

Appendix 1 Detailed Response to Issues Raised

Table 1. Detailed Response to Issues Raised in Submissions

1. Issues Raised in Submissions from the City of Sydney

Issue	Response
Sydney LEP 2012. Council recommends that that height and FSR of the proposal is reduced to address heritage, urban design, landscape and amenity issues.	UTS has revised the proposed envelope to reduce its height in key areas and overall form with resulting reduced impacts to surrounding areas. This is discussed in the RTS report at Section 1.2.
Heritage. Council recommends: - The height of the southern edge of the envelope should be reduced to 4 storeys to respond to the height of heritage buildings. - The envelope height along the UNDA boundary should be reduced to 2 storeys on the eastern boundary and set back if higher than 2 storeys so that it does not appear as a backdrop to the church spire at the key vantage points from surrounding streets - The envelope should set back to the Buckland Street frontage to allow the protection of the trees numbered T33, T34 and T35 and the retention of the heritage palisade fence. - The setback from the western site boundary [Buckland Street frontage] should retain and reinforce views from the public domain to the north face of Building CB22 - The northern alignment of the historical extent of Grafton Street should be used to determine a portion of the alignment of the south face of the proposed building envelope - Archaeological testing should be undertaken to inform the Stage 2 detailed design. Results of archaeological testing and mitigation measures should be included as part of any Stage 2 development application.	UTS has revised the proposed envelope to reduce its height in key areas and overall form with resulting reduced impacts to surrounding areas. This is discussed in the RTS report at Section 1.2. In particular, UTS has: - Reduced the height of key parts of the envelope to 3 storeys to respond to the height of heritage buildings including the Buckland Street frontage and the eastern boundary interface with the UNDA - Reduced the height of the southern edge of the envelope to 5 storeys - Reduced the height of the envelope at the eastern boundary with the UNDA to be 9m (ie as envisaged by the LEP) - Included photomontages from key vantage points at surrounding streets that demonstrate that the proposed envelope does not appear as a backdrop to the St Benedicts church spire from key vantage points including nearby street corners or the entry into the UNDA courtyard - Significantly set back the proposed envelope from the Buckland Street frontage to retain Tree T35, a high retention value River She-oak (<i>Casuarina cunninghamiana</i>) the tallest tree on the site (~17m) and approximately 13m of Palisade fence and opening up internal landscaped area at the street frontage and retaining views of the former girl's school northern elevation from Buckland Street - Modified the envelope so that it responds to the alignment of Grafton Street UTS has no objection to further archaeological testing to be required prior to the lodging of the Stage 2 DA in order to inform the design of the Stage 2 building.
- Landscape setting and tree removal. Council recommends: - The proposed envelope should be modified to an orthogonal form to reinforce the courtyard typology, at least on the ground level (see	- UTS has revised the proposed envelope to reduce its height in key areas and overall form with resulting reduced impacts to surrounding areas. This is discussed in the RTS report at Section 1.2. These changes have included: - modification of the envelope to be orthogonal to

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building from recommendations). • T33, T34 and T35 are to be retained by setting the envelope back from Buckland Street. • No approval should be granted for the removal of street trees as part of this application. • A replacement tree planting strategy should be submitted as part of the Stage 1 development application that identifies suitable numbers, sizes and species of trees to offset any proposed tree removal.	the existing heritage buildings • Significantly set back the proposed envelope from the Buckland Street frontage to retain Tree T35, a high retention value River She-oak (<i>Casuarina cunninghamiana</i>) the tallest tree on the site. • The proposal does not seek the removal of any street trees • UTS has no objection to the Stage 2 DA including a tree replacement strategy to offset any tree removal.
Height and overshadowing. Council recommends that: • the building envelope should be modified to remove any impact of overshadowing on existing residential dwellings. • the height on the building on the north-eastern boundary of UNDA be reduced in height to 2 storeys • plant and building services should be located in the basement	UTS has revised the proposed envelope to reduce its height in key areas and overall form with resulting reduced impacts to surrounding areas. This is discussed in the RTS report at Section 1.2. In particular the envelope has been reduced to ensure that shadows from the development do not cause any adjacent residential dwelling to be overshadowed after 9.35am in midwinter, ensuring that these windows will continue to have access to midwinter morning sun for more than 2 hours in accordance with design criteria set by the Apartment Design Guide.
Building form. Council recommends that the building envelope should be modified so as to be parallel or perpendicular to the existing heritage buildings. Steps in the building envelope or future building footprint should relate to the existing courtyard typology and respect historic alignments. Council has also requested that the minimum floor-to-floor heights be 3.6m for the ground floor and 3.3m for the floors above in accordance with the Sydney Development Control Plan 2012	UTS has revised the proposed envelope to reduce its height in key areas and overall form with resulting reduced impacts to surrounding areas. This is discussed in the RTS report at Part 1. These changes have included modification of the envelope to be orthogonal to the existing heritage buildings. UTS considers that the comments by Council regarding the non-orthogonal envelope may indicate Council has not fully understood the difference between the form set by an envelope and the eventual design of a building that fits within that envelope. As state significant development, Sydney Development Control Plan 2012 does not apply to the proposal. Notwithstanding, the revised envelope provides for floor-to-floor heights of 3.6m for the ground floor and 3.5m for the floors above.
Design Excellence. Council recommends a Design Excellence Strategy should be prepared and submitted as part of the Stage 1 development application to define the extent and type of competitive process to be undertaken as part of a stage 2 application.	UTS has a very strong record of achievement in relation to design excellence demonstrated in its delivery of recent buildings at its Main Campus and the Dr Chau Chak Wing Building. As a result, it is UTS's view that this condition is not necessary. UTS, however has no objection to a condition requiring that the Stage 2 DA for the building design be the result a competitive design process in accordance with the City of Sydney Competitive

