

COUNCIL ASSESSMENT REPORT

SNPP No	2018SNH045
DA Number	LDA 2018/0298
Local Government Area	City of Ryde
Proposed Development	Construction of a four storey learning and teaching building for use by the Faculty of Medicine and Health Sciences.
Street Address	Macquarie University 192 Balaclava Rd Macquarie Park
Applicant/owner	Macquarie University
Date of Lodgement	26 July 2018
Number of Submissions	Nil
Recommendation	Approval
Regional Development Criteria (Schedule 7 of the SEPP (State and Regional Development) 2011	Crown development with a CIV over \$5 million. The development has a capital investment value of \$29,420,000.00
List of All Relevant s4.15(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 • RLEP 2014 • City of Ryde Development Control Plan 2014.
List all documents submitted with this report for the panel's consideration	Attachment 1: Conditions of consent
Report prepared by	Sandra McCarry Senior Town Planner
Report date	January 2018

Summary of s4.15 matters	Yes
Have all recommendations in relation to relevant s4.15C matters been summarised in the Executive Summary of the assessment report?	
Legislative clauses requiring consent authority satisfaction	Yes
Have relevant clauses in all applicable environmental planning instruments where the consent authority must be satisfied about a particular matter been listed, and relevant recommendations summarized, in the Executive Summary of the assessment report?	
Clause 4.6 Exceptions to development standards	N/A
If a written request for a contravention to a development standard (clause 4.6 of the LEP) has been received, has it been attached to the assessment report?	

Special Infrastructure Contributions	No
Does the DA require Special Infrastructure Contributions conditions (S7.24)?	
Conditions	Yes – the applicant has agreed to the conditions.
Have draft conditions been provided to the applicant for comment?	

1. **EXECUTIVE SUMMARY**

This application seeks approval for the construction of a four storey learning and teaching building for use by the Faculty of Medicine and Health Sciences.

The proposed building will have a total GFA of 3,039m² and is designed as a contemporary building constructed of prefinished materials with glazed façade with privacy and sun shading screens.

The building will be used for teaching and research and will result in an increase of 180 students enrolled at the University. The building will be fit-for-purpose, providing a flexible building envelope to adapt to the needs of staff and students. The building is located adjacent to Macquarie Hospital to foster educational links and sharing of knowledge between the staff, students and practising medical professionals.

In accordance with Council's Notification Policy, the application was advertised in the Northern District Times on 8 August 2018 and adjoining property owners notified of the application and given until 29 August 2018 to make a submission. No submissions were received.

Clause 7 of SEPP 55 states that Council must not consent to carrying out of any development unless it has considered if the land is contaminated and if so whether it is suitable or can be suitable (after remediation) for the proposed use. The site (around the vicinity of the proposed building) has been the subject of a Detailed Site Investigation Report by Geo -Logix with regard to site contamination. The report concluded that *Contamination has not been identified in soil at concentrations greater than the adopted acceptance criteria; therefore, the site is considered suitable for development of the proposed Faculty of Medicine and Health Sciences Building.*"

After consideration of the development against section 4.15 of the Environmental Planning and Assessment Act 1979 and the relevant statutory and policy provisions, the proposal is considered suitable for the site and is in the public interest. Assessment of the application against the relevant planning framework and consideration of various design matters by Council's technical departments has not identified any fundamental issues of concern.

Consequently this report concludes that this development proposal is sound in terms of design, function and relationship to surrounding site. This report recommends that consent be granted to this application in accordance with conditions provided in **Attachment 1**.

2. APPLICATION DETAILS

Applicant: Macquarie University

Owner: Macquarie University

Estimated value of works: \$29,420,000.00

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 & CONTEXT

The site is legally described as Lot 191 in DP1157041 and is part of Macquarie University. To the north of the main University campus is the M2 Motorway with the Lane Cove River and National Park beyond. The Macquarie Centre is located immediately east of the campus across Herring Road, with the majority of the Macquarie Park corridor further to the east.

The location where the proposed building will be sited is in the north-eastern portion of the University campus, adjacent to the Macquarie University Hospital, located between Innovation Road and Talavera Road. Access to the site is via Innovation Road, which connects to Research Park Drive, Talavera Road as well as Herring Road. Figures 1 & 2 illustrates the location of the site and location of the proposed building within the university campus.



Figure 1: Aerial map of Macquarie University outlined in orange with the location of the proposed building as shown as by red star.



Figure 2: Closer aerial view of the site within Macquarie University.

The site is located within the medical and commercial area of the University campus, which accommodates Macquarie Hospital and commercial office uses. Immediately to the north and north-west of the site is the Macquarie Hospital. Further to the north is Talavera Road, which defines the campus boundary. There is a commercial building to the south east of the site at 75 Talavera Road, which is owned by Macquarie University.

To the south is a commercial building at 4 Research Park Drive (also known as Building F7B), which is surrounded by landscaping comprised of shrubs and planted trees.

Immediately to the west is Research Park Drive, beyond which lies Wally's Walk, a pedestrian thoroughfare which provides an east-west link through the academic core of the campus.

At present, the site is used as surface car park which is accessed from Talavera Road.

Figures 3 to 6 below illustrates the surrounding development.



Figures 3: Existing car park on the site and 75 Talavera Road in the background.



Figure 4: Macquarie University Hospital and loading dock adjoining the site.



Figure 5: 4 Research Park Drive viewed from Innovation Road.



Figure 6: Wally's Walk viewed from Research Park Drive.

