

## Section 96(1A) Modification Application (Mod 1) SSD 7382 Statement of Environmental Effects



University of Technology Sydney

UTS Central Precinct

Submitted to NSW Department of Planning & Environment  
On Behalf of University of Technology Sydney

1 February 2017 ■ 15746

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Chris Patfield

1/02/2017

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Angus Halligan

1/02/2017

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## 1.0 Introduction

This Statement of Environmental Effects (SEE) is submitted to the NSW Department of Planning & Environment (DP&E) in support of a Section 96(1A) application to modify State Significant Development consent SSD\_7382 relating to the extension of Building 1 and the Redevelopment of Building 2 at the Broadway Precinct of the University of Technology City Campus Sydney.

This Section 96(1A) application seeks approval for the following:

- Adjustment of the Broadway and Jones Street façade;
- Adjustment of the Jones Street entry near Broadway;
- Provision of a pedestrian awning and activated space on the Broadway frontage;
- Relocation of the collaborative learning theatres;
- Adjustment and increase in the number of skylights;
- Provision of laboratory exhaust flues on the roof of the Level 17 Plantroom;
- Addition of Superlab on Level 1;
- Adjustment to open roof terrace extent;
- Adjustment of the level of the podium roof slab (Level 8 Terrace) on the Broadway frontage;
- Reconfiguration of vertical circulation; and
- Landscape adjustments including removal of a tree on public land (Jones Street).

This SEE has been prepared by JBA on behalf of University of Technology Sydney (UTS) and is based on the Architectural Drawings provided by FJMT (see **Appendix A**) and other supporting technical information appended to the report (see Table of Contents).

This report describes the proposed modifications to the approved design, sets out the proposed amendments to the development consent conditions, and provides an assessment of the environmental impacts of the proposed changes. It should be read in conjunction with the documentation that accompanied State Significant Development Application 7382.

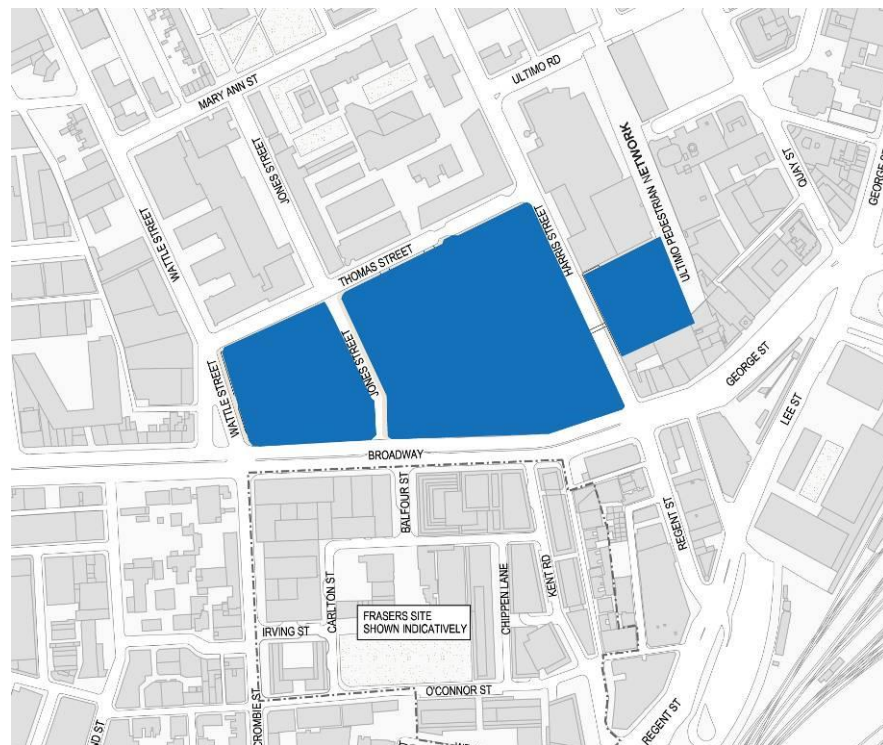
## 2.0 Background

### 2.1 The Site

The Broadway Precinct of the UTS City Campus is located on the southern edge of the Sydney Central Business District. The UTS City Campus is located entirely within the Sydney Local Government Area.

The site has frontages to Broadway, Thomas, Wattle and Harris Streets, and the Ultimo Pedestrian Network. The precinct is intersected by Jones Street and Harris Street. It is less than 700 metres from Central Railway Station.

The UTS City Campus occupies approximately 42,000m<sup>2</sup> of land within the Ultimo Cultural and Education Precinct (UCEP) which includes, among others, the Sydney Institute of TAFE, the Powerhouse Museum and the ABC. See **Figure 1** for the site context.



