

**ITEM 4. DEVELOPMENT APPLICATION: ST PAULS COLLEGE - SYDNEY UNIVERSITY - 9 CITY ROAD CAMPERDOWN****FILE NO: D/2013/580****DEVELOPMENT APPLICATION NO: D/2013/580****SUMMARY****Date of Submission:** 3 May 2013**Applicant:** St Paul's College**Architect:** Cox Richardson**Developer:** Citta Property Group**Owner:** St Paul's College**Cost of Works:** \$72,500,000**Proposal Summary:** The proposal comprises a masterplan for student accommodation across the site, and includes the following:

- Detailed approval for construction of 3 new residential buildings and extension to Garnsey Wing, comprising 392 student places
- Stage 1 concept approval for City Road Precinct building and extension to Arnott Building, comprising 170 student places
- Realignment of oval, relocation of playing courts, new cricket pavilion and entry gates to City Road
- Demolition of Animal House and Maintenance Shed, site preparation, landscaping and associated works
- Basement parking for a total of 97 vehicles across the site
- Removal of 77 trees and replanting of 126 trees

The application is a slightly modified version of the masterplan proposal submitted to the Department of Planning and Infrastructure in October 2012 and subsequently withdrawn as the proposal did not constitute State Significant Development.

- Proposal Summary:**  
(continued)
- Concerns have been raised regarding the proposed building envelopes proposed as a Stage 1 concept, namely the 4-5 storey extension to the Arnott Building and the City Road Precinct building. These concerns have been resolved by way of a recommended condition of development consent requiring that these envelopes will need to be re-designed and submitted as a separate application to Council.
- Summary Recommendation:** The development application is recommended for approval, subject to conditions.
- Development Controls:**
- (i) Sydney Local Environmental Plan 2012 – (Gazetted 14 December 2012)
  - (ii) State Environmental Planning Policy (Affordable Rental Housing) 2009
  - (iii) State Environmental Planning Policy (Infrastructure) 2007
  - (iv) State Environmental Planning Policy No 55 - Remediation of Land
  - (v) State Environmental Planning Policy No 65 – Design Quality of Residential Flat Development
  - (vi) Sydney Development Control Plan 2012 – (date of commencement - 14 December 2012)
- Developer Contributions:**
- (vii) City of Sydney Development Contributions Plan 2006
- Attachments:**
- A - Selected Drawings

**RECOMMENDATION**

It is resolved that consent be granted to Development Application No. D/2013/580, subject to the following conditions:

**SCHEDULE 1A****Approved Development/Design Modifications/Covenants and Contributions/Use and Operation**

**Note:** Some conditions in Schedule 1A are to be satisfied prior to issue of a Construction Certificate and some are to be satisfied prior to issue of Occupation Certificate, where indicated.

**(1) APPROVED DEVELOPMENT**

- (a) Development must be in accordance with Development Application No. D/2013/580 dated 3/5/13 and the following drawings:

<b>Drawing Number</b>	<b>Architect</b>	<b>Date</b>
A-0100 (Rev F)	Cox Richardson	22/4/13
MP-1101 (Rev F)	Cox Richardson	22/4/13
MP-1102 (Rev F)	Cox Richardson	22/4/13
MP-1103 (Rev F)	Cox Richardson	22/4/13
MP-1104 (Rev F)	Cox Richardson	22/4/13
MP-1105 (Rev F)	Cox Richardson	22/4/13
MP-1106 (Rev F)	Cox Richardson	22/4/13
MP-1107 (Rev F)	Cox Richardson	22/4/13
MP-1108 (Rev F)	Cox Richardson	22/4/13
MP-1109 (Rev F)	Cox Richardson	22/4/13
MP-1110 (Rev F)	Cox Richardson	22/4/13
MP-1111 (Rev F)	Cox Richardson	22/4/13
MP-1201 (Rev F)	Cox Richardson	22/4/13
MP-1202 (Rev F)	Cox Richardson	22/4/13
MP-1203 (Rev F)	Cox Richardson	22/4/13
A-2001 (Rev F)	Cox Richardson	22/4/13

<b>Drawing Number</b>	<b>Architect</b>	<b>Date</b>
A-2002 (Rev F)	Cox Richardson	22/4/13
A-2003 (Rev F)	Cox Richardson	22/4/13
A-2100 (Rev F)	Cox Richardson	22/4/13
A-2101 (Rev F)	Cox Richardson	22/4/13
A-2102 (Rev F)	Cox Richardson	22/4/13
A-2103 (Rev F)	Cox Richardson	22/4/13
A-2104 (Rev F)	Cox Richardson	22/4/13
A-2105 (Rev F)	Cox Richardson	22/4/13
A-2106 (Rev F)	Cox Richardson	22/4/13
A-2107 (Rev F)	Cox Richardson	22/4/13
A-2108 (Rev F)	Cox Richardson	22/4/13
A-2109 (Rev F)	Cox Richardson	22/4/13
A-2202 (Rev F)	Cox Richardson	22/4/13
A-2203 (Rev F)	Cox Richardson	22/4/13
A-2204 (Rev F)	Cox Richardson	22/4/13
A-2205 (Rev F)	Cox Richardson	22/4/13
A-2206 (Rev F)	Cox Richardson	22/4/13
A-2207 (Rev F)	Cox Richardson	22/4/13
A-2208 (Rev F)	Cox Richardson	22/4/13
A-3101 (Rev F)	Cox Richardson	22/4/13
A-3102 (Rev F)	Cox Richardson	22/4/13
A-3201 (Rev F)	Cox Richardson	22/4/13
A-3202 (Rev F)	Cox Richardson	22/4/13
A-4101 (Rev F)	Cox Richardson	22/4/13
A-4201 (Rev F)	Cox Richardson	22/4/13

Drawing Number	Architect	Date
A-4202 (Rev F)	Cox Richardson	22/4/13
A-4401 (Rev F)	Cox Richardson	22/4/13
A-4501 (Rev F)	Cox Richardson	22/4/13
A-4502 (Rev F)	Cox Richardson	22/4/13

and as amended by the conditions of this consent:

- (b) In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

**(2) DESIGN DETAILS (MAJOR DEVELOPMENT)**

The design details of the proposed building facades including all external finishes, colours and glazing must be in accordance with the materials schedule and sample board, and specifications prepared by Cox Richardson, identified as SK-6201.

**(3) DESIGN MODIFICATIONS**

The design of the building must be modified as follows:

- (a) the proposed concept building envelopes for the City Road Precinct and Arnott Wing extension are not approved at this time. Prior to the submission of any detailed application relating to the City Road Precinct and/or the Arnott Wing extension, the applicant shall provide design details relating to these buildings. The reason for this requirement is that sufficient information has not been provided with the application to fully assess the material affectation on the significance of the place and Women's College; and
- (b) the proposed at-grade tennis court in the Outdoor Sports Precinct shall be moved to the north to enable the retention of Trees 23 and 25 as identified on Landscape Staging Plan (LS-4001) prepared by Context dated 24 April 2013

The modifications are to be submitted to and approved by the Director City Planning, Development and Transport prior to the relevant Construction Certificate being issued.

**(4) BUILDING HEIGHT**

- (a) The height of the building must not exceed RL 58.0 (AHD) to the top of Academic House/Library Building and RL 53.85 (AHD) to the top of Graduate House.
- (b) Prior to an Occupation Certificate being issued, a Registered Surveyor must provide certification that the height of the building accords with (a) above, to the satisfaction of the Principal Certifying Authority.

**(5) DESIGN QUALITY EXCELLENCE**

- (a) In order to ensure the design quality excellence of the development is retained:
- (i) the design architect is to have direct involvement in the design documentation, contract documentation and construction stages of the project;
  - (ii) the design architect is to have full access to the site and is to be authorised by the applicant to respond directly to the consent authority where information or clarification is required in the resolution of design issues throughout the life of the project; and
  - (iii) evidence of the design architect's commission is to be provided to the Council prior to release of the Construction Certificate.
- (b) The design architect of the project is not to be changed without prior notice and approval of the Council.

**(6) USE OF CONSERVATION ARCHITECT**

The applicant is to commission an experienced conservation architect throughout the construction stages of the project. The conservation architect is to be involved in the resolution of all matters where significant fabric and spaces are to be affected by the proposed works. The conservation architect is to be provided with full access to the site and authorised by the applicant to respond directly to Council where information or clarification is required regarding the resolution of heritage issues throughout the project and is to sign off the project on completion of the works and before the issue of an occupation certificate.

**(7) CONDITIONS IN RELATION TO GARNSEY WING**

- (a) The proposed works are to be carried out in a manner that minimises demolition, alterations, and new penetrations/fixings to the significant fabric of the existing building.
- (b) Experienced tradespersons (as appropriate) are to be commissioned who are skilled in traditional building and engineering trades to carry out the proposed scope of works.

New services:

All new service installations in the building are to be placed as unobtrusively as possible with minimum intervention to significant fabric and spaces.

External finishes and works of making good:

All new external finishes and works of making good, including new stone and brickwork, shall match the existing original work adjacent in respect of materials used, detailed execution and finished appearance.

Stairs:

The existing stairs which are original have been relocated. With the changes proposed to the internal layout of Garnsey Wing the stairs are to be carefully dismantled and restored to their original location within the building. This is being shown on drawings to Council's satisfaction prior to the issue of a Construction Certificate in relation to the Garnsey Wing works.

**(8) ARCHIVAL PHOTOGRAPHIC RECORD OF GARNSEY WING, CRICKET PAVILION AND ANIMAL HOUSE**

Prior to the issue of a relevant Construction Certificate being issued or commencement of works, whichever is the earliest, a photographic record of the interior and exterior of Garnsey Wing, Cricket Pavilion and Animal House is to be prepared to Council's satisfaction. One copy of the record for Garnsey Wing and the Cricket Pavilion is to be submitted to Council's Archives and another to St Paul's College Archives. One copy of the record for Animal House is to be submitted to Council's Archives and another to Sydney University Archives.

The recording for each individual building may be in either digital or film-based form, or a combination of both, prepared in accordance with the NSW Heritage Office guidelines titled 'Photographic Recording of Heritage Items using Film or Digital Capture'.

The form of the recording is to be as follows:

- (a) In A4 format, placed in archival plastic sleeves in an appropriate archival folder;
- (b) The Development Application number must be noted on the front of the folder and in the report;
- (c) Include a summary report detailing the project description, date and authorship of the photographic record, method of documentation and limitations of the photographic record;
- (d) Each negative, slide or digital image is to be cross referenced to a photographic catalogue and photographic base plans;
- (e) Include written confirmation, issued with the authority of both the applicant and the photographer that the City of Sydney is granted a perpetual non-exclusive licence to make use of the copyright in all images supplied, including the right to make copies available to third parties as though they were Council images. The signatures of both the applicant and the photographer must be included.

A digital based recording is to include:

- (f) Thumbnail image sheets and a selection of A5 or A4 size images, all labelled and cross-referenced to the catalogue sheets and base plans, and processed on A4 size archival photographic paper using archivally stable inks.

- (g) CD or DVD containing the report in PDF format and the electronic images saved as JPEG or TIFF files and cross referenced to the catalogue sheets.

A film based recording is to include:

- (h) 35mm film images submitted as contact sheets with equivalent negatives, a selection of black and white prints 200 x 250mm, and 35mm colour transparencies, all labelled and cross-referenced to the catalogue sheets and base plans.

## **(9) HERITAGE INTERPRETATION PLAN**

- (a) A Heritage Interpretation Plan be prepared in accordance with NSW Heritage Office guidelines titled 'Interpreting Heritage Places and Items: guidelines' and policy titled 'Heritage Information Series: Heritage Interpretation Policy' for assessment and approval. Those documents should be prepared for the approval of the City of Sydney.
- (b) The approved Heritage Interpretation Plan proposal is to be implemented for each stage of works and installed prior to the issue of respective Occupation Certificates.
- (c) Specifically the heritage interpretation plan for the Garnsey Wing and the Cricket Pavilion must be submitted to and approved by Council, prior to a relevant Construction Certificate being issued.
- (d) The interpretation plan must detail how information on the history and significance of the Garnsey Wing and Cricket Pavilion will be provided for the staff and students of the college and general public, and make recommendations regarding public accessibility, signage and lighting. Public art, details of the heritage design, the display of selected artefacts are some of the means that can be used.
- (e) The interpretation of the Garnsey Wing is to specifically address the history and significance of this wing
- (f) The interpretation of the Crickets Pavilion is to specifically address the history and development of the existing pavilion and the oval, as well as sport carried out by students at the college.
- (g) The plan is to show the location, type, materials and contents of the interpretation proposed, and this is to be prepared by a suitably qualified and experienced heritage practitioner.
- (h) Prior to an Occupation Certificate being issued the approved interpretation plan must be implemented to the satisfaction of Council. It is further recommended that the above information is forwarded to the NSW Heritage Council, once received by the City of Sydney for adequacy review and further comment prior to the issuance of any approval.



**(10) HISTORIC ARCHAEOLOGY CONDITION**

- (a) All works which affect areas identified as having archaeological potential are to be subject to professional archaeological monitoring and recording. A Research Design must be prepared in accordance with Heritage Council guidelines for each site which is to be excavated. Those documents should be prepared for the approval of the Director-General, Department of Planning and Infrastructure.
- (b) After archaeological works are undertaken, a copy of the final excavation report(s) shall be prepared and lodged with the Heritage Council of NSW, the Local Studies Library and the Local Historical Society in the relevant Local Government area. The proponent shall also be required to nominate a repository for the relics salvaged from any historical archaeological excavations. The information within the final excavation report shall be required to include the following:
  - (i) An executive summary of the archaeological programme;
  - (ii) Due credit to the client paying for the excavation, on the title page;
  - (iii) An accurate site location and site plan (with scale and north arrow);
  - (iv) Historical research, references, and bibliography;
  - (v) Detailed information on the excavation including the aim, the context for the excavation, procedures, treatment of artefacts (cleaning, conserving, sorting, cataloguing, labelling, scale photographs and/or drawings, location of repository) and analysis of the information retrieved;
  - (vi) Nominated repository for the items;
  - (vii) Detailed response to research questions (at minimum those stated in the Department of Planning approved Research Design);
  - (viii) Conclusions from the archaeological programme. This information must include a reassessment of the site's heritage significance, statement(s) on how archaeological investigations at this site have contributed to the community's understanding of the site and other Comparative Site Types and recommendations for the future management of the site;
  - (ix) Details of how this information about the excavations have been publicly disseminated (for example, include copies of press releases, public brochures and information signs produced to explain the archaeological significance of the sites).

**(11) ABORIGINAL ARCHAEOLOGY CONDITION**

There is to be an archaeological monitor of the initial ground disturbance of the construction of Academic House. The monitor is to be carried out by a qualified archaeologist and a representative of the Metropolitan Local Aboriginal Land Council. The aim of the monitor is to confirm the presence or absence of the water course and whether any deposits remain which might have archaeological potential.

**(12) RESTRICTION ON STUDENT HOUSING**

- (a) The following restriction applies to the buildings hereby approved for student residential accommodation:
- (i) The accommodation portion of the building may only be used for residential accommodation for students associated with St Paul's College as hereinafter defined and not otherwise as residential accommodation, or as serviced apartments, private hotel, boarding house, tourist or backpackers' accommodation or the like.
  - (ii) An owner, Owners Corporation, tenant or licensee of the premises or any part thereof shall not advertise or permit advertisement of any accommodation in the building over which they have control other than for student residential accommodation.
  - (iii) Any tenant or licensee of any part of the residential accommodation must produce to the owner or licensor or landlord prior to taking occupation evidence of identity and of enrolment in a tertiary educational facility in Australia.
  - (iv) Any tenant or licensee of any part of the residential accommodation must produce to Council upon request at any time written evidence of identity and of enrolment in such tertiary educational facility.
  - (v) Upon ceasing to be enrolled to attend a full time tertiary educational course with a tertiary institution in Australia, the now former student shall vacate the residential accommodation within 4 weeks of the expiration of their tertiary course; and
  - (vi) Notwithstanding the above conditions, the student accommodation may be used for short-term accommodation only outside Sydney University's 38 week academic calendar, when that accommodation is not required or being used by a student.
- (b) For the purpose of this condition, "student" means a person over 18 years of age enrolled with a tertiary institution in Australia and attending a full time course of tertiary education in Australia.

**(13) LAND SUBDIVISION – SEPARATE DA REQUIRED**

Any proposal for land subdivision will require a separate application to Council to obtain development consent and the subsequent approval of the plan of subdivision and issue of a Subdivision certificate under Section 109J of the *Environmental Planning and Assessment Act 1979*.

**(14) ALLOCATION FOR VISITOR PARKING**

Visitor parking spaces must not at any time be allocated, sold or leased to an individual owner/occupier and must be strictly retained as common property by the Owners Corporation for use by building visitors.

**(15) ALLOCATION OF ACCESSIBLE CAR PARKING SPACES**

For residential development, accessible car parking spaces for people with mobility impairment are only to be allocated as visitor parking or to adaptable units. Where allocated to adaptable units, the unit(s) and car spaces must be assigned to the units in any future strata subdivision of the building.

**(16) ASSOCIATED ROADWAY COSTS**

All costs associated with the construction of any new road works including kerb and gutter, road pavement, drainage system and footway shall be borne by the developer. The new road works must be designed and constructed in accordance with the City's "Development Specification for Civil Works Design and Construction".

**(17) BICYCLE PARKING**

A minimum of 119 residential bicycle parking spaces and 48 visitor bicycle parking spaces are to be provided.

The layout, design and security of bicycle facilities either on-street or off-street must comply with the minimum requirements of Australian Standard AS 2890.3 – 1993 Parking Facilities Part 3: Bicycle Parking Facilities except that:

- (a) all bicycle parking for occupants of residential buildings must be Class 1 bicycle lockers; and
- (b) all bicycle parking for staff / employees of any land uses must be Class 2 bicycle facilities; and
- (c) all bicycle parking for visitors of any land uses must be Class 3 bicycle rails.

