of the Academic Core.

- The provision of an additional 61,200m² of academic GFA within the Academic Core.
- The provision of an additional 3450 beds within the University Housing Precincts for university purposes only.
- Infrastructure upgrading and improvements to the road network as required
- Rationalisation of university car parking locations.

The alterations and additions to Building E7A and E7B represent the first DA for works in the Academic Core since the approval of the Concept Plan.

The relevant conditions and statement of commitments in the Concept Plan has been discussed below:

Schedule 2	
A2 Approved plans and documentation	Development is required to be in accordance with the Macquarie University SEPP amendment and Concept Plan dated April 2008 as amended by the Macquarie University Concept Plan and SEPP (Major Projects) Amendment Preferred Project Report dated March 2009. The Concept Plan provides precincts on the Macquarie University campus. This site is located in Precinct A – Academic Core. The design guidelines as identified in the plans is as follows: • Rationalise and consolidate existing underutilised buildings and functions • Establish a new north-south pedestrian corridor through the academic core adjoining the University Common • Develop the new Common on the north-south spine as the main public open space in the Core • Establish an average building height of 6 storeys with taller buildings located at landmark locations • Maintain a site coverage within the Academic Core (buildings to no-buildings) below 35% (measured over the extent of the Core) • Consolidate existing low-rise multi-deck and on-grade parking into peripheral above and below ground multi-deck parking at the University's key entry points with no increase in car parking for academic uses • Upgrade and visually strengthen the arrival and entry points to the precinct with landscaping and signage. The development complies with the above guidelines with the exception of the height of Building E7A. The development will result in this building being 9 storeys which exceeds the requirement of the average height being 6 storeys. It should be noted that this building is currently 8 storeys. Building E7A is located on the University spine and is located at the crossroads of the major pedestrian corridors. This building is considered to be a landmark location. For these reasons, the height is considered appropriate.
A3 Gross floor area	A maximum gross floor area of 61,200m² is permitted for the Academic Core. The development has proposed 1,790m² and complies with this requirement.

B1 Car parking	The existing at grade and above grade car parking is to be consolidated into 4 car parks around the perimeter of the Academic Core. Parking is not proposed to change as a result of this DA, as the number of staff and students remains unchanged.
B2 Transport and Pedestrian Management	A 40% non-car mode share target is to be adopted. A Travel Survey is to be undertaken every 5 years. This development will not impact on existing non-car mode share target. The University has already completed a Travel Survey for the 2012 to 2017 period.
B3 Road works	Certain road intersection upgrades have been identified in the Concept Plan. This DA does not generate the need for any of these intersections to be upgraded.
B4 Design Excellence and Urban Design Guidelines	The Design Excellence Strategy and Urban Design Guidelines are to be submitted for approval by the Department of Planning prior to the or with the first application for new building works within each precinct. The applicant has submitted these Guidelines to the Department.
C1 Staging of Development	Each development is required to be serviced by infrastructure and access for vehicles and pedestrians is to be made available. The development will be serviced by existing infrastructure and access will be available for vehicles and pedestrians.
C3 Landscaping	A Landscape Management Plan is to be integrated with the Design Excellence Strategy and Urban Design Guidelines. The Landscape Management Plan is to be prepared for each precinct and submitted for approval prior to or with the first application for approval prior to or with the first application for new building works within each precinct. A preliminary Landscape Management Plan has been submitted. The landscaping works associated with this development application primarily comprise make-good works to the existing garden beds and paving surrounding the buildings. The site is not located within an open space area identified in the preliminary Landscape Management Plan. For this reason, no objection is raised to this development application being determined prior to the Landscape Management Plan being finalised.
C4 Riparian Zone, Flooding and Stormwater	A Stormwater Management Plan is to be submitted for approval with each application for new building works. This has been submitted and Council's Senior Development Engineer has raised no objections to the application.
C6 Flora and Fauna	Copies of the Vegetation Management Plans, the Threatened Species Plan and the Weed Management Plan are required to be submitted with each application for building works. These documents have all been submitted in a combined Vegetation Management Plan. The proposed development will not affect any of the requirements of these Plans.
C7 Environmentally Sustainable Development	Each application is required to provide measures to capture, retain and minimise litter, oil, sediment, nutrients and pollutants to receiving creeks. The applicant has provided a Sustainability Statement which has addressed the above issues.
C8 Environmental Management and Contamination	The applicant is required to prepare and submit a hazardous material audit and a targeted Phase 2 contamination assessment. The applicant has submitted an Asbestos Register, Asbestos Management Plan and a Polychlorinated Biphenyls Audit. This satisfies the requirements for the hazardous material audit. The Targeted Phase 2 Contamination Assessment has confirmed that the site is suitable for the proposed development.

