

# **RESPONSE TO SUBMISSIONS**

## **UNSW CLIFFBROOK (SSD 8126)**

17 OCTOBER 2017  
PREPARED FOR UNIVERSITY OF NEW SOUTH WALES

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# 1. INTRODUCTION

This “Response to Submissions” Report (RtS) addresses the issues raised in community and stakeholder submissions received during the public exhibition of the Environmental Impact Statement (EIS) for the *Redevelopment of UNSW Cliffbrook Campus*, Beech Street Coogee (SSD 8126).

The EIS was on public exhibition between 15 June 2017 and 31 July 2017. During this period, in addition to comments from DPE, eight submissions were received from government agencies and local council. These included submissions from:

- The Department of Planning and Environment (DPE)
- Randwick Council (RCC)
- Transport for NSW (TfNSW)
- Roads and Maritime Services (RMS)
- Sydney Water (SW)
- Ausgrid
- Office of Environment and Heritage (OEH)
- Heritage Council of NSW
- NSW Environment Protection Authority (EPA)

A number of public submissions (23) were also received. The key matters raised in the agency and public submissions include:

- Building Height
- Bulk and scale
- Heritage impact
- View loss
- Acoustic impact
- Amenity (including privacy and overshadowing)
- Car parking and Traffic
- Biodiversity and landscaping

This RtS incorporates amendments to the design to address the issues raised.

Overall, we acknowledge the preliminary assessment detailed in DPE’s letter and have made a concerted effort to address all matters in this comprehensive response. We consider this SSD is fully supportable on its merits and the amendments made within the submission further improves the design and impact of the proposal.

The amended plans and the response to submissions demonstrate that the proposal balances environmental impact with community benefit and should be approved. This response and assessment of the amended plans confirm that there are no significant adverse impacts associated with the Project.

The specialist consultants have assessed the design and recommend mitigation measures to ensure the proposal will not have any unreasonable or significant heritage, social, car parking and environmental impacts on adjoining or surrounding properties or the public domain. The content contained in this RtS and the EIS, demonstrates that the application is worthy of approval.

For the information of the DPE, UNSW are referring the site as “Cliffbrook Estate” and as such some documentation may draw reference to this name.

## 2. OVERVIEW OF THE PROPOSAL

The project, as presented in the EIS is for the redevelopment of the Cliffbrook Campus. The project aims to provide teaching and learning facilities and associated accommodation for course participants of the Australian Graduate School of Management (AGSM) Residential Programs in a prestigious, contemporary executive retreat environment (including both teaching, learning and associated accommodation).

An overall objective of the project is that UNSW will make better use of an existing under-performing asset, whilst also improving the competitiveness of UNSW's management courses.

The proposal will facilitate the AGSM program by providing purpose built accommodation and teaching/learning facilities with following components, for which development consent is sought:

- Demolition of CC2 (and outbuilding) and CC4 (1970's L-shaped building, which currently houses UNSW Press.
- Retention and refurbishment of CC1, Cliffbrook House, is a State heritage-listed residence. Inclusion of one on site manager's apartment.
- Retention and refurbishment of CC3 which is a state heritage-listed outbuilding (old garage).
- Construction of a three / four storey building, including:
  - Teaching and flexible teaching/research/conference rooms.
  - 52 bedrooms in the upper levels for course participants enrolled at the AGSM (50 participant bedrooms and 2 staff bedrooms).
  - Kitchen, dining room, amenities and services.
- 37 car parking spaces comprising 27 basement spaces, 5 spaces along the Beach Street boundary wall and 5 spaces along the internal circulation road.
- Provision of landscaping, driveway reconfiguration and upgrade of the at-grade parking area.
- Construction of pathways and landscaping on the rear section of the site to support the learning function of the proposal.

The amended proposal re-affirms the above development parameters however does seek amendments to the built form in response to the agency and public submissions. The proposed amendments are stated in Section 4.

### 3. ACCOMPANYING DOCUMENTATION

Accompanying this report, and to be read in association with this comprehensive response, is the following documentation:

- FJMT Architectural and landscape drawings (**Appendix A**) with the following drawing references:
  - 1000 – Cover Sheet
  - 1110 - Perspective Views Rev B
  - 1200 – Site Plan Rev B
  - 2000 – Lower ground Floor Plan Rev B
  - 2001 – Ground floor plan Rev B
  - 2001 – Level 1 floor plan Rev B
  - 2003 – Level 2 floor plan rev B
  - 2004 - Level 3 floor plan Rev B
  - 2005 – Roof plan Rev B
  - 2006 – Heritage refurbishment Rev B
  - 2006 – Roof Plan Rev B
  - 2800 - GFA – Rev B
  - 3000 – Elevations 1 Rev B
  - 3001 – Elevations 2 Rev B
  - 4100 – Section A, B and C Rev B
  - 5001 – Shadow Studies – June 21 proposed Rev B
  - 5002 - Shadow Studies – December 21 proposed Rev B
  - 8001 - Landscape ground plan west Rev B
  - 8002 - Landscape ground plan east Rev B
  - 8003 – Landscape Roof plan Rev B
  - 8004 – Tree Management Plan Rev B
  - 8101 – Landscape Section L1 and L2 Rev B
  - 9401 - External Finishes Schedule Rev A
  - 9402 – Sample Board Rev A
- Revised Operational Management Plan, prepared by UNSW – **Appendix B**
- Green Travel Plan (including a Travel Access Guide), prepared by TTPP – **Appendix C**
- Acoustic response letter, prepared by JHA – **Appendix D**
- Addenda to Visual Impact Assessment, prepared by GMU – **Appendix E**
- Heritage response letter, prepared by Weir Phillips – **Appendix F**
- Biodiversity documentation (re OEH referral), prepared by Narla Environmental Pty Ltd (**Appendix G**):
  - Cover letter responding to each of the matters in the OEH referral
  - Updated Biodiversity Assessment Report, Rev B

- Updated Biodiversity Management Plan, Rev B
- Field biometrics sheets
- Biometric Plot inventories (in excel format)
- Remedial Action Plan, prepared by JBS&G – **Appendix H**
- Aboriginal Cultural Heritage Assessment Report prepared by MDCA – **Appendix I**. This is a report that updates the submitted May 2017 version. The change contains further records of Aboriginal community consultation that had not been completed at the time of lodgement. The conclusions and recommendations are unchanged, but some additional information has been added to Section 2 and Appendix A in relation to the results of the further Aboriginal community consultation. For this reason, it was considered clearer to provide a completed report than to supply further information as an addendum.
- Historical (non-Indigenous) Archaeology: Test Excavation Report prepared by MDCA – **Appendix J**. This was an appendix to the *Historical Archaeological Assessment (European Heritage) + Research Design & Excavation Methodology* however was not yet completed at the time of lodgement.
- FJMT have also prepared a physical Sample Board, however due to the size and weight of this board, a photograph is submitted with the submission and forms part of re-submitted drawing set in **Appendix A**. The physical board can be delivered in person to DPE offices, if requested.

## 4. OVERVIEW OF AMENDMENTS TO THE PROPOSAL

In response to the submissions received, amendments are proposed to the design. Documented in the Architectural Plans submitted at Appendix A.

Design amendments have been incorporated into the SSD application by responding to design matters raised in submissions and identifying improvements in elements as time has progressed. A summary of the key design changes that have occurred and are now proposed in the RTS are summarised in the table below:

Design Change	Reasoning
Relocation of one bedroom on Level 2 at the north western end to within underutilised space at the eastern end of the building	Increase views to Cliffbrook House to the south
Removal of stair and reduction of plant area on the roof level at the north eastern end	Reduction to the bulk in the north eastern corner of the building and improve the perceived mass on Battery Street and from the upper levels of properties on the northern side of Battery Street  Increase views to the headland and district views from residents on the northern side of Battery Street
Removal of the roof overhang of the east wing of the development	Improve views for properties on Beach Street
Lowering of the roof (by 700mm) above the lounge area in the east wing of the development which also includes the removal of the landscaped roof and change in the roof material  Ground floor façade/soffit overhang/reduced roof return	Increase and improve the view sharing to the horizon from Beach Street, including the water horizon line.  In particular, we note that this amendment improves the views from 44 and 46 Beach Street (views J1 and J2) as GMU considers that,  <i>“the proposal has changed positively in both Views J1 and J2. The level of view impacts on View J1 has reduced from ‘significant’ to ‘minor-moderate’ and the level of view impacts on View J2 has reduced from ‘significant’ to ‘moderate’.</i> <i>Both Views are now considered acceptable from a visual impact point of view and therefore they do not require any further design changes”.</i>
Changes to the lower ground including movement of one door opening to the south and inclusion of motorised privacy and blackout blinds to façade and paving reduction	Improve the amenity of the space and potential noise impact to residents to the east on Battery Street
Provision of a new screened fencing element to the east of the proposed building.	Providing an enhanced privacy outcome between the rear yards of the nearest Battery Street residents and the ground level spaces associated with the proposed building.
No pod / seating at the rear of the site. The path serves as an access route for the site users to/from the coastal walkway (rather than a place of congregation) and will be managed by UNSW	Responding to the resident concerns of Battery Street



Design Change	Reasoning
Clarification of materials and finishes on the Battery Street façade.	Providing clarity of the use of materials to ensure compatibility with the surrounding context and articulation in the façade.

The design changes do not trigger any amendment to the mitigation measures put forward in the SSD EIS in Section 8. They remain valid for the RtS.

## 5. ASSESSMENT OF DESIGN AMENDMENTS AND KEY ISSUES

This section describes the proposed amendments and assesses their environmental impact. This issue discussion is based on the key issues raised in the submissions.

### 5.1. BUILT FORM AND URBAN DESIGN

A significant amount of analysis was undertaken prior to the lodgement of the SSDA preparing a built form that responded to the surrounding residential context as well as the heritage significance of the Cliffbrook House, the historical gates and former garage, and the extent of existing views enjoyed by adjoining residents.

GMU, on behalf of UNSW, also undertook a significant amount of view assessments (some 26 viewpoints) to ensure a comprehensive and supportable visual impact assessment was undertaken. Overall, the new building was designed to consider the topography of the land, view sharing principles, compatibility with the surrounding residential area and setback from Cliffbrook House.