**(18) PLAN OF MANAGEMENT TO BE SUBMITTED AND APPROVED**

- (a) The preliminary Plan of Management accompanying this Development Application has not been approved by this consent.
- (b) A Plan of Management must be prepared to address all operational and management procedures to be employed, to ensure that the premises can operate without disturbance to the surrounding locality. The plan must reflect the whole of the operations.

- (c) The plan must include, but not restricted to, compliance with all other operational conditions of this consent; hours of operation; noise; security management; and handling complaints.
- (d) The plan must be submitted to, and approved by, Council prior to a relevant Construction Certificate being issued.

**(19) CAR PARKING SPACES AND DIMENSIONS**

A maximum of 97 off-street car parking spaces must be provided. The design, layout, signage, line marking, lighting and physical controls of all off-street parking facilities must comply with the minimum requirements of Australian Standard AS/NZS 2890.1 - 2004 Parking facilities Part 1: Off-street car parking and Council's Development Control Plan. The details must be submitted to and approved by the Principal Certifying Authority prior to a relevant Construction Certificate being issued.

**(20) COST OF SIGNPOSTING**

All costs associated with signposting for any kerbside parking restrictions and traffic management measures associated with the development shall be borne by the developer.

**(21) INTERCOM FOR VISITORS**

Where a boomgate or barrier control is in place the visitor spaces must be accessible to visitors by the location of an intercom (or card controller system) at the car park entry and at least 6m clear of the property boundary, wired to all units (prior to an Occupation Certificate being issued or the use commencing, whichever is earlier).

The intercom must comply with 'Australian Standard AS 1428.2- 1992: Design for access and mobility – Enhance and additional requirements – Building and facilities Sections 22 and 23.

**(22) LOADING WITHIN SITE**

All loading and unloading operations associated with servicing the site must be carried out within the confines of the site, at all times and must not obstruct other properties/units or the public way.

**(23) LOADING/PARKING KEPT CLEAR**

At all times the service vehicle docks, car parking spaces and access driveways must be kept clear of goods and must not be used for storage purposes, including garbage storage.

**(24) LOCATION OF ACCESSIBLE CAR PARKING SPACES**

Where a car park is serviced by lifts, accessible spaces for people with mobility impairment are to be located to be close to lifts. Where a car park is not serviced by lifts, accessible spaces for people with mobility impairment are to be located at ground level, or accessible to ground level by a continually accessible path of travel, preferably under cover.

**(25) LOCATION OF VISITOR PARKING**

All visitor parking spaces must be grouped together, and located at the most convenient location to the car parking entrance. All spaces must be clearly marked 'visitor' prior to the issue of an occupation certificate or the use commencing, whichever is earlier. All signs must be maintained in good order at all times.

**(26) PROHIBITION ON PARTICIPATION IN RESIDENT PARKING PERMIT SCHEME APPLICATION OF CITY OF SYDNEY PERMIT PARKING POLICY – INELIGIBILITY FOR RESIDENT PARKING PERMITS**

All owners, tenants and occupiers of this building are not eligible to participate in any existing or proposed Council on-street resident parking schemes.

**(27) SECURITY GATES**

Where a car park is accessed by a security gate, that gate must be located at least 6 metres within the site from the street front property boundary.

**(28) SIGNAGE TO INDICATE NON PARTICIPATION IN RESIDENT PARKING PERMIT SCHEME**

Signs reading 'all owners, tenants and occupiers of this building are advised that they are not eligible to obtain an on-street resident parking permit from Council' must be located in prominent places such as at display apartments and on all directory boards or notice boards, where they can easily be observed and read by people entering the building. The signs must be erected prior to an Occupation Certificate being issued and must be maintained in good order at all times.

**(29) SIGNS AT EGRESS**

The following signs must be provided and maintained within the site at the point(s) of vehicular egress:

- (a) compelling drivers to stop before proceeding onto the public way; and
- (b) compelling drivers to "Give Way to Pedestrians" before crossing the footway; or compelling drivers to "Give Way to Pedestrians and Bicycles" before crossing a footway on an existing or identified shared path route.

**(30) TRAFFIC WORKS**

Any proposals for alterations to the public road, involving traffic and parking arrangements, must be designed in accordance with RMS Technical Directives and must be referred to and agreed to by the Local Pedestrian, Cycling and Traffic Calming Committee prior to any work commencing on site.

**(31) VEHICLES ACCESS**

The site must be configured to allow all vehicles to be driven onto and off the site in a forward direction.

**(32) NOISE - GENERAL**

- (a) The emission of noise associated with the use of the premises including the operation of any mechanical plant and equipment shall comply with the following criteria:
- (i) The LAeq, 15minute noise level emitted from the use must not exceed the background noise level LA90, 15minute by more than 5dB when assessed at the boundary of any affected residence.
  - (ii) The LAeq,15minute noise level shall be adjusted for modifying factors in accordance with Part 4 of the Environmental Protection Authority (EPA) NSW Industrial Noise Policy.
  - (iii) The background noise level shall be measured in the absence of noise emitted from the use in accordance with Australian Standard AS 1055.1-1997-Description and measurement of environmental noise.
  - (iv) In this clause, the term "noise level emitted from the use" means the contributing noise level from the use in isolation to any other ambient noise and account must therefore be taken of the LAeq,15minute when the use is not in operation.
  - (v) In circumstances where this development application refers to a modification or addition to an existing use, the background noise level referred to in this clause pertains to the LA90, 15minute noise level measured in the absence of all noise from the site.

**Internal to internal noise transmission- residential amenity**

- (b) An LAeq,15minute noise level emitted from the use must not exceed the LA90, 15minute noise level by more than 3dB in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) when assessed inside any habitable room of any affected residence provided that:
- (i) Where the LA90, 15minute noise level is below the threshold of hearing Tf at any Octave Band Centre Frequency as defined in Table 1 of International Standard ISO 226 - Normal Equal-Loudness-Level Contours then the value of Tf corresponding to that Octave Band Centre Frequency shall be used instead.
  - (ii) The LAeq,15minute noise level and the LA90,15minute noise level shall both be measured with all external doors and windows of the affected residence closed; and
  - (iii) The LA90,15minute noise level shall be measured in the absence of noise emitted from the use but with the ventilation equipment (excluding air-conditioning equipment) normally servicing the affected residence operating.

**Internal to internal noise transmission- commercial amenity**

- (c) An LAeq,15minute noise level emitted from the use must not exceed the LA90, 15minute noise level by more than 3dB in any Octave Band Centre Frequency (31.5 Hz to 8 kHz inclusive) when assessed inside any commercial premises provided that:
  - (i) The LAeq,15minute noise level and the LA90,15minute noise level shall both be measured with all external doors and windows of the commercial premises closed; and
  - (ii) The LA90,15minute noise level shall be measured in the absence of noise emitted from the use but with the ventilation equipment (including air-conditioning equipment) normally servicing the commercial premises operating.

**(33) MECHANICAL VENTILATION**

- (a) The premises must be ventilated in accordance with the Building Code of Australia and AS1668.1-1998 and AS1668.2-1991.
- (b) Details of any mechanical ventilation and/or air conditioning system complying with AS1668.1-1998 and AS1668.2-1991, the Building Code of Australia and relevant Australian Standards must be prepared by a suitably qualified person certified and certified in accordance with Clause A2.2(a)(iii) of the Building Code of Australia, to the satisfaction of the Certifying Authority prior to the issue of a relevant Construction Certificate.
- (c) Prior to issue of an Occupation Certificate and following the completion, installation, and testing of all the mechanical ventilation systems, a Mechanical Ventilation Certificate of Completion and Performance in accordance with Clause A2.2(a)(iii) of the Building Code of Australia, must be submitted to the Principal Certifying Authority.

**(34) AIR CONDITIONERS**

The air conditioner/s must comply with the requirements of Protection of the Environment Operations (Noise Control) Regulation 2008 and shall not:

- (a) emit noise that is audible within a habitable room in any other residential property (regardless of whether any door or window to that room is open):
  - (i) before 8.00am and after 10.00pm on any Saturday, Sunday or public holiday; or
  - (ii) before 7.00am and after 10.00pm on any other day; or
- (b) emit a sound pressure level when measured at the boundary of any other residential property, at a time other than those specified in (i) and (ii) above, which exceeds the background ( $L_{A90, 15\text{minutes}}$ ) by more than 5dB(A). The source noise level must be measured as a LAeq 15 minute.

**(35) INTRUDER ALARM**

Intruder alarm/s associated with the development must operate only in accordance with the requirements of Clause 53 of the *Protection of the Environment Operations (Noise Control) Regulation 2008* under the *Protection of the Environment Operations Act, 1997*.

**(36) VEHICLE FOOTWAY CROSSING**

A separate application is to be made to, and approved by, Council for the construction of any proposed vehicle footway crossing or for the removal of any existing crossing and replacement of the footpath formation where any such crossings are no longer required.

All disused or redundant vehicle crossings and laybacks must be removed and footway and kerb reinstated in accordance with Council's standards, to suit the adjacent finished footway and edge treatment materials, levels and details, or as otherwise directed by Council officers. All construction and replacement works are to be completed in accordance with the approved plans prior to the issue of an Occupation Certificate.

Note: In all cases the construction materials should reinforce the priority of pedestrian movement over that of the crossing vehicle.

**SCHEDULE 1B****Prior to Construction Certification/Commencement of Work/Health and Building**

**Note:** Prior to the issue of the Construction Certificate, sufficient information must be forwarded to the certifying authority (whether Council or a private accredited certifier) illustrating compliance with the relevant requirements of the Building Code of Australia (and a copy forwarded to Council where Council is not the certifying authority). If Council is to be the certifying authority, please contact the Building Unit to discuss the requirements prior to submission of the application for construction certificate.

**(37) STRUCTURAL CERTIFICATION FOR DESIGN – BCA (ALL BUILDING CLASSES)**

Prior to the issue of a Construction Certificate, structural details and a Structural Certificate for Design in accordance with Clause A2.2(a)(iii) of the Building Code of Australia (applicable to class 2-9 building) and Cause 1.2.2(iii) of Volume 2 of the BCA (applicable to Class 1 and 10 buildings) must be submitted to the satisfaction of the Certifying Authority (Council or a private accredited certifier). A copy of the certificate must be submitted to Council if Council is not the CA.

**(38) BCA - NEW BUILDINGS WORKS - CLASS 2-9 BUILDINGS**

- (a) Pursuant to Clause 98 of the Environmental Planning and Assessment Regulation 2000, the proposed building work must comply with the Building Code of Australia (BCA)



- (b) If compliance with the deemed-to-satisfy provisions of the BCA cannot be achieved, an alternate solution in accordance with Part A0 of the BCA must be prepared by a suitably qualified and accredited person and be submitted to the Certifying Authority illustrating how the relevant performance requirements of the BCA are to be satisfied. Prior to a Construction Certificate being issued, the Certifying Authority must ensure that the building complies with the Building Code of Australia.
- (c) The BCA matters identified in this condition are not an exhaustive list of non-compliances with the BCA. Any design amendments required to achieve compliance with the BCA must be submitted to Council. Significant amendments may require an application under Section 96 of the Act to be lodged with Council to amend the development approved in this consent.
- (d) Note: Attention is drawn to NSW Planning Circular dated 22 April 2013, Circular No. BS 13-002 which clarifies the meaning of "sole occupancy unit" (SOU) i.e. "a sole occupancy unit is an area within a building for the exclusive use of the owner or occupier". If bedroom doors are fitted with a locking mechanism then the bedrooms are to be considered as SOU's, if an occupier (resident) has exclusive use of that room.

**(39) COMPLIANCE WITH BUILDING CODE OF AUSTRALIA**

The proposed work must comply with the Building Code of Australia (BCA).

**(40) BCA COMPLIANCE - ALTERATIONS AND ADDITIONS - UPGRADE OF BUILDING IS REQUIRED - BCA REPORT HAS BEEN PROVIDED AND BCA VARIATIONS ARE SOUGHT (CC REQUIRED)**

- (a) Pursuant to Clause 94 of the Environmental Planning and Assessment Regulation 2000, the following buildings the "Garnsey" Building, the "Arnott" building and the "Gatekeepers" lodge must comply with the Building Code of Australia (BCA) including:
  - (i) Structural provisions - Part B1;
  - (ii) Fire resistance and stability - Part C1;
  - (iii) Compartmentation and separation - Part C2;
  - (iv) Protection of openings - Part C3;
  - (v) Provision for escape (access and egress) - Part D1;
  - (vi) Construction of exits - Part D2;
  - (vii) Access for people with disabilities - Part D3;

Note: Compliance with the access provisions of Part D3 may necessitate design modifications prior to a construction certificate being issued.

- (viii) Fire fighting equipment - Part E1;

- (ix) Smoke hazard management - Part E2;
- (x) Lift installation - Part E3;
- (xi) Emergency lighting, exit signs and warning systems - Part E4;
- (xii) Sanitary and other facilities - Part F2;
- (xiii) Room sizes - Part F3;
- (xiv) Light and ventilation - Part F4;
- (xv) Sound transmission and insulation - Part F5; and
- (xvi) Energy Efficiency – Section J;

Prior to a relevant construction certificate being issued the certifying authority must ensure that the proposed works and other upgrading works required by this condition satisfy the Building Code of Australia by complying with Clause A0.4 of the BCA.

**(41) ASBESTOS REMOVAL WORKS**

All works removing asbestos containing materials must be carried out by a suitably licensed asbestos removalist duly licensed with Workcover NSW, holding either a Friable (Class A) or a Non- Friable (Class B) Asbestos Removal Licence which ever applies.

**(42) ANNUAL FIRE SAFETY STATEMENT FORM**

An annual Fire Safety Statement must be given to Council and the NSW Fire Brigade commencing within 12 months after the date on which the initial Interim/Final Fire Safety Certificate is issued.

**(43) FIRE SAFETY CERTIFICATE TO BE SUBMITTED**

A Fire Safety Certificate must be submitted to the Principal Certifying Authority for all of the items listed in the Fire Safety Schedule prior to an Occupation Certificate being issued.

**(44) TREES TO BE RETAINED AND REMOVED**

**Table 1 - Existing trees which must be retained** - Approval is NOT granted for the removal of the following trees.

Tree Nos:
9-11, 12-19, 21, 22, 23, 25, 26, 29-31, 38, 39, 42, 43, 45, 61-63, 69-72-75, 91, 121-126, 128, 130-136, 138, 140, 141, 145, 147, 149, 150-164, 166, 167, 169-172

**Table 2 – Existing trees to be removed**

<b>Tree Nos:</b>
1-8, 20, 27, 32-37, 40, 41, 44, 46-60, 64-68,76-90, 92-114, 127, 129, 137, 139, 142, 144, 146, 148, 165, 168, 173-193.

- (a) The existing trees detailed in Table 1 are to be retained and protected throughout the proposed development.
- (b) The existing trees detailed in Table 2 be removed during Stage 1 as per the Landscape Staging Plan (LS-4001) prepared by Context dated 24 April 2013.
- (c) A qualified Arborist with a minimum Australian Qualification Framework (AQF) of Level 5 in Arboriculture should review the finalised plans to assess/determine the specific pruning requirements for each tree listed in Table 1 prior to the commencement of works. A detailed tree pruning specification should be submitted to Council for approval prior to issue of a Construction Certificate.

#### **(45) COMPLIANCE WITH ARBORICULTURAL ASSESSMENT REPORT**

All tree protection measures and recommendations contained in the Arboricultural Impact Assessment Report prepared by Tree iQ dated 30 April 2013 must be implemented during the demolition, construction and use of the development, including the following:

- (a) For Trees 18, 21, 38, 39, 42, 43, 45, 61-63, 69-72, 91, 121-126, 130-136, 138, 145, 147, 164, 166, 167, 170-172 and the Fisher Road Figs, sensitive construction works and/or root investigations will be required to minimise/determine the impact of the works on the trees.
- (b) As detailed plans become available for Stage 2, an assessment of the potential impacts of development on trees (particularly Trees 158, 159 and 172) will be required.
- (c) Trees located adjacent to the outdoor sports courts, oval edges, Fisher Road, library building and Graduate House may require pruning as part of development works. The Project Arborist should review the finalised plans to assess/determine the specific pruning requirements for each tree prior to the commencement of the above works.
- (d) The trees to be retained within the subject site should be protected as outlined within the Tree Protection Specification, attached as Appendix 5.

#### **(46) LANDSCAPING OF THE SITE**

Future planning and design of the site should address replacement tree planting to compensate the loss of canopy on the site. A detailed Landscape Plan must be submitted to Council and referred to the tree management unit for approval prior to the issue of a construction certificate.

- (a) A detailed landscape plan, drawn to scale, by a qualified landscape architect or landscape designer, should be prepared and include:
  - (i) Location of existing and proposed structures on the site including existing trees.
  - (ii) Timing of tree planting – replacement tree planting for each stage should be undertaken prior to the commencement of the next stage.
  - (iii) Details of earthworks including mounding and retaining walls and planter boxes (if applicable);
  - (iv) Location, numbers and type of plant species;
  - (v) The design must provide a minimum 25% canopy cover across the site, provided by trees that will reach a minimum height of eight (8) metres and minimum canopy spread of six (6) metres. Palms, fruit trees and species recognised to have a short life span are not considered a suitable replacement. See details below of advanced tree planting requirements.
  - (vi) Details of planting procedure, drainage and watering systems.
- (b) Prior to the issue of a Construction Certificate, a maintenance plan is to be submitted to and approved by the Principal Certifying Authority. The maintenance plan is to be complied with during occupation of the property.
- (c) If landscaping in the approved plan is to be completed prior to an Occupation Certificate being issued.