C9 Heritage / Archaeology	The Aboriginal Archaeology Strategy is to be submitted for approval with the first application for building works within each precinct. This report concluded that there is no evidence of past Aboriginal use within the subject site but there are areas of potential archaeological sensitivity. These areas however are not located within the Academic Core Precinct and this application will have no impact on these areas. Council's Heritage Officer has raised no objections to the DA or the submitted report.
C10 Access, Traffic, Transport and Parking	A University Travel Plan is to be approved prior to or with the submission of the first application for building works for academic/educational uses within the Academic Core. A University Travel Plan was prepared in 2012; however this plan has not been approved by the Department of Planning. This plan is currently being updated to reflect transport changes that have occurred since 2012 and is undertaking consultation with Council. This development application will not affect the number of students attending the University nor will it affect the car parking on the site. For this reason, no objections are raised to the development application being determined prior to the University Travel Plan being finalised.
E13 Construction Staging	A Staging Plan including details of proposed bulk earth works must be submitted for approval with the first application for new building works within each precinct. In addition, a Construction Management Plan and Erosion and Sedimentation Plan are to be submitted. The applicant has submitted the relevant documentation and Council's Senior Development Engineer has raised no objection to the application.

6. APPLICABLE PLANNING CONTROLS

The following planning policies and controls are of relevance to the development:

- Environmental Planning and Assessment Act, 1979
- State Environmental Planning Policy (State and Regional Development) 2011
- State Environmental Planning Policy No. 55 – Remediation of Land
- State Environmental Planning Policy (Major Developments) 2005
- State Environmental Planning Policy No. 64 – Advertising and Signage
- City of Ryde Development Control Plan 2014.

7. PLANNING ASSESSMENT

7.1 Environmental Planning and Assessment Act, 1979

A Concept Plan for Macquarie University was approved prior to the repeal of Part 3A of the Act. Accordingly, Clause 3B of Schedule 6A of the Act is applicable. This clause specifies that:

- Development within the terms of the Concept Plan can be carried out with consent.

- The development standards in the Concept Plan will have effect.
- A consent authority must not grant consent unless the development is generally consistent with the provisions of the Concept Plan Approval.
- Consent can be granted without complying with the requirements under any relevant environmental planning instrument or masterplan.

As previously detailed the proposal is generally consistent with the approved Concept Plan.

7.2 State Environmental Planning Policy (State and Regional Development) 2011

A Crown Development is classified as Regional Development if it has a capital investment value of \$5 million or more. The proposed development has a capital investment value of \$28,930,081 and is therefore considered to be Regional Development. The application must be determined by the Joint Regional Planning Panel.

7.3 State Environmental Planning Policy No. 55 – Remediation of Land

The requirements of State Planning Policy No. 55 – Remediation of Land apply to the subject site. In accordance with Clause 7 of SEPP 55, Council must consider if the land is contaminated, if it is contaminated, is it suitable for the proposed use and if it is not suitable, can it be remediated to a standard such that it will be made suitable for the proposed use.

The applicant has submitted a Phase 2 Environmental Site Assessment in the vicinity of the proposed development. This assessment has concluded that the site is suitable for the proposed development.

7.4 State Environmental Planning Policy (Major Development) 2005

Macquarie University is identified as a State Significant Site under Schedule 3 of SEPP (Major Development) 2005. Schedule 3 identifies that the only environmental planning instruments that apply to the site is SEPP (Major Development) 2005 and all SEPP's other than SEPP 1.

The relevant considerations under this SEPP are discussed below.

Land Use Zones

The site is zoned SP2 Infrastructure (Educational Establishment). The development is a permitted use in the zone.