4. **PROPOSAL**

Approval is sought for the construction of a new four storey learning and teaching building for use by the Faculty of Medicine and Health Sciences. The proposal comprises the following:

- Demolition of existing hard stand areas, car parking and site preparation works.
- Tree removal (31 trees to be remove).
- Construction and use of a four-storey learning and teaching facility building
- Landscaping including planting, paving and associated works.
- Alterations and additions to Macquarie Hospital loading dock roof.



Figure 7: Photomontage of the building as viewed from Wally's Walk.

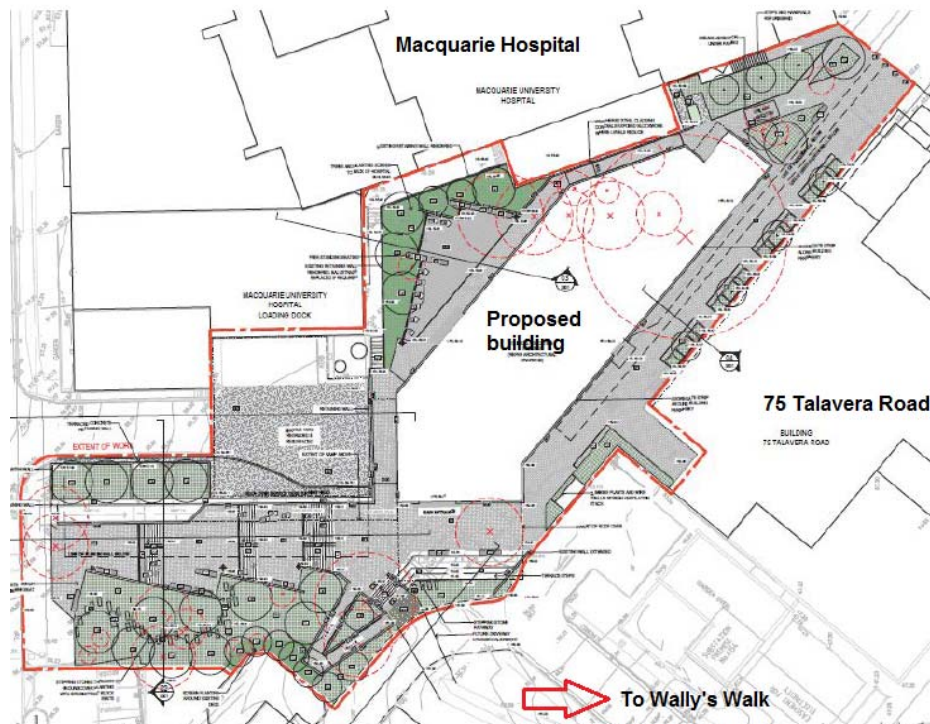


Figure 8: Location of the proposed building in relation to the surrounding buildings.

The Building will be fit-for-purpose, providing a flexible building envelope that can adapt to the evolving needs of staff and students. The building is located adjacent to Macquarie Hospital to foster educational links and sharing of knowledge between the staff, students and practising medical professionals.

Access to the building is via a primary pedestrian entry via the ramp that connects Wally's Walk to Level 1 of the building. Several secondary entries are located on the ground floor via the terraced walkway, which commences opposite Wally's Walk and slopes down towards the building entry at ground level.

There is no direct vehicle access to the site as there is no car parking provided. Service vehicles will access the site from Talavera Road, using the existing driveway and service vehicle access for 75 Talavera Road.

5. BACKGROUND

Concept Plan Application No. MP06-0016

On 13 August 2009, the Minister approved a Concept Plan for Macquarie University. The approved concept plan sets the planning regime and development framework for the campus over the next 25 to 40 years. The plan included:

- 0 The provision of an additional 400,000m² of commercial GFA and associated parking outside of the Academic Core.
- 0 The provision of an additional 61,200m² of academic GFA within the Academic Core.
- 0 The provision of an additional 3450 beds within the University Housing Precincts for university purposes only.
- 0 Infrastructure upgrading and improvements to the road network as required
- 0 Rationalisation of university car parking locations.

The approved concept plan sets the planning regime and development framework for the campus. A campus wide Design Excellence Strategy and Urban Design Guidelines is required to be prepared and submitted to the Department as part of the concept plan.

A Section 75W to modify the Concept Plan was submitted in 2017 to the Department of Planning & Environment (MP06_0016 Mod 1), which was approved on 9 November 2018. The modification to the Concept Plan seeks approval for

- 0 modifications to height controls and increase in floorspace to ratify recent amendments to local controls (approved Herring Road Priority Precinct amendments)
- 0 increase academic floorspace from 61,200m² to 157,000m²
- 0 removal of restrictions capping floorspace within certain precincts and redistribution of floorspace
- 0 increase student population projections to 2036
- 0 modifications to conditions and Statement of Commitments
- 0 revised and consolidated Design Excellence Strategy and Urban Design Guidelines

A revised Design Excellence Strategy and Urban Design Guidelines was submitted to the Department as part of the S75W for endorsement (Amendment 4 dated August 2018). Full discussion in regard to compliance with the revised Urban Design Guidelines is discussed further in the report.

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 (Educational Establishments and Child Care Facilities) 2017
- State Environmental Planning Policy (Major Developments) 2005
- City of Ryde Development Control Plan 2014.

PLANNING ASSESSMENT

7.1 Environmental Planning and Assessment Act, 1979

Section 1.7 of the Environmental Planning and Assessment Act states

1.7 Application of Part 7 of Biodiversity Conservation Act 2016 and Part 7A of Fisheries Management Act 1994

This Act has effect subject to the provisions of Part 7 of the Biodiversity Conservation Act 2016 and Part 7A of the Fisheries Management Act 1994 that relate to the operation of this Act in connection with the terrestrial and aquatic environment.