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	Design Policy (adopted by the Council on 9 December 2013). UTS notes that compliance with this policy, in accordance with Clause 6.21(7) of the Sydney Local Environmental Plan 2012 allows the consent authority to consider granting an additional amount of height or floor space of up to 10% of the maximum permissible to a development that is the result of a competitive design process.
Access, connectivity and transport: Council recommends that the exact positioning and width of the Buckland Street access point should be carefully considered and designed to minimise impacts on the heritage palisade fence.	UTS believes that the bicycle parking at Building 10 is satisfactory. Building 10 provides for a large number of secure bicycle parks, together with state-of-the-art end of trip facilities.
Access, connectivity and transport: Council recommends that the Stage 2 DA outline the proposed waste storage and collection with the intent that deliveries, storage and collection of waste should take place on site and all vehicles should enter and depart the site in a forward direction.	UTS has no objection to providing servicing information as a part of the Stage 2 DA.
Access, connectivity and transport: Council recommends that a Green Travel Plan should be prepared as part of any future Stage 2 DA.	UTS has no objection to providing a Green Travel Plan but argues this should not be prepared until closer to the occupation of the building (in part because the plan risks being out of date if prepared too early, especially considering the status of several major transport projects in the vicinity). UTS has no objection to this being a condition of the Stage 2 approval rather than the current application.
Access, connectivity and transport: Council supports the nil provision of off street parking. Council does not support the proposal to locate bicycle parking at the consolidated UTS Building 10 bicycle facility. Council recommends all required bicycle parking and end-of-trip-facilities should be provided on site in accordance with Sydney Development Control 2012 requirements.	UTS maintains that current proposal, to provide bicycle parking at Building 10, as a university wide coordinated approach to bicycle parking, is the best response to providing this infrastructure in the particular circumstances of the site. Building 10 provides for a large number of secure bicycle parks, together with state-of-the-art end of trip facilities.
Contamination and acid sulfate soils: Despite the findings of the contamination assessment for the southern portion of the site finding that the site was suitable for childcare, Council argues a detailed site contamination and acid sulfate soils assessment should be carried out for the portion of the site not subject to the child	UTS has no objection to providing a detailed environmental site assessment and acid sulfate soils management plan as a part of the Stage 2 DA.

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care centre approval. Council recommends a Detailed Environmental Site Assessment and Acid Sulfate Soils Management Plan must be submitted for the entire site as part of any Stage 2 DA	
Flooding, stormwater and public domain: Council notes the site is located in the Blackwattle Bay catchment area and is flood affected. It also notes that sections of the existing public domain including footpaths, gutter and street lighting may require upgrading. Council recommends the current Stage 1 development application should include a Flood Assessment and Integrated Stormwater Management Plan that properly identifies floor levels. At Stage 2 a Public Domain Plan should be submitted.	An assessment of the existing and potential flooding impacts and potential flood planning levels by WMAwater has been provided as a part of this RTS and is attached at Appendix 4. The revised envelope has been designed in accordance with the floor levels recommended by the flooding assessment, with the minimum ground floor level set at 9.67mAHD. UTS has no objection to providing a stormwater management plan and a public domain plan as a part of the Stage 2 DA.
Lot consolidation: Council notes that the site currently comprises 13 lots, with many of the lots contained in DP 466 (dating from 1879) Council recommends that the Stage 2 DA should make provision for all land titles within the site to be consolidated into one lot.	UTS has no objection to consolidating the sites as a part of the Stage 2 DA.
2. Issues Raised in Submissions from the Heritage Council	
Issue	Response
Archaeology. The Heritage Council noted the significance and rarity of the archaeology on the subject site and recommended eight mitigation strategies (based on those in the EIS) be applied as conditions on an approval to guide the detailed design phase of the development.	UTS has no objection to the proposed conditions being placed on an approval in order to guide the subsequent detailed design phase and the Stage 2 DA.
3. Issues Raised in Submissions from the Transport for NSW	
Issue	Response
<i>Proximity to West Metro Corridor.</i> TfNSW recommended conditions be placed on any consent to ensure that the proposed development does not encroach on the corridor, and to ensure that the design and construction of the basement levels, foundations and ground anchors for the approved development are completed to the satisfaction of TfNSW	The application is a staged application that includes one basement level. A Stage 2 DA will provide for the design of the building within the envelope. UTS has no objection to the proposed condition being placed on an approval for this or subsequent applications.
<i>Construction Pedestrian and Traffic Management Plan (CPTMP):</i> TfNSW	The application is a staged application. A Stage 2 DA will provide for the design of the building within the

