



**MODIFICATION REQUEST:  
USYD Central Building, Darlington  
Campus, The University of Sydney  
(MP05\_0164 MOD 3)**

- Removal of stairwell between levels 3 and 4 and infill level 4 void.

Secretary's Environmental Assessment Report  
Section 75W of the *Environmental Planning and  
Assessment Act 1979*

May 2015

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Published May 2015  
NSW Department of Planning & Environment  
[www.planning.nsw.gov.au](http://www.planning.nsw.gov.au)

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## 1. BACKGROUND

On 8 August 2006, the then Minister for Planning approved the construction of a seven storey building containing student support services, food outlets, major plaza, retail and office space (student services) and a Sciences and Technology library on the University's Darlington Campus. The building is known as the Jane Foss Russell building and is located at 96 – 148 City Road, Darlington (Lot 1 DP 790620) (see **Figure 1**).



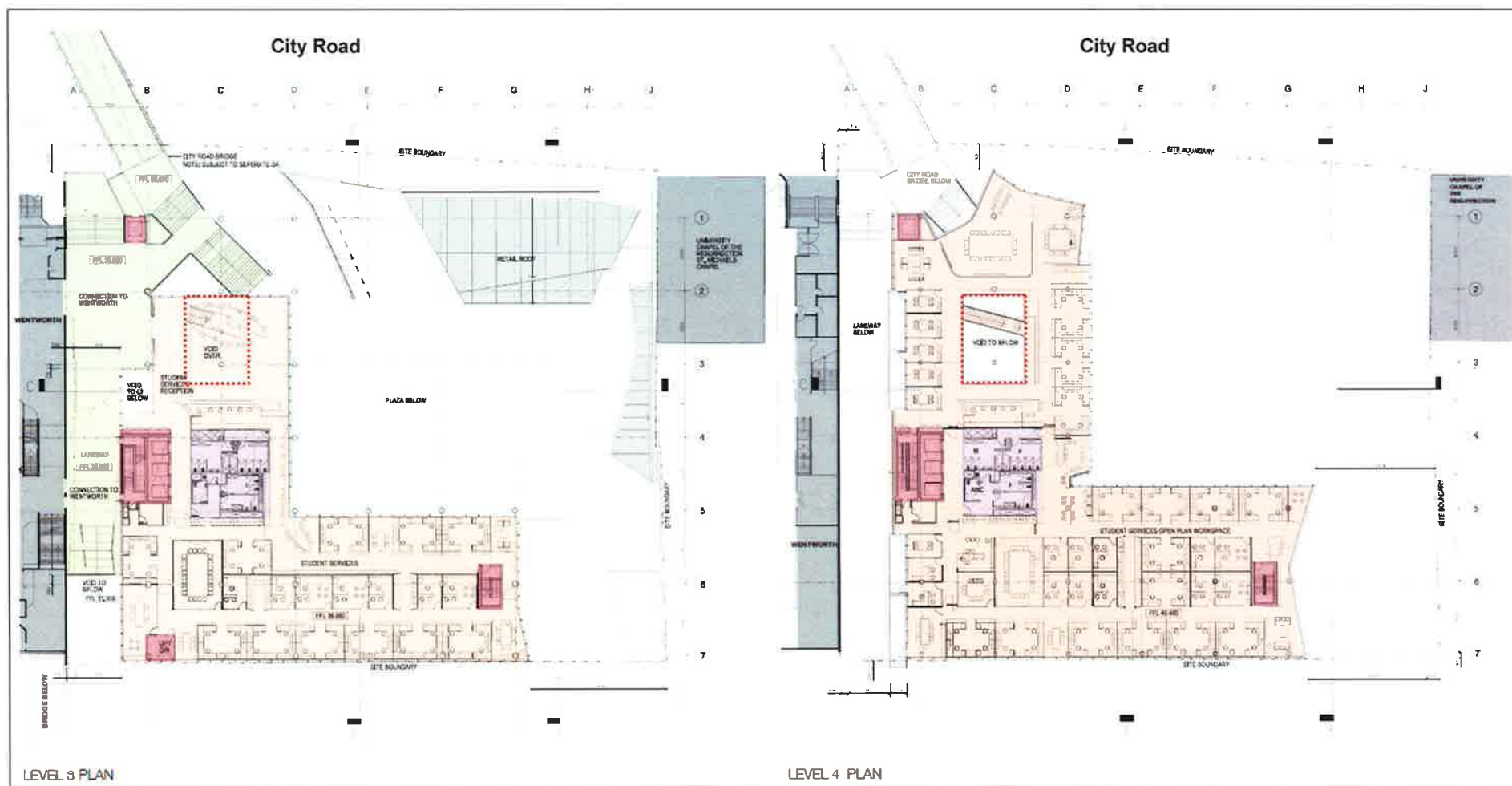
Figure 1: Project Location

On 9 December 2006, the then Minister for Planning, approved a section 75W modification application to modify condition *C2 Interpretation Strategy* and amend the requirement for the submission of the strategy from prior the commencement of works, to prior to the commencement of above ground works.