The applicant has submitted an Ecological Review in respect of the removal of 31 trees and the impact that this will have on any threatened species, population and communities listed under the NSW Biodiversity Conservation Act, 2016. The report provided the following comments:

“Five areas of remnant native plant communities were identified over the University campus in the assessment, comprising three ecological communities (EDAW, 2006).

One of the ecological communities, Sydney Turpentine-Ironbark Forest (STIF) is listed as endangered under the TSC Act and critically endangered under the EPBC Act. Four stands of STIF are recorded in un-developed parts of the Campus in the assessment.

In line with the other external ecological studies cited above, remnant vegetation was not identified within the subject site of this project.

Threatened Species, Endangered Ecological Communities and Critical Habitats

The main habitat types occurring in the surrounding area are:

- *Mature to semi-mature planted canopy trees; and*

- *Intermittent food trees for fruit and nectar eating species such as Grey headed Flying Fox*

The trees within the site are not as yet of hollow-bearing age, but would form adequate habitat for forest and woodland bird species and common tree-dwelling marsupials. No suitable habitat exists on the site for other threatened plant, animal and fungi species previously recorded within a 10 km radius.

Due to its relative isolation from native bushland, and a lack of the full range of resources needed to support native species, the site overall would be considered of low fauna habitat value.

*It is noted that the listed fauna species Grey Headed Flying Fox may have a transient presence on campus, as part of a wider feeding range. The site's trees have accordingly been reviewed against the published guidelines for preferred feed trees of this species. *Corymbia maculata* is within the suitability thresholds of that guideline (refer Eby and Law 2008, Table 4.1).*

It is noted that the planted stands of this species are a mixture of juvenile, semi mature and mature – a reflection of their planting history which was contemporary with the construction of the adjacent research park buildings in the late 1990s. The forage suitability of the species is related to their cycles of flowering. Florabank refers to this species having a seven year episodic cycle for producing a substantive blossom. Accordingly, the trees on site are likely to have had either one or two blossoming episodes in their lifespan.

There are a number of semi mature trees of the same species planted in the surrounds of the building site, for example along Talavera Rd.

The nearby maturing stands would continue to provide an intermittent source of food for Grey Headed Flying Foxes whose range overlaps the area.

On the above basis, the threatened species provisions of the Biodiversity Conservation Act are deemed not to be triggered under the development impacts of this project.”

The assessment concludes that the trees are not an endangered ecological species and no flora or fauna habitat was observed on the site. As a result, the proposed development does not trigger the offset provisions contained in the Biodiversity Conservation Act 2016.

7.2 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 1 Contamination Assessment Report which concludes that the site is suitable for the proposed development.

Council's Environmental Health Officer has also reviewed the proposal and supporting documentation and has raised no objections to the proposed works.

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

Clause 57 of the SEPP states:

57 Traffic-generating development:

- (1) This clause applies to development for the purpose of an educational establishment:*
 - (a) that will result in the educational establishment being able to accommodate 50 or more additional students, and*
 - (b) that involves:*
 - (i) an enlargement or extension of existing premises, or*
 - (ii) new premises,**on a site that has direct vehicular or pedestrian access to any road.*
- (2) Before determining a development application for development to which this clause applies, the consent authority must:*
 - (a) give written notice of the application to Roads and Maritime Services (RMS) within 7 days after the application is made, and*
 - (b) take into consideration the matters referred to in subclause (3).*
- (3) The consent authority must take into consideration:*
 - (a) any submission that RMS provides in response to that notice within 21 days after the notice was given (unless, before the 21 days have passed, RMS advises that it will not be making a submission), and*
 - (b) the accessibility of the site concerned, including:*
 - (i) the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and*
 - (ii) the potential to minimise the need for travel by car, and*
 - (c) any potential traffic safety, road congestion or parking implications of the development.*

- (4) The consent authority must give RMS a copy of the determination of the application within 7 days after the determination is made.*

As the development will result in an additional 180 students enrolled at Macquarie University, the application was referred to RMS for comment.

RMS has raised no objections to the proposal subject to a condition requiring a Construction Traffic Management Plan to be submitted. This has been incorporated into Council's Traffic Engineer's condition for a CTMP to be submitted. See **Condition 30**.

The Traffic and Transport Report submitted with the application states that the development is considered to be ancillary to the existing educational activities provided on the Macquarie University campus and will not in itself generate significant additional staff and student trips to the University during peak periods, especially as no additional car parking is being provided on campus for the development. Council's Traffic Engineer has reviewed the proposal and has raised no objections to the proposed development.

7.4 Ryde Local Environmental Plan 2014

The following is an assessment of the proposed development against the applicable provisions from the Ryde Local Environmental Plan 2014.

Clause 2.3 Zone Objectives and Land Use Table

The land is zoned B4 Mixed Use under Ryde LEP 2014.

The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone. The objectives for the B4 Mixed Use are as follows:

- To provide a mixture of compatible uses.
- To integrate suitable business, office, residential, retail and other development in accessible location so as to maximise public transport patronage and encourage walking and cycling.
- To ensure employment and educational activities within the Macquarie University campus are integrated with other businesses and activities.
- To promote strong links between Macquarie University and research institutions and businesses within the Macquarie Park corridor.

The development complies with the above objectives. It will provide an educational facility and will provide a link with Macquarie Hospital and other research institutions and business within the area.

Clauses 4.3 & 4.4 - Height of Buildings & Floor Space Ratio (FSR)

No height or FSR controls are applicable to the site. Accordingly height or FSR is not a consideration.

Clause 5.10 Heritage conservation.