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requested that the proponent prepares a detailed CPTMP prior to commencement of construction which takes into account other construction projects in the CBD including Sydney Light Rail project.	envelope. An approval for this first stage will not allow for construction. Accordingly it is considered that this condition should be applied to a second stage development application. Notwithstanding, UTS has no objection to the condition being placed on an approval this or subsequent stages.
<i>Rapid Bus Route Investigation:</i> TfNSW requested that the Proponent continue to liaise with it regarding the Rapid Bus Route Investigation to ensure the development integrates with any future transport infrastructure in the area.	UTS will continue to liaise with TfNSW regarding future transport infrastructure in the area and has no objection to a condition being placed on an approval to this effect.
Bicycle Parking. TfNSW suggested that the bicycle parking should be provided on-site (rather than at the UTS main bicycle parking facility at Building 10).	UTS maintains that current proposal, to provide bicycle parking at Building 10, as a university wide coordinated approach to bicycle parking, is the best response to providing this infrastructure in the particular circumstances of the site. Building 10 provides for a large number of secure bicycle parks, together with state-of-the-art end of trip facilities.
4. Issues Raised in Late Submission from the Heritage Division, Parramatta NSW	
Issue	Response
Heritage impacts of the proposed 6.0m wide vehicular access from Buckland Street, recommending that access arrangements to the site should be considered as part of an overall strategy to ensure the most suitable and sensitive outcome is achieved	The proposed vehicle access from Buckland Street between the former Girl's School Building and the proposed envelope is already approved by the City of Sydney. The approval was granted on 20/5/16 (D/2012/1398/A) and included the removal of 4 trees and the reconfiguration of the perimeter fence to create a 4.5m wide opening to provide to provide temporary construction vehicle access for the approved childcare centre and permanent emergency services vehicle access into the site. The proposed research building will share this entry (which is only for service and emergency services vehicles) with the other uses on the site, ensuring only one entry is installed across the overall site (rather than multiple entries) and as a result minimising impact to the perimeter heritage fencing. The proposal does not seek consent for any change to the width of this opening in the heritage fencing, which is at the minimum permitted by the NSW Fire Brigade Access Guidelines.
5. Issues Raised in Submissions from the NSW Environmental Protection Authority	
Issue	Response
Site contamination. The EPA has asked that a Section A site audit statement	UTS has no objection to providing a site audit statement as a part of the Stage 2 DA.

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issued by an EPA accredited site auditor be provided determining site suitability for the proposed land uses.	
Asbestos. The EPA noted their anticipation that asbestos may be encountered during demolition of proposed structures on the land, despite it not having been identified in fill material testing. It recommended an unexpected asbestos finds protocol be developed and implemented for the site. It also recommended that the proponent be required to consult with SafeWork NSW concerning the handling of any asbestos encountered on the site. The EPA also recommended that the proponent be required to ensure that all waste generated during the project was assessed classified and managed in accordance with the <i>Waste Classification Guidelines Part 1: Classifying Waste</i>	UTS has no objection with complying with these recommendations. These issues are considered to be best dealt with by a condition placed on an approval to require the relevant protocol, consultation and waste management prior to the commencement of any demolitions.
6. Issues Raised in Submissions from the University of Notre Dame Australia, submission prepared by Planning Lab	
Issue	Response
Inappropriateness of the development with respect to the significant heritage 'garden' setting.	UTS has revised the proposed envelope to reduce its height in key areas and overall form with resulting reduced impacts to surrounding areas. This is discussed in the RTS report at Section 1.2. The proposal has been revised to retain more trees, including the tallest tree on the site. UTS also proposes new street tree planting to replace the existing street trees which are not thriving, to complement the significant street trees further to the south on Buckland Street, and which establish the streetscape character. UTS notes that it is incorrect to assert that the garden setting has a heritage value. The heritage report by Paul Davies clearly identifies that the trees on the site have no heritage value.
Excessive height and bulk	UTS has revised the proposed envelope to reduce its height in key areas and overall form with resulting reduced impacts to surrounding areas. This is discussed in the RTS report at Section 1.2.
Nil setbacks to UNDA: The lack of any northern curtilage for the proposed building and the necessity of providing setbacks to the UNDA, suggesting a minimum 3m – 6m setback is required from the common boundary wall between	There is no requirement to provide setbacks to side and rear boundaries. It would be typical for a development on this land to respect the nearby pattern of development, which is predominantly warehouses, terraces and infill buildings, which are typically built to the boundary and the street