Height of Buildings

The height of a building on any land is not to exceed the maximum height shown for land on the Height of Buildings Map. No height is specified for the Academic Precinct. Accordingly, this is not a consideration.

Maximum Gross Floor Area

The maximum gross floor area is not to exceed the floor area for land shown on the Gross Floor Area Map. The map does not identify any maximum gross floor area for the Academic Precinct. Accordingly, this is not a consideration.

Car Parking

Car parking provided for use in connection with a building must not result in more than 1 car parking space per 80m² of gross floor area. The development will result in additional gross floor area due to the provision of the atrium as well as the construction of the new level 8 on Building E7A. The atrium space will accommodate student services facilities, meeting rooms, informal meeting and break out areas and a new café at ground level. The additional level on Building E7A will accommodate new conference rooms and associated services.

As a result of this development no additional staff or students are proposed.

Despite the increase in the floor space, as no additional staff or students are proposed it is not intended to provide any additional car parking. The car parking control is a maximum rather than a minimum control. In these circumstances, despite the increase in gross floor area, it is appropriate not to provide additional on-site parking.

7.5 State Environmental Planning Policy No. 64 – Advertising and Signage

For the purposes of SEPP 64, signage is defined as meaning all signs, notices, devices, representations and advertisements that advertise or promote any goods, services or events and any structure or vessel that is principally designed for, or that is used for, the display of signage. The digital screen is used to promote upcoming University events and broadcast ceremonies taking place within the auditorium. The digital screen is defined as signage under SEPP 64.

A consent authority must not grant consent to display any signage unless the consent authority is satisfied that the signage is consistent with the objectives of the policy and that the signage satisfies the assessment criteria in Schedule 1.

The objectives of SEPP 64 are stated in Part 1 Clause 3(1) as follows:

- (a) to ensure that signage (including advertising):

- (i) is compatible with the desired amenity and visual character of an area, and
- (ii) provides effective communication in suitable locations, and
- (iii) is of high quality design and finish, and
- (iv)
- (b) to regulate signage (but not content) under Part 4 of the Act, and
- (c) to provide time-limited consents for the display of certain advertisements.

The digital screen is consistent with the above objectives. There is minimal signage within the University campus and the screen will not impact on the amenity of any adjoining property or surrounding buildings. The screen is intended to provide details of upcoming University events as well as broadcasting functions within the auditorium.

The following table identifies the assessment criteria in Schedule 1. As demonstrated, the digital screen satisfies the assessment criteria.

SCHEDULE 1 – ASSESSMENT CRITERIA	
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?	Yes. The screen is located within the Academic Precinct of the University and will not be seen from the public domain. The screen is considered appropriate for a University campus and is consistent with the future character of the area.
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	There is no particular theme for outdoor advertising in the locality.
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?	No. The screen is located a significant distance from heritage areas and other environmentally sensitive areas on the site. As such the proposal will not detract from these areas.
3 Views and vistas	
Does the proposal obscure or compromise important views?	By virtue of the nominated size and location of the screen on the side of a building, the screen will not obscure or compromise any important views.
Does the proposal dominate the skyline and reduce the quality of vistas?	The screen will not dominate the skyline nor does it reduce the quality of Macquarie Park vistas.

Does the proposal respect the viewing rights of other advertisers?	The screen will not compromise the viewing rights of other advertisers.
4 Streetscape, setting or landscape	
Are the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	Yes. The scale of the screen is compatible with the size of the building and frontage. The screen will not be visible from the public domain.
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The screen will have no impact on the streetscape. It will add to the visual interest of the setting.
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	NA
Does the proposal screen unsightliness?	NA
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	No. The screen will not protrude above other structures or the tree canopy in the area.
Does the proposal require ongoing vegetation management?	No
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?	Yes. The scale and size of the screen is related to the intended use of the screen. The screen is compatible with the size of the building and frontage.
Does the proposal respect important features of the site or building, or both?	Yes.
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The use of the screen is considered an innovating way to advise students and staff of upcoming events.
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?	No.
7 Illumination	