#### **(47) ADVANCED TREE PLANTING**

Tree planting within the site should be undertaken in accordance with the following:

- (a) The design should provide a minimum 25% canopy cover across the site, provided by trees that will reach a minimum height of eight (8) metres and minimum canopy spread of six (6) metres. Palms, fruit trees and species recognised to have a short life span are not considered a suitable replacement.
- (b) The trees must be grown to NATSPEC Guidelines for Specifying Trees to ensure quality trees and more successful establishment.
- (c) At the time of planting, the container size is to be a minimum of 100 litres and a minimum height of 2.5 metres.
- (d) The trees should be planted by a qualified Horticulturalist or Arborist of Level 2 under the Australian Qualifications Framework (AQF).
- (e) The replacement plantings should be planted in such a manner as to promote good health during the establishment period, and must be maintained, as far as practicable to ensure tree growth into maturity.

**(48) TREE SUPPLY, INSTALLATION AND MAINTENANCE PLAN**

A detailed supply, installation and maintenance specification should be prepared by a qualified Consultant Arborist, who holds the Diploma in Horticulture (Arboriculture), Level 5 under the Australian Qualification Framework. The specification should be submitted to Council and referred to the tree management unit for approval, including:

- (a) Replacement trees should be contract grown to meet the requirements of the project.
- (b) The estimated time required to produce trees for replacement planting should meet the requirement of the proposed removal program.
- (c) To ensure the consistency of quality plant material at the time of supply, periodic inspection of the trees by a qualified arborist throughout the growing period should be undertaken to ensure compliance and quality control.
- (d) The newly planted trees on site should be appropriately maintained on an on-going basis.
- (e) Maintenance includes watering, weeding, removal of rubbish from tree bases, pruning (in accordance with AS4373-2007), fertilizing, pest and disease control and any other operations required to maintain a healthy robust tree.

**(49) FUTURE STAGED DEVELOPMENT APPLICATIONS**

An Arboricultural Impact Assessment report must be submitted for each subsequent stage of development. The report must be submitted to Council and referred to the Tree Management unit for approval prior to the application being determined. The report must be:

- (a) Prepared by a qualified Arborist with a minimum Australian Qualification Framework (AQF) of Level 5 in Arboriculture, and
- (b) Written in accordance with the Australian Standard AS 4970-2009 Protection of Trees on Development Sites (AS4970).

The Arboricultural Impact Assessment report must provide the following details:

- (a) An assessment and discussion of the likely impacts the proposed development will have on the trees to be retained. This should include above and below ground constraints on trees that should be retained.
- (b) If excavation is proposed within the setback zones of retained trees, exploratory root investigation will be required to determine the exact location of existing roots. This shall consist of an 'air knife', gently removing the soil to expose the existing tree roots where construction is likely to impact on the tree or require root pruning to achieve the proposed development design. An assessment of tree root size, number and condition must be provided (including photos). No roots over 30mm will be permitted for removal.

- (c) Recommendations of any design modifications, construction techniques and/or other protection methods required to minimise adverse impact on trees that should be retained during the demolition and construction works, and into the long term. Note: particular attention must be paid to the existing soil levels, required development levels to integrate to the existing building, and the required tree protection measures.
- (d) Details of the tree protection measures in accordance with AS4970-2009 Protection of trees on development site.
- (e) Provide a Tree Protection Plan (drawing) showing the tree protection zones for trees being retained.
- (f) Details of pruning must be provided (including marked up photos).
- (g) Information on the Arborist's involvement during the works is also required.
- (h) Any other works that must be prohibited throughout construction and development on site.

**(50) CONSTRUCTION TRAFFIC MANAGEMENT PLAN**

A Construction Traffic Management Plan must be submitted to and approved by Council prior to a Construction Certificate being issued.

**(51) WASTE AND RECYCLING COLLECTION CONTRACT**

Prior to an Occupation Certificate being issued and/or commencement of the use, whichever is earlier, of the building the owner must ensure that there is a contract with a licensed contractor for the removal of **all waste**. No garbage is to be placed on the public way e.g. footpaths, roadways, plazas, and reserves at any time.

**(52) ASBESTOS REMOVAL**

All demolition works involving the removal and disposal of asbestos cement must only be undertaken by contractors who hold a current WorkCover Asbestos or "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence and removal must be carried out in accordance with National Occupational Health and Safety Commission (NOHSC): "Code of Practice for the Safe Removal of Asbestos" and the City of Sydney Asbestos Policy.

**(53) ASBESTOS REMOVAL WORKS**

- (a) All works removing asbestos containing materials must be carried out by a suitably licensed asbestos removalist duly licensed with WorkCover NSW, holding either a Friable (Class A) or a Non- Friable (Class B) Asbestos Removal Licence which ever applies.

- (b) Five days prior to the commencement of licensed asbestos removal, WorkCover must be formally notified of the works. All adjoining properties and those opposite the development must be notified in writing of the dates and times when asbestos removal is to be conducted. The notification is to identify the licensed asbestos removal contractor and include a contact person for the site together with telephone number and email address.
- (c) All works must be carried out in accordance with the Work Health and Safety Regulation 2011 and the NSW Government and WorkCover document entitled How to Safely Remove Asbestos, Code of Practice and the City of Sydney Asbestos Policy.
- (d) Standard commercially manufactured signs containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm are to be erected in prominent visible positions on the site.
- (e) Asbestos to be disposed of must only be transported to waste facilities licensed to accept asbestos. The names and location of these facilities are listed in Part 6 of the City of Sydney's Asbestos Policy.
- (f) No asbestos products are to be reused on the site (i.e. packing pieces, spacers, formwork or fill etc).
- (g) No asbestos laden skips or bins are to be left in any public place without the approval of Council.
- (h) A site notice board must be located at the main entrance to the site in a prominent position and must have minimum dimensions of 841mm x 594mm (A1) with any text on the notice to be a minimum of 30 point type size.

The site notice board must include the following:

- (i) contact person for the site;
- (ii) telephone and facsimile numbers and email address; and
- (iii) site activities and time frames.

#### **(54) CLASSIFICATION OF WASTE**

Prior to the exportation of waste (including fill or soil) from the site, the waste materials must be classified in accordance with the provisions of the Protection of the 'Environment Operations Act 1997 and the NSW DECC Waste Classification Guidelines, Part1: Classifying Waste (April 2008)'. The classification of the material is essential to determine where the waste may be legally taken. The Protection of the Environment Operations Act 1997 provides for the commission of an offence for both the waste owner and the transporters if the waste is taken to a place that cannot lawfully be used as a waste facility for the particular class of waste. For the transport and disposal of industrial, hazardous or Group A liquid waste advice should be sought from the EPA.

**(55) HAZARDOUS AND INDUSTRIAL WASTE**

Hazardous and/or industrial waste arising from the demolition/operational activities must be removed and/or transported in accordance with the requirements of the NSW Environmental Protection Authority, NSW Work Cover Authority pursuant to the provisions of the following:

- (a) Protection of the Environment Operations Act 1997;
- (b) Protection of the Environment Operations (Waste) Regulation 2005;
- (c) Waste Avoidance and Recovery Act 2001;
- (d) Work Health and Safety Act 2011; and
- (e) Work Health and Safety Regulation 2011.

**(56) LAND CONTAMINATION**

- (a) During demolition and excavation works the site needs to be inspected by experienced environmental personnel to assess any unexpected conditions or subsurface facilities that may be discovered in the soil.
- (b) Any new information which comes to light during remediation, excavation or construction works which has the potential to alter previous conclusions about site contamination must be immediately notified to the Council and the Principal Certifying Authority.

**(57) DUST MANAGEMENT**

All reasonable and feasible steps must be taken to ensure that dust from activities conducted on site is kept to a minimum. This includes the covering and wetting down of disturbed soils.

**(58) ASSOCIATED ROADWAY COSTS**

All costs associated with the construction of any new road works including kerb and gutter, road pavement, drainage system and footway shall be borne by the developer. The new road works must be designed and constructed in accordance with the City's "Development Specification for Civil Works Design and Construction".

**(59) FOOTPATH DAMAGE BANK GUARANTEE**

A Footpath Damage Bank Guarantee calculated on the basis of (TBC) lineal metres of the asphalt site frontage must be lodged with Council in accordance with the City of Sydney's adopted Schedule of Fees and Charges. The Footpath Damage Bank Guarantee must be submitted as an unconditional bank guarantee in favour of Council as security for repairing any damage to the public domain in the vicinity of the site.

The guarantee must be lodged with Council prior to issue of a Construction Certificate.



The Bank Guarantee will be retained in full until the final Occupation Certificate has been issued and any rectification works to the footway and Public Domain are completed to Council's satisfaction. On satisfying the above requirements 90% of the total securities will be released, with the remaining 10% to be retained for the duration of the 12 months Defect Liability Period.

**(60) ALIGNMENT LEVELS**

- (a) Prior to a Construction Certificate being issued, footpath alignment levels for the building must be submitted to Council for approval. The submission must be prepared by a Registered Surveyor and must be in accordance with the City of Sydney's Public Domain Manual.
- (b) These alignment levels, as approved by Council, are then to be incorporated into the plans submitted with the application for a Construction Certificate, excluding a Construction Certificate for approved preparatory, demolition or shoring work.
- (c) If a Public Domain Plan condition applies to the development the Alignment Levels application must be made concurrently with the submission of a Public Domain Plan.

**(61) PUBLIC DOMAIN WORKS - HOLD POINTS AND HANDOVER**

- (a) Prior to a Construction Certificate being issued for a new building work, excluding approved preparatory, demolition and shoring work, a set of hold points for approved public domain and civil construction work is to be determined with and approved by the City's Public Domain section in accordance with the City's Public Domain Manual.
- (b) Completion and handover of the constructed public domain works is to be undertaken in accordance with the City's Public Domain Manual, including requirements for as-built documentation, certification and defects liability period.

**(62) PHOTOGRAPHIC RECORD / DILAPIDATION REPORT - PUBLIC DOMAIN**

Prior to an approval for demolition being granted or a Construction Certificate being issued, whichever is earlier, a photographic recording of the public domain site frontages is to be prepared and submitted to Council's satisfaction.

The recording must include clear images of the footpath, nature strip, kerb and gutter, driveway crossovers and laybacks, kerb ramps, road carriageway, street trees and plantings, parking restriction and traffic signs, and all other existing infrastructure along the street.

The form of the recording is to be as follows:-

- (a) A PDF format report containing all images at a scale that clearly demonstrates the existing site conditions;
- (b) Each image is to be labelled to identify the elements depicted, the direction that the image is viewed towards, and include the name of the relevant street frontage;

- (c) Each image is to be numbered and cross referenced to a site location plan;
- (d) A summary report, prepared by a suitable qualified professional, must be submitted in conjunction with the images detailing the project description, identifying any apparent existing defects, detailing the date and authorship of the photographic record, the method of documentation and limitations of the photographic record;
- (e) Include written confirmation, issued with the authority of both the applicant and the photographer that the City of Sydney is granted a perpetual non-exclusive license to make use of the copyright in all images supplied, including the right to make copies available to third parties as though they were Council images. The signatures of both the applicant and the photographer must be included.-

**(63) STORMWATER AND DRAINAGE - MAJOR DEVELOPMENT**

On-site detention, treatment and re-use is encouraged.

- (a) Prior to a Construction Certificate being issued, details of the proposed stormwater disposal and drainage from the development including a system of on-site stormwater detention in accordance with Council's standard requirements and details of the provision and maintenance of overland flow paths must be submitted to and approved by Council. All approved details for the disposal of stormwater and drainage are to be implemented in the development.
- (b) Any proposed connection to the Council's underground drainage system will require the owner to enter into a Deed of Agreement with the Council and obtain registration on Title of a Positive Covenant prior to Construction Certificate being issued and prior to the commencement of any work within the public way.
- (c) The requirements of Sydney Water with regard to the on site detention of stormwater must be ascertained and complied with. Evidence of the approval of Sydney Water to the on-site detention must be submitted prior to a Construction Certificate being issued.
- (d) An "Application for Approval of Stormwater Drainage Connections" must be submitted to the Council with the appropriate fee at the time of lodgement of the proposal for connection of stormwater to the Council's drainage system.
- (e) A Positive Covenant must be registered on the title for all drainage systems involving On-site Detention (OSD) to ensure maintenance of the approved OSD system regardless of the method of connection.

**(64) PRESERVATION OF SURVEY MARKS**

All works in City streets must ensure the preservation of existing permanent survey marks (a brass bolt, or a lead plug holding a brass tack, covered by a cast iron box). At least forty-eight hours prior to the commencement of any works in the public way within 1 metre of a permanent survey mark contact must be made with the City's Project Manager Survey / Design Services to arrange for the recovery of the mark.

Prior to the issue of a Construction Certificate, a survey plan, clearly showing the location of all permanent survey marks fronting the site and within 5 metres on each side of the frontages must be submitted to Council.

At least forty-eight hours prior to the commencement of any works in the public way within 1 metre of a permanent survey mark contact must be made with the City's Senior Surveyor to arrange for the recovery of the mark.

A fee must be paid to the Council for the replacement of any permanent survey mark removed or damaged in accordance with the City's Schedule of Fees and Charges (Reinstatement of Survey Box).

**(65) PAVING MATERIALS**

The surface of any material used or proposed to be used for the paving of colonnades, thoroughfares, plazas, arcades and the like which are used by the public must comply with AS/NZS 4586:2004 (including amendments) "Slip resistance classification of new pedestrian surface materials".

**(66) PROTECTION OF STONE KERBS**

- (a) Any existing stone kerbs on the City Road frontage of the site are to be retained and properly protected during excavation and construction works.
- (b) To avoid damage to stone kerbs during construction and / or excavation works for the development, temporary removal and storage of the stone kerbs may be approved by Council. Removed, serviceable stone kerbs (ie. those that are in good condition as agreed by City officers) must be re-installed in accordance with the City's standard details and specifications after the construction and / or excavation works have been completed. Note: A temporary concrete kerb will need to be constructed to retain the footpath and road access until the stone kerbs can be reinstalled. The removed stone kerbs are to be reinstalled prior to the issue of an Occupation Certificate. Note: all costs associated with the works are to be at no cost to the Council.
- (c) Damaged kerbs are to be replaced to match existing to the City's satisfaction or as otherwise advised by City officers.
- (d) Where new crossings or temporary crossings are to be constructed to access the property, the affected kerb stones should be salvaged and reused wherever possible.

- (e) All new driveway laybacks and kerbs are to be constructed with stone kerbs to match existing stones or as specified by City officers. All unused stone kerbs are to be salvaged and returned to the City's store.
- (f) Council approval is required before kerbs are removed.

**(67) EROSION AND SEDIMENT CONTROL - MORE THAN 2,500SQM**

Prior to the commencement of any works on site, including, but not limited to demolition, excavation or construction work, a Soil and Water Management Plan (SWMP) must be submitted to and be approved by the Principal Certifying Authority.

- (a) The SWMP must identify and respond to all items for Erosion and Sediment Control Plans listed in the condition above, as well as:
  - (i) existing site contours;
  - (ii) location and diagrammatic representation of all necessary erosion and sediment control systems or structures used to mitigate or prevent pollution to stormwater;
- (b) Location and engineering details with supporting design calculations for all necessary sediment basins, constructed wetlands, gross pollutant traps, trash racks or biofiltration swales (as relevant).

**(68) ROAD OPENING PERMIT**

A separate **Road Opening Permit** under Section 138 of the Roads Act 1993 must be obtained from Council prior to the commencement of any:

- (a) Excavation in or disturbance of a public way, or
- (b) Excavation on land that, if shoring were not provided, may disturb the surface of a public road (including footpath).

**(69) BARRICADE PERMIT**

Where construction/building works require the use of a public place including a road or footpath, approval under Section 138 of the Roads Act 1993 for a Barricade Permit is to be obtained from Council prior to the commencement of work. Details of the barricade construction, area of enclosure and period of work are required to be submitted to the satisfaction of Council.

**(70) ELECTRICITY SUBSTATION**

If required by the applicable energy supplier, the owner must dedicate to the applicable energy supplier, free of cost, an area of land within the development site, but not in any landscaped area or in any area visible from the public domain, to enable an electricity substation to be installed. The size and location of the substation is to be submitted for approval of Council and Energy Australia, prior to a relevant Construction Certificate being issued or the commencement of the use, whichever is earlier.

**(71) TELECOMMUNICATIONS PROVISIONS**

- (a) Appropriate space and access for ducting and cabling is to be provided within the plant area and to each apartment within the building within for a minimum of three telecommunication carriers or other providers of broad-band access by ground or satellite delivery. The details must be submitted for the approval of the Certifying Authority prior to a relevant Construction Certificate being issued.
- (b) A separate DA must be submitted prior to the installation of any external telecommunication apparatus, or the like.

**(72) UTILITY SERVICES**

To ensure that utility authorities are advised of the development:

- (a) Prior to the issue of a Construction Certificate a survey is to be carried out of all utility services within and adjacent to the site including relevant information from utility authorities and excavation if necessary, to determine the position and level of services.
- (b) Prior to the commencement of work the applicant is to obtain written approval from the utility authorities (e.g. Energy Australia, Sydney Water, and Telecommunications Carriers) in connection with the relocation and/or adjustment of the services affected by the construction of the underground structure. Any costs in the relocation, adjustment or support of services are to be the responsibility of the developer.

**(73) NO DEMOLITION PRIOR TO A CONSTRUCTION CERTIFICATE**

Demolition or excavation must not commence until a Construction Certificate has been issued.

**SCHEDULE 1C****During Construction/Prior to Occupation/Completion****(74) HOURS OF WORK AND NOISE – OUTSIDE CBD**

The hours of construction and work on the development must be as follows:

- (a) All work, including building/demolition and excavation work, and activities in the vicinity of the site generating noise associated with preparation for the commencement of work (eg. loading and unloading of goods, transferring of tools etc) in connection with the proposed development must only be carried out between the hours of 7.30am and 5.30pm on Mondays to Fridays, inclusive, and 7.30am and 3.30pm on Saturdays, with safety inspections being permitted at 7.00am on work days, and no work must be carried out on Sundays or public holidays.