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Notre Dame and the University of Technology Sydney is required in order to provide space for light, air and maintenance purposes. Negative impacts on the St Benedicts Church group: because the proposal would need to 'borrow' amenity creating conflict if these sites were to be developed.	frontage. This is demonstrated by the UNDA building at 2 Buckland Street, which is built to the boundary with the UTS land with no setback. It is also demonstrated by the UNDA building fronting Abercrombie Street, which extends west to the UTS boundary with nil setbacks in the immediate vicinity of the former boy's School building. There are no requirements in the Locality Statement in the Sydney DCP 2012 that require side setbacks. It should also be noted that the application seeks approval for a building envelope, which indicates a maximum extent of building. The design of the eventual building within the envelope may incorporate boundary setbacks subject to the final design. The proposal does not diminish the development potential of the UNDA land at the corner of Buckland St and Broadway, which could also be built to the UTS boundary in keeping with the street wall pattern of development along Buckland Street. The proposal does not rely on any 'borrowed' amenity from UNDA or create any conflict with development of the adjacent sites. Notwithstanding, UTS has revised the proposed envelope to provide for a setback to the eastern boundary above with UNDA above level three. This is discussed in the RTS report at Section 1.2.
Unsubstantiated and irrelevant considerations supporting proposed overdevelopment	UTS considers that the Clause 4.6 variation is properly made.
Heritage values of the proposal site and the area: The proposal does little to respond the heritage values of the site or the local area	A Conservation Management Plan and Heritage Impact Statement have been provided as part of the application. These have found that the proposed envelope does not detract from the heritage values of the site or surrounding area.
Building design: the massing, bulk and height of the proposal does not appear to respect the form, height and urban grain of the existing heritage values of the area, or have any regard to the statutory height controls.	UTS has revised the proposed envelope to reduce its height in key areas and overall form with resulting reduced impacts to surrounding areas. This is discussed in the RTS report at Section 1.2. It should be noted that the proposal is for a building envelope, which is not an articulated final building design. The massing, bulk, grain and heritage compatibility of the building within the envelope, which will be smaller than the envelope, will depend on a range of matters including its precise design, materials, proportionality. These will be the subject of a Stage 2 DA.
Streetscape views: views from Broadway to the UTS Blackfriars Campus Group and	The RTS includes photomontages of the proposal from Broadway. The photomontages demonstrate

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its setting would be blocked and much of the streetscape values around the site would be compromised. Large trees on the site, which provide heritage value, character, shade and amenity to Buckland Street and the site, are also proposed to be removed. These trees contribute to the heritage setting of the curtilage and help to frame the views of the site from the street and within the area. In addition the proposal would have a nil setback on Buckland Street. This means that the heritage setting of the streetscape, its amenity, and the linkages between the UTS Blackfriars Campus Group and the street will be adversely affected.	that the proposal does not block views of the Blackfriars Campus Group, and does not compromise streetscape values. The revised proposal retains more trees, including Tree T35, a high retention value River She-oak (<i>Casuarina cunninghamiana</i>) the tallest tree on the site. UTS also has no objection to including additional tree planting in the open spaces between and around buildings. The heritage report by Paul Davies clearly identifies that the trees on the site have no heritage value. The extent of the proposed nil setback on Buckland Street has been reduced to align with the corner of Grafton Street opposite, responding to the warehouse style UNDA campus building, as well as the UNDA building at 2 Buckland Street which has a nil setback to Buckland Street.
Non-compliance with Sydney LEP2012	The proposed development exceeds the LEP height of buildings and floor space ratio controls but is accompanied by a request to vary the development standard in accordance with section 4.6 of the LEP.
Non-compliance with the Sydney DCP2012	In accordance with the State and Regional Development SEPP, Development control plans do not apply to State Significant development Notwithstanding, UTS considers that the proposal generally achieves the principles in Sydney DCP2012 Locality Statement 2.3.1 Chippendale subclauses as follows in that it: a) responds to and complements the heritage items and contributory buildings b) maintains the visual prominence and landscaped setting of the Blackfriars campus with several significant trees retained on the site's perimeter, a formal quadrangle space reinstated in the centre of the site with new plantings of more appropriate tree species in the private open space c) Retains a rich mix of building types d) Reinforces the predominant street frontage height setbacks and street alignments of Buckland Street e) Not relevant (relates only to alterations and additions) f) Not relevant (relates only to existing warehouse buildings) g) Provides an envelope for a building that will be sympathetic to the scale and fine grain character of the area