Clause 5.10 (1) states the objective of the clause as follows:

(1) Objectives The objectives of this clause are as follows:

- (a) to conserve the environmental heritage of Ryde,*
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,*
- (c) to conserve archaeological sites,*
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.*

The development was referred to Council's Heritage Advisor who made the following comments:

"The proposed works are situated within the Macquarie University campus, which is identified as an item of heritage significance.

Almost the entire site of the Macquarie University campus is identified as a listed item of heritage significance. This is because the majority of the campus comprises only one allotment which includes the heritage-listed building, though the significance of the site relates to the ruins of the stone building, which is located towards the northwestern corner.

The ruins themselves are situated amongst open fields with various university buildings, however given the size of the University campus site, the ruins are located some 800m to the west of the location of the proposed works and are separated from the location of the proposed works by intervening built forms.

Consequently, the proposed works will not result in any material or visual impacts on the heritage item."

A Due Diligence Archaeological Assessment has been undertaken, which identifies a number of recorded sites of Indigenous cultural heritage within the vicinity of the University campus site. However, the report identifies that there are no items or places of Indigenous cultural significance in the vicinity of the proposed works.

The proposal is supported on heritage grounds accordingly."

Macquarie University Concept Plan

The approved Macquarie University Concept Plan sets the planning regime and development framework for the campus. An application made under Section 75W to modify the Concept Plan was approved by Department of Planning on 8 November 2018 and the modified Design Excellence Strategy and Urban

Design Guidelines (the Guidelines), sets out the controls and detailed design measures for development on the campus.

The site of the proposed works is located within Precinct D, as defined by the Macquarie University Concept Plan 2009 and the Guidelines, as modified. The proposed development is identified as Lot D08 in Precinct D. The objective of Precinct D and architectural principles and controls are discussed below.

Precinct D Macquarie University Research Park and Health Precinct

- 0 New development to provide an address to an internal or external road or significant open space area.
- 0 Overshadowing impacts to be considered in the development of new buildings.
- 0 Appropriate stormwater measures to be incorporated in the development of new buildings.
- 0 Allow for flexible teaching and academic space.

The building will provide an address to Innovation Road, with a through-site link between Wally's Walk and the existing medical precinct.

Overshadowing diagrams have been submitted with the proposal which demonstrate that the proposed building will not result in significant additional shadows within the immediate area. The existing Macquarie Hospital (a 5 to 6 storey building) already significantly casts shadow and the proposed building, which is located directly behind the hospital, will not significantly add to this overshadowing. Any additional overshadowing is predominantly over hardstand area and will not impact on areas of open space used by staff or students.

Stormwater management plans have been provided with the application and Council's Senior Development Engineer raises no objection to the proposal. The proposed new building is not considered to adversely impact on the stormwater within immediate area.

The proposal will provide for flexible teaching and learning spaces. Overall the proposed development is considered to meet the objectives with Precinct D.

Under the Guidelines, each development parcel within the campus has been assigned a lot number. The proposed development is identified as Lot D08, as shown in Figure 9.

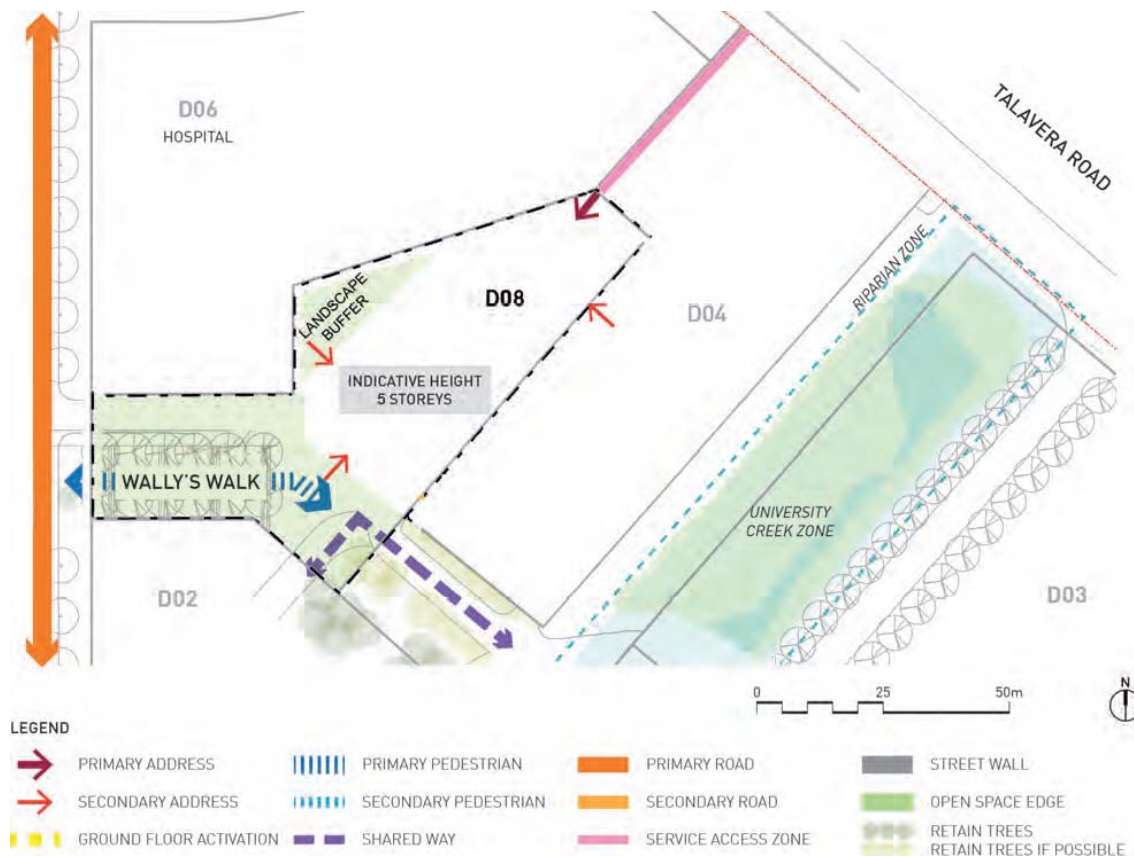


Figure 9: Macquarie University Design Excellence Strategy & Urban Design Guideline – Lot D08 (where the proposed building is located).