**Figure 1 – Site Context**

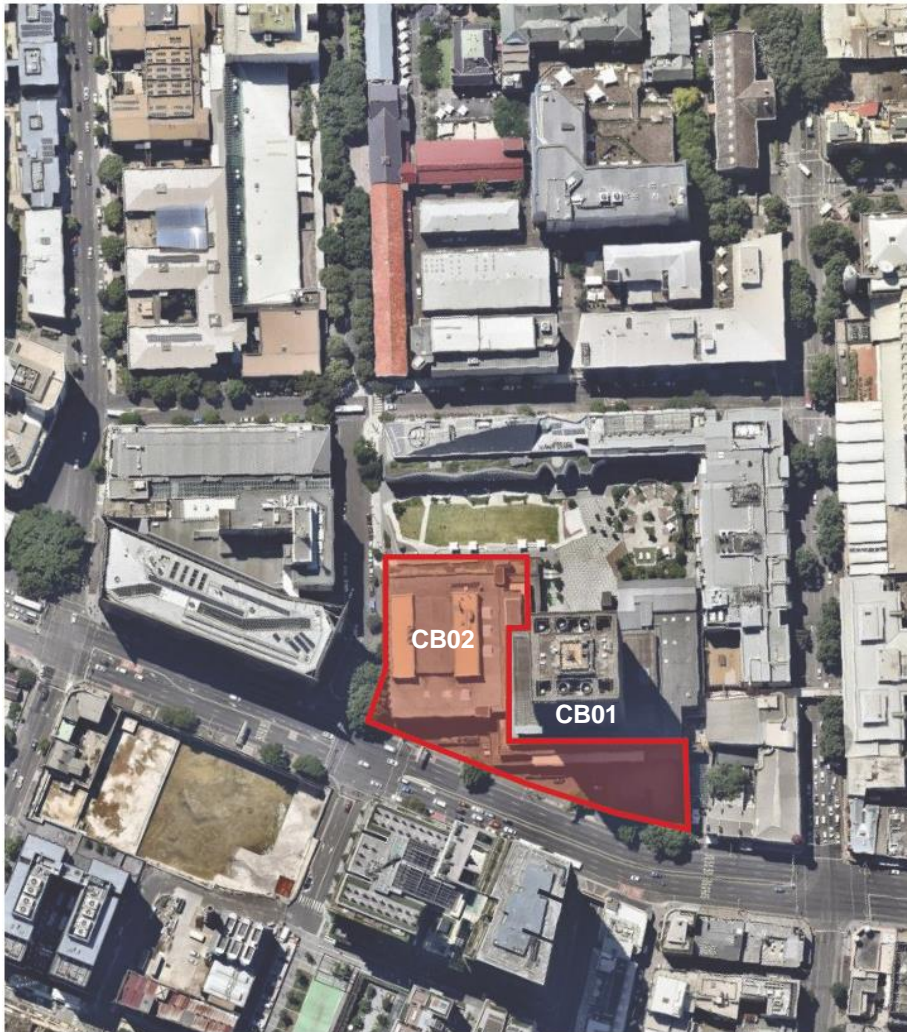
Source: BVN

The subject site, within the UTS City Campus, is referred throughout this report as UTS Central and consists of:

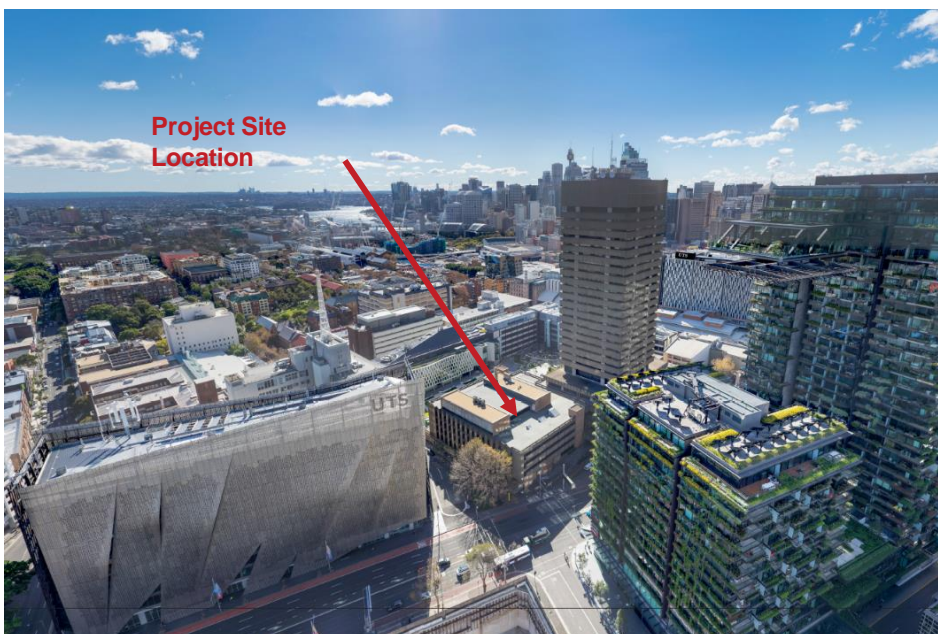
- UTS Building 1 (CB01) – Tower Building.
- UTS Building 2 (CB02) – Former Faculty of Engineering and Information Technology.

See **Figures 2** and **3** for the subject site.





**Figure 2 – Project Location**  
Source: FJMT Architects



**Figure 3 – Aerial view of UTS Broadway Precinct and surrounds**

## 2.2 Land Title

The UTS City Campus comprises nine allotments which are legally described in **Table 1**. UTS is the legal owner of all the allotments.

**Table 1** – Legal Description of Allotments

Land Parcel	Legal Description	Site Area (m <sup>2</sup> )
Buildings 1, 2, 3, 4 and 7 (UTS Tower and main campus)	Lot 2012 DP 1183894	26,943
Building 6 (UTS Harris Street)	Lot 11 DP 835246	5,109
Buildings 18 (former Building 8) and 9 (UTS Terrace Buildings)	Lot 1 DP 1079855	717
Building 10, 11	Lot 2012 DP 1190337	9,238
<b>Total</b>		<b>42,007m<sup>2</sup></b>

This modification relates to the development approval SSD 7382 for works entirely within Lot 2012, DP 1183894 (Buildings 1 and 2).