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Adverse impacts on street views: That the visual prominence and landscaped setting would be compromised; that the building would “overshadow” the buildings on Abercrombie Street and Broadway; that the height and bulk of the proposal would diminish the heritage values of the St Benedict’s Church site and Blackfriars when viewed from Broadway, Abercrombie and Buckland Street; That a “modern ‘warehouse style building’” would diminish the heritage value of the whole block.	UTS has revised the proposed envelope to reduce its height in key areas and overall form with resulting reduced impacts to surrounding areas. This is discussed in the RTS report at Section 1.2. The RTS has included photomontages of the proposed envelope from a number of nearby public places. The photomontages clearly demonstrate that the proposal is not visible from many nearby streets, and due to the arrangement of the site, and where it is visible achieves an appropriate scale and massing that is sympathetic to the heritage context. The proposal does not overshadow any buildings on Broadway. It appears that the submission may mean ‘overwhelm’ rather than overshadow. The amended proposal is not considered to overwhelm any buildings on Abercrombie Street or Broadway. In particular, the envelope does not diminish the prominence of the St Benedicts church, or the ability to see the spire of the church against the sky (rather than a backdrop if buildings) from nearby street corners and it will remain the clearly dominant architectural form on the block viewed from Broadway. The provision of a scale of building which is comparable to a warehouse is in keeping with the pattern of development the local Chippendale conservation area. It is also entirely in keeping with the required form for a future development on the UNDA land on the corner of Buckland St and Broadway.
7. Issues Raised in Submissions from the University of Notre Dame Australia, submission prepared by TKD Architects	
Issue	Response
Non compliance with local planning codes	Clause 4.6 variations for the non-compliances with floor space and height have been included in the application
Overshadowing: The proposed envelope would result in some overshadowing of the UNDA St Benedict’s Campus particularly the St Benedict’s courtyard.	UTS has revised the proposed envelope to reduce its height in key areas and overall form with resulting reduced impacts to surrounding areas. This is discussed in the RTS report at Section 1.2. The shadows to the UNDA courtyard have been reduced as a result of these changes. These are shown on the revised shadow diagrams in the RTS report at Section 2.3.
Visual impact/bulk and scale: Visual impact from bulk and scale within the courtyard; a wall within close proximity to the St Benedict’s boundary is likely to be a solid wall without any openings adding	UTS has revised the proposed envelope to reduce its height in key areas and overall form with resulting reduced impacts to surrounding areas. This is discussed in the RTS report at Section 1.2.

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to the impact of bulk if the facade is not activated or articulated; bulk and scale of the proposed development will provide a negative sense of enclosure and overbearing near the campus main entry and vice chancellery.	The proposal is not considered to provide a significant impact on the sense of enclosure to the UNDA campus entry and Vice Chancellery. It should be noted that these spaces and buildings are not overshadowed at all by the proposed development and will retain open views and access to existing light and air on all but their southern side. The application is a staged application. A Stage 2 DA will provide for the design of the building within the envelope, including the overall aesthetics and the design of the elevations, including articulation of any walls facing the UNDA site.
Aesthetics. Details of any proposed building within the envelope will need to be provided with a future application. Building code constraints could result in a blank wall within close proximity to the boundary	The application is a staged application. A Stage 2 DA will provide for the design of the building within the envelope, including the overall aesthetics and the design of the elevations, including articulation of any walls facing the UNDA site.
Privacy. A new building within the UTS site could overlook the St Benedict's Courtyard from openings setback from the boundary. This will need to be assessed once details of a proposed building are submitted.	The UNDA courtyard is already overlooked by its own buildings. As a university open space, that is not fenced and can be accessed by the public, it is considered that there are no privacy issue from potential overlooking by a new university building.
Heritage. The bulk and scale of the UTS proposal will have an impact on UNDA and Blackfriars buildings	UTS has revised the proposed envelope to reduce its height in key areas and overall form with resulting reduced impacts to surrounding areas. This is discussed in the RTS report at Section 1.2. A Conservation Management Plan and Heritage Impact Statement have been provided as part of the application. These have found that the proposed envelope does not detract from the heritage values of the site or surrounding area.
Infrastructure. The UTS proposal may require infrastructure such as a new electrical substation.	UTS understands that it will be required to provide a substation as part of the development. A separate application or the Stage 2 DA will provide for this infrastructure.
Impact during construction	A Stage 2 DA will provide for the design of the building within the envelope and construction related issues. UTS notes construction impacts are typically addressed by standard conditions of consent regarding hours, noise and other impacts
Potential connection between adjacent sites (UNDA and UTS) and potential land acquisition by UNDA	The current application does not propose a connection. UTS is happy to discuss this with UNDA should it be mutually beneficial for any subsequent development applications.