Would illumination result in unacceptable glare?	The screen is not likely to result in unacceptable glare.
Would illumination affect safety for pedestrians, vehicles or aircraft?	No. The illumination of the screen would not adversely impact on safety to pedestrians, vehicles or aircraft.
Would illumination detract from the amenity of any residence or other form of accommodation?	No. The screen is not located in close proximity to any residential accommodation.
Can the intensity of the illumination be adjusted, if necessary?	If required the illumination of the screen can be adjusted.
Is the illumination subject to a curfew?	The applicant has advised that the screen will generally be turned off at night and during University holidays. It is not proposed to include a condition of consent to restrict the operation of the screen as there are no residential properties in proximity and a similar screen is already operating at the University.
8 Safety	
Would the proposal reduce the safety for any public road?	The screen will not be visible from any public road.
Would the proposal reduce the safety for pedestrians or bicyclists?	The screen will not affect pedestrian or cyclist safety.
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The screen will not obscure any sightlines from public areas.

7.6 Ryde Development Control Plan 2014

The following sections of DCP 2014 are relevant to the proposed development:

Part 4.5 – Macquarie Park Corridor

This part of the DCP provides a framework to guide future developments in the Macquarie Park Corridor. The document specifies built form controls for all development within the Corridor and sets in place urban design guidelines to achieve the vision for Macquarie Park. The Macquarie Park Corridor vision is:

“Macquarie Park will mature into a premium location for globally competitive businesses with strong links to the university and research institutions and an enhanced sense of identity.

The Corridor will be characterised by a high-quality, well designed, safe and liveable environment that reflects the natural setting, with three accessible and vibrant railway station areas providing focal points.

Residential and business areas will be better integrated and an improved lifestyle will be forged for all those who live, work and study in the area.”

The development is consistent with this vision.

The built form controls are consistent with the conditions and statement of commitments in the approved Concept Plan. No additional matters are raised in this part of the DCP.

Part 7.2 – Waste Minimisation and Management

A concept Waste Management Plan has been submitted with the development application. The information generally satisfies the requirements of this part of the DCP.

Part 8.1 – Construction Activities

The main construction issues relevant to this proposal will be managing water quality by preventing soil erosion, construction noise, dust and the like.

These matters have been addressed by way of appropriate conditions of consent. (See condition numbers 3, 10, 11 and 23).

Part 9.2 – Access for People with Disabilities

The DCP requires that the building must comply with all applicable provisions of the BCA. The applicant has provided an Access Report which identifies that the development will be able to meet the Deemed to Satisfy Provisions of the BCA. This report has identified recommendations that will need to be addressed in the detailed design prior to any Construction Certificate. A condition of consent will be imposed to ensure compliance with this report. (See condition number 16).

Section 94 Development Contributions Plan 2007 (Amendment 2010)

Council and Macquarie University have entered into a Voluntary Planning Agreement to provide development contributions in accordance with the conditions of the Concept Plan. Under the VPA, Section 94 and 94A of the EP & A Act are excluded. Macquarie University is required to make development contributions in respect to each approved building. The amount of the contribution is determined based on a rate for the development being a particular category. In this instance, the development category is Category 3 (Academic uses including non-commercial

research). This application will not generate the need for any development contributions.

8. LIKELY IMPACTS OF THE DEVELOPMENT

Many of the issues associated with the development application have already been addressed in the report. Outstanding issues are addressed below:

Construction Impacts

The applicant has prepared a Construction Noise and Vibration Management Plan. This report has concluded that the assessment of noise and vibration indicate that:

“For at least part of the excavation/construction work period, some processes are likely to generate noise levels that will require additional management. Adoption of the elements of these controls will ensure that noise impacts will be minimised.

Ground vibration goals have been set in this report to safeguard existing structures close to the project site and protect human comfort at the amenity of the project site. Predictions indicate that vibration emissions will be in compliance with goals at all times.”

Any impact from construction noise is likely to be an impact for the operation of Macquarie University rather than any adjoining properties. The report includes various ameliorative measures that can be introduced to limit the construction impacts. This includes the provision of acoustic barriers, silencing devices, the establishment of site practices, strategic positioning of processes on site and the establishment of a complaint hot line. A condition of consent will be imposed to ensure that the construction complies with the recommendations in this report. (See condition number 17).