## 2.3 Consent Proposed to be Modified

### 2.3.1 Approved Concept Plan

The UTS City Campus Broadway Precinct Concept Plan was approved on 23 December 2009, which included:

- New Broadway Building and Thomas Street Building with a combined gross floor area (GFA) of 44, 650m<sup>2</sup>;
- Expansion of Buildings 1 and 2 with a combined additional GFA of 10,800m<sup>2</sup>;
- Expansion of Building 6 for the provision of student housing with an additional 25,250m<sup>2</sup> GFA;
- Modifications to Buildings 3, 4 and 10;
- Modifications to Alumni Green with a new Multi-Purpose Sports Hall and book vault beneath; and
- Public domain improvements to Broadway and Thomas, Harris, Wattle and Jones Streets.

The Minister also granted Project Approval for the following works:

- Construction of a new underground Multi-Purpose Sports Hall; and
- Demolition of Buildings 11, 12 and 13.

Subsequent modifications have taken place with the latest (Mod 5) being approved in March 2016.

### 2.3.2 State Significant Development 7382

On 23 September 2016, the NSW Department of Planning and Environment granted development consent for State Significant Development 7382 entirely consistent with the Concept Plan as modified in March 2016. The consent was granted for the construction and use of an education building, including:

- site preparation works, including demolition of existing Building 2 to ground level and associated tree removal;
- construction of a new 15 storey Building 2, including a part five storey podium and one level of plant, above an existing two level basement;
- construction of a four storey extension of podium of Building 1 along Broadway;
- public domain improvement works;



- landscaping works;
- staged construction of the two buildings; and
- extension and augmentation of physical infrastructure/utilities.

There have been no previous modifications to this consent.

## 2.4 Construction Staging

SSD 7382 involved approval for the complete scope of works listed in **Section 2.3**, however the Project will be delivered in two distinct phases to allow for the ongoing operation of the Campus with minimal disruption.

UTS Central is articulated in two main parts, a 4-5 storey podium and a 9 storey tower. Both parts are integrated at key locations.

### Phase 1 Works – CB02 Tower

To deliver this component, the existing Building 2 will be demolished down to ground level. The demolition of Building 2 rather than retention and refurbishment allows for significant advantages and benefits, including enabling seamless interaction and connections with the existing Building 1 podium. Above the new Building 2 podium (the competition winning scheme as prepared by Lacoste + Stevenson), there are proposed to be nine (9) additional floors, accommodating a range of educational uses.

This modification relates primarily to works to be completed during Phase 1.

### Phase 2 Works – CB01 Podium Extension

The Broadway podium façade and podium extension to CB01 is the competition winning scheme (Lacoste + Stevenson) which established a clear design approach with the existing fabric of CB01 podium and the broader UTS Campus.

The design for the Broadway façade has been considered first as a single continuous façade consistent with the original concept. The representation of Phase 1 has been based on the same design principles identified in the original Development Application. Subsequently Phase 2 and the completion of the overall design for Broadway remain consistent with the original vision.

### 3.0 Proposed Modifications to Consent

This Modification Application seeks approval for the following amendments:

- Adjustment of the Broadway and Jones Street façade;
- Adjustment of the Jones Street entry near Broadway;
- Provision of a pedestrian awning and activated space on the Broadway frontage;
- Relocation of the collaborative learning theatres;
- Adjustment and increase in the number of skylights;
- Provision of laboratory exhaust flues on the roof of the Level 17 Plantroom;
- Addition of Superlab on Level 1;
- Adjustment to open roof terrace extent;
- Adjustment of the level of the podium roof slab (Level 8 Terrace) on the Broadway frontage;
- Reconfiguration of vertical circulation; and
- Landscape adjustments including removal of a tree on public land (Jones Street).

#### 3.1 Modifications to the Development

The changes detailed below reflect the natural evolution that occurs in the development process. The key changes to the approved development are outlined below and further in the Design Report prepared by FJMT (refer to **Appendix B**).

##### Adjustment of the Broadway and Jones Street façade

The adjustment to the Broadway facade is primarily in response to the desire to have a more activated facade and usage along Broadway particularly where the General Teaching spaces are located on Levels 5, 6 and 7. It is on these levels, including Level 8 (terrace) for the full length of the Broadway facade that the facade has been moved out to the boundary. Previously the Broadway facade on these levels was setback approximately 1.5m from the boundary.

A series of related adjustments as identified in this submission have also been done in conjunction with the repositioning of the Broadway facade to further encourage activation on these levels.

The adjustment to the Jones Street facade at Levels 5, 6, 7 and 8 has resulted from the Broadway facade being relocated to the boundary on Broadway. The resultant change has provided more generous activated uses on these levels along the Jones Street facade and intersection with the Broadway facade. The western end of the building is sharpened with the radius of the curve reduced by half. This is more in keeping with the original competition design.

##### Adjustment of the Jones Street entry near Broadway

As part of the adjustment to the Jones Street facade on Levels 5, 6, 7 and 8 the Jones Street entry has been reconfigured. The revised entry position reinforces the need to provide a prominent entry at Jones Street with a clear visible connection to Broadway.

##### Provision of a pedestrian awning

The awning along Broadway is retained as per the DA submission however there are some adjustments that have occurred in response to the changes particularly at the corner of Jones Street and Broadway. The primary adjustment is that the awning has been lowered at the western end of Broadway to an appropriate height over the entrance on Jones Street.