- (b) All work, including demolition, excavation and building work must comply with the City of Sydney Code of Practice for Construction Hours/Noise 1992 and Australian Standard 2436 - 1981 "Guide to Noise Control on Construction, Maintenance and Demolition Sites".

Note: The "City of Sydney Code of Practice for Construction Hours/Noise 1992" allows extended working hours subject to the approval of an application in accordance with the Code and under Section 96 of the Environmental Planning and Assessment Act 1979.

**(75) ACCESS DRIVEWAYS TO BE CONSTRUCTED**

Approved driveways are to be constructed for all vehicular access to the construction site in accordance with the requirements of Council's "Driveway Specifications" to the satisfaction of Council.

**(76) LOADING AND UNLOADING DURING CONSTRUCTION**

The following requirements apply:

- (a) All loading and unloading associated with construction activity must be accommodated on site.
- (b) If, during excavation, it is not feasible for loading and unloading to take place on site, a Works Zone on the street may be considered by Council.
- (c) A Works Zone may be required if loading and unloading is not possible on site. If a Works Zone is warranted an application must be made to Council at least 8 weeks prior to commencement of work on the site. An approval for a Works Zone may be given for a specific period and certain hours of the days to meet the particular need for the site for such facilities at various stages of construction. The approval will be reviewed periodically for any adjustment necessitated by the progress of the construction activities.
- (d) In addition to any approved construction zone, provision must be made for loading and unloading to be accommodated on site once the development has reached ground level.
- (e) The structural design of the building must allow the basement and/or the ground floor to be used as a loading and unloading area for the construction of the remainder of the development.

**(77) NO OBSTRUCTION OF PUBLIC WAY**

The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances. Non-compliance with this requirement will result in the issue of a notice by Council to stop **all** work on site.

**(78) USE OF MOBILE CRANES**

The following requirements apply:

- (a) Mobile cranes operating from the road must not be used as a method of demolishing or constructing a building.
- (b) For special operations including the delivery of materials, hoisting of plant and equipment and erection and dismantling of on site tower cranes which warrant the on-street use of mobile cranes, permits must be obtained from Council for the use of a mobile crane. The permits must be obtained 48 hours beforehand for partial road closures which, in the opinion of Council will create minimal traffic disruptions and 4 weeks beforehand in the case of full road closures and partial road closures which, in the opinion of Council, will create significant traffic disruptions.
- (c) Special operations and the use of mobile cranes must comply with the approved hours of construction. Mobile cranes must not be delivered to the site prior to 7.30am without the prior approval of Council.

#### **(79) GREEN TRAVEL PLAN**

A Green Travel Plan must be submitted to and approved by Council prior to the Occupation Certificate for the site/use being granted.

Note: It is recommended the applicant contact a member of the Transport and Access Unit, to discuss the Green Travel Plan with Council, prior to its submission

#### **(80) ACCESSIBLE PARKING SPACE**

The design, layout, signage, line marking, lighting and physical controls of all off-street accessible parking facilities must comply with the minimum requirements of Australian Standard AS/NZS 2890.6 - 2009 Parking facilities Part 6: Off-street parking for people with disabilities. The details must be submitted to and approved by the Principal Certifying Authority prior to a Construction Certificate being issued.

#### **(81) PARKING METER**

The proposed relocation of the driveway may result in the requirement to relocate one of Councils parking meters along City Road. If this is the case the applicant must contact the City's Parking Services Manager to organise for the meter to be relocated. The cost of the relocation must be borne by the developer.

#### **(82) BASEMENT CAR PARK TURNING AREAS**

The proposed basement car parking within Academic House and the eastern car park within Graduate House must be amended to include a turning area to allow vehicles to manoeuvre and exit in a forward direction, should all the parking spaces be occupied.

#### **(83) ENCROACHMENTS – NEIGHBOURING PROPERTIES**

No portion of the proposed structure shall encroach onto the adjoining properties.

**(84) COVERING OF LOADS**

All vehicles involved in the excavation and/or demolition process and departing the property with demolition materials, spoil or loose matter must have their loads fully covered before entering the public roadway.

**(85) EROSION AND SEDIMENT CONTROL**

The Soil and Water Management Plan (SWMP) or Erosion and Sediment Control Plan (ESCP) which has been approved by the Principal Certifying Authority must be implemented in full during the construction period.

During the construction period;

- (a) erosion and sediment controls must be regularly inspected, repaired and maintained in working order sufficient for a 10 year Average Recurrence Interval (ARI) rainfall event;
- (b) erosion and sediment control signage available from Council must be completed and attached to the most prominent structure visible at all times when entering the site for the duration of construction; and
- (c) building operations and stockpiles must not be located on the public footway or any other locations which could lead to the discharge of materials into the stormwater system.

**(86) VEHICLE CLEANSING**

Prior to the commencement of work, suitable measures are to be implemented to ensure that sediment and other materials are not tracked onto the roadway by vehicles leaving the site. It is an offence to allow, permit or cause materials to pollute or be placed in a position from which they may pollute waters.

**(87) SYDNEY WATER CERTIFICATE**

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 Coordinator. Please refer to the Building Developing and Plumbing section on the web site [www.sydneywater.com.au](http://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 Coordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

The Section 73 Certificate must be submitted to Council or the Principal Certifying Authority prior to an Occupation Certificate or subdivision/strata certificate being issued.



**(88) LOADING AND UNLOADING DURING CONSTRUCTION**

The following requirements apply:

- (a) All loading and unloading associated with construction activity must be accommodated on site.
- (b) If, during excavation, it is not feasible for loading and unloading to take place on site, a Works Zone on the street may be considered by Council.
- (c) A Works Zone may be required if loading and unloading is not possible on site. If a Works Zone is warranted an application must be made to Council at least 8 weeks prior to commencement of work on the site. An approval for a Works Zone may be given for a specific period and certain hours of the days to meet the particular need for the site for such facilities at various stages of construction. The approval will be reviewed periodically for any adjustment necessitated by the progress of the construction activities.
- (d) In addition to any approved construction zone, provision must be made for loading and unloading to be accommodated on site once the development has reached ground level.
- (e) The structural design of the building must allow the basement and/or the ground floor to be used as a loading and unloading area for the construction of the remainder of the development.

**(89) NO OBSTRUCTION OF PUBLIC WAY**

The public way must not be obstructed by any materials, vehicles, refuse, skips or the like, under any circumstances. Non-compliance with this requirement will result in the issue of a notice by Council to stop all work on site.

**SCHEDULE 2**

**The prescribed conditions in accordance with Clause 98 of the Environmental Planning and Assessment Regulation 2000 apply to the development.**

**SCHEDULE 3****Sydney Regional Development Advisory Committee (SRDAC) Conditions**

The conditions as advised by the SRDAC are as follows:

- 1) Proposed new vehicular access off City Road shall be restricted to left in/left out only.
- 2) The proposed development should be designed such that road traffic noise from City Road is mitigated by durable materials and complies with the requirements of Clause 102 – (Impact of road noise or vibration on non-road development) of State Environmental Planning Policy (Infrastructure) 2007.

- 3) Council should ensure that post-development storm water discharge from the subject site into the RMS drainage system does not exceed the pre-development discharge.

Should there be changes to the RMS's drainage system then detailed design plans and hydraulic calculations of the stormwater drainage system are to be submitted to the RMS for approval, prior to the commencement of any works.

Details should be forwarded to:

The Sydney Asset Management  
Roads & Maritime Services  
PO Box 973 Parramatta CBD 2124

A plan checking fee will be payable and a performance bond may be required before the RMS's approval is issued. With regard to the Civil Works requirement please contact the RMS's Project Engineer, External Works Ph: 8849 2114 or Fax: 8849 2766.

- 4) The redundant driveways on City Road shall be removed and replaced with kerb and gutter to match existing.
- 5) The design and construction of the kerb and gutter crossing on City Road shall be in accordance with RMS requirements. Details of these requirements should be obtained from RMS's Project Services Manager, Traffic Projects Section, Parramatta on 8849 2496.

Detailed design plans of the proposed gutter crossing are to be submitted to the RMS for approval prior to the issue of the Construction Certificate and commencement of any road works.

It should be noted that a plan checking fee (amount to be advised) and lodgement of a performance bond may be required from the applicant prior to the release of the approved road design plans by the RMS.

- 6) The developer is to comply with the requirements of the attached Technical Direction (GTD 2012/001). This will require the developer to submit detailed design drawings and geotechnical reports relating to the excavation of the site and support structures to the RMS for assessment. The developer is to meet the full cost of the assessment by the RMS.

This report would need to address the following key issues:

- a. The impact of excavation/rock anchors on the stability of the City Road and detailing how the carriageway would be monitored for settlement.
  - b. The impact of the excavation on the structural stability of the City Road.
  - c. Any other issues that may need to be addressed. (Contact: Geotechnical Engineer Stanley Yuen on phone 8837 0246 or Graham Yip on phone 8837 0245 for details).
- 7) The proposed development will generate additional pedestrian movements in the area. Consideration should be given to ensuring pedestrian safety.

- 8) Off street parking associated with the proposed development (including grades, aisle widths, turning paths, sight distance requirements, and parking bay dimensions) should be designed in accordance with Australian Standards.
- 9) The swept path of the longest vehicle entering and exiting the subject site, as well as manoeuvrability through the site, shall be in accordance with AUSTRROADS. In this regard, a swept path plan shall be submitted to Council for approval, which shows that the proposed development complies with this requirement.
- 10) A Construction Traffic Management Plan detailing construction vehicle routes, number of trucks, hours of operation, access arrangements and traffic control should be submitted to the Department prior to the issue of a Construction Certificate.
- 11) All demolition and construction vehicles are to be contained wholly within the site and vehicles must enter the site before stopping.
- 12) All works associated with the proposed development shall be at no cost to the RMS.

## BACKGROUND

### The Site and Surrounding Development

1. St Paul's College is a heritage listed college established in 1853 and accommodates approximately 200 students at present. The site is located in the south eastern corner of Sydney University; however, it occupies its own lot independent of university ownership. The site's legal description is Lot 1966 DP 1117595 and it has an area of approximately 6.022 hectares.
2. A development application is currently pending for a realignment of the site's northern boundary with the university. This boundary realignment would serve the purpose of facilitating the University's proposed Australian Institute of Nanoscience (AIN) development to the immediate north of the college.
3. The site is bound by City Road and Moore College to the south, Fisher Road within the university to the east, the Physics Building and proposed AIN site to the north, and boundaries with Wesley College and Women's College to the west. The site slopes falls gently from City Road to the level of the existing oval and buildings. It falls steeply in the northern section down to the Physics Building and Fisher Road located within university lands.
4. The principal building on the site is the original sandstone college building designed by Edmund Blacket, centred around the Old Quadrangle in a quadrangular collegiate design and considered to be an exemplar of the English Gothic Revival style. The building was constructed from 1856-1864 and varies in scale from between two to four storeys, although it generally presents as two storeys with a steeply pitched slate roof accentuated by a series of gables.
5. The principal building is adjacent to a second quadrangle to the south, centred on the College Chapel. The College Chapel is of later construction and is constructed in brick, with a central spire. To the north of the college buildings are a number of tennis and basketball courts.
6. Other buildings within include the Warden's Lodge dating from 1855, situated to the south adjacent to City Road, and the Edwardian Gatekeeper's Lodge in the site's south western corner. To the immediate east of the main cluster of college buildings is a large oval, situated within a landscaped setting and surrounded by a number of mature trees.
7. A Georgian Revival cricket pavilion and an art deco scoreboard associated with the oval's use are located in the south eastern corner of the site. There are also a number of mature trees located along the site's City Road frontage and also within the north western area adjacent to the existing playing courts.
8. The Animal House, Virology Laboratory and Flammable Building are located within the university site to the immediate north east of the site on Fisher Road. Access to the site is via a driveway entrance from City Road which leads to an at-grade car park located to the north of the college buildings. Distinctive views of the existing site landscaping and buildings across the oval are available from City Road.
9. A site location plan and photographs of the site are provided overleaf:



Figure 1: Site locality plan

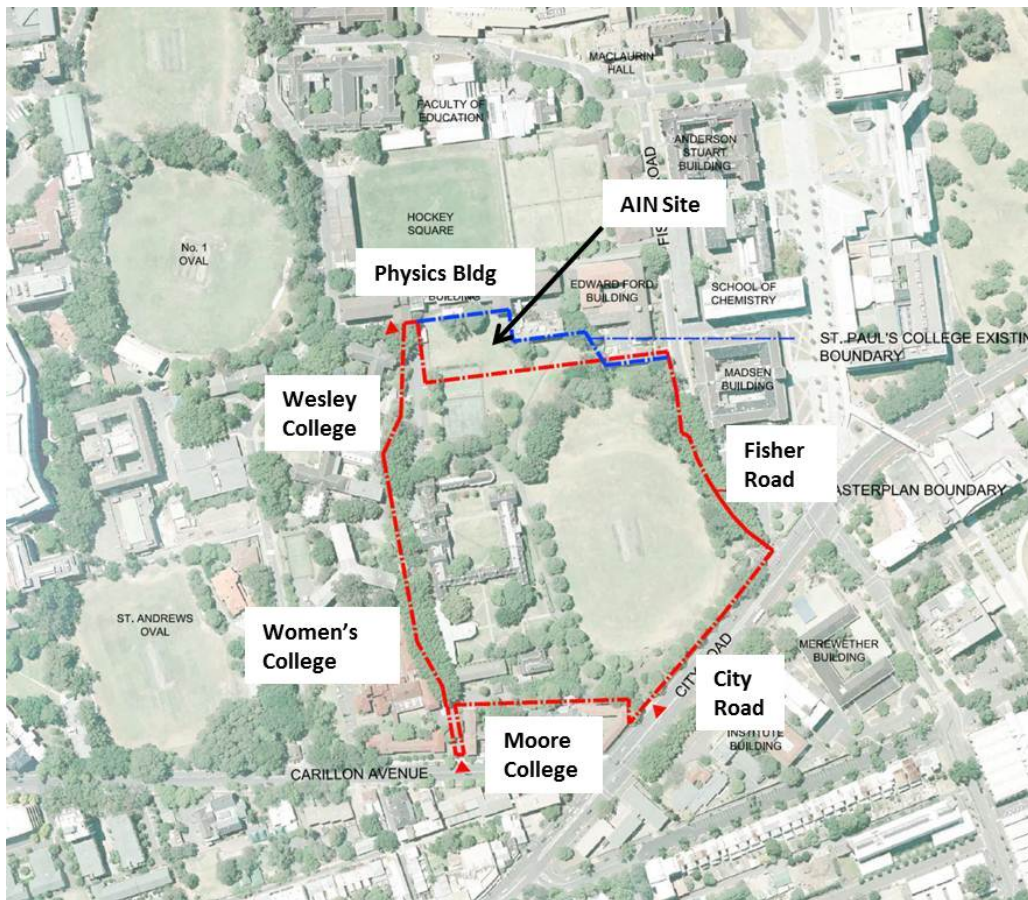


Figure 2: Site identification plan showing existing (blue) and proposed (red) boundaries



**Figure 3: St Paul's College view south west from Old Quadrangle**



**Figure 4: View of St Paul's College northern elevation**



**Figure 5: College Chapel looking west**



**Figure 6: View across oval looking south towards City Road**



Figure 7: Existing Garnsey Wing viewed from Old Quadrangle



Figure 8: View north towards site of proposed AIN building





**Figure 9: Existing Arnott Building and single storey annexe**



**Figure 10: View across oval looking north towards university buildings**



Figure 11: Site of proposed City Road precinct buildings adjacent to City Road



Figure 12: Looking west from Fisher Road towards oval and Gatekeepers Lodge

**History of Development Applications Relevant to this Site**

10. The following development applications are considered relevant to the proposed development:
  - (a) D/2012/1633 (approved 24/12/12) - Works to the University of Sydney and St Paul's College including vegetation and tree removal, bulk earthworks, new retaining walls and relocation of stormwater drainage pipes (early works for Nanoscience Building).
  - (b) SSD 5313-2012 (lodged with the Department of Planning and Infrastructure, subsequently withdrawn) - Staged development application including concept proposal for new graduate and post-graduate accommodation at St Pauls College, construction of new sports facilities, new vehicular access and parking, Stage 1 works consisting of three new accommodation buildings, demolition, refurbishment works, new sports facilities realignment of access driveway form City Road and new underground parking.
  - (c) D/2013/119 (currently under assessment) - Subdivision of parent title into two lots.
  - (d) SSD 5087-2011 (lodged with the Department of Planning and Infrastructure, currently under assessment)- Construction of a science research and education facility for the Australian Institute of Nanoscience (AIN), within the Camperdown Campus, including clean rooms and laboratories, office spaces, seminar rooms and teaching facilities.
11. The proponent was advised by the Department of Planning & Infrastructure in early 2013 that the St Pauls College masterplan development application SSD 5313-2013 would require assessment by the City of Sydney, as it failed to comply with the definition of State Significant Development under the SEPP (Major Projects). The application was subsequently withdrawn and lodged with the City on 9 May 2013.