#### 5.1.1. Review and reduce the north-eastern corner

In response to DPE's preliminary assessment and the submissions, the north eastern corner of the new building has been reviewed and amendments to reduce the impact on the streetscape on Battery Street and residents have been made. FJMT reviewed the bulk, height and streetscape appearance and propose the following design amendment as part of the RTS:

- The bulk of the north eastern corner is reduced through a 0.7m reduction in height of the roof plant and removal of the stairs,
- Relocated a bedroom from Level 2 on the north western end on Battery
- Reduced the parapet around the roof plant
- Reviewed the materials and finishes along Battery Street.

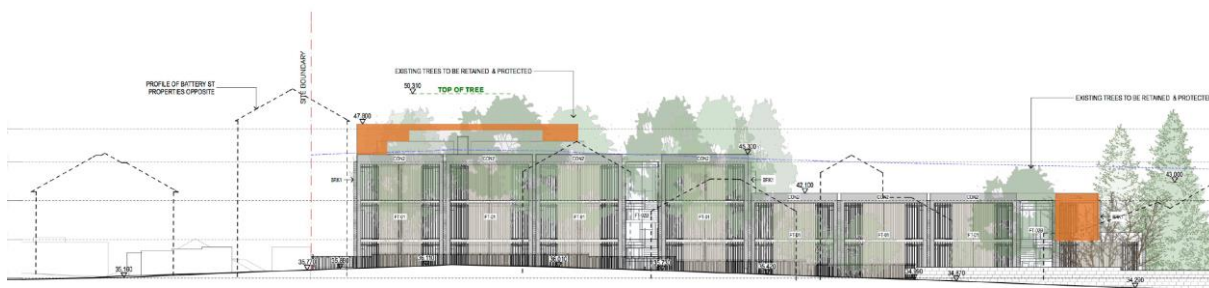
Revised elevations have been prepared and are submitted as part of the amended drawing set, however the figures below assist in articulating where the proposed reductions in bulk and form have occurred (as indicated in orange).

Figure 1 – Eastern Elevation



Source: FJMT

Figure 2 – Battery Street Elevation



Source: FJMT

Figure 3 – Eastern View Axonometric – Bulk reduction



Picture 1 – Submitted in SSD

Source: FJMT



Picture 2 – Proposed amendment in RTS

Source: FJMT

### 5.1.2. Visual Impact on 44 and 46 Beach Street

Prior to the submission of the SSD, GMU undertook a comprehensive *View Impact Assessment* in accordance with the established planning principles in *Tenacity vs Warringah Council*. This involved an assessment of 26 views from private dwellings, and of these, 20 views had further detailed assessment. Overall a substantial number of properties were analysed. The final design was responsive to this view analysis and implementing a supportable proposal on balance that adheres to view sharing principles.

On balance, it was considered at the time of the original submission of the SSD application, that when considering all relevant matters, the level of impact on the views enjoyed by no. 44 and no. 46 Beach Street were acceptable.

Given the direction provided by the DPE on view impact issues, and also having regard to the design recommendations by GMU, the project team has explored ways of improving views from these two properties.

The following design amendments have been made as part of this RTS to improve the visual impact of the proposal on these two properties, namely:

- Lowering of the roof by 700mm above the lounge area in the east wing of the development (refer Picture 4 below)
- Removal of the roof overhang of the east wing of the development (refer Picture 4 below)

GMU have re-assessed the potential view impacts of J1 and J2 (i.e. 44 and 46 Beach Street) and provided a further assessment and response in an *Addendum to the Visual Impact Assessment*. This report concludes,

*“GMU found that the amended proposal provides perceivable visual improvement in terms of retention of views to the ocean and significant heritage item.*

*GMU considers that the proposal has changed positively in both Views J1 and J2. The level of view impacts on View J1 has reduced from ‘significant’ to ‘minor-moderate’ and the level of view impacts on View J2 has reduced from ‘significant’ to ‘moderate’. Both Views are now considered acceptable from a visual impact point of view and therefore they do not require any further design changes”.*

To assist in understanding the impact, the categories of defining the view within the GMU report, are defined as follows:

- Minor - The proposal will be visible, however is not a prominent feature within the view.
- Moderate - The proposal does not substantially change the scale and quality of the existing view. The proposal may obscure some open sky or reduce views to less important visual elements.

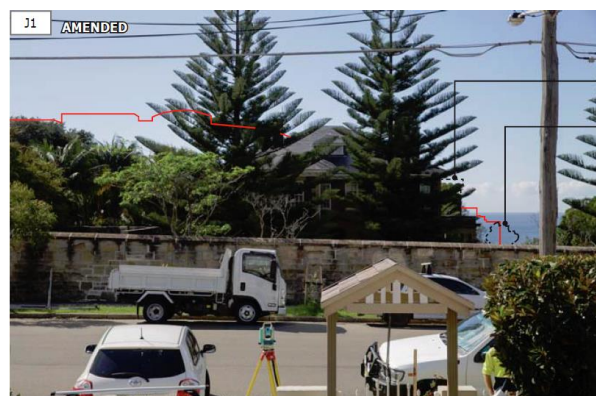
An extract of the original and amended built form and view is contained below, noting that the proposed building outline is marked in red.

Figure 4 – View assessment – J1 (44 Beach Street)



Picture 3 – SSD

Source: GMU



Picture 4 – RTS

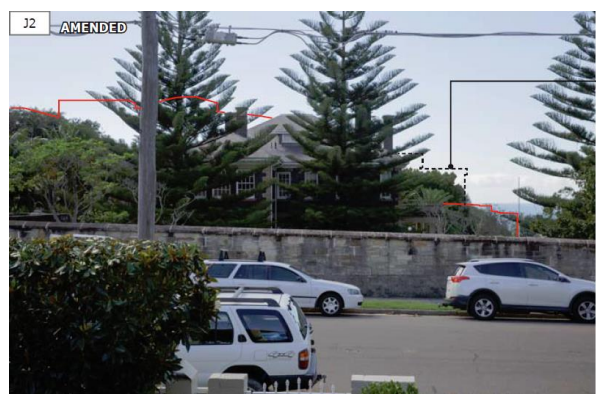
Source: GMU

Figure 5 – View assessment – J2 (46 Beach Street)



Picture 5 – SSD

Source: GMU



Picture 6 – RTS

Source: GMU

Overall, GMU considers that the testing and analysis conducted for the proposed development was comprehensive, rigorous and faithfully followed the established L & E court certifiable guidelines; the design approach of the proposal was found to align with the view sharing principles of *Tenacity vs Warringah Council*.

In addition we note that Richard Lamb and Associates (RLA), in his submission on behalf of the group of residents on Battery Street, endorsed the methodology undertaken by GMU, by stating, “*RLA have reviewed the visual assessment prepared by GMU and agree that its methodology and findings provide an adequate representation of potential visual impacts that would be caused by proposed built forms*”.

## **5.2. OVERSHADOWING**

In response to the design amendments, updated shadow drawings (June 21 and December 21) have been prepared by FJMT and are submitted with this report within the accompanying drawing set at Appendix A. The shadow drawings are labelled to show:

- Context shadows
- Existing shadows
- SSD and RtS shadows unchanged
- SSD shadow reduction
- Proposed RTS shadows

Overall, the shadow impact is improved by the amended design and represents a reduced shadow impact, particularly to the rear of No. 10 Battery Street and the recreational zoned land to the east.

## **5.3. NOISE**

Following additional noise logging, as well as the review of the submissions, a supplementary response is provided with the RtS. Additional noise commentary is provided in Table 2.



## 6. OVERVIEW OF AGENCY AND PUBLIC SUBMISSIONS RECEIVED

The EIS was on public exhibition between 15 June 2017 and 31 July 2017. The key matters raised in the agency and public submissions include:

- Building Height
- Bulk and scale;
- Heritage impact;
- View loss;
- Acoustic impact;
- Amenity (including privacy and overshadowing);
- Car parking and Traffic; and
- Biodiversity and landscaping

### 6.1. AGENCY SUBMISSIONS

Agency submissions were received from:

- The Department of Planning and Environment (DPE)
- Randwick Council (RCC)
- Transport for NSW (TfNSW)
- Roads and Maritime Services (RMS)
- Sydney Water (SW)
- Ausgrid
- Office of Environment and Heritage (OEH)
- Heritage Council of NSW
- NSW Environment Protection Authority (EPA)

A summary of the key issues raised in the agency submissions were:

- The key issues outlined in the RCC's submission were building height, scale and bulk, view loss, Section 94A contributions and compliance clauses 6.11 and 6.12 of Randwick LEP. Other issues are visual impacts, landscape setting and internal setbacks relate to impacts to heritage quality.
- The RCC has recommended 60 conditions of consent in relation to heritage, environmental health, development engineering, Council's infrastructure, vehicle crossings and road openings; and service authorities.
- Agency feedback was supportive from the perspective of RMS, TfNSW, Sydney Water and Ausgrid – conditions proposed are not unreasonable and agreeable to UNSW. The Heritage Council recommended relatively standard conditions.
- OEH noted deficiencies in the Biodiversity Assessment Report but was satisfied with the information provided on flood risk management.
- EPA lists 20 conditions relating to construction management and operational management. These conditions have been reviewed by the relevant consultant and responded to in the Table below.

A response to issues raised by the DPE and all other government agencies is provided in Table 1 below. Each of the matters have been grouped and are responded to in Table 1.

## 6.2. PUBLIC SUBMISSIONS

A number of public submissions (23) were also received. The public submissions were reviewed and categorised according to key issues, being:

- The built form, bulk and scale, building height and amenity impacts (privacy, view loss and noise) raised generally reflect the opinions of Council and have been addressed in the Table 1.
- Traffic and car parking
- Landscaping and fencing appearance
- Operational matters

The key issues raised by the public generally aligned with those which were raised by the agencies.

While the exact wording of the submission may not be captured in this RtS, the intent and the issues raised have been identified and addressed. The concerns raised by the public have been captured in **Table 2** below.