### Relocation of the collaborative learning theatres

The General Teaching Spaces on Levels 5, 6 and 7 have been moved back from the facade on both Broadway and Jones Street to generate more space and opportunity for activation behind these facades and also to provide greater use and circulation around these teaching spaces.

### Adjustment and increase in the number of skylights

As part of the adjustment to the location of the General Teaching Spaces, particularly on Level 7 the number of skylights has been increased from three to five to further highlight the activation on Level 7 and visual connection from Broadway. This is more relevant for Level 7 as the General Teaching Space is located further back from the facade providing further opportunity for activation and uses on this level along the Broadway facade.

### Addition of Superlab on Level 1

A Superlab on Level 1 of Building 2 has been proposed by UTS following the original consent. This is existing space on Level 1 which requires some modifications to the circulation and amenities to enable this proposed use on this level.

### Provision of laboratory exhaust flues on the roof of the Level 17 Plantroom

With the inclusion of a Superlab on Level 1 there is also the provision of flues that are servicing the Superlab which are required to exhaust at roof level. These are located above the plant space as indicated above Level 17. The height of the exhaust flues are proposed at 3m above the roof level as required and are positioned in plan to minimise the visibility of these flues from ground level.

### Adjustment to open roof terrace extent

As part of the integration of the Superlab flues above the plant level and with ongoing design development and briefing for the roof terrace there has been some adjustment to the extent of the open roof terrace on Level 17 of Building 2.

### Adjustment of the level of the podium roof slab (Level 8 Terrace) on the Broadway frontage

The RL of the Level 8 terrace to the west has been increased to align with the slab level of the roof level to the east. The level to the east was established to align with the existing floor level of level 8 Building 1.

### Reconfiguration of vertical circulation

With the ongoing design development of Building 2 and interface with Building 1, the vertical circulation strategy of the podium levels have been adjusted to provide a clearer connection between both buildings, in particular along the Broadway facade at street level and on the upper levels, reinforcing activation along this facade. The strong visible and physical connection between the Alumni Green entries and Broadway, Jones Street entries has been further reinforced.

The circulation at the podium levels has also been adjusted to take into account the changes to the location of the General Teaching Spaces while maintaining the clear visible connections and movement paths between floors and at the entries from both Broadway and Jones Street. The reconfiguration of circulation particularly between the lower Levels 3 and 4 is highly visible and open to Broadway providing further activation at street level.

### Landscape adjustments including removal of a tree on public land (Jones Street)

The amendments have necessitated the removal of a tree on City of Sydney land on Jones Street. This is to provide for the new and upgraded avenue of street trees in accordance with the current City of Sydney street tree Masterplan and a new tree pit detailing in the technical guidelines.

The revised Landscape Statement (incorporated into the Design Report, **Attachment B**) includes other slight amendments reflecting the above changes. On Level 4, there is a slight adjustment to the ground plane to respond to revised position of the Broadway and Jones Street façade. On Level 8, the amended landscape terrace geometry responds to the adjustment to the façade and skylight extent, whilst the changes to the level of the Terrace on the Broadway frontage to the west is to align with the slab level of the roof to the east. On Level 17, the revised vegetation and green vertical trellis responds to the roof now being open to the sky, whilst the revised landscape geometry responds to the revised façade shape to the north.

## 3.2 Modifications to Conditions

The proposed modifications described above necessitate amendments to the consent conditions which are identified below. Words proposed to be deleted are shown in ~~**bold italic strike through**~~ and words to be inserted are shown in **bold italics**. Further additional Phase 1 drawings have been included for additional clarity under staging of the project.

### SCHEDULE 2

#### Development in Accordance with Plans and Documents

CONDITION A2. The Applicant must carry out the project in accordance with the conditions of consent and generally in accordance with the:

- a) State Significant Development Application SSD 7382;
- a) *State Significant Development Application, SSD 7382 Environmental Impact Statement, University of Technology Sydney, UTS Central Project*, prepared by JBA Urban Planning Consultants Pty Ltd, May 2016, except where amended by the *Response to Submissions, State Significant Development Application 7382, University of Technology Sydney, UTS Central Project*, prepared by JBA Urban Planning Consultants Pty Ltd, August 2016;
- b) The conditions of this consent; and
- c) The following drawings, except for:
  - i) any modification which are Exempt or Complying Development; and
  - ii) otherwise provided by the conditions of this consent.

#### Architectural (or Design) Drawings prepared by *FJMT and Lacoste + Stevenson and Daryl Jackson Robin Dyke Pty Ltd Architects*

Drawing No.	Revision	Name of Plan	Date
DA 96 0000	A	Cover Sheet	01/2017
<del>DA1001</del> DA S96 1001	<del>A B</del>	Site plan Location plan	<del>05/2016</del> 01/2017
<del>DA1002</del> DA S96 1002	<del>A B</del>	Ground plane and Level 4	<del>05/2016</del> 01/2017
DA2001	A	General Arrangement Demolition – Level 1	05/2016
DA2002	A	General Arrangement Demolition – Level 2	05/2016
DA2003	A	General Arrangement Demolition – Level 3	05/2016
DA2004	A	General Arrangement Demolition – Level 4	05/2016
DA2005	A	General Arrangement Demolition – Level 5	05/2016
DA2006	A	General Arrangement Demolition – Level 6	05/2016
DA2007	A	General Arrangement Demolition – Level 7	05/2016
DA2008	A	General Arrangement Demolition – Level 8	05/2016
<del>DA2201</del> DA S96 2201	<del>A B</del>	General Arrangement Proposed – Level 1	<del>05/2016</del> 01/2017
<del>DA2202</del> DA S96 2202	<del>A B</del>	General Arrangement Proposed – Level 2	<del>05/2016</del> 01/2017
<del>DA2203</del> DA S96 2203	<del>A B</del>	General Arrangement Proposed – Level 3	<del>05/2016</del> 01/2017