**PROPOSAL**

12. The proposed development comprises a masterplan and detailed works for the St Pauls College site, as depicted in the following figures, including the following:
  - (a) Construction of three new residential buildings known as Graduate House, Academic House and Library Building comprising a total 392 places for students and academics;
  - (b) Stage 1 concept approval consisting of building envelopes for a 4-5 storey building known as the City Road Precinct, and a four storey extension to the existing Arnott Building, comprising a total of 170 student places and 81 parking spaces;
  - (c) Internal alterations to the existing Garnsey Wing, comprising internal refurbishment and reconfiguration of communal rooms;
  - (d) Realignment of playing oval, relocation of playing courts to City Road frontage, new cricket pavilion and entry gates to City Road;
  - (e) Demolition of Animal House, Maintenance Shed and cricket pavilion, site preparation, landscaping and associated works;

- (f) Basement parking for a total of 97 vehicles across the site, situated primarily within the basements for the three new college buildings; and
  - (g) Removal of 77 mature trees across the site and replanting of 126 trees.
13. Plans and elevations of the proposed development are provided in **Attachment A**. Relevant plans and photomontages illustrating the proposed development are below:

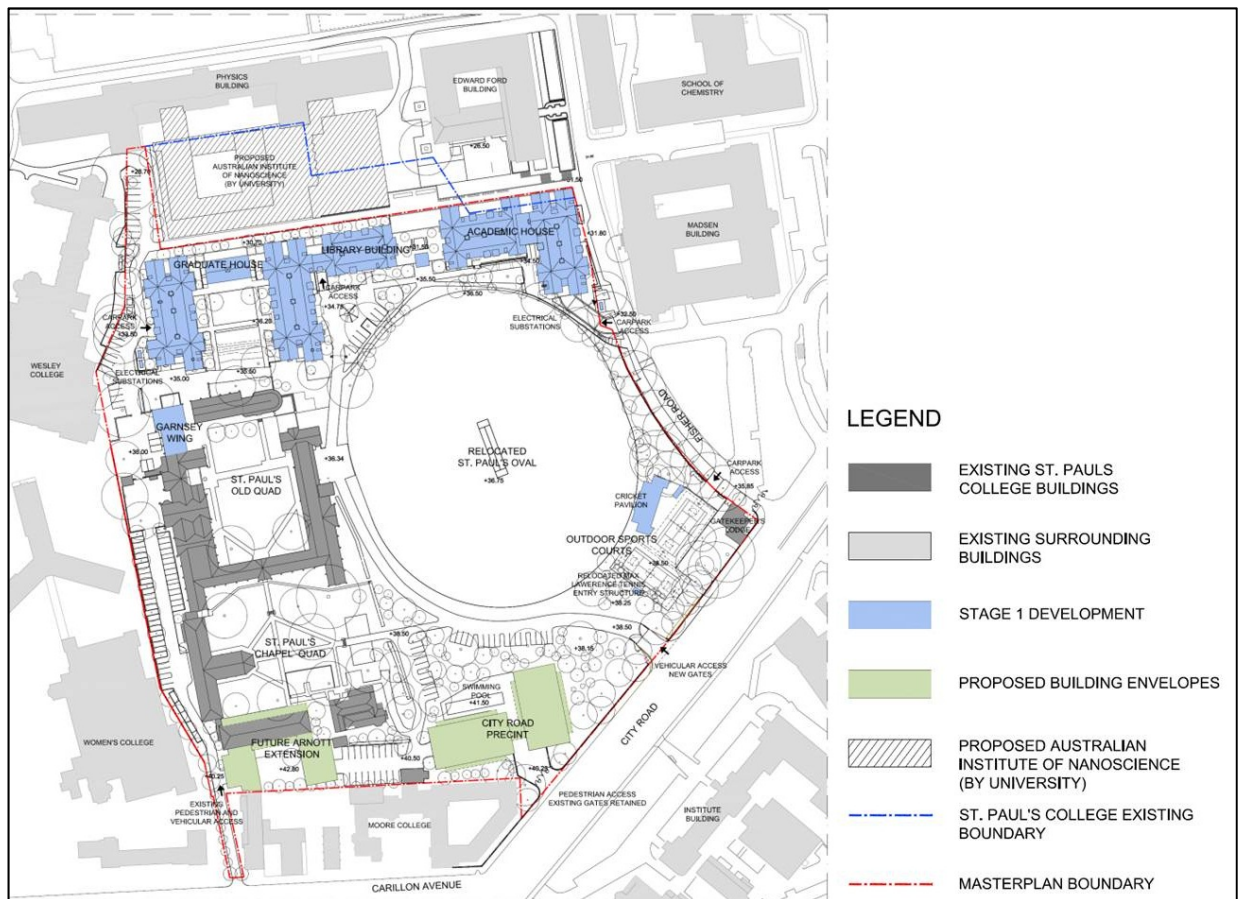


Figure 13: Proposed St Pauls College Masterplan

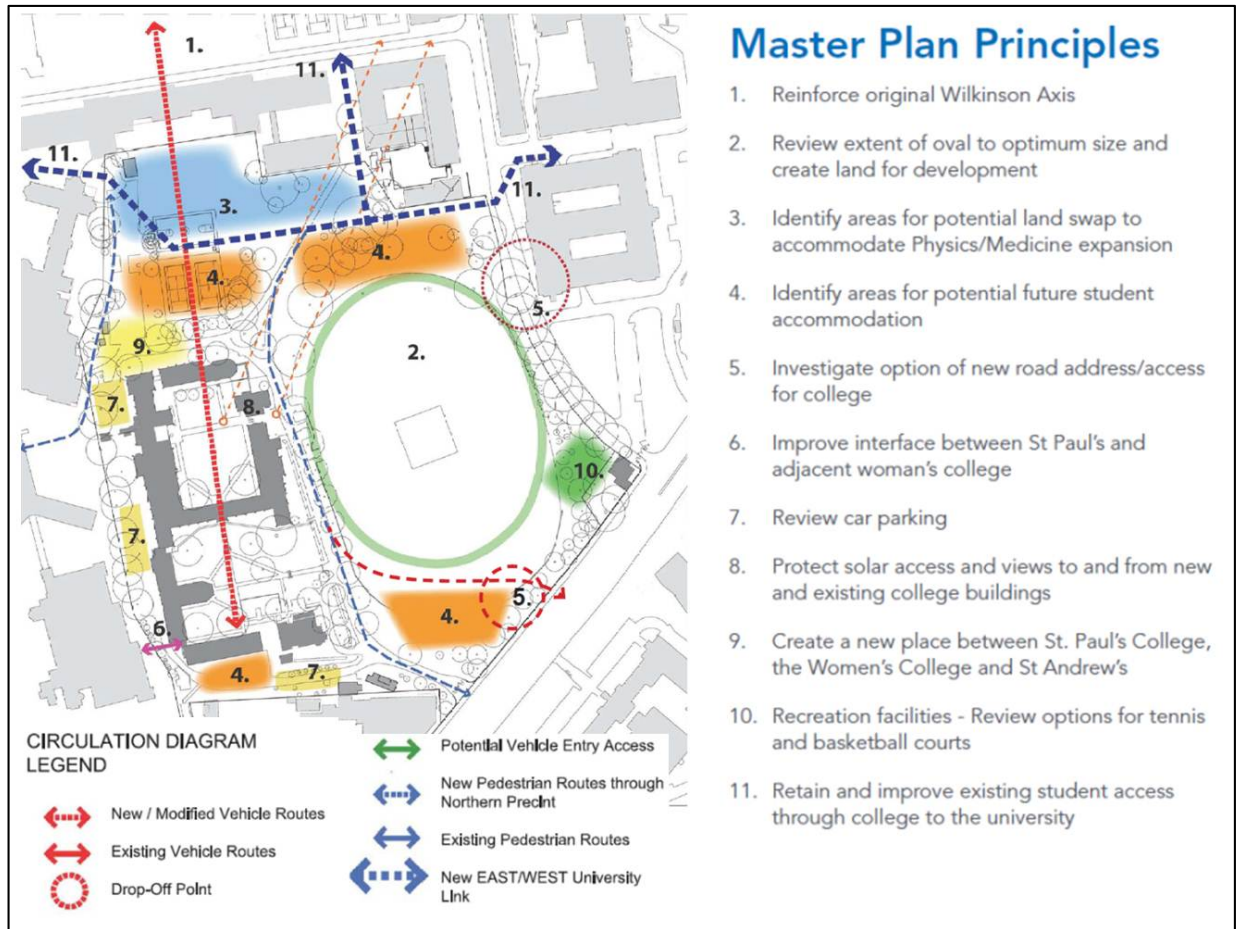


Figure 14: Proposed Master Plan Principles



Figure 15: Model view of proposed development (concept building envelopes shown in dark grey)



Figure 16: Photomontage of proposed college buildings viewed north from playing oval



Figure 17: Artist impression of proposed colonnade area



Figure 18: Artist impression of proposed Graduate Quad

## IMPLICATIONS OF THE PROPOSAL

### Section 79C Evaluation

14. An assessment of the proposal under Section 79C of the Environmental Planning and Assessment Act 1979 has been made, including the following:

### Section 79C(1)(a) Environmental Planning Instruments, DCPs and Draft Instruments

### STATE ENVIRONMENTAL PLANNING POLICIES (SEPPs)

15. The following State Environmental Planning Policies are relevant to the proposed development:

### SEPP (Infrastructure) 2007

16. One of the aims of the SEPP is to identify matters for consideration in the assessment of developments adjacent to particular types of infrastructure development and to require consultation with the relevant public authorities.
17. The application was referred to the RMS in accordance with the SEPP as traffic generating development for concurrence as it comprises access from a classified road. The Sydney Regional Development Advisory Committee (SRDAC) advised that it had no objection to the development and has provided conditions for Council's consideration. The conditions have been incorporated in the recommendation, as appropriate.

**SEPP 55 – Remediation of Land**

18. Clause 7(2) of SEPP 55 requires the consent authority to consider whether the land is contaminated prior to granting consent for development. If the land is contaminated, the consent authority must be satisfied that the land is suitable for its intended use in its present state, or that it will be suitable after remediation.
19. The application was accompanied by Stage 1 and preliminary Stage 2 contamination assessments that considered the site suitable for the proposed development. The report states that the risk of contamination is low due to the historical use of the property for agricultural purposes. No objection was raised in relation to contamination from Council's Health Unit. Appropriate conditions have been included in the recommendation with regard to contamination and asbestos removal.
20. The site is considered suitable for the proposed development in accordance with Clause 7(2) of SEPP 55.

**SEPP 65 - Design Quality of Residential Flat Development**

21. SEPP 65 provides that in determining an application for a residential flat development of three or more floors and containing four or more apartments, that the consent authority takes into consideration a number of matters relating to design quality. The applicant has supplied a design verification statement prepared by Cox Richardson and the application has been subject to review by Council's Design Advisory Panel. The SEPP includes ten design quality principles which are assessed as follows:

(a) **Principle 1: Context**

The proposed development responds to the context of the existing college development. The three new buildings seek to replicate the quadrangular collegiate design to the north of the playing oval and maintain a similar scale and gabled form to the heritage listed college building. Refer to the Issues section.

(b) **Principle 2: Scale**

The scale of surrounding buildings ranges from two to four storeys. The proposed new college buildings are generally consistent with this prevalent scale and seek to continue the existing building typology to the north of the existing college development. Some concern is raised with regard to the future building envelopes for the Arnott Wing extension and City Road Precinct, however this is discussed in further detail at the Issues section.

(c) **Principle 3: Built Form**

The proposal utilises contemporary finishes and materials whilst referencing the form and appearance of the heritage listed properties. The predominant gabled form is reinterpreted within the subject proposal. The proposal also achieves a comparable scale to the adjacent Physics Building and proposed AIN development immediately to the north of the site. The proposal satisfies is of an acceptable built form.



(d) **Principle 4: Density**

There are no maximum FSR provisions that are applicable to the site. The proposal aims to provide an additional GFA of 23,355m<sup>2</sup>, equating to an additional FSR portion of 0.42:1. The proposed future building envelopes equate to approximately 10,000m<sup>2</sup> or an additional 0.17:1 FSR. The proposed development can be accommodated within the college grounds subject to resolution of the future building envelopes on City Road as discussed at the Issues section.

(e) **Principle 5: Resource, energy and water efficiency**

An ESD report has been submitted with the application outlining energy efficiency measures within the proposal. The proposal seeks to adopt elements of BASIX within the proposal, which includes water efficiency measures such as rainwater capture and reuse for landscaped irrigation. The proposal also seeks to adopt measures under Section J of the BCA with regard to thermal comfort and building performance. Natural ventilation measures are also incorporated into the development as discussed under Amenity below.

(f) **Principle 6: Landscape**

The proposed development has been accompanied by a landscape plan and comprises substantial alterations to the playing oval, including re-turfing and amendments to its size and orientation. The majority of significant trees are to be retained and the proposal comprises significant re-planting. The landscaped setting of the colleges is to be reinforced by the design of the new buildings.

(g) **Principle 7: Amenity**

(i) Unit Size

The unit sizes in the proposed college buildings are below the minimum suggested sizes of 38m<sup>2</sup> for studio apartments, 50m<sup>2</sup> for one-bedroom apartments and 70m<sup>2</sup> for two-bedroom apartments. As the proposal comprises student accommodation with shared facilities, the smaller room sizes are considered acceptable. The proposal would provide sufficient sized rooms in accordance with the DCP 2012 as applicable to student accommodation.

(ii) Cross Ventilation

The rules of thumb suggest that 60% of units to be cross-ventilated. The design of the proposed development allows for 50% of the student rooms to be cross-ventilated. Given the smaller floorplates proposed for student accommodation, this is considered suitable for the proposed development.

(iii) Apartment Depth and Width

The proposed student rooms do not generally exceed the required 8 metres maximum depth from a window required under the Rules of Thumb. The largest of the two bedroom units would not exceed a depth of greater than 15 metres.

(iv) Private Open Space

The Rules of Thumb suggest a minimum private open space area of 8m<sup>2</sup> for studio/one bedroom apartments and 11m<sup>2</sup> for two bedroom apartments, with a minimum balcony depth of 2 metres. The proposal does not comprise private balconies for each of the student rooms. Notwithstanding, there is easy access to communal areas of open space and substantive open space lands located within the site. As this is not a common pre-requisite for student accommodation it is considered acceptable on this basis.

(v) Storage

Common storage areas are provided within the development at lower and basement levels, meeting the RFDC requirements. Units furthest away from common storage areas would provide private storage units of 4m<sup>3</sup> beneath stairways.

(vi) Solar Access

The rules of thumb call for living rooms and private open space to receive sunlight for three hours between 9am and 3pm in midwinter for at least 70% of units, with a minimum two hours being acceptable within dense urban areas. The solar study diagram prepared by the applicant indicates that 70% of student rooms will achieve two hours solar access as suggested by the Rules of Thumb.

(vii) Floor-to-Ceiling Heights

The proposed floor-to-ceiling heights exceed the minimum height of 2.7 metres for habitable rooms as stated under the Rules of Thumb.

(viii) Visual and Acoustic Privacy

Each of the units achieves adequate levels of visual and acoustic privacy and windows of adjoining units are separated by dividing walls or fin walls. Given that the proposal relates to student accommodation this is considered to be acceptable. The proposed new buildings are also separated from each other and existing Wesley College and St Pauls buildings by a minimum distance of 12 metres as suggested by the Rules of Thumb.

(h) **Principle 8: Safety and Security**

The proposal will increase student numbers and resident activity within the precinct and the overall campus. The design of the proposed new college buildings has been oriented to provide overlooking and passive surveillance onto open space within the site.

(i) **Principle 9: Social Dimensions**

The proposal provides for a range of accommodation, including studio, one and two bedroom accommodation. The proposed units comprise a variety of self-contained and shared flats and will increase the range of quantum of student accommodation at the university.

(j) **Principle 10: Aesthetics**

The proposed design is a response to the form of the original quadrangular design of St Paul and incorporates contemporary finishes and materials. The design responds to the prevailing form of the heritage listed buildings and the introduction of rendered masonry, metal roofs and frameless glazing is considered to be an appropriate response to the context.

22. The development is considered generally acceptable when assessed against the above stated principles and the SEPP generally, which are replicated in large part within Council's planning controls.

**SEPP (Affordable Rental Housing) 2009**

23. The Affordable Rental Housing aims to increase the supply and diversity of affordable rental and social housing in NSW and encourage new affordable rental housing that is compatible with its surroundings and in locations that are well served by public transport.
24. The SEPP does not apply to the proposed development. The provisions within the SEPP relating to boarding houses do not apply to this proposal as the site is located within a special uses zone.

**LEPs AND DCPs**

25. The following Local Environmental Plans are relevant to the proposal:

**Sydney LEP 2012**

26. The site is located within the SP2 Educational Establishment zone. The proposed use is defined as a residential college use which is "ordinarily incidental or ancillary" to an educational establishment and is hence permissible.
27. The relevant matters to be considered under Sydney Local Environmental Plan 2012 for the proposed development are outlined below.

<b>Compliance Table</b>		
<b>Development Control</b>	<b>Compliance</b>	<b>Comment</b>
4.3 Height of Buildings	NA	There is no maximum height applicable.
4.4 Floor Space Ratio	NA	The site is not subject to a maximum FSR control under the LEP 2012 as it is located within the SP2 zone. The proposed development, excluding the future building envelopes, comprises an additional 23,355m <sup>2</sup> . As the site maintains a landscaped open area of more than 50% this increase in floor space is considered to be acceptable.
5.9 Preservation of trees or vegetation	Yes	The proposal is acceptable in terms of tree preservation as the proposal will have a minimal impact upon existing trees on the site. There is substantial tree removal proposed, however the majority of significant trees are preserved and major re-planting is proposed. Refer to Issues section.
5.10 Heritage conservation	Yes	The subject site comprises an LEP listed heritage item, St Paul's College and is located within a heritage conservation area. The proposal comprises substantive works to the site including new college buildings adjacent to the existing listed college. The proposed works are considered to be appropriate in terms of their design, scale and the heritage context. See discussion under the heading Issues.
<b>Part 7 Local provisions—general</b>		
Division 1 Car parking ancillary to other development	Yes	The LEP 2012 does not state a maximum number of car parking spaces for student accommodation uses. The applicant has submitted a traffic report in support of the proposal and a total of 178 car parking spaces are proposed for the new college buildings. This is considered acceptable to meet the demand generated by the proposed use. Refer to Issues section.