Table 1 – Response to Agency Submissions

Issue	Submission Summary	Response
<b>Department of Planning and Environment</b>		
Built form and urban design	Opportunities to review and reduce the built form to the north-east corner and the resulting impact on the character of the streetscape should be investigated. Consideration should be given to the possibility of relocating plant uses to the lower ground floor level to aid in reducing bulk of the proposal	Refer to Section 5 of this report.
	The Visual Impact Assessment (VIA) recommends a range of measures which would aid in reducing the impact of the proposal to 44-46 Beach Street from a significant impact to an acceptable level. These measures, if applied, would change the building envelope of the proposal. The Department requires advice as to whether the recommended measures will be implemented and revised plans updated with these changes. If these recommended measures are not to be implemented, an addendum VIA is required advising whether the significant impacts to the views are still considered acceptable	Refer to Section 5 of this report.
	Submission of a materials sample board, for both the proposed buildings and built landscape elements, is required to ensure that the materials are contextual to Cliffbrook House and the surrounding local character, support high quality design, are sustainable and suitable for the marine environment .  The abbreviated façade finishes, identified in the elevation plans, should be expanded and a finishes schedule provided as part of the architectural plans.	FJMT have selected contextual materials that draw on and complement the natural landscape and Cliffbrook House. In line with the Randwick DCP and the identified foreshore scenic protection area, the colour palette uses natural tone hues. Given the proximity of the ocean and exposure to the elements, marine appropriate materials are proposed such as cementitious materials, natural clay, natural timber with limited use of metal finishes.  FJMT have prepared a schedule of materials and finishes drawing and also prepared a physical Sample Board, however due to the size and weight of this board, a photograph is submitted with the submission and



Issue	Submission Summary	Response
		forms part of the re-submitted drawing set. This can be delivered in person to DPE offices, if requested.
Traffic and parking	A specific Green Travel Plan (GTP), is to be provided for the proposal, identifying methods to increase sustainable transport levels for students and staff which is to include transport initiatives, actions and targets to be implemented during operation of the proposal to reduce vehicle dependency. Alternatively, a detailed explanation of the wider UNSW Environmental Management Plan (UNSW EMP) can be provided with how specific initiatives of the UNSW EMP will apply to the proposal. Both options should identify methods for review of the implemented initiatives and alternative actions should targets not be achieved	<p>A site specific Green Travel Plan (GTP) has been prepared by TTPP and addresses methods to increase sustainable transport level for participants and staff including transport initiatives, actions and targets during the operation of the facility to reduce vehicle dependence.</p> <p>The GTP addresses the operation of both the staff and participant uses of the campus along with the "special event" mode to be referenced as UNSW strategy days. The GTP highlights measures to encourage non private car use and curb parking demand.</p> <p>The GTP is accompanied by a Travel Access Guide (TAG) which is a simple document showing the various ways to travel to / from the site. The TAG is appended to the GTP.</p>
Construction hours	The Preliminary Construction Management Plan (PCMP) proposes Saturday construction hours outside of the standard construction hours identified in the Environment Protection Authority's <i>Interim Construction Noise Guidelines</i> . Justification is required for the proposed variation, nature of work to be undertaken and anticipated noise impact.	<p>The Department has sought justification on UNSW's proposed construction hours on Saturdays, being outside of the standard construction hours identified in the Environmental Protection Authority's Interim Construction Noise Guidelines.</p> <p>The Proponent advises that the nature of work proposed to be undertaken at this time is intended to be typical construction activities that would also be experienced Monday to Friday. This is noting that works deemed to be noisy works would be undertaken only during dedicated times on this day, as is expected to be conditioned by the Department. The intention behind the proposed construction hours on Saturday is to ensure productivity of a full working day is achieved. Mitigation measures to address noise outputs are captured under the JHA Acoustic Report included as part of the SSDA submission.</p>

Issue	Submission Summary	Response
<b>Randwick City Council</b>		
Building Height	Building should be reduced in height to consider scale of the heritage item and to transition from the low density residential development to the north and east on Battery Street.	The new building has been amended as part of this RTS and includes a reduction in overall height in the north eastern corner as well as the removal of one bedroom on the eastern end, proximate to Cliffbrook House. Refer to amended RTS Architectural drawing set and cover letter detailing the proposed amendments.
Bulk and Scale	<ul style="list-style-type: none"> <li>• Comparative to two-storey built form on Battery Street;</li> <li>• More sensitive transition with adjoining low density residential to the north and east;</li> <li>• Scale compared to the Cliffbrook House.</li> </ul>	<p>The form of the development was determined based on the surrounding residential context, <i>Visual Impact Assessment</i> and the proximity, setting and relationship to Cliffbrook House. Given these considerations, the bulk of the development was best placed in the north and east and setback from Cliffbrook House.</p> <p>The GMU Addendum report states in relation to stepping down the building at the Flood Street end, “<i>from a visual point of view, the proposed approach to concentrate the built form at the Flood Street end leads to a better built form outcome. The site has dense and mature existing vegetation planted along the site boundary at this location where the proposal’s visibility can be minimised</i>”.</p> <p>The bulk of the development is located in the north eastern portion of the site to respect the heritage curtilage and views to Cliffbrook House. The northern façade of the new building consists of two forms, a lower form in the west which is read as two storeys along Battery and a higher form in the east which is read as three storeys along Battery Street. This higher form corresponds to the surrounding building typology such as dwellings over 3 storeys and residential flat buildings of 3-4 levels in height with pitched roof on the opposite side of Battery Street.</p> <p>Weir Phillips and the Heritage Council expressed support for the proposed design, raising no issues with regard to setback, massing and scale and the style of the new building.</p>

Issue	Submission Summary	Response
		<p>This RTS has responded to the concerns raised in the submissions and have proposed amendment which include a reduction in overall height in the north eastern corner as well as the removal of one bedroom on the western end of Battery Street, proximate to Cliffbrook House. Refer to amended Architectural drawing set and cover letter detailing the proposed amendments.</p>
<p>Sunlight, Privacy and Views</p>	<p>Concern raised with limited number of properties analysed in the view loss analysis. Council recommends that the view loss analysis be reviewed to utilise the view loss planning principles established in <i>Tenacity vs Warringah Council</i>.</p> <p>Council queries the accuracy of survey data used in view analysis and the proposed building envelope in the 'after' vista of affected properties.</p> <p>Analysis should be taken on a wider number of properties and if warranted decrease the building height.</p> <p>Council queries the accuracy of the shadow studies undertaken in the EIS – concern is raised regarding:</p> <ul style="list-style-type: none"> <li>overshadowing impact on north elevation and curtilage of the heritage item during the winter solstice.</li> <li>the impact of overshadowing on the south eastern open space within the development site.</li> </ul> <p>'Assessment of visual and acoustic privacy appears superficial.' Further assessment and possible mitigation required.</p>	<p>Prior to the submission of the SSD, GMU undertook a comprehensive <i>View Impact Assessment</i> in accordance with the established planning principles in <i>Tenacity vs Warringah Council</i>. This involved an assessment of 26 views from private dwellings, and of these, 20 views had further detailed assessment. Overall a substantial number of properties were analysed. The final design was responsive to this view analysis and implementing a supportable proposal on balance that adheres to view sharing principles.</p> <p>It is also noted that Richard Lamb and Associates (RLA), in his submission on behalf of the group of residents on Battery Street, endorsed the methodology undertaken by GMU, by stating, "<i>RLA have reviewed the visual assessment prepared by GMU and agree that its methodology and findings provide an adequate representation of potential visual impacts that would be caused by proposed built forms</i>".</p> <p>Both RLA and GMU are experienced in the Land and Environment Court and as such, the submitted view analysis is deemed to be adequate and sufficient. However as a result of the submissions received in the public exhibition phase, design amendments have been undertaken which will improve the views from 44 and 46 Beach Road (refer to re-submitted Architectural drawings). GMU comments that the view impacts have been reduced from 'significant' to 'minor-moderate' and the visual impact is considered acceptable. The amendments lead to an improved outcome and, therefore, no further design changes are required.</p>

Issue	Submission Summary	Response
		<p>Attached is GMU's <i>Addendum to Visual Impact Statement</i> commenting on the appropriateness of the view impact assessment and the design amendments. The statement concludes,</p> <p><i>"GMU considers that the testing and analysis conducted for the proposed development was comprehensive, rigorous and faithfully followed the established L &amp; E court certifiable guidelines; the design approach of the proposal was found to align with the view sharing principles of Tenacity vs Warringah Council".</i></p> <p>Accurate survey data was used in the view analysis. GMU utilised computer generated 3D modelling for the analysis and is a court certifiable method and a widely accepted tool to provide an understanding of the potential impact. The accuracy of the montages can be verified in the Appendix of GMU's <i>Addendum</i> report. The views were prepared as per the data provided by a qualified surveyor and the 3D architectural model by the project architect.</p> <p>Shadow diagrams have been submitted with the RTS and an acceptable level of sunlight is afforded to Cliffbrook House and to the south eastern recreational land. Cliffbrook experiences greater than 2 hours sunlight between 9am and 3pm in mid winter. The recreational land to the rear of the site is expansive and the additional shadowing, limited to the western portion in mid winter, is considered minimal in this context.</p>
<p>Design Excellence and Site Specific DCP.</p> <p>Failure to address Clause 6.11 Design Excellence and Clause 6.12 –</p>	<p>Council does not accept the reasons provided by the proponent to forego the requirement to prepare a DCP or staged development application based on a <i>'failure to consider broader contextual analysis'</i>.</p> <p>Refer page 3 of RCC summary.</p>	<p>The site is marginally over the RLEP master plan trigger of 10,000sqm (being 11,536sqm) and given the rear of the site is not proposed to be developed (and is zoned recreational land), the site is well below the requirement for a site specific DCP.</p> <p>FJMT undertook extensive site analysis of the surrounding context, both the residential area and Cliffbrook House to design a new building that is compatible in this context. Refer to Sections 3 to 7 of the SSD FJMT <i>Architectural Design Statement</i>. Coupled with this, extensive view analysis</p>