<b>DA2204</b> <b>DA S96 2204</b>	<b>A B</b>	General Arrangement Proposed – Level 4	<b>05/2016</b> <b>01/2017</b>
<b>DA2205</b> <b>DA S96 2205</b>	<b>A B</b>	General Arrangement Proposed – Level 5	<b>05/2016</b> <b>01/2017</b>
<b>DA2206</b> <b>DA S96 2206</b>	<b>A B</b>	General Arrangement Proposed – Level 6	<b>05/2016</b> <b>01/2017</b>
<b>DA2207</b> <b>DA S96 2207</b>	<b>A B</b>	General Arrangement Proposed – Level 7	<b>05/2016</b> <b>01/2017</b>
<b>DA2208</b> <b>DA S96 2208</b>	<b>A B</b>	General Arrangement Proposed – Level 8	<b>05/2016</b> <b>01/2017</b>
<b>DA2209</b> <b>DA S96 2209</b>	<b>A B</b>	General Arrangement Proposed – Level 9	<b>05/2016</b> <b>01/2017</b>
<b>DA2210</b> <b>DA S96 2210</b>	<b>A B</b>	General Arrangement Proposed – Level 10	<b>05/2016</b> <b>01/2017</b>
<b>DA2211</b> <b>DA S96 2211</b>	<b>A B</b>	General Arrangement Proposed – Level 11	<b>05/2016</b> <b>01/2017</b>
<b>DA2212</b> <b>DA S96 2212</b>	<b>A B</b>	General Arrangement Proposed – Level 12	<b>05/2016</b> <b>01/2017</b>
<b>DA2213</b> <b>DA S96 2213</b>	<b>A B</b>	General Arrangement Proposed – Level 13	<b>05/2016</b> <b>01/2017</b>
<b>DA2214</b> <b>DA S96 2214</b>	<b>A B</b>	General Arrangement Proposed – Level 14	<b>05/2016</b> <b>01/2017</b>
<b>DA2215</b> <b>DA S96 2215</b>	<b>A B</b>	General Arrangement Proposed – Level 15	<b>05/2016</b> <b>01/2017</b>
<b>DA2216</b> <b>DA S96 2216</b>	<b>A B</b>	General Arrangement Proposed – Level 16	<b>05/2016</b> <b>01/2017</b>
<b>DA2217</b> <b>DA S96 2217</b>	<b>A B</b>	General Arrangement Proposed – Level 17	<b>05/2016</b> <b>01/2017</b>
<b>DA2218</b> <b>DA S96 2218</b>	<b>A B</b>	General Arrangement Proposed – <del>Roof Level</del> RF Roof	<b>05/2016</b> <b>01/2017</b>
<b>DA3010</b> <b>DA S96 3010</b>	<b>A B</b>	South (Broadway) Elevation 1:250	<b>05/2016</b> <b>01/2017</b>
<b>DA3011</b> <b>DA S96 3011</b>	<b>A B</b>	North (Alumni Green) Elevation 1:250	<b>05/2016</b> <b>01/2017</b>
<b>DA3012</b> <b>DA S96 3012</b>	<b>A B</b>	West (Jones Street) Elevation 1:250	<b>05/2016</b> <b>01/2017</b>
<b>DA3013</b> <b>DA S96 3013</b>	<b>A B</b>	East (CB01) Elevation 1:250	<b>05/2016</b> <b>01/2017</b>
<b>DA3014</b> <b>DA S96 3014</b>	<b>A B</b>	Section A 1:250	<b>05/2016</b> <b>01/2017</b>
<b>DA3015</b> <b>DA S96 3015</b>	<b>A B</b>	Section B 1:250	<b>05/2016</b> <b>01/2017</b>
DA3016	A	Section C 1:250	05/2016
DA8010	A	Materials Sample Board	05/2016
1	A	Broadway Façade – Elevation and Views	05/2016
<b>DAS96 1001-1</b>	<b>A</b>	<b>Phase 1 Site plan Location plan</b>	<b>01/2017</b>
<b>DAS96 1002-1</b>	<b>A</b>	<b>Phase 1 Ground Plane and Level 4</b>	<b>01/2017</b>
<b>DAS96 2201-1</b>	<b>A</b>	<b>Phase 1 General Arrangement Proposed – Level 1</b>	<b>01/2017</b>
<b>DAS96 2202-1</b>	<b>A</b>	<b>Phase 1 General Arrangement Proposed – Level 2</b>	<b>01/2017</b>
<b>DAS96 2203-1</b>	<b>A</b>	<b>Phase 1 General Arrangement Proposed – Level 3</b>	<b>01/2017</b>
<b>DAS96 2204-1</b>	<b>A</b>	<b>Phase 1 General Arrangement Proposed – Level 4</b>	<b>01/2017</b>
<b>DAS96 2205-1</b>	<b>A</b>	<b>Phase 1 General Arrangement Proposed – Level 5</b>	<b>01/2017</b>
<b>DAS96 2206-1</b>	<b>A</b>	<b>Phase 1 General Arrangement Proposed – Level 6</b>	<b>01/2017</b>
<b>DAS96 2207-1</b>	<b>A</b>	<b>Phase 1 General Arrangement Proposed – Level 7</b>	<b>01/2017</b>
<b>DAS96 2208-1</b>	<b>A</b>	<b>Phase 1 General Arrangement Proposed – Level 8</b>	<b>01/2017</b>
<b>DAS96 2209-1</b>	<b>A</b>	<b>Phase 1 General Arrangement Proposed – Level 9</b>	<b>01/2017</b>
<b>DAS96 2210-1</b>	<b>A</b>	<b>Phase 1 General Arrangement Proposed – Level 10</b>	<b>01/2017</b>