On 28 June 2007, the Executive Director, Strategic Sites and Urban Renewal, under the delegation of the then Minister for Planning, approved a section 75W modification application for the following:

- modify condition *B5 Plaza Design* to remove the requirements for a green wall and soft landscaping within the plaza and to remove reference to Council's public domain manual; and
- modify condition *C2 Interpretation Strategy* to amend the requirement for the submission of the strategy from prior to the commencement of above ground works (as amended by MP05\_0164 MOD 1) to prior to the issue of an occupation certificate.

The approved development is complete and has been occupied and operational for a number of years. **Figure 2** details the layout of levels 3 and 4 as approved.



**Figure 2: Approved Layout – Levels 3 and 4**

## 2. PROPOSED MODIFICATION

The proponent (The University of Sydney) seeks to modify the approved development as follows:

- remove the connecting stairwell between levels 3 and 4; and
- infill the level 4 void area providing an additional 85.88 sqm of floorspace for student administrative purposes (see **Figures 3 and 4**).

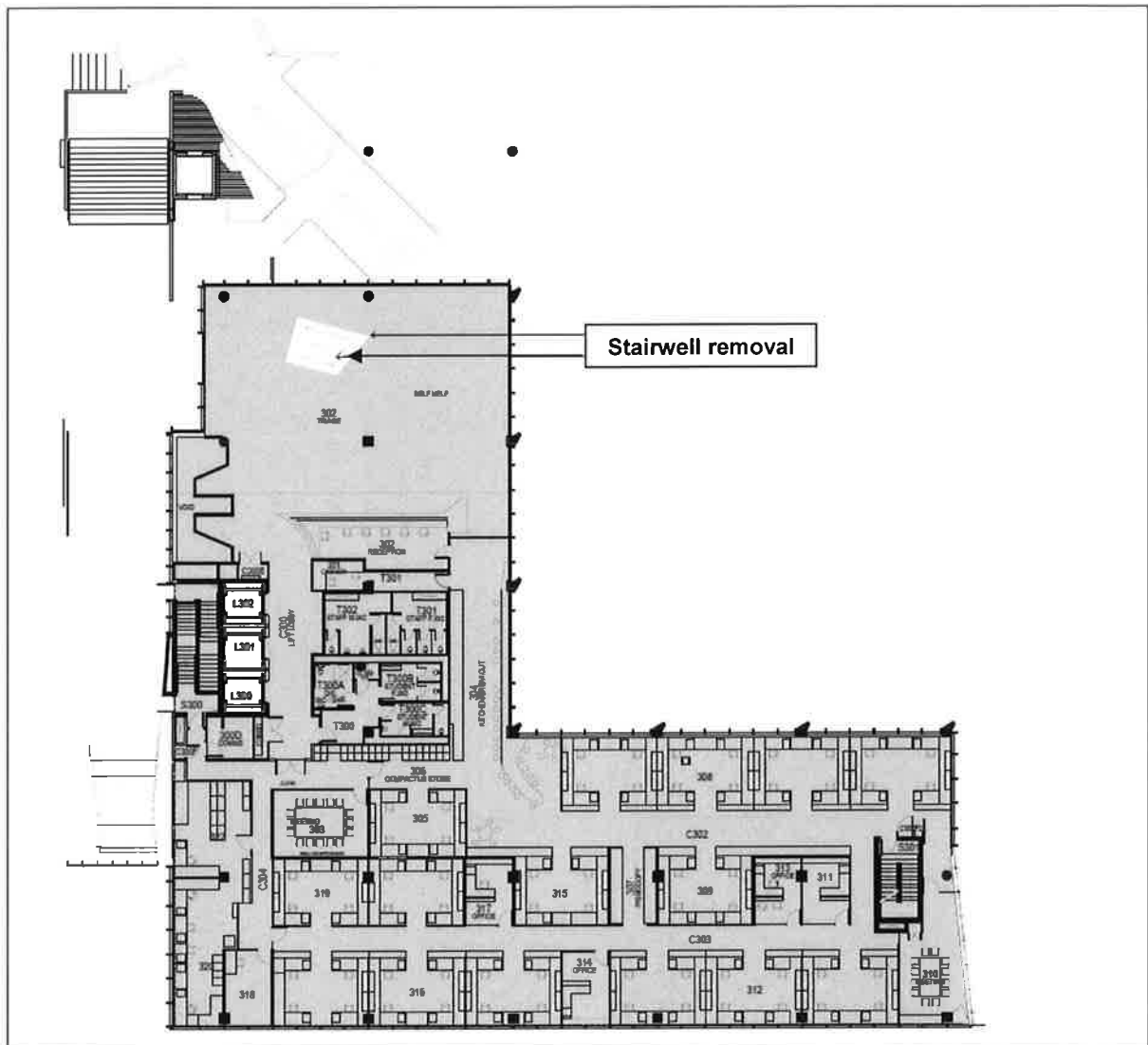


Figure 3: Proposed Level 3

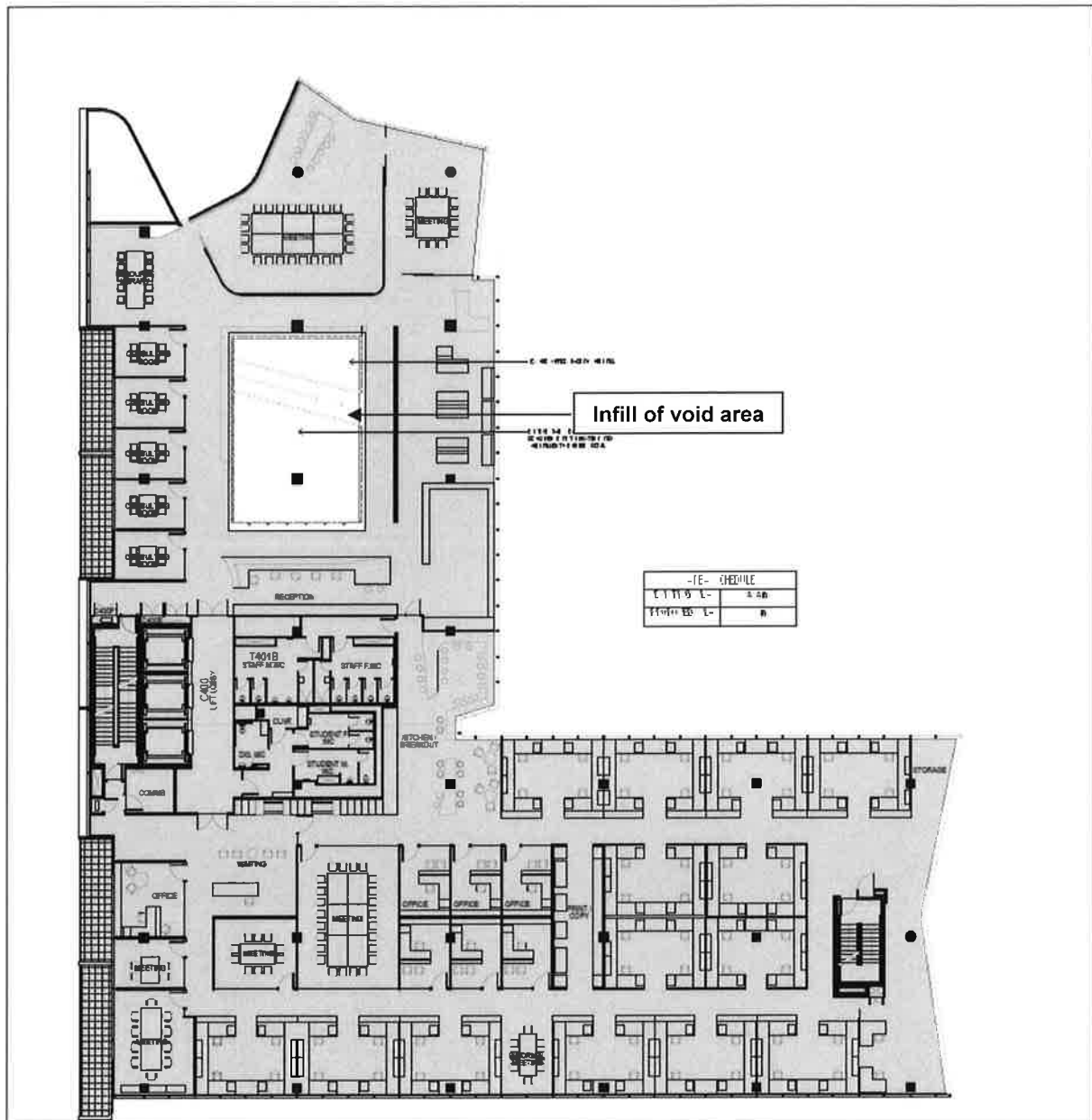


Figure 4: Proposed Level 4

### 3. STATUTORY CONTEXT

#### 3.1 Modification of the Minister's Approval

In accordance with clause 3 of Schedule 6A of the EP&A Act, section 75W of the Act as in force immediately before its repeal on 1 October 2011 and as modified by Schedule 6A, continues to apply to transitional Part 3A projects.