Table 1 below sets out the controls applicable to the Lot.

Built Form	
Lot is suitable for an infill building	Yes - The proposed building has been designed to respond to the existing built form surrounding the site, creating an infill building on an under-utilised space within the campus.
Building height should relate to surrounding buildings and not exceed 5 storeys	Yes - The proposed building height is four storeys (+ plant) and responds to both the topography of the site and the height of the adjoining Macquarie Hospital and 75 Talavera Road.
Building to act as a visual anchor and address the start/end of Wally's Walk	Yes - The building is sited to create a direct line of sight to Wally's Walk, with part of the building envelope 'cranking' to form an extension of the Wally's Walk axis.
Building to be designed to enable visual and physical permeability	Yes - The façade has a high level of visual permeability with glazed curtain wall. The design also facilitates a high level of physical permeability, allowing pedestrians access through the site via the ramp to Level 1 or through the landscaped steps and through to Innovation Road.
Optimise views and vistas to and from Wally's Walk	Yes - There is a direct relationship between the building and Wally's Walk, with the topography of the area allowing views to and from the public domain.

Materials and finishes of the building should be sensitive to the natural landscape	Yes - The proposed materials respond to the bushland character with timber columns and glazed glass walls.
Building should be sensitively designed on interfaces proximate to surrounding buildings	Yes - The building is set back between 3 and 18 metres at various points to ensure that a suitable level of building separation is achieved. In addition to this, louvres are incorporated into the façade to provide additional privacy screening.
Building to respond to the topography and landscaped character of the campus	Yes - The building has been carefully sited to respond to the slope of the site, locating the building envelope across the flattest part of the site and ramps and stairs provided to allow access into the building.
Access	
Building to retain pedestrian access to Innovation Road and University Creek, via the continuation of Wally's Walk	Yes - Pedestrian access is maintained through the site, via both a ramp and stairs from Wally's Walk which allow access to the building and through the undercroft area to the continuation of Innovation Road and University Creek.
Building to provide equitable access from Innovation Road	Yes - Access is provided from a number of points, including the ramp from Wally's Walk to Level 1 and pedestrian access to a number of entry points at ground level from both Innovation Road and the stairs from Wally's Walk.
Building to address Innovation Road and the extension of Wally's Walk	Yes - Primary building entries are located to address Wally's Walk at Level 1 and Innovation Road at ground level.
Provide service vehicle access from Talavera Road	Yes - Service vehicle access is provided via the driveway from Talavera Road.
Landscape	
Provide outdoor gathering spaces for a variety of activities	Yes - Outdoor spaces are provided for passive recreation and meeting spaces, including adjacent to the building entry at ground level and in a courtyard between the building and Macquarie Hospital.
Provide a landscape buffer at the interface with Macquarie University Hospital	Yes - A landscape buffer is provided at the interface with Macquarie University Hospital. Council's Landscape Architect has reviewed the landscape plans and has raised no objections.
Building to integrate with the landscaped termination of Wally's Walk	Yes - Landscaping is provided from the termination of Wally's Walk and follows the slope of the site down to Innovation Road.
Review and retain significant trees where possible	Yes - There are no ecologically significant trees on the site, and the proposal has been amended to retain several trees adjacent to the Wally's walkway.
Incorporate riparian planting where possible	Yes - Riparian planting is incorporated into the overall landscape design.

Consider green infrastructure elements to integrate the building into the landscape	Yes - The landscaping design includes a number of green infrastructure elements such as climbing planters on trellis' and walls to integrate the building into the surrounding landscape.
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Mod MP06_0016 Mod 1 amended Schedule 2, Parts A, B & C and Schedule 3 – Statement of Commitments as follows: (only those conditions relevant to the development have been considered). The changes to the conditions are highlighted in Bold.

A1 Development Description (1) Except as modified by this approval, Concept Plan approval is granted only to the carrying out of development solely within the Concept Plan area as described in the document titled “Macquarie University State Environmental Planning Policy (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, prepared by JBA Planning Consultants and Cox Richardson Architects and MP 06 0016 MOD1 including: (a) The provision of an additional 400,000m² of commercial GFA and associated parking (b) The Provision of an additional 157,000m² of academic GFA (c) The provision of an additional 3450 beds for University purposes only. (d) Infrastructure upgrading and improvements to the road network as required, and (e) Rationalisation of University car parking locations. (f) A maximum of 171,000m² of GFA for Precinct D	The applicant has provided numeric breakdown of additional academic floor space and gross floor area for Precinct D on pages 29 & 30 of the SEE. The GFA are as follows: (a) N/a (b) Academic GFA undertaken/proposed since the Concept Plan approval: 26,968m². This is well within the 157,00m² permitted. (c) N/a (d) N/a (e) N/a (f) Precinct D -85,039m² existing and proposed. This is well within the maximum permitted.
A3 Gross Floor Area (1) The maximum additional gross floor area for academic use across the Macquarie University campus must not exceed 157,000sqm. (2) The maximum additional gross floor area for commercial use across the Macquarie University campus must not exceed 400,000sqm. (3) The maximum total gross floor area for Precinct D must not exceed	See above for (1) & (3). (2) & (4) are not applicable.