9. SUITABILITY OF THE SITE FOR THE DEVELOPMENT

The site is considered suitable for the proposed development. This conclusion has been reached given that the site already contains university buildings and the changes are intended to enhance the university.

10. THE PUBLIC INTEREST

The development is considered to be in the public interest as it is consistent with the approved Concept Plan and will enhance the facilities at Macquarie University.

11. REFERRALS

Internal Referrals:

Senior Development Engineer: No objections subject to appropriate conditions of consent. (See condition numbers 18 to 25).

Environmental Health Officer: No objections have been raised subject to appropriate conditions of consent. (See condition numbers 26 to 46).

Traffic Engineer: No objections are raised to the development application.

Heritage Officer: The following comments have been received from Council's Heritage Officer:

"The development proposal has been referred for heritage consideration as the subject site is identified as a listed item of local heritage significance.

The heritage item itself is the Macquarie University ruins which are situated towards the northern precinct of the University campus and are situated adjacent to a car parking area. Despite the modest scale of the ruins, as heritage listing at a local level is defined by the legal description of the land (ie lot and DP), the entire university campus is identified as a heritage item as it comprises only one lot.

The proposed works relate to existing buildings and managed landscaped areas, located towards the centre of the campus. In this regard, the proposed works will not have any visual impacts, nor result in material affectation to the heritage item, retaining the existing setting and context of the ruins.

An Aboriginal Cultural Heritage Assessment has been prepared in support of the proposal. The report concludes that all the location of the proposed works, the site has been previously subjected to substantial modification and ground disturbance and the potential for Aboriginal archaeology at the location of the proposed works is low.

Subsequently, no objection is raised to the proposed works on heritage grounds. No conditions are required."

12. PUBLIC NOTIFICATION AND SUBMISSIONS

The proposed development was notified and advertised in accordance with Development Control Plan 2010 – Part 2.1, Notification of Development Applications.

The period of exhibition extended from 22 June 2015 till 15 July 2015. During this time, Council received no objections.

13. CONCLUSION

This report considers an application for alterations and additions to Buildings E7A and E7B located within the academic core of Macquarie University, Macquarie Park.

The proposal is the subject of the transitional provisions of Part 3A of the Environmental Planning and Assessment Act, and benefits from a Concept Plan Approval granted on 13 August 2009. The development application as lodged is consistent with that modified Concept Plan approval.

Macquarie University is identified as a State Significant Site under Schedule 3 of State Environmental Planning Policy (Major Development) 2005. The development application is consistent with the land use zoning and the development standards contained in this SEPP. No other issues are raised in respect to any other applicable planning instrument.

The development represents an opportunity to enhance two existing buildings on the site and provide the opportunity to upgrade teaching spaces as well as student support facilities.

It is recommended that the application be approved subject to conditions. As the development is a Crown development, the applicant has agreed to the attached conditions of consent.

14. RECOMMENDATION

Pursuant to Section 80 of the Environmental Planning and Assessment Act, 1979 the following is recommended:

- A. That the Sydney East Region Joint Regional Planning Panel grant consent to development application LDA2015/0267 for the construction of alterations and additions to Buildings E7A and E7B at Macquarie University at 192 Balaclava Road, Macquarie Park subject to the Conditions of Consent in Attachment 1 of this report.

Report prepared by:

Sandra Bailey

Team Leader Major Development

Report approved by:

Liz Coad

Manager Assessment

Sam Cappelli

Acting Group Manager - Environment and Planning

ATTACHMENT 1 - CONDITIONS OF CONSENT

1. **Approved Plans/Documents.** Except where otherwise provided in this consent, the development is to be carried out strictly in accordance with the following plans (stamped approved by Council) and support documents:

Document Description	Date	Plan No/Reference
Cover sheet and drawing list	25/5/2015	14220-DA00-A
Site and roof plan	25/5/2015	14220-DA02-A
Ground floor plan	25/5/2015	14220-DA03-A
Level 01 floor plan	25/5/2015	14220-DA04-A
Level 02 floor plan	25/5/2015	14220-DA05-A
Level 03 floor plan	25/5/2015	14220-DA06-A
Level 04 floor plan and atrium roof plan	25/5/2015	14220-DA07-A
Level 05 & 06 floor plans	25/5/2015	14220-DA08-A
Level 07 & 08 floor plans	25/5/2015	14220-DA09-A
E7B floor plans	25/5/2015	14220-DA10-A
North elevation	25/5/2015	14220-DA11-A
East elevation	25/5/2015	14220-DA12-A
South elevation	25/5/2015	14220-DA13-A
West elevation	25/5/2015	14220-DA14-A
Sections	25/5/2015	14220-DA15-A
Landscape plan	25/5/2015	14220-DA16-A

2. **Building Code of Australia.** All building works approved by this consent must be carried out in accordance with the requirements of the Building Code of Australia.
3. **Hours of work.** Building activities (including demolition) may only be carried out between 7.00am and 7.00pm Monday to Friday (other than public holidays) and between 8.00am and 4.00pm on Saturday. No building activities are to be carried out at any time on a Sunday or a public holiday.

Any extensions to these hours will require prior approval from City of Ryde Council. The applicant would need to set out the nature of the proposed works, the proposed hours of operation, any measures to mitigate potential noise impacts and the reasons why the work needs to be carried out outside normal hours.

4. **Hoardings.**
 - (a) A hoarding or fence must be erected between the work site and any adjoining public place.
 - (b) Any hoarding, fence or awning erected pursuant this consent is to be removed when the work has been completed.

5. **Compliance with Australian Standards.** All demolition work is to be carried out in accordance with the requirements of the relevant Australian Standard(s).
6. **Asbestos.** If asbestos is present during demolition work, the work must be carried out in accordance with the Asbestos Management Plan prepared by Macquarie University dated January 2014. All disposal of asbestos wastes must also be carried out in accordance with the Asbestos Management Plan.
7. **Fees.** The following fees must be paid to Council in accordance with Council's Management Plan prior to the certification of Crown Building works:
 - (a) Infrastructure Restoration and Administration Fee
 - (b) Enforcement Levy
8. **Long Service Levy.** Documentary evidence of payment of the Long Service Levy under Section 34 of the Building and Construction Industry Long Service Payments Act 1986 is to be submitted to the Principal Certifying Authority prior to the certification of Crown Building works.
9. **Site Sign**
 - (a) A sign must be erected in a prominent position on site, prior to the commencement of construction:
 - (i) showing the name, address and telephone number of the Principal Certifying Authority for the work,
 - (ii) showing the name of the principal contractor (if any) or the person responsible for the works and a telephone number on which that person may be contacted outside working hours, and
 - (iii) stating that unauthorised entry to the work site is prohibited.
 - (b) Any such sign must be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.
10. **Sediment/dust control.** No sediment, dust, soil or similar material shall leave the site during construction work.
11. **Construction materials.** All materials associated with construction must be retained within the site.
12. **Site Facilities**

The following facilities must be provided on the site:

 - (a) toilet facilities in accordance with WorkCover NSW requirements, at a ratio of one toilet per every 20 employees, and
 - (b) a garbage receptacle for food scraps and papers, with a tight fitting lid.
13. **Site maintenance**

The applicant must ensure that:

- (a) approved sediment and erosion control measures are installed and maintained during the construction period;
- (b) building materials and equipment are stored wholly within the work site unless an approval to store them elsewhere is held;
- (c) the site is clear of waste and debris at the completion of the works.

14. **Sydney Water – Section 73.** A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation. Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Developing and Plumbing section of the web site www.sydneywater.com.au then refer to “Water Servicing Coordinator” under “Developing Your Land” or telephone 13 20 92 for assistance.

Following application a “Notice of Requirements” will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Co-ordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the occupation of the building.