<b>DAS96 2211-1</b>	<b>A</b>	<b>Phase 1 General Arrangement Proposed – Level 11</b>	<b>01/2017</b>
<b>DAS96 2212-1</b>	<b>A</b>	<b>Phase 1 General Arrangement Proposed – Level 12</b>	<b>01/2017</b>
<b>DAS96 2213-1</b>	<b>A</b>	<b>Phase 1 General Arrangement Proposed – Level 13</b>	<b>01/2017</b>
<b>DAS96 2214-1</b>	<b>A</b>	<b>Phase 1 General Arrangement Proposed – Level 14</b>	<b>01/2017</b>
<b>DAS96 2215-1</b>	<b>A</b>	<b>Phase 1 General Arrangement Proposed – Level 15</b>	<b>01/2017</b>
<b>DAS96 2216-1</b>	<b>A</b>	<b>Phase 1 General Arrangement Proposed – Level 16</b>	<b>01/2017</b>
<b>DAS96 2217-1</b>	<b>A</b>	<b>Phase 1 General Arrangement Proposed – Level 17</b>	<b>01/2017</b>
<b>DAS96 2218-1</b>	<b>A</b>	<b>Phase 1 General Arrangement Proposed – RF Roof</b>	<b>01/2017</b>
<b>DA S96 3010-1</b>	<b>A</b>	<b>Phase 1 South (Broadway) Elevation 1:250</b>	<b>01/2017</b>
<b>DA S96 3011-1</b>	<b>A</b>	<b>Phase 1 North (Alumni Green) Elevation 1:250</b>	<b>01/2017</b>
<b>DA S96 3012-1</b>	<b>A</b>	<b>Phase 1 West (Jones St) Elevation 1:250</b>	<b>01/2017</b>
<b>DA S96 3013-1</b>	<b>A</b>	<b>Phase 1 East (CB01) Elevation 1:250</b>	<b>01/2017</b>
<b>DA S96 3014-1</b>	<b>A</b>	<b>Phase 1 Section A 1:250</b>	<b>01/2017</b>
<b>DA S96 3015-1</b>	<b>A</b>	<b>Phase 1 Section B 1:250</b>	<b>01/2017</b>
<b>Landscape (or Design) Drawings prepared by FJMT and Lacoste + Stevenson and Daryl Jackson Robin Dyke Pty Ltd Architects</b>			
<b>Drawing No.</b>	<b>Revision</b>	<b>Name of Plan</b>	<b>Date</b>
<b>DA S96 6010</b>	<b>A B</b>	Landscape Site Plan	<del>05/2016</del> <b>01/2017</b>
<b>DA S96 6011</b>	<b>A B</b>	Landscape – Level 4	<del>05/2016</del> <b>01/2017</b>
<b>DA S96 6012</b>	<b>A B</b>	Landscape – Level 8	<del>05/2016</del> <b>01/2017</b>
<b>DA S96 6013</b>	<b>A B</b>	Landscape –Level 17	<del>05/2016</del> <b>01/2017</b>
<b>DA 6014</b>	<b>A-B</b>	Landscape - Sections	<del>05/2016</del> <b>01/2017</b>
<b>DA S96 6010-1</b>	<b>A</b>	<b>Phase 1 Landscape Site Plan</b>	<b>01/2017</b>
<b>DA S96 6011-1</b>	<b>A</b>	<b>Phase 1 Landscape – Level 4</b>	<b>01/2017</b>
<b>DA S96 6012-1</b>	<b>A</b>	<b>Phase 1 Landscape – Level 8</b>	<b>01/2017</b>
<b>DA S96 6013-1</b>	<b>A</b>	<b>Phase 1 Landscape – Level 17</b>	<b>01/2017</b>



## 4.0 Substantially the Same Development

The power to amend a development consent is found in section 96 of the EP&A Act. Section 96 is an independent facilitative power that is separate to the grant of a development consent. Section 96(1A)(b) of the EP&A Act states that a consent authority may modify a development consent if:

- a) *it is satisfied that the proposed modification **is of minimal environmental impact**, and*
- b) *it is satisfied that the development to which the consent as modified relates **is substantially the same development** as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and*
- c) *it has notified the application in accordance with:*
  - i. *the regulations, if the regulations so require, or*
  - ii. *a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and*
- d) *it has considered any submissions made concerning the proposed modification within any period prescribed by the regulations or provided by the development control plan, as the case may be.*

**(emphasis added)**

An assessment of whether the proposed modification is of minimal environmental impact is provided in **Section 5**.