(6) The Design Excellence Strategy and Urban Design Guidelines are to be revised to: include overarching design principles in relation to height, depth, building separation and horizontal dimensions; and requirements to address public amenity along edges to the public forecourt of the railway station. The revisions must be submitted and approved by the Government Architect NSW within four months of approval of MP 06 0016 MOD 1. (7) An architectural design competition must be held in relation to proposed development on lots E10 and E11 where the Capital Investment Value of the development exceeds \$100 million, unless an alternative design process is endorsed by the Government Architect NSW or Planning Secretary. An architectural design competition means a competitive process conducted in accordance with procedures approved by the Planning Secretary from time to time.	(7) N/a
C3 Landscaping The Landscape Management Plan referred to in the Statement of Commitments is to be integrated with the Design Excellence Strategy and Urban Design Guidelines referred to in B4 of this approval and is to demonstrate: (a) Maintenance of the bush land setting of the site. (b) Achievement of the landscape principles articulated in the Statement of Commitments, and as shown in Figure 26 to the Environmental Assessment Report. (2) The Landscape Management Plan is to be prepared for each precinct, and made publicly available on the University's website prior to or with the first application for new building works in each precinct.	A Landscape Management Plan has been prepared by Context as part of the Campus-wide Design Excellence Strategy and Urban Design Guidelines and submitted to the Department. Points (a) & (b) Applicant is arranging for this to be uploaded onto Macquarie University website.
C4 Riparian Zone, Flooding and Storm water The Stormwater Management Plan and other various plans referred to in the Statement of Commitments are to be:	A Stormwater Management Plan has been prepared by TTW as part of the Campus-wide Design Excellence Strategy and Urban Design Guidelines. The Stormwater

(a) Integrated with the Vegetation Management Plan and Threatened Species Plan referred to in the revised Statement of Commitments. (b) Revised in accordance with any modifications undertaken as part of this approval. A copy of the Stormwater Management Plan, as updated from time to time, must be published on the University's website. (2) A Stormwater Management Plan is to be submitted for approval with each application for new building works, as relevant.	Management Plan integrates with the Vegetation Management Plan and Threatened Species Plan for the Campus. Applicant is arranging for this to be uploaded onto Macquarie University website. A project-specific Stormwater Management Strategy for the Clinical Education Building (prepared by Arup) has been submitted with the application. Council's Senior Development Engineer has reviewed the plans and has raised no objections.
C8 Environmental Management and Contamination (1) The hazardous material audit, a Phase 1 contamination assessment and a targeted Phase 2 intrusive contamination assessment (if required) referred to in the Statement of Commitments is to be prepared and be submitted for approval with each application for building works, as relevant to the development	Geo-Logix Pty Ltd (Geo-Logix) was commissioned by Macquarie University to conduct a Detailed Site Investigation (DSI) of the site of the proposed Faculty of Medicine and Health Sciences Building. A Preliminary Site Investigation (PSI) was conducted and concluded "<i>the site is suitable for development of the proposed Faculty of Medicine and Health Sciences Building.</i>"
C9 Heritage/Archaeology (1) The Aboriginal Archaeology Strategy referred to in the Statement of Commitments is to be prepared in liaison with the Metropolitan Local Aboriginal Land Council, and is to be submitted for approval prior to or with the first application for new building works within each precinct.	A Due Diligence Aboriginal Heritage Assessment has been prepared for the entire Campus by Mary Dallas Consulting Archaeologists. The study found no evidence of past Aboriginal use within the subject lands, however did identify areas of potential archaeological sensitivity. The areas identified as possibly retaining archaeological potential are those comprising relatively undisturbed land surfaces on the shale and sandstone formations. These areas generally coincide with areas that will be retained for other environmental values (significant remnant vegetation) and are well separated from the proposed development. Council's Heritage Advisor has raised no objections to the DA or the submitted report.
C13 Construction Staging	A Construction Management Plan and

(3) A Construction Management Plan, an Erosion and Sedimentation Plan, and a report detailing the existing geological conditions of each development site and any potential geological impacts of development consistent with the Concept Plan must be submitted with any application for development and is to be integrated with any Vegetation Management Plan and Threatened Species Management Plan referred to in the Statement of Commitments.	Erosion and Sedimentation Plan have been submitted and Council's Senior Co-ordinator Development Engineering Services has raised no objection to the application. A campus-wide Vegetation Management Plan and Threatened Species Management Plan has been provided as part of the Campus-wide Urban Design Guidelines, which have been provided to the Department as part of the Concept Plan modification. The site is not identified as containing any significant vegetation communities. See Council's Landscape Architect'
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Schedule 3 – Commitments

Subject	Commitments	
Environmentally Sustainable Development	▪ Commercial development on the site shall be capable of achieving the following targets: - Buildings should achieve a minimum 4-star Green Star rating. - Buildings should achieve a minimum 4.5-star NABHERS rating. - Retail development will comply with any reasonable future rating tool provided by the Australian Greenhouse Rating Scheme. ▪ Each development involving external works is to provide measures to capture, retain, and minimise litter, oil, sediment, nutrients, and pollutants prior to stormwater runoff discharge to the receiving creeks. ▪ Each development is to consider opportunities for water re-use to service non-potable uses such as irrigation for landscape areas and for toilet	N/A – not a commercial building. A Stormwater Management Strategy, including WSUD measures, has been prepared by Arup. Arup has also prepared an ESD Report which addresses water re-use and WSUD.