15. **Digital screen.** The digital screen is only to be used to promote upcoming University events and broadcast ceremonies taking place within Macquarie University and is not to be used for general advertising.
16. **Access Report.** The development is to be carried out in accordance with the Building Access Review Report prepared by NBRS + Partners dated 14th May 2015.
17. **Construction Noise and Vibration Management Plan.** The development is to be carried out in accordance with the recommendations in the Construction Noise and Vibration Management Plan prepared by Acoustic Logic dated 28 April 2015.
18. **Design and Construction Standards.** All engineering plans and work inside the property shall be carried out in accordance with the requirements of the relevant Australian Standard.
19. **Service Alterations.** All mains, services, poles, etc., which require alteration shall be altered at the applicant's expense.
20. **Stormwater Management - Construction.** The stormwater drainage system on the site must be constructed in accordance with the version of the Stormwater Management Plan by Warren Smith and Partners (Refer to Job No.

4841000 Dwgs H-001 to H-103 Issue 02 dated 19 May 2015) prepared for certification of the Crown Building works.

21. **Erosion and Sediment Control.** The applicant shall install erosion and sediment control measures in accordance with the approved plan by Warren Smith and Partners (Refer to Job No. 4841000 Dwgs H-104 & H-105 Issue 02 dated 19 May 2015) at the commencement of works on the site. Suitable erosion control management procedures in accordance with the manual "Managing Urban Stormwater: Soils and Construction" by the NSW Department – Office of Environment and Heritage, must be practiced at all times throughout the construction. Where construction works deviate from the plan, soil erosion and sediment control measures are to be implemented in accordance with the above referenced document.
22. **Stormwater Management - Work-as-Executed Plan.** A Work-as-Executed plan (WAE) of the as constructed Stormwater Management System must be submitted to Council prior to the occupation of the development. The WAE must be prepared and certified (signed and dated) by a Registered Surveyor and is to clearly show the constructed stormwater drainage system (including any onsite detention, pump/ sump, charged/ siphonic and onsite disposal/ absorption system) and finished surface levels which convey stormwater runoff.
23. **Compliance Certificates – Engineering.** To ensure that all engineering facets of the development have been designed and constructed to the appropriate standards, Compliance Certificates must be obtained for the following items and are to be submitted to Council prior to the occupation of the development. All certification must be issued by a qualified and practising civil engineer having experience in the area respective of the certification unless stated otherwise.
 - a) Confirming that the Stormwater Management system servicing the development complies with the Stormwater Drawings submitted with the Development Application, and has been constructed to function in accordance with all conditions of this consent relating to the discharge of stormwater from the site.
24. **Construction and fit-out of food premises** – All proposed food premises such as the café and conference rooms server kitchen must be constructed and fitted-out in accordance with the requirements of:
 - (a) Food Safety Standard 3.2.3: *Food Premises and Equipment*; and
 - (b) Australian Standard AS 4674-2004: *Design, construction and fit-out of food premises*.

Prior to the occupation of the development, a compliance certificate from an appropriately qualified person is to be submitted to Council, certifying that the fit out complies with the above requirements. A copy of this compliance certificate is to be provided to Council.

25. **Storage of hazardous substances** - The storage of hazardous substances must comply with the requirements of the *Work Health and Safety Act 2011* and *Work Health and Safety Regulation 2011*.
26. **Mechanical Ventilation.** Prior to any works commencing on site, a design certificate from a professional mechanical services engineer is to be prepared certifying that the mechanical ventilation systems will comply with the Building Code of Australia. A copy of this certificate is to be provided for Council's records.

In respect of mechanical ventilation, your attention is drawn to the following:

- **Fresh air intake vents** - All fresh air intake vents must be located in a position that is free from contamination and at least 6 metres from any exhaust air discharge vent or cooling tower discharge.
- **Exhaust air discharge vents** - All exhaust air discharge vents must be designed and located so that no nuisance or danger to health will be created.

Prior to the occupation of the development, where any mechanical ventilation systems have been installed or altered, an installation certificate from a professional mechanical services engineer certifying that the systems comply with the approved plans and specifications must be submitted to Council.