Issue	Submission Summary	Response
Development of the Randwick LEP.		<p>was undertaken as well as advice from the Weir Phillips, heritage consultants, to inform the siting of the built form.</p> <p>Section 5.7.10 of the EIS provides additional assessment against the LEP provisions.</p> <p>The site is determined to be of regional significance and satisfies the threshold trigger of an SSD application. Undertaking a two stage approval process, or a site specific DCP would unnecessarily delay the delivery of this important project and potentially provide further uncertainty to the surrounding residents rather than one comprehensive DA as submitted under SSD 8126. The assessment of the proposal as part of the preparation of the SSD has undergone a rigorous analysis in all areas including built form, view analysis and noise.</p>
Section 94 contributions	<p>Council does not accept that the proposal is exempt from section 94 contributions because:</p> <ul style="list-style-type: none"> <li>• increased intensity from increased demand on services and facilities levied under the Randwick S94A plan.</li> <li>• no public interest as this service benefits the interest of the AGSM business school.</li> <li>• argument is not accepted based on no increase to floor space or student / staff numbers etc. as cumulatively the AGSM program and broader extra University use will bring a constant student and teaching population that will have an increased impact for service and facilities in the locality.</li> </ul> <p>Any consent issued should include a requirement consistent with the S94A Plan for a developer contribution of 1% of the Capital Investment Value (CIV) project cost of \$30,964,993.00 equating to \$309,649.93</p>	<p>The proposal does not fall into any of the categories that are afforded an exemption and as such a payment of \$309,649 would ordinarily apply, equating to a 1% levy under Council's Section 94A Plan. UNSW seeks a reduction or exemption from the payment of Section 94 contributions for the reasons listed in the EIS (Section 5.1.2) which articulate a merit based exemption, as the UNSW is a registered not for profit organisation, an education facility and a nominated charity.</p> <p>Based on previous UNSW SSD applications assessed by DPE, the following has applied:</p> <ul style="list-style-type: none"> <li>• The Department's levying of development contributions for educational establishments has varied as each case is considered on its merits and in the context of the various section 94 or section 94A plans that have applied.</li> <li>• The Department considers the Planning Circular - <i>Crown Development Applications and Conditions of Consent – Circular D6 1995</i> to be the guiding document in relation to Crown applications and development contributions. It is noted that while the circular does not apply to s94A development contributions, the overarching principles contained in the</li> </ul>

Issue	Submission Summary	Response
		<p>circular are relevant in consideration of whether development contributions would be applicable the proposal.</p> <ul style="list-style-type: none"> <li>• The effect of Circular D6 is that where the applicant is the Crown and the development is for educational purposes, no contributions would be applied for open space, community facilities, parking and general local and main road upgrades. In accordance with the guiding principles which apply to Crown development, the Department has been of the opinion that the full levy should not apply where the proposal would result in no increase in the overall number of undergraduate students across the campus or an increase in permanent staff.</li> <li>• The Department accepts that the University is a registered not-for-profit organisation and identified as a charity under classification from the ATO, and such as requirement for an s94A development contribution has to be reasonable, with the Minister taking into consideration that the University provides a social benefit. In accordance with s94B(2) of the EP&amp;A Act, the Minister may impose a condition under s94A, and if recommended, may have regard to any contribution plan that applies.</li> <li>• The Department's previous application of levying development contributions for education establishments has varied as each case has been considered on its merits. Since 2013, the Department has not levied contributions on UNSW proposals which have not led to an increase in staff employed as a result of the works, irrespective of whether floor space increased as a result of the works (i.e. SSD 7370 – Refurbishment of the Electrical Engineering Building and SSD 5572 Mechanical and Manufacturing Engineering Building). However, where proposals have resulted in an increase to the number of staff and/or students, a works-in-kind arrangement has been agreed by both UNSW and Council and recommended as a condition of approval.</li> </ul> <p>Overall, we submit that:</p> <ul style="list-style-type: none"> <li>• <b>There is no increased demand on services and facilities</b> levied under the plan as the executive MBA program (with accommodation) currently occurs and operates on Kensington Campus for a comparable number of participants and staff. Its proposed relocation to the Cliffbrook Campus allows for the continuation of an essential tertiary education program to create a modern, viable and functional teaching, learning and accommodation facility within Randwick LGA.</li> </ul>

Issue	Submission Summary	Response
		<ul style="list-style-type: none"> <li>• <b>The proposal is in the public interest</b> as University services and facilities provide significant social and economic benefits and amenities and services on campus, which reduce the demand on public amenities outside the campus. The Department has also previously acknowledged this.</li> <li>• <b>There is no cumulative impact</b> as when considering University services across the Randwick LGA, it is an entirely reasonable proposition that the proposal at Cliffbrook Campus does not give rise to any additional student or staff numbers. Further, the site has historically been used for University purposes since the 1990s. There have been numerous previous occupants of the site including the Australian Army in the 1940s, the Australian Atomic Energy Commission in the 1950s, 60s and 70s, and UNSW from the 1990s. Whilst the current activity on the site is minimal, this has not always been the case where at one time there were approximately up to 100 people working on site at its peak operation.</li> </ul>
Visual impacts	The new building will form a different backdrop to Cliffbrook House – <i>“the monolithic nature of its curved glazed wall detracts from the setting of Cliffbrook and significantly erodes it curtilage.”</i>	<p>Weir Phillips provided ongoing advice to the project architect, FJMT, during the preparation of the SSD including preparing a heritage impact assessment as part of the proposal. Similarly the referral from OEH (Heritage Council) was satisfied that the proposed works were acceptable with either <i>“positive, little or no impacts”</i> on the heritage significance of the item. Weir Phillips and the Heritage Council expressed support for the proposed design, raising no issues with regard to setback, massing and scale and the style of the new building.</p> <p>It is also noted that there is an existing UNSW building on site in the location of the new building. The new building is setback from Cliffbrook House, respects the item’s setting and responds to the curved driveway on the western side of Cliffbrook in a way that the existing buildings in this location do not.</p> <p>Attached to the RTS is a comprehensive response to the raised matters prepared by Weir Phillips.</p>

Issue	Submission Summary	Response
Setback	Setback between Cliffbrook House and proposed building has decreased compared to previous.	<p>The 4-5m minimum setback from Cliffbrook House is established in the <i>CMP 2017</i> and is observed on the northern side and substantially exceeded on the other sides of the building.</p> <p>Attached to the RTS is a comprehensive response to the raised matters prepared by Weir Phillips.</p>
Landscape	Removal of vegetation impacts the setting of Cliffbrook and will <i>'diminish its heritage significance'</i>	<p>The proposal seeks to remove as little vegetation as is possible and avoids the removal of historically significant trees.</p> <p>Attached to the RTS is a comprehensive response to the raised matters prepared by Weir Phillips.</p>
Heritage	<p><b>Structural Damage</b> - Concerns that the proximity of the new buildings could impact on the structural stability of the heritage buildings. Strict consent conditions should be included to protect and monitor existing structures.</p> <p><b>Landscaping</b> – proposal will impact on the setting of Cliffbrook house through the removal of vegetation, with the new building forming the backdrop to the heritage item instead of vegetation.</p> <p><b>Setting and Curtilage</b> - Footprint of the new building will impact on the curtilage and setting of the main eastern façade of the heritage item.</p> <p><b>Building Envelope</b> – height compared to heritage item. Extensive glazing with projecting spandrels incorporating planter boxes forms the new backdrop to Clifford House. <i>'The detailed design should ensure that the new building forms a neutral and recessive backdrop to the heritage item.'</i></p> <p><b>Views</b> – <i>'whilst the proposed development has an extensive footprint at ground floor level, the footprint at first, second</i></p>	<p>Weir Phillips has reviewed the listed issues of structural damage, landscaping, setting and curtilage, building envelope and views have been reviewed and a response provided in their attached letter.</p> <p>The construction builder's contract will reflect the Contractor's requirement to apply appropriate methodologies to mitigate impacts / structural damage to Cliffbrook. It is also anticipated that conditions of consent would be imposed ensuring the appropriate safeguards are in place.</p>



Issue	Submission Summary	Response
	<i>and third floor levels is reduced, potentially opening up available views from Cliffbrook to the east'.</i>	
<b>RMS</b>		
Access and parking	This submission raises no objection. Access and parking arrangements should be in accordance with Council's requirements.	Nil – acknowledged.
<b>TfNSW</b>		
CTMP, bike parking, EOT, GTP	<p>Request that prior to commencement of works a construction traffic management plan (CTMP) be prepared in consultation with Randwick and the local bus provider and submitted to Council.</p> <p>That bicycle parks should be provided in accordance with AS2890.3.</p> <p>End of trip facilities to be provided in consultation with Council. Reference should be made to the requirements listed Council's DCP and Planning Guidelines for Walking and Cycling, and Council Bike Plan.</p>	<p><i>A Preliminary Construction Traffic Management Plan</i> was submitted with the SSD addressing items of construction traffic impacts, construction methodology, proposed construction routes and principles for construction traffic management. It is acknowledged that an approval for the proposed development will include a condition of consent requiring the preparation of a detailed CTMP for the proposed works. The preparation of a detailed CTMP is most appropriately prepared following approval and prior to Construction Certification with sign off by the project certifier. This allows the appointed building contractors to be engaged in the development of the detailed CTMP.</p> <p>Four compliant bicycle rails accommodating 8 bicycles are provided in the north western corner of the site.</p> <p>The lower ground floor/basement provides staff amenities, showers and lockers and the residential participant rooms contain bathrooms, satisfying the end of trip requirements. Section 6.1 of the submitted EIS provides a comment against the Sydney's Cycling Future 2013 and Sydney's Walking Future 2013 as well as Council's DCP (Section 6.3).</p>

Issue	Submission Summary	Response
	It is recommended that a Green Travel Plan be provided.	TTPP has prepared a <i>Green Travel Plan</i> (GTP) and <i>Travel Access Guide</i> (TAG) and accompanies this response.
<b>Sydney Water</b>		
Imposition of conditions	No objection raised.	<p>The conditions provided relate to:</p> <ul style="list-style-type: none"> <li>• providing building approval plans to the Sydney Water 'Tap in' online service.</li> <li>• obtaining the Section 73 certificate from Sydney Water.</li> </ul> <p>UNSW has no objection to the imposition of these standard conditions.</p>
<b>Ausgrid</b>		
Imposition of conditions	<p>Ausgrid consents to the development subject to conditions.</p> <p>Comment on the existence of existing underground electricity network assets in Beach Street and Battery Street...Special care should also be taken to ensure that driveways and any other construction activities within the footpath area do not interfere with the existing cables in the footpath</p>	UNSW has no objection to the imposition of these standard conditions and will be incorporated into the main building works contract.
<b>OEH</b>		
Aboriginal Cultural Advice	OEH were unable to provide Aboriginal cultural heritage advice – <i>'this should not be taken as support or otherwise for the proposal'</i> .	<i>Aboriginal Cultural Heritage Assessment Report</i> prepared by MDCA is attached. This is a report that updates the May 2017 version submitted with the SSD. The change contains further recording of Aboriginal