	flushing, as relevant to the scope of the proposal.	
Environmental Management & contamination	▪ A hazardous material audit which will include sampling and identification of asbestos and Polychlorinated Biphenyls (PCBs) will be completed to determine the extent and integrity of the hazardous building materials which exist on each development site. ▪ Any demolition / removal of Polychlorinated Biphenyls (PCBs) and asbestos containing material will be conducted in accordance with current NSW EPA waste classification and disposal guidelines, and WorkCover occupation health and safety procedures. ▪ A Phase 1 contamination assessment is to be prepared for each Development Application involving ground works. If recommended by the Phase 1 contamination assessment, a targeted Phase 2 intrusive contamination assessment is to be prepared to assess whether any contamination, from potential sources outside the site, has migrated onto the property. This would involve the drilling and collection of soil samples as the installation of ground water wells. In addition, limited surface soil sampling as will be conducted across any sporting fields and	A hazardous materials audit is not required as there are no buildings located on the site. N/a A Phase 2 contamination assessment was undertaken by Geo-Logix. Based on the results of this assessment the site is suitable for the proposed development.

	▪	N/a
Geotechnical and construction	▪ A report detailing the existing geotechnical conditions of each development site and any potential geotechnical impacts of development consistent with the Concept Plan shall be submitted with future development applications. ▪ A Construction Management Plan will be submitted with subsequent applications to address issues related to construction impacts such as, but not limited to, noise, vibration, dust, soil and erosion and waste materials. ▪ An Erosion and	A Geotechnical Report has been prepared by Geo-Logix. A Construction Management Plan has been prepared and submitted.

	Sedimentation Control Plan will be developed to address the construction phase to ensure erosion and sedimentation controls will be put in place prior to any works beginning to ensure that any potential increase in run-off from removal of vegetation or leaf litter does not impact on downstream or off-site environments and development does not contribute to environmental damage of the waterways, bushland or air quality. ▪ Buildings around the new rail station will be designed having regard to the Epping-Chatswood Rail Link Underground Infrastructure Protection Guidelines (TIDC – May 2008), with future applications accompanied by appropriate engineering advice and design measures to protect TIDC infrastructure.	An Erosion and Sediment Control has been prepared by Arup. N/a – the site does not lie within the Epping-Chatswood Rail corridor.
Flora and fauna	▪ As part of each Development Application that potentially affects Remnant Areas 1 – 4 of STIF), a Vegetation Management Plan (VMP) is to be submitted that addresses the restoration and rehabilitation of the STIF, as relevant. A copy of the Vegetation Management Plan is to be published on the University's website. ▪ Where possible, endangered vegetation remnants will be retained and protected from further encroachment/degradation or supplemented with appropriate offsets at other remnants. ▪ Where possible, individual	A Threatened Species Management Plan and Weed Management Plan were prepared as part of the Campus-wide Design Excellence Strategy and Urban Design Guidelines, which have been submitted to the Department. No endangered vegetation found. The development site does not contain any

	remnant trees outside remnant areas will be retained. ▪ Detailed flora and fauna surveys and assessments will be undertaken as part of each future application where development is proposed that may impact upon flora and fauna and STIF remnants or areas nominated as potential endangered ecological communities (EEC). ▪ Indirect impacts on bushland such as weeds and fire will be managed by the implementation of management plans and strategies including: - A Threatened Species Management Plan will be prepared to address relevant actions to conserve threatened species across the site. - A Weed Management Plan will be prepared as part of Project Applications to link into stormwater control strategies ▪ A copy of the Threatened Species Management Plan and Weed Management Plan are to be published on the University's website.	remnant vegetation.
Trees – on going management.	A Landscape Management Plan will be prepared for the Campus that will address.	A Landscape Management Plan was prepared as part of the Campus-wide Design Excellence Strategy and Urban Design Guidelines, which have been submitted and endorsed by the Department.

	- Retention or replacement of planting of suitable tree species (preferably endemic and mature where possible); and - Long term preservation and maintenance of tree assets. The Landscape Management Plan is to be published on the University's website.	Council's Landscape Architect has raised no objections to the proposed tree removal and it is also proposed to replace the removed trees at a ratio of 2:1. The applicant is currently arranging for this to be uploaded onto Macquarie University website.
	▪ A Design Excellence Strategy will be prepared to ensure a quality built form and public domains achieved during the life and construction of the project. ▪ The Strategy will clearly articulate a process to achieve design excellence, and may include the preparation of site specific design guidelines and principles. ▪ Urban design guidelines will be developed to ensure design excellence is achieved in the architecture of the buildings and public domain (streets, parks and squares). This will include building designs and standards. ▪ The detailed urban design guidelines will be provided as part of precinct plans and a detailed urban design guideline will be provided. The guidelines will address the following: - Building form; - Heights; - Road widths; - Streetscape character; - Civic spaces; - Parking provision; - Lighting, safety and security; - Water sensitive urban design;	

	Energy efficiency; and Materials and colours. The guidelines will address CPTED principles for Safer by Design best practice models, to which all future applications will need to accord.	
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7.5 Any proposed instrument (Draft LEP, Planning Proposal).

None applicable.

7.6 City of Ryde Development Control Plan 2014

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 generally consistent with the conditions and statement of commitments in the modified 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.

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 a Disabled Access and Egress Design Statement by Iaccess Consultant which identifies that the development will be able to meet the nominated Standards of Performance for accessibility in accordance with the applicable Act, Code and Australian Standards.

A condition of consent will be imposed to ensure compliance with this report. See **Condition 5**.

Part 9.3 - Parking.