Compliance Table		
Development Control	Compliance	Comment
7.15 Flooding	Yes	Council's Public Domain team have reviewed the submitted stormwater management report and raised no issues with flooding subject to appropriate conditions.
7.18 Airspace operations	Yes	The proposed development will not penetrate the Obstacle Limitation Surface as shown on the Obstacle Limitation Surface Map for the Sydney Airport. A letter from CASA to this effect has been submitted.
7.22 Development requiring preparation of a development control plan	Yes	The site is over 5,000m <sup>2</sup> in area and a development control plan has not been prepared. As the site is located within the University of Sydney, it is subject to the campus-wide masterplan and the scope of works relates also to future concept proposals for the site. It is considered that the site specific DCP is hence not warranted in this instance. See discussion under the heading Issues.

### Sydney DCP 2012

28. The relevant matters to be considered under Sydney Development Control Plan 2012 for the proposed development are outlined below.

#### 2. Locality Statements – University of Sydney/Royal Prince Alfred Hospital

The subject site is located in the University of Sydney locality. The proposed development is considered to be in keeping with the unique character of the area and design principles as it is cohesive with the scale of the existing heritage listed development at the site, is consistent with the adopted campus-wide masterplan and respects the existing form of the college buildings. Impacts upon important views within the University in particular are discussed at the Issues section.

<b>3. General Provisions</b>		
<b>Development Control</b>	<b>Compliance</b>	<b>Comment</b>
3.1 Public Domain Elements	Yes	The proposed development will make a positive contribution to the public domain. The proposed alterations to the entrance on City Road have been supported. The proposed new access way and removal of trees at the City Road frontage have been supported on heritage and access grounds as discussed in further detail at the Issues section.
3.2 Defining the Public Domain	Yes	The proposed development will enhance the public domain by ensuring adequate sun access to publicly accessible spaces and considering public views.
3.3 Design Excellence and Competitive Design Processes	Yes	The proposed development has not been subject to a design competition. The proposal has been through an options study undertaken by the applicant and is considered to appropriately demonstrate design excellence. The proposal has been supported in principle by Council's internal heritage and design specialists and the Heritage Council. The application has been subject to review by Council's Design Advisory Panel who have raised some concern with issues of building placement, open space, tree removal and pedestrian access. Refer to the Issues section.
3.5 Urban Ecology	Yes	The proposed development involves the removal of trees, however it comprises significant replanting on-site and will not adversely impact on the local urban ecology.
3.6 Ecologically Sustainable Development	Yes	The proposal will not have unacceptable impacts on the environment and satisfies the relevant sustainability requirements.
3.7 Water and Flood Management	Yes	The site is not identified as being on flood prone land. Council's public domain team has considered the proposal to be acceptable with regard to water and flood management, subject to conditions.

3.9 Heritage	Yes	The existing building is a locally listed heritage item and the proposed development would impact significantly upon the setting of this building. A separate advisory panel has not been established in accordance with Part 3.9.4 as it does not comprise alterations increase the building envelope of the existing listed college building by more than 20%. The proposal has been subject to the advice of the Design Advisory Panel and the Heritage Council. See discussion under the heading Issues.
3.10 Significant Architectural Building Types	Yes	Heritage is addressed in detail at the Issues section.
3.11 Transport and Parking	Yes	The applicant has submitted a parking and traffic report in lieu of applying the parking rates in the LEP 2012, which do not apply to the proposed development. On this basis the total provision of 97 basement parking spaces is considered to be acceptable. The proposed amendments to the access onto City Road have also been supported by RMS. Refer to Issues section.
3.12 Accessible Design	Yes	A condition has been recommended for the proposed development to provide appropriate access and facilities for persons with disabilities in accordance with the DCP and the BCA.
3.13 Social and Environmental Responsibilities	Yes	The proposed development provides adequate passive surveillance and is generally designed in accordance with the CPTED principles.
3.14 Waste	Yes	A condition has been recommended for the proposed development to comply with the relevant provisions of the City of Sydney Code for Waste Minimisation in New Developments 2005.

4. Development Types		
4.4 Other Development Types and Uses		
4.4.1 Boarding houses and student accommodation		
Development Control	Compliance	Comment
4.4.1.1 Subdivision	Yes	The proposed realignment of the northern site boundary with University is being considered under a separate DA (ref D/2013/119). No strata subdivision of the student rooms is proposed.
4.4.1.2 Bedrooms	Yes	The proposal complies with the requirement for room sizes, taking into account variations permitted for self-contained units, studios, one-bedroom units and kitchenettes. The rooms have been located on the exterior of the proposed buildings to maximise solar access and ventilation. The proposed student rooms also receive suitable access to natural light.
4.4.1.3 Communal kitchen areas	Yes	Separate kitchenette areas are provided for the proposed student rooms and hence communal kitchen areas are not required. Notwithstanding, students will be encouraged to utilise the communal dining hall facilities within the college.
4.4.1.4 Communal living areas and open space	Yes	<p>The proposal comprises indoor communal areas at the lower levels of the proposed Graduate House, Library Building and Academic House. This includes study rooms, multi-purpose rooms, laundries, a gym, a hall and a library. These rooms would achieve the minimum required sizes of 12.5m<sup>2</sup> per room and 1.25m<sup>2</sup> per person. The proposed indoor communal space would also receive 2 hours of sunlight to more than 50% of windows on 21 June.</p> <p>The proposed communal outdoor space comprises the relocated playing oval and the extensive open space, landscape and garden network that surround the college. Overall the open space comprises more than 50% of the site area in accordance with the requirements of the DCP.</p>



4.4.1.5 Bathroom, laundry and drying facilities	Yes	The proposal comprises a number of washing machines and clothes dryers within laundry rooms across the development and would achieve the rate of one for every 12 residents required by the DCP. Similarly, communal toilet facilities are located at the lower levels of the buildings and each student room features its own bathroom facilities.
4.4.1.6 Amenity, safety and privacy	Yes	The proposed communal facilities are located in the lower levels where they are accessible and safe, mitigating potential noise impacts to student rooms. The proposed rooms will also be fitted with acceptable sound insulation to mitigate potential noise impacts. The application is also supported by a traffic report as required by the DCP.
4.4.1.7 Plan of Management		A preliminary Plan of Management has been prepared and submitted with the application which addresses the matters identified within the DCP. As the proposal is within the umbrella of the existing college and university, respective management procedures will be adopted.

## ISSUES

29. The issues identified in the above instruments/policies as non-complying or requiring further discussion in the abovementioned tables are discussed in detail below:

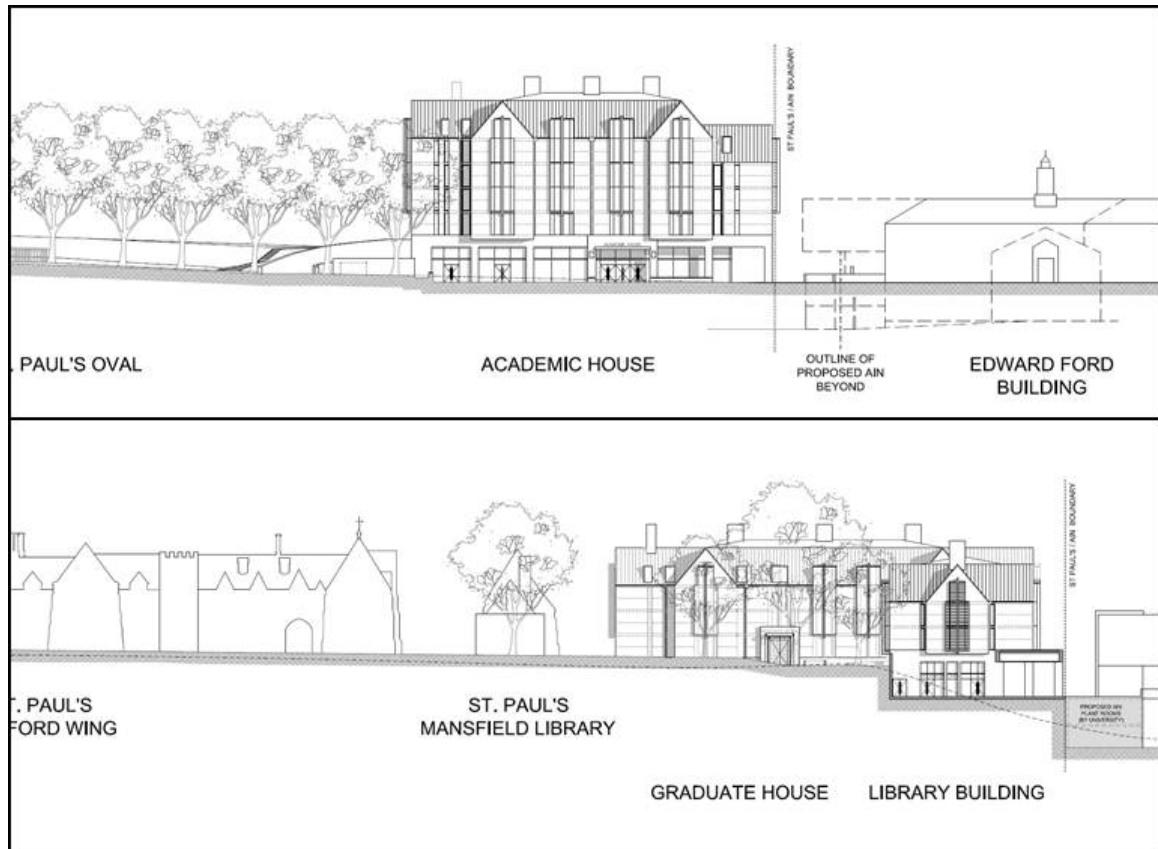
### Heritage and Urban Design

30. The various elements of the proposal are addressed as follows:

#### Graduate House, Library Building and Academic House Buildings (Northern Precinct)

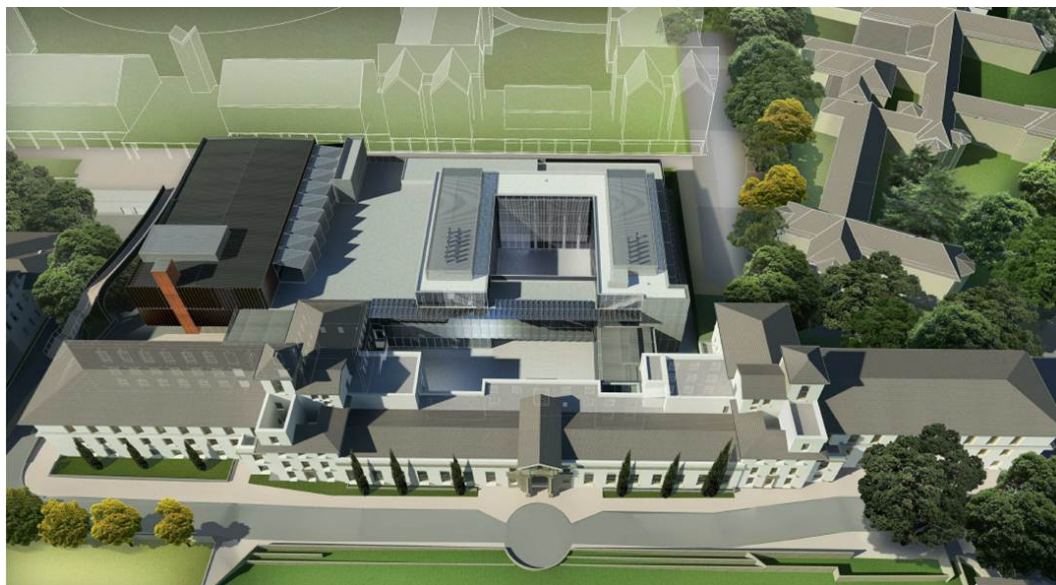
31. The proposed new buildings range in height from four to seven storeys, relative to the topography sloping down away from the oval. The proposal references the typology of the existing heritage listed buildings. This is evidenced by the proposed low scale heights adjoining the oval, gable features and quadrangular design of the new buildings. Towards the rear, as the buildings fall the height increases from four to seven storeys. Notwithstanding, the overall maximum height at the ridge is not increased in this location.

32. The proposed scale also responds appropriately to the Physics and Henry Ford Buildings on Fisher Street, most notably the adjacent Henry Ford and Madsen Buildings, as well as the future AIN development. The figure below indicates the proposed eastern elevations of Academic House and Graduate House stepping down to the AIN development and adjacent university buildings:



**Figure 19: Eastern elevations of proposed Academic House and Graduate House stepping down to Physics Building (upper) and proposed AIN development (lower)**

33. The figures below show isometric views of the proposed AIN development with the proposed development shown in silhouette behind:



**Figure 20: Isometric view of AIN looking south from Physics Building with St Paul's to rear**

34. The height of Academic House has been reduced comparative to the previous scheme lodged with the Department of Planning and Infrastructure. This amendment has arisen following discussions with the Heritage Office, who requested that the overall height be reduced by one storey in order to achieve greater consistency with the surrounding university buildings.
35. The proposal responded to this request by reducing the height of the gabled eaves a full storey below the eaves of the main ridge line, ensuring that this element of the building remains subservient to the main roof ridge. The Heritage Office has subsequently supported the proposal as submitted.
36. Overall the scale and height of the proposed new buildings are considered appropriate to their context. The figure overleaf indicates the relationship between the proposed Academic House and the adjacent Madsen Building and Henry Ford Building on Fisher Road:

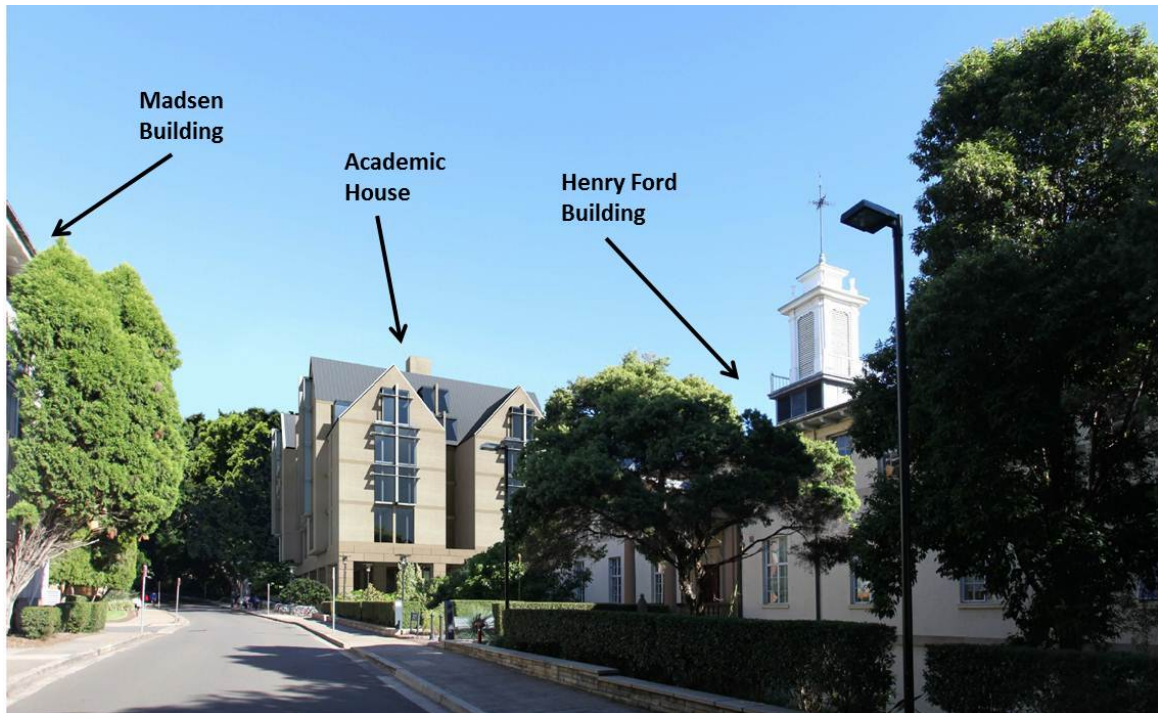


Figure 21: Photomontage of proposed Academic House viewed from Fisher Road

37. The proposed materials comprise sandstone at the base of the buildings, cement render at the upper levels, glazing and slate roofs. These materials reference the traditional palette of the original college buildings, whilst providing a high quality contemporary finish to the proposed development. The materials include metal roofing, cement render at the upper levels, sandstone cladding at the base and metal louvres to selected windows. The proposed materials are depicted below:

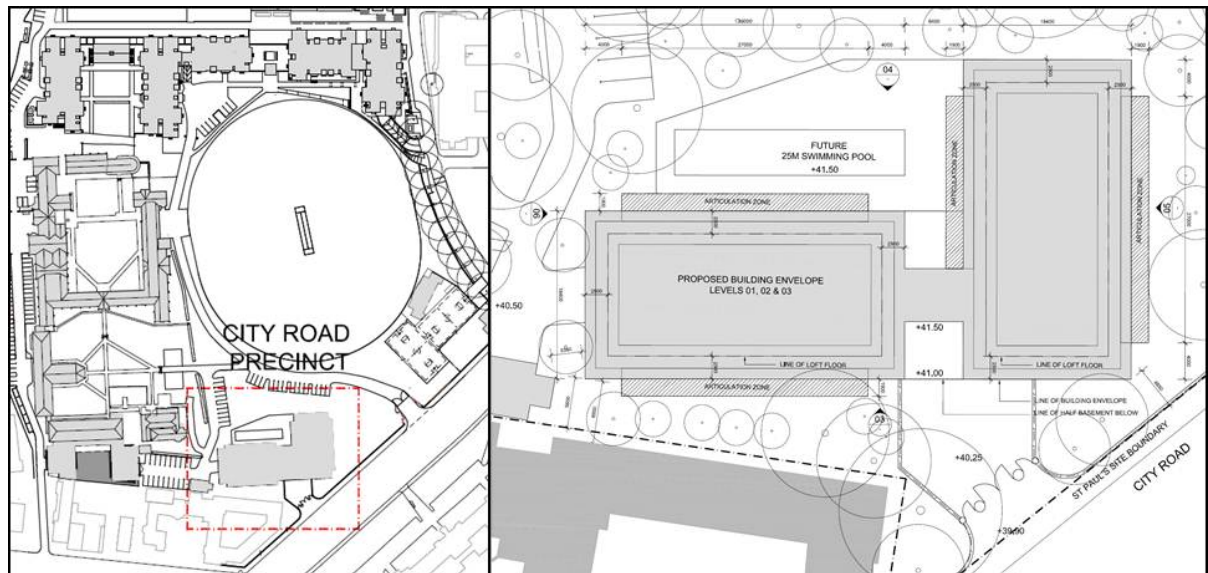


Figure 22: Typical façade and window elevation detail

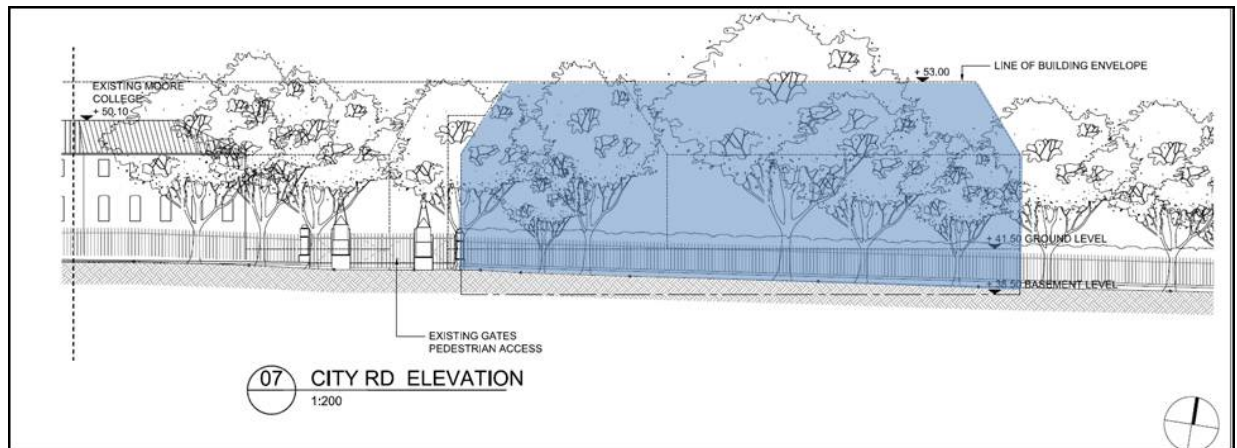
- 38. These proposed materials respect and are cohesive with the sandstone design of the original St Pauls College buildings, whilst providing a contemporary interpretation of a traditional building form and design.
- 39. The proposed Graduate House has also been designed to be considerably lower in scale at its middle section to preserve the Wilkinson Axis view corridor. This is discussed in detail at the heading Views and Vistas below. The interface between the proposed development and the AIN site has been jointly developed to provide a pedestrian access through the site as discussed under the heading Pedestrian and Through Site Linkages below.

Future Building Envelopes for Arnott Wing Extension and New Building (City Road Precinct)

- 40. The proposed development seeks concept approval for building envelopes ranging between four to five storeys for both a new building at the City Road precinct and an extension to the existing Arnott Wing building. The City Road precinct building envelopes are illustrated in the figures below:

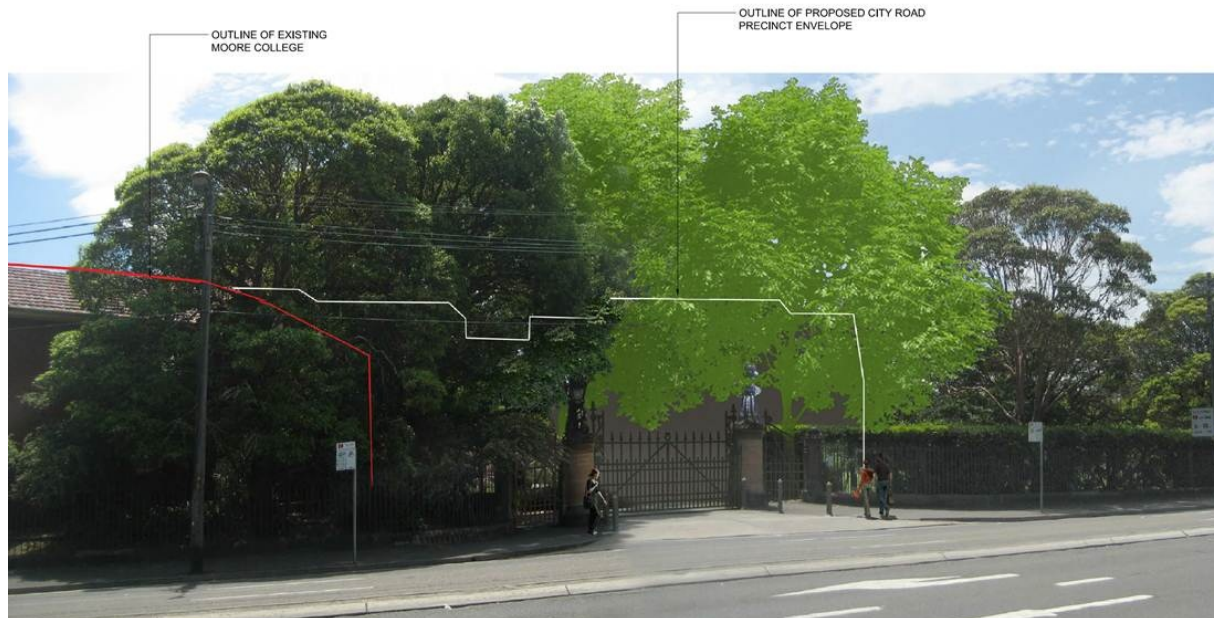


**Figure 23: City Road Precinct proposed building envelopes**



**Figure 24: Elevation view of proposed City Road Precinct**

41. The proposed City Road Precinct and Arnott Wing building envelopes, having a scale of four to five storeys, would be visible from City Road. In comparison to the adjacent Moore College buildings they would present as discernibly larger in scale. The orientation of the proposed blocks is also offset at an angle from its presentation to the street. The figure below is a photomontage indicating the proposed future building envelopes as viewed from City Road:



**Figure 25: Photomontage view of proposed building envelopes on City Road**

42. It is acknowledged that the proposed building envelopes are located broadly in the zone identified for future development under the adopted CMP for the College. Whilst the proposal for new buildings adjacent to the City Road frontage in this location may be acceptable in principle, it is considered that the current proposal does not address concerns regarding the potential impact of the siting, bulk and scale of new development to an adequate level of detail.
43. Council's Heritage Officer and the Heritage Council have raised objection to this element of the scheme on the grounds outlined above. It is considered that development in this location would be better addressed by future detailed development applications or a separate development application for building envelopes in order to resolve these design issues. Approving building envelopes at this stage may commit to a new built form in the future that would not be cohesive with its heritage context. A condition of consent stating that the building envelopes are not approved has been included as recommended by the Heritage Council.

#### Alterations to Garnsey Wing

44. The proposed development comprises internal alterations to the Garnsey Wing, which include internal reconfiguration to become part of the revised Graduate House common area, large internal openings and new partition walls. The external changes comprise alterations to some openings, new balcony and deck.

45. Council's Heritage Officer has reviewed the proposed alterations to the Garnsey Wing and suggested some internal reconfiguration in order to preserve original room layouts and significant fabric. This has been addressed by way of a recommended condition of consent. The interpretation of the original room layouts such as retention of nibs has also been addressed by way of condition.
46. The proposed outdoor deck and supporting balcony structure at the northern wing elevation is suitably lightweight and would result in a relatively minor impact upon the existing building.

#### Demolition of Animal House

47. The existing Animal House on Fisher Road, part of the Edward Ford buildings situated within the University land, is proposed to be demolished. The existing building is identified within the Edward Ford Building Conservation Management Plan (CMP) which states that its demolition is supported a part of a "useful redevelopment scheme". Demolition is supported on this basis and given that the southern elevation of the Edward Ford Building, currently obscured by Animal House, would become visible.



**Figure 26: Existing Animal House to be demolished**

#### Demolition of Cricket Pavilion, Replacement Pavilion and Scoreboard

48. The existing cricket pavilion, which is located to the south of the oval adjacent to the City Road frontage, is of modest heritage significance. Its demolition is supported in principle however and it is recommended that where possible materials associated with the existing pavilion are re-used in the new construction. The proposed new pavilion is adjacent to the proposed playing courts and it is recommended that, insofar as practicable, the materials are to be re-used and this has been addressed by way of condition.



**Figure 27: Existing cricket pavilion and scoreboard**

#### New Playing Courts, Realignment of Oval, Driveway and Landscaping

49. The proposal comprises relocation of the existing playing courts from their current location north of the existing college building, to the opposite side of the oval adjacent to the City Road frontage. The proposed new playing courts are proposed to be situated on top of a raised mound structure adjacent to the City Road frontage which comprises basement car parking below.
50. The proposed new structure comprising basement parking and playing courts would be visually prominent given the clearance required for the parking below. However given the setback from the street and the discernible improvement in resulting from the sloped setting of the oval being reinstated, this is considered to be acceptable.
51. The proposed structure is also set back by 7.5 metres from the existing heritage listed Gatekeeper's Lodge at the corner of Fisher and City Roads and the impact upon its setting would be acceptable. The western playing court is to be relocated approximately 2 metres to the north in order to preserve two trees of significance, further reducing the structure's visual impact as viewed from City Road. This is discussed further at Trees and Landscaping below.
52. The proposal also comprises the realignment of the playing oval and substantive landscaping works, including substantive tree removal and replanting as discussed under the Landscaping and Open Space heading below. Similarly, the new access driveway from City Road is considered to be acceptable as it references the original entrance to college grounds. The new gates and fence are of sympathetic and simple design in keeping with this character.

#### **Views and Vistas**

53. The proposal seeks to reinstate some of the views associated with the original open and pastoral setting of St Paul's College, as well as retaining key views to and from the college grounds. The proposal retains the historic view of the Tower Block within the Main Quadrangle of the university, as well as opening up historic views of the main college building from the opposite side of the oval.
54. The five Brush Box trees situated on the access driveway in front of the existing college building are proposed to be removed. These are indicated in the figure overleaf:





**Figure 28: Existing Brush Box trees in front of college building**

55. Although these are identified on Council's Register of Significant Trees as being of high significance, there are 126 replacement trees proposed across the site in comparison to the 77 trees proposed for removal. As the trees are not original to the college their removal opens up the original view and setting of the building from the City Road (southern) side of the oval. As such their removal is supported on heritage grounds. Refer to discussion under Trees and Landscaping below.
56. The design of the original St Paul's College building emphasised the Wilkinson Axis view corridor, a vista connecting St Paul's with the adjacent Physics Building all the way through the Hockey Square to the Holme Building on Science Road. The proposed college buildings have been designed to preserve the Wilkinson Axis through ensuring that a quadrangle is sited within the view corridor.
57. The figures overleaf indicate the location of the Wilkinson Axis and an overlay of the proposed development along this axis:

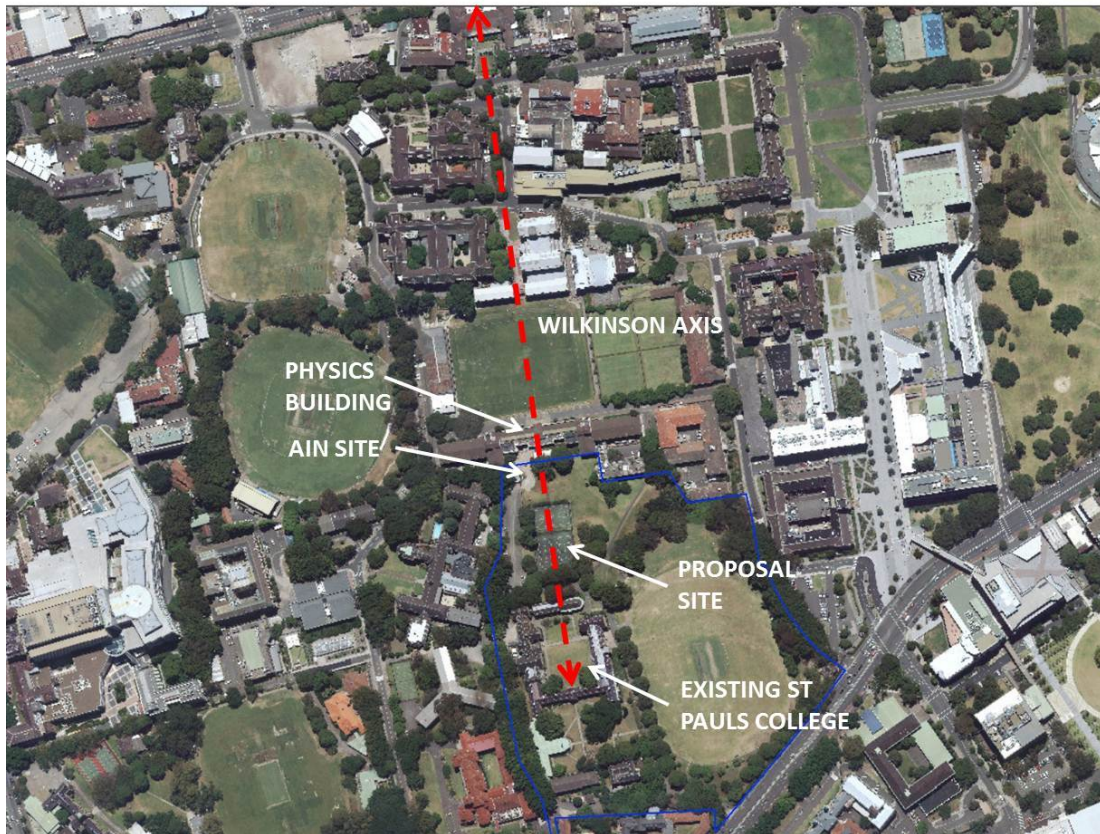


Figure 29: Location of Wilkinson Axis

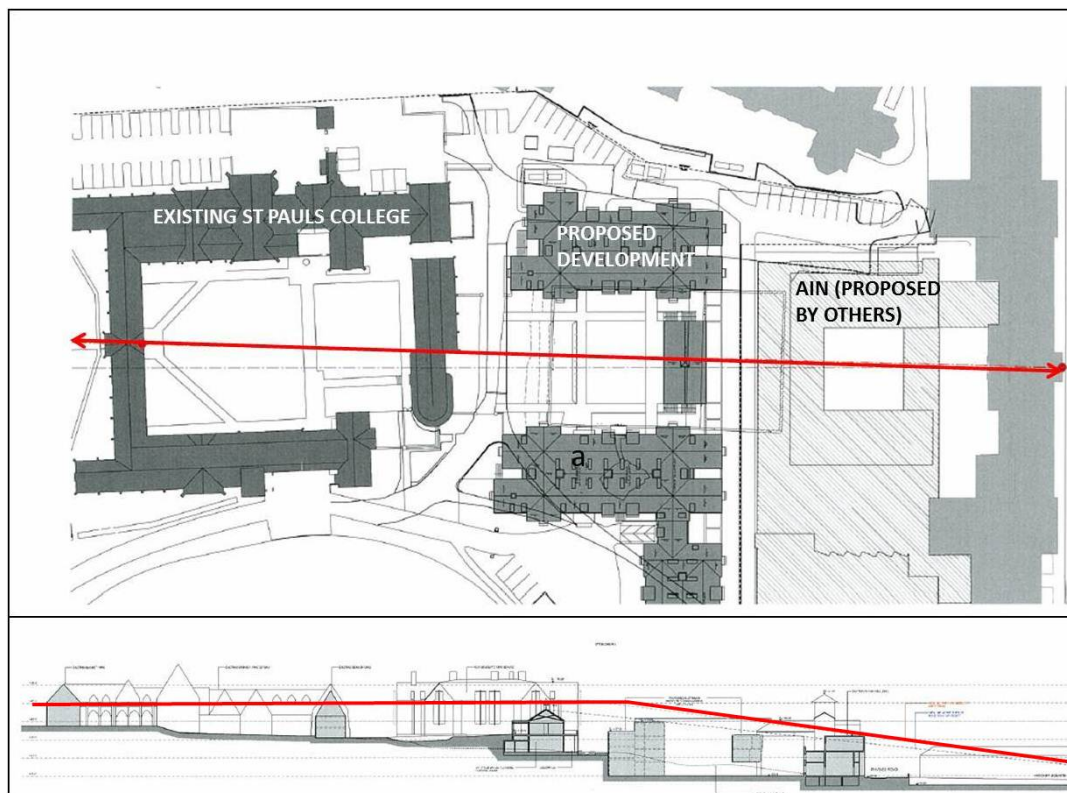


Figure 30: Plan and section views of Wilkinson Axis overlay onto proposed development

58. The proposal comprises a low scale of development in the quadrangle, being a single storey common room, along the line of the axis. This ensures that the vistas north from St Pauls College would not be compromised as a result of the proposal.
59. The adjacent AIN development, currently under consideration by the Department of Planning and Infrastructure, also proposes a lowered portion along the line of the Wilkinson Axis. Uninterrupted views would therefore be available from the existing St Pauls College north through to the Physics Building, Hockey Square and beyond.
60. The figure below is an indicative photomontage of the existing Physics Building looking south from the Hockey Square, with the likely location of the AIN proposal shown dashed and the new St Pauls buildings shown behind:



**Figure 31: Indicative photomontage of Physics Building showing proposed AIN building (dashed) and St Paul's developments behind**

61. The indicative photomontage above indicates that the view corridor along the Wilkinson Axis would be respected and maintained as a result of the proposed built form being lowered in the central section, providing views from St Pauls College north towards the Physics Building. Accordingly, the proposal is considered to be acceptable with regard to preservation of views and vistas.