The development, as proposed to be modified, is substantially the same development as that originally approved in that:

- retains the existing use of the building, being a tertiary education facility with a range of educational and ancillary educational uses;
- the nature of the changes are purely design development driven and aim to support the functioning of the building;
- no significant modification is proposed to the approved concept plan, or to the general building envelope of the approved building (as modified);
- the minor increase in height related to the provision of laboratory exhaust ducts will not be readily visible or have any consequential adverse impacts. Under the City of Sydney LEP 2012, flues are excluded from the definition of building height;
- the proposal involves only minor internal/external physical amendments which do not substantially alter the visual appearance of the building and work to improve the external pedestrian experience by offering enhanced weather protection;
- the proposed changes will result in a slight overall reduction in floor space;
- the proposal will continue to contribute to the emerging education and innovation precinct on Broadway;
- the proposal retains the design quality excellence of the original application; and
- there are no more than minimal environmental impacts as a result of the modified development, as detailed in **Section 5.0** of this report.

A comparison of the key components of the approved development and the proposed modified development is provided at **Table 2**. **Table 2** demonstrates that all key elements of the approved development remain, resulting in a development that clearly meets the test of being substantially the same as originally approval.

**Table 2** – Consistency with approved development

Component	Approved development (original)	Amended proposed development	Consistency / Substantially the same
Envelope	4-5 storey podium and a 9 storey tower	No change	✓
Use	Educational and ancillary educational uses	No change	✓
Gross Floor Area	46,150m <sup>2</sup> overall <ul style="list-style-type: none"> <li>▪ CB01 – 6,917m<sup>2</sup></li> <li>▪ CB02 – 39,233m<sup>2</sup></li> </ul>	45,528m <sup>2</sup> overall <ul style="list-style-type: none"> <li>▪ CB01 – 8,286m<sup>2</sup></li> <li>▪ CB02 – 37,242m<sup>2</sup></li> </ul>	✓
Height	Maximum building height of 64.5m at Broadway	No change. This proposal includes the provision of laboratory exhaust ducts on the roof of the Level 17 Plantroom, which can be classified as flues and therefore excluded from the definition of building height under the Sydney LEP 2012.	✓
Pedestrian Access	The site will be accessible via the following entrances for CB01 and CB02: <ul style="list-style-type: none"> <li>▪ Entry from Broadway to the Podium Extension of CB01.</li> <li>▪ Jones Street entrance which provides a vital link to three western UTS facilities and also the adjacent urban fabric.</li> <li>▪ Alumni Green entrance, accessing either Level 3 or Level 4 as a student focussed entrance.</li> </ul>	No change.	✓
Overshadowing	The form and massing of the CB02 tower has been designed to minimise overshadowing impacts to the lower Central Park tower by incrementally stepping the façade.	The amendments to the façade provide a negligible change in overshadowing impact.	✓
Design Quality Excellence	Design completed by original competition winning architects.	No change – design winning architects involved throughout preparation of modification.	✓

As shown above, the consent authority may be satisfied that the modified proposal represents substantially the same development for which consent was originally granted and there will be no more than minimal environmental impact. The modification of development consent SSD-6626 can therefore lawfully be approved under Section 96(1A) of the EP&A Act.

## 5.0 Environmental Assessment

Section 96(1A) of the EP&A Act states that a consent authority may modify a development consent if “it is satisfied that the proposed modification is of minimal environmental impact”. The following assessment demonstrates that the development, as proposed to be modified, will be of minimal environmental impact.

### 5.1 Compliance with relevant Planning Instruments and Policies

The Environmental Impact Statement (EIS) submitted with the original State Significant Development Application (SSDA) addressed the proposed development's level of compliance against a number of relevant environmental planning instruments.

As is evident from **Section 3.0**, the proposed modifications involve changes that respond to detailed design development and further testing of the operational and servicing requirements of the building and wider precinct. The proposed modifications will therefore not alter the level of compliance of the development with the relevant planning instruments. For completeness, **Table 3** provides a summary overview of the proposed modified development's continued level of compliance with the relevant planning instruments.

**Table 3** – Compliance with relevant environmental planning instruments

Instrument	Comments
SEPP (State & Regional Development)	The modified development continues to meet the threshold for State Significant Development.
SEPP (Infrastructure)	The provisions of the Infrastructure SEPP apply more during the consideration and assessment of the original SSDA in terms of requirements and referrals for development applications (i.e. not modification applications). Further referral of this modification application to relevant agencies and approval bodies is not considered necessary, given the nature of the changes. This is with the exception of Transport for NSW, who have been consulted in accordance with condition B6 of the original consent relating to the protection of a future rail corridor.
SEPP 55 (Remediation of Land)	The site remains suitable for the proposed development, as there are no changes to the approved uses. The proposed modifications do not alter mitigation measures associated with contamination risks identified as part of the approved SSDA.
Sydney Development Control Plan	In accordance with Clause 11 of the SRD SEPP and Planning Circular PS 11-019, DCPs do not apply to SSD.

### 5.2 Section 79C (1) (b) Impact on the Environment

The EIS submitted with the original SSDA addressed the likely impacts of the development. The proposed modified development does not give rise to any material alteration to the assessment of the potential impacts considered as part of the original SSDA. Where relevant, the technical reports and plans addressing the above matters have been updated to provide an assessment of the modified design (refer attached technical reports).

The consensus of these reports has been that in light of the nature of the modifications to the approved development the conclusions of the original assessment remain valid and no further assessment or mitigation measures are required. The following matters, however, warrant further assessment and consideration.