The provision of car parking is dealt with under the Concept Plan with the Concept Plan stipulating a maximum of 10,800 car spaces across the site. Currently there are approximately 5000 on site parking spaces across the campus (multi storey and at grade car parks for staff, students and visitors).

Mod MP06_0016 amended the distribution of car parking by deleting the required number of car parking within each of the precincts to maximum 5000 for commercial uses and 5,800 spaces for other uses. The concept approval also requires existing at grade and above ground car parking to be consolidated into four car parks around the perimeter of the academic core.

This proposal seeks to remove the existing 16 at grade parking spaces and no new car parking spaces are proposed as part of this application.

The development is consistent with the Concept Plan requirements.

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 7.11 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.

The development category is Category 3 (Academic uses research including non-commercial research) which does 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 and the proposal is considered satisfactory.

9 REFERRALS

Senior Co-ordinator Development Engineering Services: 11 January 2019.

"The proposed stormwater management system for the development discharges to the existing system which discharges to the downstream creek complying with Councils requirements.

The following documents were reviewed and found to be satisfactory:

- 1. Civil plans completed by Arup Pty Ltd, drawing number 258830 CV-DG 001, 010, 011, 100, 110, 300, 310, 320, and 321, revision A, dated 21st June 2018.*
- 2. DA Stormwater report completed by Arup Pty Ltd, reference number 258830-00, revision Final, dated 21st June 2018.*

A review of the plan has noted the following;

- 1. The site where the development is taking place is not affected by flooding.*
- 2. Existing stormwater drainage infrastructure has been identified and modified to adopt the new development*
- 3. Existing OSD system well exceeds storage requirements, thus not required.*
- 4. WSUD measures have been proposed meeting Council's requirements*

Council's Drainage team has requested that new pipelines in the private roadway shall have a minimum pipe size of 375mm diameter (Class 4). The standard condition of consent regarding stormwater management shall suffice.

There are no objections to the proposed development with respect to the engineering components, subject to the application of the following conditions being applied to any development consent being issued for the proposed development."

See Conditions 15, 19, 23 to 29 & 46 to 49.

Environmental Health Officer: 9 January 2019:

Council's Environmental Health Officer has reviewed the development and has raised no objections subject to appropriate conditions of consent. See **Conditions 20, 21, 54 to 59.**

Landscape Architect: 3 January 2019:

Council requested amended landscape plans to address the concerns about removal of trees not impacted by the development and revised Landscape Plans were submitted on 28 November 2018 which reduced the number of trees to be removed from 37 to 31. Council's Consultant Landscape Architect has advised that the revised landscape plans have addressed the above concerns. See **Conditions 8 to 14**.

Heritage Officer: 29 August 2018.

Council's Heritage Officer has reviewed the proposal and has advised that the proposed building will have little impact to the visual setting of the heritage listed ruins within the university and raises no objections to the proposal, subject to **Condition 3**. See full discussion under Section 7.5 of the report.

Traffic Engineer: 6 September 2018:

Council's Traffic Engineer has no objections to the approval of the application, subject to **Conditions 30 & 31**.

Bush Fire Consultant: 15 August 2018:

Condition 7 has been imposed requiring compliance with the recommendations as specified in the Bushfire Report prepared by Advanced Bushfire Performance Solutions.

NSW Police: 4 September 2018:

No objections subject to **Conditions 50, 52 & 53**.

Roads and Maritime Services: 8 February 2019:

No objection raised subject to a Construction Traffic Management Plan being submitted. See **Condition 30**.

10 PUBLIC NOTIFICATION AND SUBMISSIONS

The proposed development was notified and advertised in accordance with Development Control Plan 2014 – Part 2.1, Notification of Development Applications. The period of exhibition extended from 3 August 2018 to 29 August 2018. During this time, no submissions were received.

11 SUITABILITY OF THE SITE FOR THE DEVELOPMENT

As discussed earlier in the report, the subject site is a listed item of heritage significance and within bushfire prone land. Council's Heritage Officer and Council's Bushfire Consultant have assessed the application and considered the site suitable for the proposed development.

The proposal as amended is considered to be suitable for the subject site for the reasons contained within the report.

12 THE PUBLIC INTEREST

The various controls contained within RLEP 2014 provide the community with a level of certainty as to the scale and intensity of future development and the form and character of development that is in keeping with the future character envisaged for the zone.

This assessment has found the development to be consistent with the scale and intensity of development that the community can reasonably expect to be provided on this site and within the respective zone and is therefore considered, in its current form, to be in the public interest.

The application generally complies with the planning provisions of the updated Design Excellence Strategy and Urban Design Guidelines for the subject site.

13 CONCLUSION

After the consideration of the development against section 4.15C of the Environmental Planning and Assessment Act 1979 and the relevant statutory and policy provisions, the proposal is considered suitable for the site and is in the public interest.

The proposal is for a new four storey learning and teaching facility building which will provide teaching and learning facilities with the development supporting the on-going operations of the university and will provide an enhanced experience for staff and students.

The development application is consistent with the land use zoning and the objectives and design criteria contained Macquarie University Campus Concept Plan, as modified and the updated Design Excellence Strategy. As the development is a Crown development, the applicant has agreed to the attached conditions of consent.

It is recommended that the application be approved subject to conditions.

14 RECOMMENDATION

Pursuant to Section 4.16 of the Environmental Planning and Assessment Act, 1979 the following is recommended:

- A. That the Sydney North Planning Panel grant consent to development application LDA2018/298 for the construction of a new four storey learning and teaching facility known as the Clinical Education Building” for use by the Faculty of Medicine and Health Sciences at Macquarie University at 192 Balaclava Road, Macquarie Park subject to the Conditions of Consent in Attachment 1 of this report.

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