27. **Installation, operating and maintenance requirements** - Any air-handling and water systems regulated under the *Public Health Act 2010* must be installed, operated and maintained in accordance with the requirements of the *Public Health Regulation 2012*.
28. **Access for maintenance purposes** - Safe easy access must be provided for the inspection and maintenance of all plant, equipment and components covered by Australian/New Zealand Standard AS/NZS 3666.2: 2011 *Air-handling and water systems of buildings - Microbial control - Operation and maintenance*.
29. **Registration of water-cooling systems** – Any water-cooling regulated under the *Public Health Act 2010* must be registered with Council's Environmental Health Unit within one (1) month of installation.
- Registration forms may be obtained from Council's Customer Service Centre on Tel. 9952 8222.
30. **Plumbing and drainage work** - All plumbing and drainage work must be carried out in accordance with the requirements of Sydney Water Corporation and the NSW Department of Fair Trading.
31. **Installation of grease trap** - A grease trap must be installed if required by Sydney Water Corporation. The grease trap must be located outside the building or in a dedicated grease trap room and be readily accessible for servicing. Access through areas where exposed food is handled or stored or

food contact equipment or packaging materials are handled or stored is not permitted.

32. **Evidence of connection by gravity flow** - Documentary evidence from a professional hydraulic engineer or other suitably qualified person demonstrating that all of the premises will be connected directly to the sewerage system by gravity flow must be submitted with the application for the certification of Crown Building works.
33. **Discovery of Additional Information** - Council must be notified as soon as practicable if any information is discovered during demolition or construction work that has the potential to alter previous conclusions about site contamination.
34. **Noise control measures** - All noise and vibration control measures nominated in the Construction Noise and Vibration Management Plan dated 28 April 2015 any related project documentation must be implemented.
35. **Registration of premises** - The operator of the business must register the premises with Council's Environmental Health Unit before trading commences.
36. **Notification of business details** - The operator of the business must notify their business details to the NSW Food Authority before trading commences. Notifications may be lodged on-line at www.foodnotify.nsw.gov.au.
37. **Storage and disposal of wastes** - All wastes generated on the premises must be stored and disposed of in an environmentally acceptable manner.
38. **Hazardous wastes** - All wastes classified as hazardous wastes under the *Protection of the Environment Operations Act 1997* must be transported to an appropriately licensed waste facility for disposal.
39. **Disposal of liquid wastes** - All liquid wastes generated on the premises must be treated and discharged to the sewerage system in accordance with the requirements of Sydney Water Corporation or be transported to a liquid waste facility for recycling or disposal.
40. **Trade waste permit** - The applicant must contact Sydney Water Corporation to determine whether a Trade Waste Permit is required before discharging any trade wastewater to the sewerage system.
41. **Air pollution** - The use of the premises, including any plant or equipment installed on the premises, must not cause the emission of smoke, soot, dust, solid particles, gases, fumes, vapours, mists, odours or other air impurities that are a nuisance or danger to health.
42. **Offensive noise** - The use of the premises must not cause the emission of 'offensive noise' as defined in the *Protection of the Environment Operations Act 1997*.

43. **Noise and vibration from plant or equipment** - Unless otherwise provided in this Consent, the operation of any plant or equipment installed on the premises must not cause:
- (a) The emission of noise that exceeds the background noise level by more than 5dBA when measured at, or computed for, the most affected point, on or within the boundary of the most affected receiver. Modifying factor corrections must be applied for tonal, impulsive, low frequency or intermittent noise in accordance with the *New South Wales Industrial Noise Policy* (EPA, 2000).
 - (b) An internal noise level in any adjoining occupancy that exceeds the recommended design sound levels specified in Australian/New Zealand Standard AS/NZS 2107:2000 *Acoustics – Recommended design sound levels and reverberation times for building interiors*.
 - (c) The transmission of vibration to any place of different occupancy.

ADVISORY NOTES

1. **Inspections and fees** - Council officers may carry out periodic inspections of the premises to ensure compliance with relevant environmental health standards and Council may charge an approved fee for this service in accordance with Section 608 of the *Local Government Act 1993*.

The approved fees are contained in Council's Management Plan and may be viewed or downloaded at www.ryde.nsw.gov.au.
2. **Saturated and trans fats** - To minimise the risk of cardiovascular disease in the community, fats and cooking oils that are high in saturated and/or trans fats should not be used in the preparation or cooking of food. Alternatively, instead of deep frying, change to healthier cooking methods such as baking, grilling, steaming or microwaving or use mono/polyunsaturated fats or oils such as canola, olive, sunflower, soybean and safflower oils and margarines.