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8. Issues Raised in Late Submission from the University of Notre Dame Australia, submission prepared by Architectural Projects

Issue	Response
Bulk and Scale: Buildings within the UTS Blackfriars Campus Group have 2-3 storey high facades of 10.5 metres. Buildings within the St Benedict's Church Group are 2-3 stories high and approximately 10 metres. The massing, bulk and height of the proposal does not respect the form, height and urban grain of the existing heritage values of the site UTS Blackfriars Campus Group, adjacent heritage item St Benedict's Church Group or the Chippendale Conservation Area. Appropriate spacing between heritage items and infill development would respect their value and help protect the views from Broadway and the surrounding streets. A 9m high future development that responds to the existing urban grain of the site on a smaller floor plate would be more appropriate to the site and its context.	UTS has revised the proposed envelope to reduce its height in key areas and overall form with resulting reduced impacts to surrounding areas. This is discussed in the RTS report at Section 1.2. In particular the Buckland Street frontage of the envelope has been reduced in height to three storeys (not more than 11.2m) in order to establish a sympathetic massing and scale relationship with the former girls school heritage building adjacent to the south. The proposed envelope behind has also been further stepped back from the eastern and western boundaries. The envelope as amended is considered to achieves an appropriate spacing between the heritage items and the new building. With the proposed envelope now been substantially remodelled and reduced, there is greater certainty regarding the extent of the final building within the envelope. The articulation of the building floorplate and elevations within the envelope and its design and materiality will ensure that the building achieves a grain, massing and scale that responds to an complements the heritage context. This will be the subject of the Stage 2 DA.
Landscape Setting: While the individual trees are of variable quality the landscape setting is an important component of the site and should be retained even if the trees are replaced. UTS Blackfriars site and UNDA sites provide precedents for landscape covered walls that reinforce this landscape setting. Buckland St is identified in the Chippendale Conservation Area Inventory Sheet for its prominent landscaping. The proposal removes the significant planting and reduces its frontage and restrict replacement of mature trees.	UTS has revised the proposed envelope to reduce its height in key areas and overall form with resulting reduced impacts to surrounding areas. This is discussed in the RTS report at Section 1.2. The revised proposal retains more trees, including Tree T35, a high retention value River She-oak (<i>Casuarina cunninghamiana</i>) the tallest tree on the site. UTS also has no objection to including additional tree planting in the open spaces between and around buildings. UTS also proposes new street tree planting to replace the existing street trees which are not thriving, to complement the significant street trees further to the south on Buckland Street, and which establish the streetscape character. UTS notes that it is incorrect to assert that the garden setting has a heritage value. The heritage report by Paul Davies clearly identifies that the trees on the site have no heritage value. UTS is not opposed to the concept of landscape covered walls to be considered as a part of the building design if this is complementary to the design aesthetic.
Amenity to the Heritage Items: The newly	UTS has revised the proposed envelope to reduce its

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created courtyard receives northern sunlight, which creates a positive space which contributes to the continued use of these buildings. The proposal will limit this northern sunlight.	height in key areas and overall form with resulting reduced impacts to surrounding areas. This is discussed in the RTS report at Section 1.2. A Conservation Management Plan and Heritage Impact Statement have been provided as part of the application. These have found that the proposed envelope does not detract from the heritage values of the site or surrounding area. UTS Acknowledges that the proposal increases the overshadowing of the quadrangle space of the UTS site, however this is considered to be within acceptable limits and maintains a high degree of solar access for most of the year in the mornings and lunchtimes.
Visual Impact: St Benedict's Church is characterised by its spire. An anticipated height of 9 metres retains the silhouette of the spire when viewed from the north. The ability to view the church from the south from Grafton St is possible across the site has been restricted historically by development of the Carlton United Brewery site and more recently by the higher scale development on the UTS axis/Central Park, former Carlton United Brewery. The proposal at 27m will create a new backdrop.	UTS has revised the proposed envelope to reduce its height in key areas and overall form with resulting reduced impacts to surrounding areas. This is discussed in the RTS report at Section 1.2. The RTS has included photomontages of the proposed envelope from a number of nearby public places. The photomontages clearly demonstrate that the proposal does not impact upon the ability for the St Benedicts Church spire to clearly read against the sky in views from public places to the north.
Streetscape Views: The importance of the visual prominence and landscape setting of both the UTS Blackfriars site and Notre Dame St Benedict's Church site would be compromised by the proposed development. The proposal would dominate the form and shape of the buildings on Abercrombie Street, Buckland St and Broadway. The proposal would dominate the heritage buildings on Buckland Street and Broadway.	UTS has revised the proposed envelope to reduce its height in key areas and overall form with resulting reduced impacts to surrounding areas. This is discussed in the RTS report at Section 1.2. The RTS has included photomontages of the proposed envelope from a number of nearby public places. The photomontages clearly demonstrate that the proposal is not visible from many nearby streets, and due to the arrangement of the site, where it is visible achieves an appropriate scale and massing that is sympathetic to the heritage context. In particular the height and scale of the Buckland Street frontage has been significantly reduced, with greater retention of trees, and a significant setback to the taller part of the envelope. This will ensure the final building, whilst fronting Buckland Street, does not dominate the streetscape or the heritage buildings.