### 5.3 Design Excellence

In order to ensure that design quality excellence of the development is retained, a number of conditions were imposed in the consent that ensures direct involvement of the design architects, *Lacoste and Stevenson* and *Daryl Jackson Robin Dyke Pty Ltd* (DJRD).

Lacoste and Stevenson and DJRD have been integral in the ongoing design development of the Broadway façade and the interface with the new Building 2.

### 5.4 Noise Impact

Acoustic Studio Pty Ltd has been consulted regarding an acoustic assessment of the proposed modification, with a supporting statement provided at **Appendix C**. The specific focus for noise impacts is in relation to the provision of laboratory exhaust flues on the roof of the Level 17 Plantroom. This corresponds directly with Condition E4, whereby noise should not exceed 5 dB(A) above the rating background noise level when measured at the boundary of the sensitive receiver.

The statement confirms that, in accordance with the requirements of Condition E4, that the current selections for laboratory exhaust flues do not require any additional treatment in order to comply.

### 5.5 Wind Impact

CPP have reviewed the proposed modifications to the building and have provided a wind report available at **Appendix F**. From a wind perspective, the modifications to the building are considered minor and would only have an impact on the local wind conditions close to the changes, with the overall massing dictating the general wind conditions.

It is expected that the proposed modifications would result in a similar pedestrian level wind environment to the approved development, which was assessed with both Phases 1 and 2 complete with the façade along the entire length of Broadway. The addition of the approximately 4m deep awning along Broadway, would provide a slight benefit to pedestrians from a wind perspective. The areas around the proposed development would remain suitable for the intended use of the spaces. The wind conditions with just Phase 1 complete would be expected to be similar with Phase 1 and Phase 2 complete as the general wind conditions are governed by the UTS tower and the One Central Park residential tower on the south side of Broadway.

### 5.6 Visual Impact

Architectus have undertaken a Visual Impact Assessment (**Appendix H**) at nine locations to determine the impact of the proposed modifications. The Assessment concluded that the proposal is seen from well-used pedestrian locations, particularly Broadway and Chippendale Green, however does not block any views of items which are of high importance. The proposal focuses on the podium which will provide a qualitative improvement from the existing space.

The visual impact of the proposal in comparison to the approved SSDA is 'negligible' in all views considered in the assessment. The impact compared to the existing is also no more than 'moderate'.

The impact of the proposal on private views is expected to remain unchanged from the approved SSDA.

The increased activation of the Broadway façade is likely to increase visual interest and make for a more engaging pedestrian environment. The modification of the façade alignment will not have any significant change to the approved sightlines from key intersections, such as Chippendale Way (refer to **Figure 4**). The rooftop flues will not

be visible from the street. The overshadowing impact of the proposed modifications is negligible in comparison to the approved plans.



**Figure 4 –** The proposed modifications do not significantly alter approved views of the building  
Source: FJMT

## 5.7 Landscape Impact and Tree Removal

The proposed modifications to the design will necessitate the removal of an existing tree (T15), a *Lophostemon confertus* (Brushbox) located on the nature strip in Jones Street adjoining the site. This tree was indicated for retention in the DA for SSD 7382. The subject tree was classified as Moderate Retention Value. It is not considered significant and is in good health and condition and makes a fair contribution to the amenity of the streetscape. The removal of the tree is now required in accordance with the current City of Sydney tree Masterplan and new tree pit detailing in the technical guidelines.

The removal of the subject tree is considered warranted subject to replacement planting with a new tree in an appropriate position elsewhere on the nature strip as part of the Jones Street landscape works in accordance with Section 11 of the initial DA report.

An addendum statement to the Arborists Report by Earthscape Horticultural Services is provided at **Appendix D** including a revised Tree Protection Plan and Impact Assessment Schedule.

## 5.8 Reflectivity

Surface Design has been engaged to review the modification proposal in relation to their previously provided Reflectivity Report associated with the initial application (SSD 7382). This advice is provided at **Appendix E**.

The review found that the proposal will have minimal impact on reflectivity, including the retention of a maximum spectral reflectivity of 20%.

## 5.9 Structural Impact and BCA Review

Structural analysis of the proposed modifications has been undertaken by AECOM, with a Structural Statement being provided at **Appendix F**. The Statement details that investigations of the existing structure have been carried out and calculations have been prepared to assess the capacity of the existing structure. A number of existing columns that require strengthening have been identified, with steel strengthening having been designed to support the proposed loads.

Structural modelling, analysis and design has been carried out which has supported the sizing and layout of all structural elements such as columns, walls, slabs and beams in the architectural drawings (**Appendix A**).

The Statement concludes that the proposed structural arrangement is feasible and will comply with relevant sections of the BCA and relevant Australian Standards.



## 6.0 Conclusion

The proposed modifications comprise minor improvements to the building façade, awning, internal use, provision of laboratory exhaust ducts and minor landscaping works. These changes have been made in response to detailed design development and further testing of the operational and servicing requirements of the building and wider precinct. In accordance with section 96(1A) of the EP&A Act, the Minister or his delegate may modify the consent as:

- the proposed modification is of minimal environmental impact; and
- is substantially the same development as the development originally approved.

The information provided in this report has been compiled to enable a prompt assessment of the proposed modification request. Any further queries or requests for further information should be directed to Angus Halligan at (02) 9956 6962 or [AHalligan@jbaurban.com.au](mailto:AHalligan@jbaurban.com.au).