### **Landscaping and Open Space**

62. The proposal comprises the removal of a total of 77 trees and re-planting of 126 trees across the site, resulting in a significant change to the overall landscaped area. The proposal comprises significant replanting and an increase in the total number of trees across the site, notwithstanding the numbers of trees proposed for removal. The figure overleaf illustrates the overall landscaping masterplan and tree removal plan for the site:

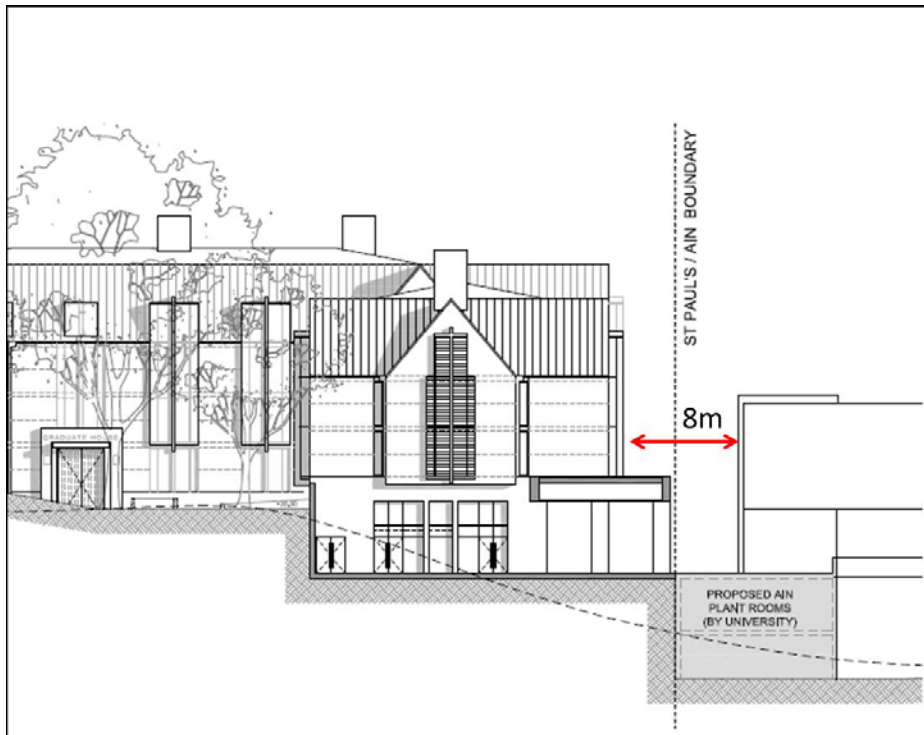


**Figure 32: Landscaping masterplan and tree removal plan for the site**

63. In addition to the removal of five large mature Brush Box trees located in front of the existing St Paul's College building, the proposal also comprises removal of a number of significant trees along City Road. Notably this includes nine Brush Box trees along the City Road frontage to allow for the proposed building envelopes, outdoor sports court and amended entry driveway.
64. Council's Trees Officer has recommended that two of the trees affected by the proposed playing courts be retained, in addition to one of the trees affected by the City Road building envelope. They have also recommended that the five trees in front of the college be retained, as well as recommending that the overall canopy on the site be increased.
65. The proposal comprises significant replanting and landscaping at the City Road frontage. The applicant has amended the landscaping arrangement in this location to preserve a number of the trees originally identified for removal, namely the two trees affected by the proposed western outdoor sports court, facilitated by its relocation slightly to the north of its current location. An appropriate condition has been recommended in this regard.
66. The total canopy coverage is to be increased across the site, with an increase in the number of trees between 9-15 metres in height across the site. This has been addressed by way of condition requiring an amended landscape plan, as recommended by Council's Tree Management section. Furthermore, it is also noted that the proposed building envelopes have not been approved at this time and subsequently the tree identified as being significant within this location is to be retained.
67. The five trees in front of the existing college are supported for removal on heritage grounds, as discussed previously under the heading Heritage and Urban Design. The proposed loss of a number of trees to the north of the oval to accommodate the new college buildings is supported as these are of relatively low retention value and the proposed replanting would compensate for their loss.

### Visual and Acoustic Privacy

68. The proposed new college buildings are separated from each other and the adjacent Wesley and St Pauls college buildings by a minimum distance of 12 metres. The proposed development has been designed to ensure appropriate levels of amenity for a residential college use. This has been achieved by incorporating dividing walls or fin walls which separate the common areas of adjoining units and would achieve satisfactory privacy between units.
69. In addition, the residential levels of the proposed college buildings would be separated from the adjacent AIN development by a minimum distance of 8 metres. The proposed separation distance is acceptable as the AIN is not a residential use and will also incorporate suitable acoustic attenuation measures, ensuring that noise transmission to the St Pauls College site would not exceed standard residential to commercial levels. The minimum setback between the college buildings and the proposed AIN development is illustrated in the figure below:



**Figure 33: Section showing minimum separation distance between college and AIN developments**

70. The applicant has submitted an acoustic report in support of the current application which identifies noise mitigation measures to be incorporated into the proposed development and the measures identified within this report have been addressed by way of condition.

### Solar Access

71. SEPP 65 generally requires that living rooms and private open space should receive sunlight for two hours between 9am and 3pm in midwinter for at least 70% of units within dense urban areas. The proposed new college buildings would result in some additional overshadowing on 21 June onto the existing college buildings and oval to the south, as illustrated in the figure overleaf:



9am

**Figure 34: Overshadowing of proposed new buildings onto oval and existing college - 9am 21 June**



12 midday

**Figure 35: Overshadowing of proposed new buildings onto oval and existing college - 12pm 21 June**



3pm

**Figure 36: Overshadowing of proposed new buildings onto oval and existing college  
3pm 21 June**

72. The proposal would comfortably exceed the SEPP solar access requirements in relation to the adjacent college buildings. The proposed would result in some minor overshadowing to the northern edge of the oval, however this affects a relatively small portion of the oval only and would not have a significant impact upon the usability of the open space.
73. Concerns have also been raised regarding the potential overshadowing onto Moore College, which adjoins the site to the south west. This concern is due to the proposed concept building envelopes for the Arnott Wing extension and City Road Precinct, which would result in some overshadowing onto the open space and rear elevations of buildings at Moore College.
74. It is noted that as the proposed concept building envelopes are not to be approved at this time, this would address these concerns. This is discussed in further detail at Advertising and Notification below.

#### **Pedestrian Connectivity and Through Site Link**

75. The proposed development shares its northern side boundary with the University and specifically the proposed AIN development, currently under assessment by the Department of Planning and Infrastructure. The proposal has taken into consideration and worked closely with the AIN to ensure that this edge interface acts as a pedestrian through link between the sites for the broader university, alleviating foot traffic on Physics Road.
76. The proposed colonnade area is illustrated at Figure 17 and is shown in section and elevation view overleaf:



**Figure 37: Elevation and section view of 'The Propylaea'**

77. The proposal comprises a colonnade along the northern section of the site which would act as a main new east-west pedestrian link, to be known as 'The Propylaea'. The rooms at the lower colonnade level of the proposed development, depicted in the figure above, comprise active uses including study rooms, a multi-purpose hall and a graduate library.
78. This proposed pedestrian linkage is consistent with the Sydney University Campus 2020 Masterplan which states that it is highly desirable to improve pedestrian linkages between the college and the university. Specifically, the Masterplan encourages an alternative pedestrian thoroughfare to the already congested Physics Road, which would be achieved through the construction of the 'The Propylaea'.
79. Other significant improvements to access include the realigned access driveway from City Road, which provides a formal north-south pedestrian link through the college to the campus.

### **Traffic and Parking**

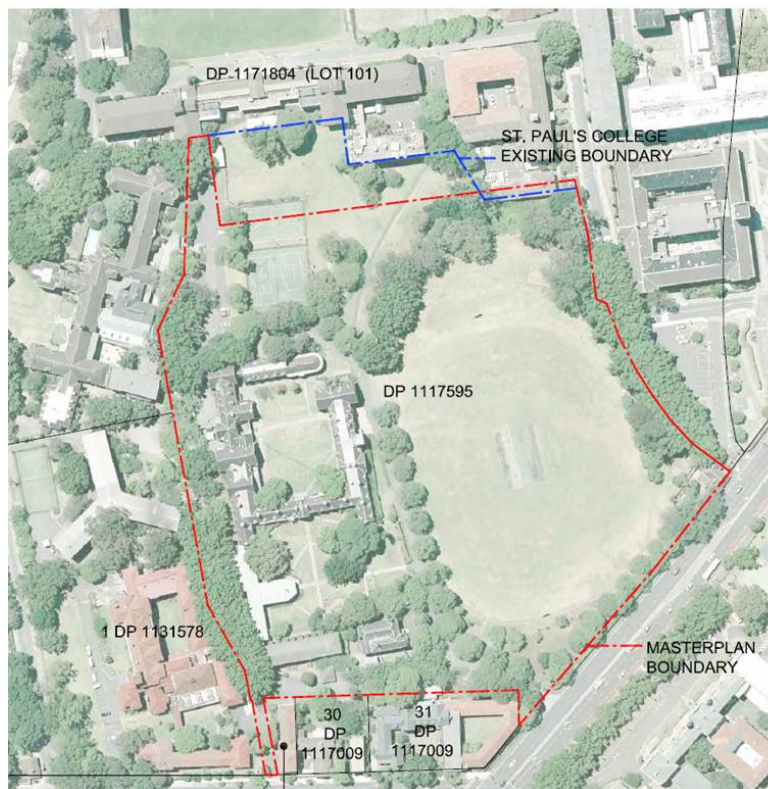
80. The proposal comprises a total of 97 parking spaces, the quantum of which has been determined by way of a traffic report submitted for the site. The parking rates under the LEP 2012 are not applicable as these do not apply to the proposed development for student accommodation.
81. The proposed rate of parking spaces is generally based on a provision of 0.2 spaces per student, comprising a total of 43 spaces for residents, with the remaining 54 spaces allocated to the use of the proposed outdoor sports courts. This approach has been supported and is consistent with the lower rates of parking in both LEP 2012 and Campus Masterplan 2020.



82. The additional parking demand generated to and from the site is from students, graduates and academic staff living and working on the site and on campus. These generally do not contribute significantly to traffic flows onto City Road during peak periods. Council's Traffic team has reviewed the submitted report and supported the proposed provision of parking spaces on the basis.
83. Bicycle parking has been indicated within the proposal, however a significantly increased total provision of 119 resident and 48 visitor bicycle parking spaces has been recommended by way of condition. This rate is commensurate to the number of students to be accommodated by the proposed development.
84. The RMS has also issued their terms of concurrence for the amended access driveway onto City Road and appropriate conditions have been recommended in this regard.

### Site Boundary Realignment

85. The proposal comprises a land swap between St Pauls College and the university at the northern site boundary, in order to facilitate both the proposed AIN development and the St Pauls proposal. The proposed boundary adjustment is illustrated in the figure below:



**Figure 38: Existing and proposed site boundaries**

86. A separate application for the boundary realignment, D/2013/119, is currently under assessment by Council and it is anticipated that this will be approved subsequent to determination of the current application. The current proposal can be approved subject to standard conditions relating to subdivision of the site, as recommended.

**Accessibility**

87. The proposal has been accompanied by an accessibility report which states that the site is capable of accommodating the relevant BCA requirements for accessibility. This report has demonstrated that the proposal is capable of complying with the relevant access provisions under the BCA and DCP 2012, which has been addressed by way of a recommended condition.

**Section 79C(1)(b) Other Impacts of the Development**

88. The proposed development will not result in any significant additional impacts other than those already identified and discussed above.

**BCA Matters**

89. The BCA Classification of the buildings are Class 3, 6, 7a, 9b and 10b. The development has been supported by a BCA statement and is capable of satisfying the requirements of the BCA without significant modification.

**Section 79C (1) (c) Suitability of the site for the development**

90. The site is suitable for the proposed development. Site suitability has been discussed throughout this report.

**Section 79C (1) (e) Public Interest**

91. The proposed development is generally consistent with the relevant controls. In this regard it is considered that the proposal will have no detrimental effect on the public interest, subject to appropriate conditions being imposed on any consent.

**POLICY IMPLICATIONS**

92. Not applicable to this report.

**FINANCIAL IMPLICATIONS - SECTION 94 CONTRIBUTIONS****Section 94 Contributions**

93. The applicant has requested an exemption from payment of Section 94 contributions. Section 2.14 identifies the criteria under which certain types of development may seek an exemption from paying contributions. This criteria includes development that provides a distinct community benefit on a not-for-profit basis.
94. The exemption is supported as it meets the exemption criteria as set out in the Contributions Plan, as follows:-
- (a) The College is a not-for-profit organisation;
  - (b) It is a registered charity and provides a community benefit in the form of affordable housing for students;
  - (c) The resulting increase in accommodation on the site would contribute toward the intent of providing affordable student accommodation and relieve pressure on surrounding private rental accommodation;

- (d) The College provides significant scholarships to approximately 30% of the total number of students; and
- (e) The current proposal would provide an upgraded oval for the use of not only the College students but the broader student and academic community.

## PUBLIC CONSULTATION

### Section 79C(1)(d)

#### Advertising and notification

95. Adjoining and nearby owners and occupiers of buildings were notified of the proposal and invited to comment between 16 May and 14 June 2013. In addition, notices were placed on the site and the proposal was advertised in the Sydney Morning Herald and daily press in accordance with the provisions of the City of Sydney Notification of Planning and Development Applications Development Control Plan 2005.
96. One submission was received and the grounds for objection are summarised as follows:-
- (a) Overshadowing to Moore College as a result of the proposed building envelopes

**Comment:** It is noted that the shadow diagrams have identified that the additional shadows fall onto the courtyard of Moore College between 9am-3pm on 21 June. However, the proposed building envelopes have not been approved in their current form and are subject to future design development. Overshadowing will be considered at such time as a detailed development applications or an application for the amended building envelopes are lodged.

- (b) Removal of trees and resultant loss of outlook adjacent to boundary with Moore College

**Comment:** Given that the proposed building envelopes are not being approved at this time, the trees T12 and T73-75 listed in Council's Register of Significant Trees are now being retained. The remainder of the trees proposed for removal adjacent to Moore College are considered suitable for removal due their age, health and condition. Tree removal will be revisited at such time as the detailed development applications or an application for the amended building envelopes are lodged.

- (c) Loss of privacy resulting from proposed building envelopes

**Comment:** Similarly, as the proposed building envelopes are not being approved at this time there will be no potential privacy impacts resulting from the location of the proposed building envelopes. It is noted that overlooking will be subject to further consideration at such time as a detailed development applications or an application for the amended building envelopes are lodged.

**EXTERNAL REFERRALS****Heritage Council**

97. The proposal is not Integrated Development, however, the Heritage Council have previously advised Council of their intention to list the existing St Pauls College building on the State Heritage Register and requested that future developments concerning this building be referred for comment. The Heritage Council was therefore notified of the proposed development and provided with an opportunity to comment on the scheme.
98. The Heritage Council has advised that the proposal is generally acceptable subject to recommended conditions, with the exception of approving the proposed concept building envelopes. Appropriate conditions stating that these are not approved have been recommended, as discussed in further detail at the Issues section.

**Roads and Maritime Services (RMS) Sydney Regional Development Advisory Committee (SRDAC)**

99. The RMS's SRDAC was notified of the proposed development as it is identified as a traffic generating development under the SEPP (Infrastructure) 2007. The SRDAC has raised no objection to the proposal subject to conditions, which are recommended as part of the consent.

**Ausgrid**

100. Ausgrid was notified of the proposed development and have raised no objection, subject to the provision of additional substations as required. This has been addressed by way of standard condition.

**INTERNAL REFERRALS**

101. The application was referred to the following internal Council sections:

- (a) Specialist Surveyor;
- (b) Heritage Specialist;
- (c) Urban Designer;
- (d) Building Services;
- (e) Environmental Health;
- (f) Tree Management;
- (g) Public Domain;
- (h) Safe City;
- (i) Waste Management; and
- (j) Transport and Access Management.

102. No objection to the proposed development was raised subject to the imposition of appropriate conditions, as discussed in further detail at the Issues section. Appropriate conditions have been included in the recommendation of this report.

### **RELEVANT LEGISLATION**

103. The Environmental Planning and Assessment Act 1979, Heritage Act 1977.

### **CONCLUSION**

104. The proposed development is considered satisfactory with regard to its design and contextual fit within the heritage context of the St Pauls College site and broader campus surrounds. The proposed new college buildings, landscaping works and oval alterations would not result in an adverse impact upon the surrounds and increase the provision of student accommodation for the university.
105. The proposed development interacts with and responds appropriately to the proposed AIN building to the north, as well as significantly improving pedestrian connectivity across the site. The overall landscaping scheme and removal of trees across the site would not detract from the existing landscaped setting of the college grounds.
106. Concerns have been raised regarding the impact of the proposed future concept building envelopes at the City Road frontage, specifically with regard to heritage and design and their potential for amenity impacts upon the adjacent Moore College. The Heritage Office has also recommended that these building envelopes should not be approved at this time and instead be subject to the submission of future development applications. Appropriate conditions to this effect have been recommended.
107. On balance, the proposal is considered to be acceptable and is recommended for approval subject to conditions.

### **GRAHAM JAHN, AM**

Director City Planning, Development and Transport

(Calvin Houlison, Specialist Planner)