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9. Issues Raised in Submissions from the Public	
Issue	Response
Julia Homfray, of Chippendale NSW	
Height: exceeding 4 storeys; will detract from the ambiance of family living; infringement of laws; overcrowding of Abercrombie St; comments regarding Central Park.	UTS has revised the proposed envelope to reduce its height in key areas and overall form with resulting reduced impacts to surrounding areas. This is discussed in the RTS report at Section 1.2. The proposed development exceeds the LEP height of buildings controls but is accompanied by a request to vary the development standard in accordance with section 4.6 of the LEP. The proposed development has little or no impact on Abercrombie St and with its substantial distance from Abercrombie St is largely obscured by the buildings of UNDA and St Benedicts Church.
Name withheld, of Chippendale NSW	
Objects to the height and floorspace, and enjoyment of the low-rise area noting there are no buildings over 12m.	UTS has revised the proposed envelope to reduce its height in key areas and overall form with resulting reduced impacts to surrounding areas. This is discussed in the RTS report at Section 1.2. The proposed development exceeds the LEP height of buildings controls but is accompanied by a request to vary the development standard in accordance with section 4.6 of the LEP. Part of the justification includes the rebalancing of height across the Blackfriars site to maintain a single storey frontage to Blackfriars St. The local area contains numerous buildings higher than 12m. Several existing buildings on the UTS Blackfriars site and the UNDA site exceed 12m height. The blocks immediately to the north east contain the UTS main campus and Central Park, which both have tall towers exceeding 64m height. The blocks to the west have several buildings exceeding 12m height. The City's most recent approval in the immediate area at 23-25 Abercrombie St, on the south corner of Blackfriars St and within the Chippendale Conservation Area, (DA D/2012/1566) has a height of 22.75m high despite having a 15m maximum building height control under the SLEP2012 and an approved floor space ratio of 3.8:1, almost double the SLEP2012 FSR control of 2:1.
View loss, noting that their views to the city will be blocked as well as views of the church.	The objector has not provided the location of their properties and so it is not possible to undertake a full 'tenacity' view loss analysis to determine the precise

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extent of affected views. Nevertheless the following response to view loss is offered covering the issue of outlook and impact on city views in generalised terms.

In relation to outlook, the nearest residential properties are on the opposite side of Buckland Street. This places the nearest residential development at a minimum distance of 19m from the proposed envelope. Under the Apartment Design Guide, the typical minimum separation between habitable rooms of adjacent developments of up to 4 storeys (this is the height of the residential development) is 12m. The minimum proposed separation provided is over 150% of the minimum required by the ADG. This indicates that the proposal provides a significantly better separation than is typically required for residential uses in an inner city urban environment. In addition the proposed Buckland Street setbacks provide for the retention of 9m depth of landscaped area between the street frontage, the former girls school and the building envelope, including the retention of the sites largest tree. By retaining this area, the revised envelope maintains a landscaped outlook for these apartments that is not significantly different to the existing outlook.

In relation to city views, it is not clear what the submission means by 'blocking views to the city'. The entire Chippendale area is highly urbanised and arguably part of 'the city'. The location of the site, which sits at a low point of the Chippendale area, and is surrounded by a high buildings of UTS Building 11 and Central Park means that long distance views are of the UTS and Central Park towers. There are no traditionally iconic Sydney buildings visible from the site, such as Sydney Tower, the Sydney CBD skyline generally, or the Sydney Opera House or Harbour Bridge. As a result, it is submitted that the proposal will not block views of the 'city'. The proposal may change some views affecting the lower levels of other UTS and Central Park buildings, but the comparatively low height of the proposal compared to these buildings means that their higher levels will generally remain visible.