Issue	Submission Summary	Response
Biodiversity	<p>Comment that the Biodiversity Assessment Report (BAR) is deficient and comments on:</p> <ul style="list-style-type: none"> <li>• Identification of vegetation types and EECs</li> <li>• Site attribute assessment</li> <li>• Complete set of plot / transect raw data sheets and flora inventory lists should be provided to OEH for review.</li> <li>• Offset credit requirements: although no credits are required to be purchased to offset impacts to biodiversity. OEH recommends a number of mitigation methods.</li> <li>• Landscape features</li> </ul>	<p>community consultation that had not been completed at the time of lodgement. The conclusions and recommendations are unchanged.</p> <p><i>Historical (non-Indigenous) Archaeology: Test Excavation Report</i> prepared by MDCA is also attached. This was an appendix to the <i>Historical Archaeological Assessment (European Heritage) + Research Design &amp; Excavation Methodology</i> however was not yet completed at the time of lodgement</p> <p>Attached to this submission are the following documents, that respond to the OEH comments and assist in clarifying the submitted information on biodiversity:</p> <ul style="list-style-type: none"> <li>• Cover letter responding to each of the matters in the OEH referral</li> <li>• Updated <i>Biodiversity Assessment Report, Rev B</i></li> <li>• Updated <i>Biodiversity Management Plan, Rev B</i></li> <li>• Field biometrics sheets</li> <li>• Biometric Plot inventories (in excel format)</li> </ul>
Flood Risk	<p>OEH notes that the Flood Study for Redevelopment of UNSW Cliffbrook Campus (Kustom Engineering, 2017) follows acceptable floodplain risk management practice and is considered reasonable.</p> <p>With regard to flood mitigation – ‘OEH supports all proposed measures’.</p>	<p>Noted.</p>

Issue	Submission Summary	Response
	<p>Note that it is important to achieve a minimum freeboard of 0.5m for the lower ground floor level at the entrance to the basement car park.</p>	<p>Noted.</p> <p>As per OEH response: “Item (f) of the recommended actions, suggests greater freeboard for the lower ground floor or alternatively the south-eastern entrances to then lower ground floor be sealed off and designed to include flood proof doors for a minimum height of 0.5m. <b>OEH acknowledges this recommendation</b> but highlights that it is prudent to achieve a minimum freeboard of 0.5m for the lower ground floor level similarly at the entrance of the basement carpark.”</p> <p>Importantly, the Flood Report is generally accepted and the recommendations are acknowledged by OEH.</p> <p>In response, FJMT has commented that directly above the lower ground floor habitable rooms, the roof has been lowered in order to respond to the recommendations of the GMU Visual Impact Assessment. This creates a height restriction in this area. Raising the lower ground floor level to provide 500 mm freeboard underneath this height restricted area results in non complaint ceiling height and is therefore not achievable.</p> <p>The recommended actions of OEH in parts (a), (b), (d) and (g) have been incorporated into the design.</p> <p>The Kustom Engineering Flood Study notes that at the entrance to the lower ground floor habitable spaces the “flood depth is typically 2mm to 49mm deep at these locations. A depth of less than 50mm is generally considered as general sheet flow rather than flood flow.” Sheet flow is a low flood risk area.</p> <p>Options to respond to the recommended actions (c) and (f) are under consideration including:</p> <ul style="list-style-type: none"> <li>• Raising the northern section of the lower ground floor and basement (as allowed by structure overhead) so that egress out of</li> </ul>

Issue	Submission Summary	Response
		<p>the carpark and lower ground floor lobby is at a higher level. This directly respond to action (c) as well as providing increased freeboard for part of the lower ground floor.</p> <ul style="list-style-type: none"> <li>Adjustment and lowering of the external levels to provide additional protection to the habitable rooms of the lower ground floor that can not be raised due to height restrictions.</li> </ul>
<b>Heritage Council</b>		
Heritage Impact, design works and imposition of conditions	<p><i>'The HIS concludes that the use of the site by the UNSW for educational purposes is an appropriate and compatible use (CMP 2017).</i></p> <p><i>The proposed works to the item, comprising the house, garage and stone wall, are minor in nature and have positive, little or no impacts on the heritage values of the item.'</i></p>	<p>Overall, the Heritage Council of NSW expressed support for the proposed design, raising no issues with regard to setback, massing, scale and the style of the new building.</p> <p>Weir Philips have reviewed the following proposed conditions of consent and are considered appropriate to the site:</p> <ul style="list-style-type: none"> <li><i>An archival photographic recording of buildings to be demolished (CC2 + CC4), Cliffbrook (CC1) and the garage (CC3) and the perimeter stone wall, is to be undertaken prior to the commencement of works, and all changes to the house, garage and stone wall should be carefully recorded in accordance with the Heritage Council document, Photographic Recording of Heritage Items using Film or Digital Capture. The original copy of the archival record shall be deposited with the Heritage Branch, an additional copy shall be provided to the City of Randwick.</i></li> <li><i>A Heritage Interpretation Plan for the whole of the Cliffbrook site, inclusive of all periods of the site's history, must be prepared and implemented prior to the issue of an Occupation Certificate.</i></li> <li><i>All heritage work to be supervised by a qualified heritage consultant to ensure that the impact of the works on the heritage significance of the building is minimised and all work has been carried out in accordance with the approved documentation and the conditions of this consent.</i></li> <li><i>All work to be carried out by suitably qualified tradesmen with practical experience in conservation and restoration of similar heritage items. The nominated heritage consultant shall be consulted prior to the selection of appropriate tradesmen.</i></li> </ul>

Issue	Submission Summary	Response
		<ul style="list-style-type: none"> <li>• Further development and resolution of the design details should occur in consultation with the Nominated Heritage Consultant</li> <li>• All significant fabric removed is to be labelled and securely stored on site for possible reinstatement at a later date and / or used for interpretation.</li> <li>• Historical Archaeology is to be managed in accordance with the Archaeological Assessment, prepared by MDCA, dated 3 March 2017, which recommends targeted historical archaeological testing in accordance with the research design and excavation methodology outlined in their report.</li> <li>• On completion of the testing the results should be documented in a report supplied to the Secretary of DPE and the Heritage Council of NSW. The results should be used to inform detailed project design and the future management of any identified archaeological resource.</li> </ul> <p>Refer also to the Weir Phillips letter accompanying this RTS.</p>
<b>EPA</b>		
EMPs and recommended conditions	The EPA notes that it does not review or endorse EMPs or the like for the reasons of maintaining a regulatory 'arms length' and therefore has not reviewed any environmental management plan forming part of the EIS.	<p>The EPA lists 20 recommendations regarding:</p> <ul style="list-style-type: none"> <li>• Asbestos waste and lead-paint removal / transportation;</li> <li>• Construction noise impacts from demolition;</li> <li>• Construction dust control;</li> <li>• Construction runoff control;</li> <li>• Operational noise management.</li> </ul> <p>The above matters would be reflected in Main Building Works contract and will be prepared prior to construction.</p>
Asbestos and RAP	The proponent be required to engage an accredited site auditor to undertake an audit to assess whether the site is suitable for the proposed development on the condition of the implementation of an Asbestos Management Plan or	JBS&G has prepared a <i>Remedial Action Plan</i> (RAP) for the project having previously prepared a <i>Preliminary Site Investigation</i> and additional site investigation work.

Issue	Submission Summary	Response
	Remedial Action Plan addressing the asbestos contamination of the development site	<p>Based on these previous assessments of the site, the following contamination issues have been identified at the site:</p> <ul style="list-style-type: none"> <li>• Bonded ACM and/or AF observed within the fill profile in the north and south; and</li> <li>• Bonded ACM observed within the fill profile in the south.</li> </ul> <p>The RAP states,</p> <p><i>“Based on assessment of remedial options, the preferred remediation approach for the asbestos impacts identified is:</i></p> <ul style="list-style-type: none"> <li>• <i>On-site containment where feasible beneath building footprints, hardstand areas or open space areas, of asbestos impacted soils requiring disturbance during development, with ongoing management via an Environmental Management Plan (EMP); and</i></li> <li>• <i>Retention of asbestos impacted soils that do not require disturbance for development, with appropriate ground cover, with ongoing management via an EMP; or, contingent on the feasibility of the preferred approach:</i></li> <li>• <i>Off-site disposal of AF (and any coincidental ACM) impacted soils; and/or</i></li> <li>• <i>Picking of ACM from ACM (only) impacted soil to reduce ACM to acceptable levels and allow reuse of the soil with management via an EMP.</i></li> </ul> <p><i>Overall, it is considered that the proposed actions outlined in this RAP are: technically feasible; environmentally justifiable; and consistent with relevant laws, policies and guidelines endorsed by NSW EPA”.</i></p> <p>Refer to the attached RAP for additional details.</p>
Previous use	Australian Nuclear Science and Technology Organisation (ANSTO) - previous use on site	We understand that the previous use of the site by ANSTO was for office personal and purposes only and there was no handling of radiological substances.

Issue	Submission Summary	Response
Construction hours	Justification for construction outside the standard hours	<p>The Department also sought justification on UNSW's proposed construction hours on Saturdays, being outside of the standard construction hours identified in the Environmental Protection Authority's Interim Construction Noise Guidelines.</p> <p>The Proponent advises that the nature of work proposed to be undertaken at this time is intended to be typical construction activities that would also be experienced Monday to Friday. This is noting that works deemed to be noisy works would be undertaken only during dedicated times on this day, as is expected to be conditioned by the Department. The intention behind the proposed construction hours on Saturday is to ensure productivity of a full working day is achieved. Mitigation measures to address noise outputs are captured under the JHA Acoustic Report included as part of the SSDA submission.</p>

Table 2 – Response to Public Submissions

Issue	Response
<p><b><i>Car Parking and Traffic</i></b></p> <p>Lack of car parking in surrounding street network and additional overflow car parking arising from this development.</p>	<p>Car parking for the site has been assessed against the Randwick DCP as well as on merit based on the expected demand for car parking. The <i>Transport and Accessibility Report</i> prepared by TTPP (Appendix F to the EIS, Section 2.3 and 5.1) contained a comprehensive assessment in the SSD.</p> <p>Neither TfNSW nor Randwick Council raised any issues with the methodology of calculating the carparking or the provision of car parking on site generally.</p>
Under supply of on-site car parking	Car parking for the site and has been assessed against the Randwick DCP as well as the on merit, based on the expected demand for car parking in the SSD <i>Transport and Accessibility Report</i> prepared by TTPP (Appendix F to the EIS, Section 2.3 and 5.1).