Section 75W(2) of the *Environmental Planning and Assessment Act 1979* (the EP&A Act) provides that a proponent may request the Minister to modify the Minister's approval of a project. The Minister's approval of a modification is not required if the approval of the project as modified would be consistent with the original approval. As the proposal involves modifications to the internal layout of the Jane Foss Russell building and the creation of additional floorspace, the modification will require the Minister's approval.

#### 3.2 Environmental Assessment Requirements

Section 75W(3) of the EP&A Act provides the Secretary with scope to issue Environmental Assessment Requirements (SEARs) that must be substantially complied with before the



matter will be considered by the Minister. Environmental Assessment Requirements were not issued for this application as the proponent has addressed the key issues in the modification application.

### **3.3 Delegated Authority**

Under the Minister's Delegation dated 16 February 2015, the Director, Infrastructure can determine the modification applications as: the City of Sydney Council (Council) has not objected to the proposed modifications; a political disclosure statement has not been made for these applications; and no public submissions were received objecting to the proposed changes.

## **4. CONSULTATION AND SUBMISSIONS**

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Under Section 75X(2)(f) of the EP&A Act, the Secretary is required to make the modification request publicly available. The modification request was on the department's website and referred to the Council.

The City of Sydney (Council) were notified of the proposed modifications, and at the time of writing this report, no submission had been received raising any objection.

## **5. ASSESSMENT**

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The key assessment issues for the proposed modification application relate to the following:

- impacts associated with internal circulation and egress;
- consistency with the approved The University of Sydney Campus Improvement Program concept proposal (SSD 6123);
- car parking; and
- development contributions.

### ***Internal Layout***

The proposed removal of the stairwell between levels 3 and 4 and infill of the level 4 void space is sought by the proponent to provide an additional 85.88 sqm of floorspace for student administration purposes. The proposed additional floorspace is minor in the context of the overall development and being internal and would not contribute to the bulk and mass of the existing building and would not change the external appearance of the building.

The submitted Fire Engineering advice details that while the stairwell is proposed to be removed, sufficient exits will be available to allow building occupants to safely exit the building. It was further noted that the existing building contains additional fire safety systems above that required by the Building Code of Australia (BCA). It was concluded, that the building's internal circulation, as proposed to be amended, would meet the requirements of the BCA via a Fire Engineering Alternative Solution.

The Department has considered the proposed internal amendments to the existing building and raises no objections, noting that sufficient exits and fire safety measures exist within the building to ensure that compliance with BCA requirements is maintained.

### ***Concept Proposal Consistency***

The University of Sydney Campus Improvement Program (CIP) Concept Proposal (SSD 6123), was approved by the then Minister for Planning on 16 February 2015. The proposal provides guidance for future development and redevelopment of existing teaching and learning facilities and ancillary land uses, comprising of precinct based envelopes and maximum GFAs within the identified building envelopes. The Jane Foss Russell building is identified within the City Road Precinct (see **Figure 5**).

The proposed amendments would not be inconsistent with the terms and conditions of the approved SSD concept proposal. While the concept proposal approval contains a cap on additional floor space allowed in each CIP Precinct, this only applies in identified building envelopes. The Jane Foss Russell building is not within any of the approved building envelopes (see **Figure 5**) and the additional minor amount of floor space will not undermine the intent of the approved concept proposal. Further, the proposed amendment will not create new built form that is externally visible.