For some dwellings near the Buckland and Grafton Street corner, the proposal will impact on filtered views of the Church spire through trees over the UTS site. The current view on Grafton Street (photo taken in June 2016) shows that views from Grafton Street and Buckland Street of St Benedicts Church and of the urban locality behind are obscured by the

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	existing buildings and by the trees already on the site. It is also noted that an envelope that complied with the SLEP2012 height controls would have similar impacts.  View from Grafton Street, existing. Overall, it is considered that the proposal provides a good level of view sharing and a high quality outlook that is in keeping with the site's highly urbanised context, and which is not significantly different from the impacts of an envelope that complied with the SLEP2012 height control.
Increase in ambient noise, such as from air conditioning units	The application is a staged application. A Stage 2 DA will provide for the design of the building within the envelope. The Stage 2 DA will contain information about potential noise impacts of the development. These cannot be assessed at this stage as the location and design of the plantrooms is not yet known. The proposed development will comply with relevant planning and other regulations relating to noise.
Height not appropriate to being situated in the residential area	The site is not located in a residential area. The area is predominantly zoned B4 Mixed Use and the nearest uses are educational establishments with commercial uses and residential uses in the surrounding area and the LEP height of buildings map contains a range of heights in the surrounding area from 9m to 25m in the adjoining blocks with the Central Park Abercrombie St residential building substantially higher at over 45m. Notwithstanding, UTS has revised the proposed envelope to reduce its height in key areas and overall form with resulting reduced impacts to surrounding areas. This is discussed in the RTS report at Section 1.2.
Name withheld, of Chippendale NSW	
Proposal not in keeping with the surrounding streetscapes.	A comprehensive heritage and visual considerations assessment by Paul Davies has found that the proposed development is in keeping with the

Table 1. Detailed Response to Issues Raised in Submissions

	surrounding streetscapes. It noted that most buildings in the area (except this site and Notre Dame) are built to the street edges. It also noted that the long facades of the buildings along Buckland Street create a sense of scale in the street, the addition of a new building of greater height but narrow width will articulate the street and sit comfortably within the streetscape. Notwithstanding, UTS has revised the proposed envelope to reduce its height in key areas including along the Buckland Street frontage with resulting reduced impacts to surrounding areas. This is discussed in the RTS report at Section 1.2.
Height exceeding 9m.	UTS has revised the proposed envelope to reduce its height in key areas and overall form with resulting reduced impacts to surrounding areas. This is discussed in the RTS report at Section 1.2. The proposed development exceeds the LEP height of buildings controls but is accompanied by a request to vary the development standard in accordance with section 4.6 of the LEP.
The building will dominate the area and overlook residential buildings	The nearest residential building to the proposed development is on the opposite side of Buckland Street at a distance of 15m and the majority of that building is further offset to the south. Under the State's Apartment Design Guide, satisfactory visual and acoustic separation between apartment buildings of up to 4 storeys is achieved at a distance of 12m (ADG Sections 2F and 3F) where habitable spaces overlook other habitable spaces. As a result it is considered that any potential for overlooking of residential buildings is more than satisfactorily managed by separation distance. The proposed development is not considered to dominate the area. The dominant buildings in the area are the Central Park buildings fronting Abercrombie Street, which are twice the height of the proposed development. Within the site, despite the overall size of the proposed development, the envelope is designed to present a comparatively narrow frontage to Buckland Street in keeping with nearby former warehouse buildings. The constrained views of the proposed development in views along the streetscape and from other public domain areas means that the building does not dominate the area and the existing heritage buildings on the block remain the most dominant features.
UTS should develop other sites instead of the proposed site	UTS is developing its other sites. UTS has determined that the proposed use, which is

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	permissible on the subject site, is the best use for that land.
Suffering from years of noise and pollution from the Central Park development.	UTS recognises that the Chippendale area is undergoing substantial change, and will endeavour to minimise any construction impacts in accordance with State and local regulations and guidelines regarding construction noise and other impacts in built up urban areas.
Proposal's size not in keeping with conservation area	A heritage assessment by Paul Davies has found that the heritage impacts of the building are acceptable and the proposal is in keeping with the Chippendale Conservation Area (see Appendix 3). Notwithstanding, UTS has revised the proposed envelope to reduce its height in key areas and overall form with resulting reduced impacts to surrounding areas. This is discussed in the RTS report at Section 1.2.
Magnus Local, of Chippendale NSW	
Local residents need local space, community space.	The proposed development is not required to provide open space or space for community use. Notwithstanding, the quadrangle space between the buildings on the site, and the university grounds generally in the area are publicly accessible during university opening hours. In addition, the approved childcare use on the site is available for all members of the public including the Chippendale community, to access, subject to availability.
Height is more than the heritage buildings.	The proposed development exceeds the height of the heritage buildings on the site. A heritage assessment by Paul Davies has found that the heritage impacts of the building are acceptable (see Appendix 3). Notwithstanding, UTS has revised the proposed envelope to reduce its height in key areas and overall form with resulting reduced impacts to surrounding areas. This is discussed in the RTS report at Section 1.2.
Traffic	The traffic report accompanying the EIS has found that the decision by UTS not to provide carparking on the site will minimise traffic impacts of the proposed development on local roads, and that the traffic impacts of the proposed development are acceptable.