	<p>Neither TfNSW nor Randwick Council raised any issues with the methodology of calculating the carparking or the provision of car parking on site generally.</p> <p>It is concluded that the on site car parking provision is acceptable.</p>
Lack of public transport service to the area to decentivise car usage.	<p>The provision of public transport in the area is addressed in the <i>SSD Transport and Accessibility Report</i> as well as the submitted <i>Green Travel Plan</i> submitted with this RTS. The GTP states,</p> <p><i>“The Cliffbrook campus is well serviced by public bus transport with several bus routes surrounding the site.</i></p> <p><i>UNSW will further support bus usage by the provision of shuttle buses between the Cliffbrook Campus and the main Campus, at relevant periods, for example on the first and last day of an AGSM course or during UNSW events such as retreats and conference days.</i></p> <p><i>A shuttle bus to the main campus will be further effective following the implementation of the proposed light rail from the main campus, providing convenient public transport access to key locations in Sydney city.</i></p> <p><i>Shuttle bus timetables will be provided as part of student/ staff introductory information packages and within the university website.”</i></p>
<p><b>Built Form</b></p> <p>Scale and bulk of development, because of:</p> <ul style="list-style-type: none"> <li>• the sensitive clifftop location;</li> <li>• the area is already ‘congested’ / over populated;</li> <li>• comparative scale of education facility vs accommodation provided.</li> <li>• bulk along Battery Street.</li> </ul> <p>Recommendations:</p> <ul style="list-style-type: none"> <li>• built form stepped down to two levels at the Flood St end (like the Beach St end).</li> </ul>	<p>The site has historically been used for University purposes since the 1990s. There have been numerous previous occupants of the site including the Australian Army in the 1940s, the Australian Atomic Energy Commission in the 1950s, 60s and 70s, and UNSW from the 1990s. Whilst the current activity on the site is minimal, this has not always been the case where at one time there were approximately up to 100 people working on site at its peak operation.</p> <p>The participants will not create any adverse impacts on the availability of site parking or adverse amenity impacts such as acoustic impacts or overshadowing.</p> <p>The new building is well setback from the clifftop and does not propose any built form in the recreational zoned land. The existing vegetation is proposed to be maintained and revegetated, preserving the environmental characteristics of the clifftop location.</p>

	<p>The form of the development was determined based on the surrounding context, <i>Visual Impact Assessment</i> and the proximity, setting and relationship to Cliffbrook House. Given these considerations, the bulk of the development was best placed in the north and east and setback from Cliffbrook House. This RTS has responded to the concerns raised in the submissions and have proposed amendments to the design which reduce the bulk in the north eastern corner, reduce the overall height and provide a more appropriate response on the eastern boundary. Refer to submitted Architectural drawings.</p> <p>The GMU Addendum report states in relation to stepping down the building at the Flood Street end, <i>“from a visual point of view, the proposed approach to concentrate the built form at the Flood Street end leads to a better built form outcome. The site has dense and mature existing vegetation planted along the site boundary at this location where the proposal’s visibility can be minimised.</i></p> <p><i>By concentrating the built form at the Flood Street end, the proposal would also achieve greater separation to the Cliffbrook House to minimise potential impact on the heritage item. The proposed site configuration follows the existing CC4 building which is also in an L-shape.</i></p> <p><i>View F1 of the VIA report shows that any further stepping down of the built form near the Flood Street end does not provide meaningful improvement in terms of view retention. It is GMU’s opinion that no further design changes are required.</i></p>
<p><b>Building Height</b></p> <p>‘Building too high’ – causes amenity impacts.</p> <p>Recommendations:</p> <ul style="list-style-type: none"> <li>• should be limited to three storeys.</li> </ul>	<p>The bulk of the development is located in the north eastern portion of the site to respect the heritage curtilage and views to Cliffbrook House. The northern façade of the new building consists of two forms, a lower form in the west which is read as two storeys along Battery and a higher form in the east which is read as three storeys along Battery Street. This higher form corresponds to the surrounding building typology such as dwellings over 3 storeys and residential flat buildings of 3-4 levels in height with pitched roof on the opposite side of Battery Street. Weir Phillips and GMU support the arrangement from a heritage and visual impact perspective.</p> <p>The RTS proposes a reduction in the height of the north eastern corner (lounge) area, the removal of one bedroom from level 3 on the western end, the removal of the stair and removal of the plant at the north eastern end and reduction in the footprint of the plant.</p>

	<p>The eastern elevation was articulated and modified prior to the submission of the SSD to minimise the potential overshadowing of No. 10 and No. 12 Battery Street. Some shadowing does occur to the rear garden of No. 10 (a UNSW owned property) however still receives the minimum sunlight access. No. 12 receives some shadowing at 3pm in Mid winter but is not affected from 9am to 2pm. The shadow drawings are provided with the RTS, updated to incorporate the building amendments, and demonstrate that the overshadowing of the proposal is acceptable.</p> <p>The proposal does not experience unreasonable amenity impacts on neighbouring properties such as overshadowing or privacy concerns (as outlined further below).</p>
<p>During consultation, it was noted that height poles would be used to demonstrate the height of the building to the resident – this has not been completed.</p>	<p>A reliable and robust assessment of height was undertaken as part of the <i>Visual Impact Assessment</i> prepared by GMU. GMU's assessment was based on computer generated (photo-matching) 3D models in each photograph. This approach allows the viewers to see the full height profile of the project and therefore provides an accurate representation of the proposal in the views. On the other hand, height poles erected on site can only indicate heights at individual locations; it does not allow the viewers to see the full profile of the proposal. Using computer generated 3D modelling for the analysis is a court certifiable method and a widely accepted tool to provide an understanding of the potential impact.</p> <p>The accuracy of the montages can be verified in the Appendix of GMU's <i>Addendum</i> report. The views were prepared as per the data provided by a qualified surveyor and the 3D architectural model by the project architect. It is GMU's opinion that height poles can be used as an additional tool, but they do not provide a holistic approach.</p>
<p><b>Fencing</b></p> <p>Palisade fence along Battery Street will be stark.</p> <p>Recommendation:</p> <ul style="list-style-type: none"> <li>timber fence similar to current fencing and colour to blend with landscape</li> </ul>	<p>The proposed palisade fence is unobtrusive and will be screened with planting. This treatment complements other new fencing elsewhere.</p>

<b><i>Amenity Impacts</i></b>	
Impacts of the proposal have not been sufficiently addressed in the EIS regarding noise, privacy and view loss.	The EIS addressed the matters of noise and vibration in Section 7.9, privacy and overshadowing in Section 7.1.2 and view loss in Section 7.3. Accompanying the SSD were an Acoustic report prepared by JHA and Visual Impact Assessment prepared by GMU. Both of these consultants have prepared Addendum statements for the RTS further clarifying and assessing the raised matters of each submission issue.
SEARs have not been complied with - re adequate detail regarding acoustic, privacy and visual impacts.  This non-compliance gives rise to a potential breach of the zone objectives of SP2	See Point above.  The SSD documentation has been thorough and comprehensive and has adequately addressed all objectives of the SP2 zone, including “ <i>To facilitate development that will not adversely affect the amenity adjoining development</i> ”.
<u><i>View Loss</i></u>  Multiple resident submissions	  Multiple submitters expressed concerns in relation to view loss. Some of the common issues are addressed below however a comprehensive assessment of all submissions is provided in GMU’s <i>Addendum to Visual Impact Assessment</i> accompanying this RTS.
<u><i>View Loss</i></u>  View loss to Cliffbrook House from Battery Street	Refer to GMU Addendum report that provides as comment,  <i>The Weir Phillips Heritage report agrees that the principal view corridors towards the site from the public domain are from Beach Street not Battery Street./ Battery Street is a side street which does not have a high level of pedestrian activity. The existing views to Cliffbrook House from the footpath are heavily obstructed by vegetation (see images in GMU report). The visibility of the heritage item is already interrupted from this angle. The DA drawings also indicate that existing trees in this location will be retained and protected. Therefore, GMU considers the reduction of views of Cliffbrook House from Battery Street as being acceptable.</i>
View loss to ocean and Gordons Bay cliff face from 5 Battery Street	GMU Addendum report states, “ <i>As recorded in View F1 of the VIA report, the property does not show views of the Gordon Bay’s Cliff, but enjoys a corridor of ocean views to the southeast. At 4 storeys, the proposal would largely be screened by existing vegetation. The maximum height of</i>

	<p><i>the proposal stays below the top of the tree canopies and the building does not appear to be prominent.</i></p> <p><i>Most importantly, the existing ocean views, which are the most valuable view element for this property, will be fully retained.</i></p> <p><i>Therefore, GMU's visual impact assessment considered that the potential visual impact on the property's living room is nil and acceptable."</i></p>
<p>View analysis does not take into consideration the approved DA 468/2015 of 1A Battery Street (which is yet to be constructed).</p> <p>Lack of view assessment generally for 1A Battery Street.</p>	<p>Refer to Page 6 of GMU's <i>Addendum</i> assessment which provides a detailed explanation of the visual impact assessment from 1A Battery Street.</p>
<p><u>Visual (Beatty Legal)</u></p> <p>The proposed planting in the vicinity of the Path will use vegetation that, in the long- term, will grow to a significant height. While this may take several years to manifest, the growth will result in a substantial obstruction of the most desirable and valuable views from our clients' properties.</p>	<p>The Revegetation Zone in the Eastern portion of the site is not the full extent of the foreshore area. The majority of the eastern portion is marked for regeneration works as opposed to revegetation works (where regeneration works do not include new planting).</p> <p>UNSW is not obliged to regenerate or revegetate anything, however UNSW and the project team saw this project as an opportunity to undertake due diligence and be a good steward of the land.</p> <p>A good biological outcome can be achieved if the proposed revegetation mix was altered to include grass, ground cover and shrub species only - the floral community would not be as diverse but the overall outcome would be an improvement for the foreshore environment.</p> <p>Narla provided the further comment in relation to the revegetation area of the site, "<i>It is my professional opinion that the aims of improving floristic diversity, and habitat within and around the bushland remnant can be achieved through the planting of groundcovers and shrubs that are estimated to remain below 2.5 metres in height...</i></p> <p><i>I am comfortable that the aims of increasing biodiversity and habitat on the subject site can be achieved through restricting plantings (in the area identified by the concerned residents) to species that do not usually exceed 2.5 metres in height".</i></p>