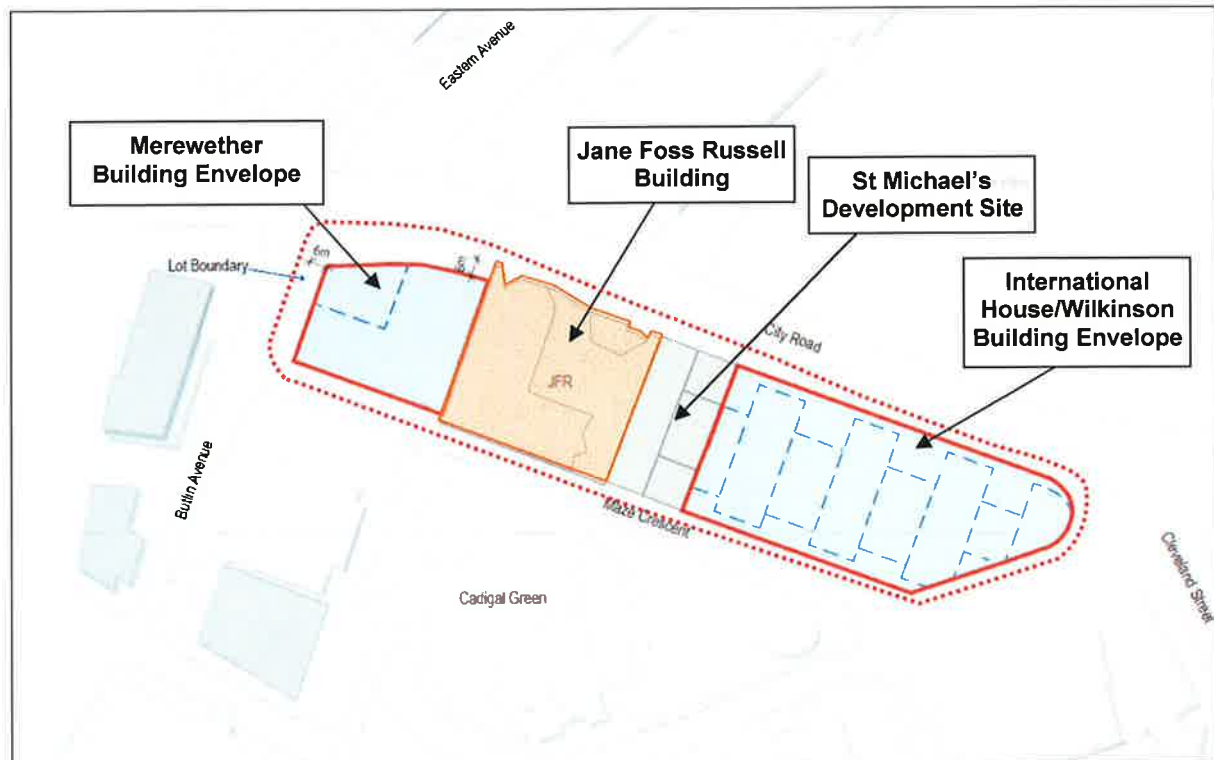


Figure 5: SSD 6123 City Road Precinct (dashed red outline)

### **Car Parking**

No new or additional car parking was provided as part of the original USYD Central Building development. The proponent sought to encourage more sustainable and alternative transport modes given the sites close proximity to existing rail and bus services.

Similarly, the proposed modification application does not propose any additional car parking in support of the proposed additional floorspace on level 4, however the proponent has detailed that the additional floorspace is not designed to accommodate additional staff or students.

The Department notes that the additional floorspace proposed on level 4 is designed for additional student services functions and will not result in an increase in building or campus population. In this regard, the proposed modification will not generate any new car parking demands.

### **Development Contributions**

The approved project application (MP05\_0164) did not include any requirements for the payment of development contributions to Council. Furthermore, the proposed modification does not seek to increase staff or student numbers and therefore would not create any additional demand from Council for the provision of services.



## 6. CONCLUSION

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The Department has reviewed the modification request and consulted with Council. All the relevant environmental issues associated with the modifications have been assessed.

The proposed internal modifications to the Jane Foss Russell building are considered acceptable and no objections are raised by the Department. Sufficient fire safety measures and paths of travel exist within the existing building, ensuring that the existing building remains compliant with the BCA.

The Department is of the opinion that the modification of the proposal is in the public interest as it would not give rise to adverse environmental impacts. Consequently, the Department recommends that the modification be approved.

## 7. RECOMMENDATION

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It is recommended that the Director, Infrastructure:

- note the information provided in this report;
- approve the modification request; and
- sign the attached modifying instrument (**Appendix B**).

Prepared by:



Peter McManus  
**Senior Planner**  
**Social Infrastructure**

Endorsed by:



David Gibson  
**Team Leader**  
**Social Infrastructure**

## **APPENDIX A      MODIFICATION REQUEST**

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See the Department's website at:

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=7003](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7003)

## **APPENDIX B    RECOMMENDED MODIFYING INSTRUMENT**

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