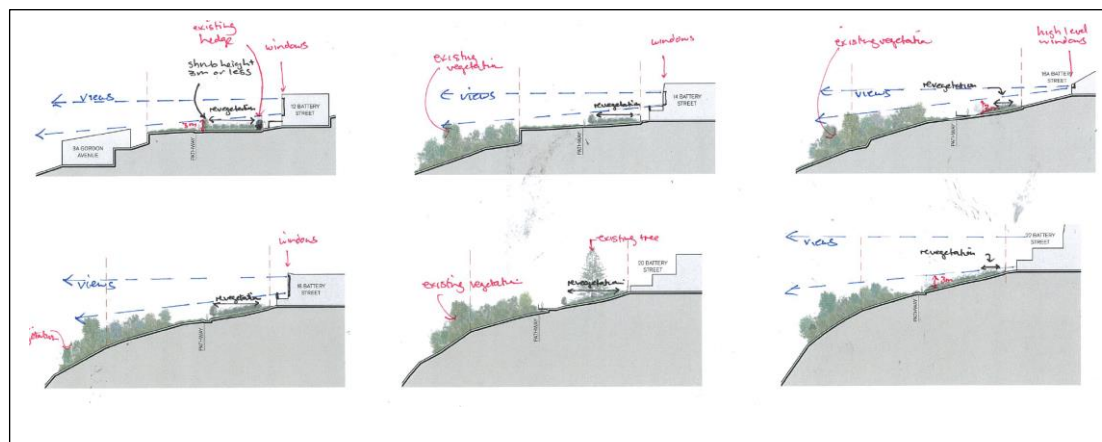
<p><u>Visual/Landscape</u></p> <p>The following were matters raised in the RLA submission.</p>	
<p>Landscape Groundplane East' sheet 8002 (the landscape plan) indicates the location of a new coastal walkway, sitting areas in 'pods' and areas of proposed planting. The location and nature of these features create privacy and amenity issues and potentially view loss for the subject properties.</p>	<p>The viewing pods are to be removed from scope.</p>
<p>The landscape plan shows that the majority of existing open space in land south of the subject dwellings is proposed to be planted with 'bush regeneration to be coordinated with existing bush care groups'. In this regard existing open space in front of No.12, 14 and 18 Battery Street will be revegetated with species that are part of the Eastern Suburbs Banksia Scrub species (ESBS) community. This is inconsistent with information provided in relation to existing species on the site.</p>	<p>The notes in the landscape report refer to the ESBS community (which was the original assessment made by Narla). This classification was subsequently corrected following further vegetation field work. The final revegetation mix proposed by Narla includes both species of the CHBH community and the ESBS community to deliver more diversity (refer BMP 03/05/17 - table 8 Narla). References to ESBC community has been updated on the landscape drawing to reflect the CHBH / ESBS combination specified by the flora and fauna consultant (refer BMP 03/05/17 - Table 8 Narla).</p>
<p>Notwithstanding existing native vegetation is growing in places and may in time reach a height that may block or filter southerly views to some extent, a review of the proposed ESBS plant list shows that many species will grow quickly to a height in excess of 5m to 6m eg; Acacia longifolia, Acacia terminalis, Allocasuarina distyla, Banksia integrifolia and Banksia ericifolia. Further, if the objective for this land is 'bush regeneration' using species from the ESBS community, the retention of existing views cannot be guaranteed. Bush regeneration typically does not include maintenance of the vegetation to achieve a particular height.</p>	<p>Refer comment above - plant mix alteration to remove trees from the revegetation list</p>
<p>It is stated at page 5 of the Landscape Design Statement that the existing bush regeneration south of the subject properties is more closely related to the Coastal Headland Banksia Heath community (CHBH) and does not meet the criteria for classification as ESBS. Therefore, it is not clear why species from the ESBS community would be used for revegetation.</p>	<p>The revegetation mix proposed by Narla included both species of the CHBH community and the ESBS community to deliver more diversity (refer BMP 03/05/17 - Table 8 Narla).</p>

Details eg. plant species, potential height and form in the CHBH community, are not provided. It is unclear whether species from this community will be used in the proposed development and if so, from what source they would be derived.

Refer BMP 03/05/17 - Table 8 Narla.

At page 28 of the Landscape Design Statement it states that species selected from the ESBS will be restricted to 2.5m in height in 'view sensitive' areas. It is not stated how species will be specifically selected, placed or maintained effectively so as to protect existing views, neither are the view sensitive areas identified. In our opinion, the subject dwellings are view sensitive areas from which views should be protected and therefore they ought to have been identified as view sensitive locations, for which specific details of plant species, potential heights and the means to be taken to manage the vegetation to retain views ought to have been provided.

Maintenance (i.e. trimming of plants / tree branches) is not part of revegetation or regeneration works - weed removal only. Regeneration works may include removal of dead branches only. The proposed shrub species are listed in the BMP 03/05/17 - Table 8 by Narla. All are less than 3m in mature height. Refer to the sketch below for view lines and the height of these proposed plants (from 12, 14, 16, 18, 20, 22 Battery Street)



A landscape planting plan and vegetation management plan are therefore required, but have not been provided. These should indicate the placement of plant species to be used in view sensitive areas and should detail maintenance and management practices designed to protect views and amenity for the subject dwellings.

A landscape planting plan will be provided during construction documentation. (The landscape construction documentation will identify species for the of 2.5m high screening shrubs to the rear of Battery St residents - they will be selected from the list of species provided by the Flora and Flora consultant (mature height <3m). The details of bushland management activities are captured in the Biodiversity Management Plan (Narla 2017) - which lists VMP activities.

The landscape plan shows that a '2m wide zone of maintained turf' will be installed adjacent to the south

The design of the shape of proposed revegetation zone and the maintenance access gate for this maintained turf zone has been revised to allow UNSW maintenance staff only to the maintained

boundary of the subject dwellings. The maintained turf zone will allow members of the public including the University community to access and congregate immediately outside and within a few metres of living spaces and external terraces of the subject properties. The maintained turf zone appears to be inappropriate and ineffective for maintenance and does not adequately compensate for the loss of informal access for residents to the open space which would result from implementation of the landscape plans. It will only create amenity and security issues for the subject properties. The amenity and security of the subject dwellings should be protected by the removal of the maintained turf zone and resolution of the conflicting statements in relation to security in the documentation.	turf zone (refer to RTS drawings). The turf zone is intended to reduce fuel load of the foreshore vegetation against the Battery St resident fences and allow maintenance / weeding of the new native planting zone.
A double row of 'shrubs' that are not included in the landscape plan's legend are shown immediately south of the maintained turf zone. These are labelled as 'buffer planting understorey (max mature height 2.5m)'. Understorey plants are not included in the indicative planting palette, therefore it is unknown whether the species are appropriate to either the maintenance of view or bush regeneration, or how they can or will be maintained regularly and appropriately so as to protect existing views.	Maintenance (i.e. trimming of plants / tree branches) is not part of revegetation or regeneration works - weed removal only. Regeneration works may include removal of dead branches only. Refer to the previous page for the sketch for existing resident view lines and the height of these proposed plants.
Vegetation within the buffer planting should be maintained to 2.5m in height or less, to protect existing amenity and views for the subject dwellings. A vegetation management plan for the buffer planting including species, potential height and form and management practices designed to maintain the views and amenity of the subject dwellings, is required, as noted above, but not provided.	Maintenance (i.e. trimming of plants / tree branches) is not part of revegetation or regeneration works - weed removal only. Regeneration works may include removal of dead branches only. Refer to the attached sketch for view cones and the height of these proposed plants.
Although details of the proposed landscape for land south of No. 12 Battery Street was not available for download via the Department of Planning & Environment website, the proposed planting is included on Landscape Roof Plan 8003. This plan shows that large swathes of revegetation is planned for the area south of No. 12 Battery Street, including an extension of	The design of the shape of proposed revegetation zone and the maintenance access gate for this maintained turf zone has been revised to allow UNSW maintenance staff only to the maintained turf zone (Refer to RTS drawings). The turf zone is intended to reduce fuel load of the foreshore vegetation against the Battery St resident fences and allow maintenance / weeding of the new native planting zone.



the maintained turfed zone and buffer planting understorey mix. The maintained turf zone should be removed due to potential security and amenity issues for the subject dwellings (refer to points 8 and 9 above).	
The presence of the buffer planting immediately adjacent to the 2m turf zone also conflicts with prevailing DCP controls regarding passive surveillance of the public domain and the SEARs requirements in section 3 Built Form and Urban Design, that relate to crime prevention through environmental design principles. Passive surveillance requires views to be maintained across the landscaped area south of the subject dwellings, which is in conflict with the height and location of the buffer planting understorey proposed, which would have the effect of limiting or eliminating potential passive surveillance by blocking views into and across the landscaped area. This is one of several example of apparent conflict between the implementation of the landscape plans and the stated intentions with regard to security.	Access to the eastern walkway is proposed to be controlled and managed by the university - access to these areas is only allowed between the hours of Sunset and 7.30am Monday to Friday and Sunset to 9.00am Weekends and Public Holidays. One of the principles of CPTED is to remove opportunity for crime - we see the managed approach and controlled security access to the eastern walk as minimising opportunity for crime.
The proposed coastal walkway includes pods of development set amongst areas of revegetation south of the subject properties. In particular, two elliptical shaped features will be located south of Nos.16 and 18 Battery Street. Pages 19 to 21 of the Landscape Design Statement show that the pods include sandstone retaining walls and timber decks that may be raised above ground level (depending on adjacent topography). In addition, they will include electrical connections for low level lighting bollards and wifi. The availability of free wifi in a public space that is lit overnight will create amenity and security issues for the subject properties.	The pods will be removed. Refer to amended Architectural drawings.
It is stated that low level bollard lighting will be used along the coastal walkway. This conflicts with page 63 of the EIS which states that " <i>The rear pedestrian accessway will be lit at night with low downlit light, on sensors, to minimise spill to neighbours</i> ". The nature, potential effects and impacts of night	Lighting will be only as required for safety and compliance. Low level bollard lighting (on timer and motion sensor) is proposed to the eastern area. The sensor product proposed to be specified will not be triggered by small animals. Access to this area is controlled by a security gate with access restricted to certain hours. The only time that the low-level lighting is expected to be used is if a pedestrian is using the path before 5pm during the winter solstice period when daylight diminishes

lighting and light spill require assessment and clarification, as do the means by which security will be monitored.	approaching this time or during any emergency events. The lights will be specified to meet the minimum light lux levels required for safety.
Down lights, (if used) may cause nuisance such as glare and light spill to the subject dwellings, depending on the heights at which luminaires are placed and the luminance and colour of the light emitted. The mention of down lights is also in conflict with the bollard lighting mentioned in the landscape plans. There are no details provided of this kind of lighting either.	Low level bollard lighting is proposed - refer note above. Downlights are not proposed.
Low level bollard lighting (if used) may not provide adequate night time security for users of the coastal path, or subject dwellings and may also create night time light spill and amenity for the subject dwellings. The visual effects and impacts of night time lighting for adjacent residents has not been assessed and must be mitigated. Night lighting should not be permitted along the coastal pathway if it conflicts with views from residences. Any significant light spill in the foreground of views to the south and south east will conflict with the quiet enjoyment of night-time views across the landscaped area and reserve toward the ocean beyond.	Low level bollard lighting is proposed - refer note above.
It is also not stated how light spill and visual effects will be mitigated if understorey vegetation close to the subject properties is maintained as stated to a height of 2.5m. A detailed vegetation management plan for the buffer planting understorey zone is required (refer to points 8, 9 and 10), as in an explanation of how light spill will be managed and also how light either supports or inhibits adequate management of night-time and casual surveillance.	Low level bollard lighting is proposed - refer note above.
The landscape plans show that the existing steel fence that separates the Campus site from the open space south of the subject properties will be retained. Another, additional curved fence, will be installed east of this location, that includes an entry gate to the campus. The two fences intersect to the north and it appears that there is no access provided to the turf area or the buffer planting understorey zone for the	The design of the shape of proposed revegetation zone and the maintenance access gate for this maintained turf zone has been revised to allow UNSW maintenance staff only to the maintained turf zone (refer to RTS drawings). The turf zone is intended to reduce fuel load of the foreshore vegetation against the Battery St resident fences and allow maintenance / weeding of the new native planting zone.

<p>purposes of maintenance. The location of fences and gates needs to be resolved as it relates to potential security issues for the subject dwellings.</p>	
<p><u>Privacy</u></p> <p>Overlooking and direct views into properties (namely 43 Beach Street).</p> <p>Privacy compromised because of pathway and chosen fencing (Beatty Legal letter).</p>	<p>The following privacy considerations are noted:</p> <ul style="list-style-type: none"> <li>• The fenestration along Battery Street and on the southern boundary is shielded by vertical timber battens to provide screening and full height fixed glazing with operable glazed louvres. This reduces overlooking from the UNSW participants to neighbouring dwellings but also provides a level of internal privacy to the accommodation rooms.</li> <li>• The proposal also retains most of the existing mature vegetation along the northern boundary assisting and contributing to maintaining privacy on Battery Street. The height of the trees are accurate and have been surveyed.</li> <li>• The functional planning of the site has also considered the active spaces and orientation of the new building in providing an internal courtyard to the east of Cliffbrook House that does not directly face residential properties.</li> <li>• The RTS has deleted the viewing pods in the eastern portion of the site. Detailed commentary on the appropriateness of the landscaping/fencing in this portion is commented above under “Visual /landscape” above. The use of the eastern portion is intended to be passive and not cause any adverse privacy or amenity impacts to neighbouring properties. The UNSW operational management plan will ensure the proper use of this area.</li> </ul>
<p>Stairwells are not enclosed resulting in glare from lighting at night and lack of privacy. It was recommended that wooden slats to stairwells / enclosure be included.</p>	<p>The glass facade to the stairwells reduces the bulk of the northern facade facing Battery Street. Instead of one continuous elevation, the built form is separated into three (3) shorter solid building elements with the transparent/ translucent glazed stair forms in-between presenting lighter, finer more recessive elements, particularly in the daytime.</p> <p>The stair forms are not directly opposite any length of wall or window on Battery Street. The stair at the western end of Battery Street is directly opposite a small section of solid wall and a small high level obscured window of 43 Beach Street. The other stair facing Battery Street is directly opposite the boundary between 3A and 5 Battery Street and as such there are no private open spaces or habitable windows directly opposite this stair. The stairs are transient spaces. These stairs facing Battery Street are not the main vertical transportation nodes of the building because they are remote from the lifts.</p>

	<p>The glass louvres will be a mix of clear glazing and translucent/ coloured glazing to limit views from the stairs to the adjacent properties. The existing planting will be retained and creates a visual privacy screen.</p> <p>Stairwell lighting will be the minimum required for compliance with standards and will be low level and indirect where possible to avoid glare.</p>
<p><u>Noise</u></p> <p>Noise arising from visiting students.</p> <p>12-18 Battery St submission - Noise assessment was inadequate refer to Wilkinson Murray Acoustic review.</p>	<p>The proposal is primarily for the AGSM MBA (Executive) program for intensive residential programs. The Cliffbrook Campus will accommodate AGSM participants in purpose built accommodation with provision of teaching and learning facilities. The participants are executives largely in professional careers and not 'typical' UNSW students that would otherwise be present at Kensington campus. As such the key driver for the participants is the intensive learning program with some classes extent to 9pm at night, leaving little time for socialising and 'noisy' activities. UNSW has prepared an Operational Management Plan that was submitted with the SSD and will assist in mitigating and managing any noise impacts to residents. The RTS has deleted the viewing pods (to minimise the opportunity for congregation of participants) however the eastern pathway will still be used. Given the infrequent and passive use of this pathway, it is not anticipated that this will have an adverse impact on adjoining dwellings.</p> <p>JHA have prepared a <i>Response to Acoustic Review</i> (attached to the RTS) which addresses:</p> <ul style="list-style-type: none"> <li>- Beatty legal letter on behalf of 12-18 Battery Street residents</li> <li>- Resident proposed conditions</li> <li>- Issues addressed by Wilkinson Murray</li> </ul>
<p><u>Other</u></p> <p>Removal of vegetation / proposed landscaping</p>	<p>Refer to response comments in 'Visual/Landscape' above.</p>
<p><u>Suggested conditions of consent</u></p> <p>A number of conditions of consent are listed in the owners group of 12-18 Battery St submission relating to a range of amenity issues to reduce perceived impacts.</p>	<p>Comments on each of the suggested conditions is provided below:</p>

<ul style="list-style-type: none"> <li>• <i>All windows in the dining room must be installed so as to remain permanently shut.</i></li> </ul>	<p>The windows are fixed closed. The purpose of the windows glazing is principally to take advantage of the available views.</p>
<ul style="list-style-type: none"> <li>• <i>No doors are to be installed on the ground level of the eastern side of the Proposal facing 10 Battery Street.</i></li> </ul>	<p>The doors included on the eastern ground level and lower ground level are required by the BCA for egress points.</p>
<ul style="list-style-type: none"> <li>• <i>Paving must not be used in the area described in the Proposal as the 'breakout' area. Materials employed must absorb all sound otherwise capable of being detected by residents of Battery Street.</i></li> </ul>	<p>Hard surfaces are required on the ground directly adjacent a building's facade to provide waterproofing. Hard surfaces have been limited. The extent of the paved area outside the lower ground level has been reduced. Significant landscape is included for the full length of the shared boundaries with the Battery Street residences.</p>
<ul style="list-style-type: none"> <li>• <i>The fence to the south of 12 Battery Street must consist of brick or sandstone and be built to a height of 2.4 metres. The colour and finish of the fence is to be determined in consultation with the owners of the Battery St Properties. Privacy planting must also be placed in front of the wall, consisting of plants consistent with condition (a) above.</i></li> </ul>	<p>Extensive consultation has been held with the Battery Street neighbours on the detail design of this wall, including the provision of 3D views. Additional screening trees have been added including tree specification that has been discussed and agreed. The height and length of the screen wall has been explained in detail. The height is determined by the height required to block the view to the backyard/ lower terraces of 12, 14 and 18 Battery Street from key lower ground viewing points and the length is shown on the RTS architectural plans. Sandstone will be provided as project budget allows.</p>
<ul style="list-style-type: none"> <li>• <i>Hours of access to, and use of, the path are to be restricted to between 8am and 6pm.</i></li> </ul>	<p>Refer to the revised Operational Management Plan. The operational management of this eastern portion of the campus has been discussed with the Battery Street neighbours and revised so that it will be locked from Sunset to 7:30 am Monday to Friday and Sunset to 9am Weekends and Public Holidays.</p>
<ul style="list-style-type: none"> <li>• <i>The proponent is to ensure that all residents on the southern side of Battery Street to the east of the Proposal site are given access to the path during these hours. Artificial lighting along the Path must only operate within these hours.</i></li> </ul>	<p>There has been no access agreements between UNSW and the residents on the southern side of Battery Street, and hence this condition should not be imposed. However, any such arrangements would require compliance with the Operational Management Plan.</p>
<p><b><i>Incorrect / incomplete plans:</i></b></p> <ul style="list-style-type: none"> <li>• Depiction of 3 Battery Street building height – this should be the same as 5 Battery Street and 1A Battery Street.</li> <li>• Plant room / kitchen exhaust flue not shown on plans – compromise views if on rooftop.</li> </ul>	<p>A revised Architectural Drawing set is submitted with the RTS.</p> <p>The key changes of removal of stair and reduction of plant area on the roof level at the north eastern end will help improve the visual outcome. GMU has assessed the resulting view implications of the proposed changes and provided their support.</p>

***Viewing Pods***

UNSW will remove the two viewing pods in the eastern portion of the site as part of the RTS. The pathway will remain and an updated landscape plan denotes the treatment of the rear/eastern portion of the site.

## 7. CONCLUSION

This Report has considered the responses received from DPE, agencies and the community during the exhibition of SSD 8216 for the Redevelopment of UNSW Cliffbrook Campus. The proposal has been refined, where appropriate, to respond to comments raised by all stakeholders. The EIS and the RtS confirm that there are no significant adverse impacts and the proposal should be approved.

The proposal is considered appropriate and should be supported by the Minister for the following reasons:

- The proposal demonstrates consistency with the relevant environmental planning instruments including strategic planning policy, State and local planning legislation, regulation and policies.
- The design positively responds to the site conditions and surrounding development;
- The relocation of the existing AGSM residential program to the Cliffbrook Campus allows for the continuation of an essential tertiary education program. In doing so, UNSW will utilise a current underutilised site, proximate to the main Kensington campus, to create a viable and functional teaching, learning and accommodation facility.
- The design has been through multiple reiterations in response to the community concerns and extensive community consultation to address the matters of privacy, views, heritage, safety, traffic and parking and acoustics. The built form is improved in the RtS by reducing the height on Battery Street, reducing the bulk in the north eastern corner and lessening the shadow impact.
- The proposed building will ensure appropriate view sharing for surrounding residential development in relation to the existing views to and from the item and to the ocean. There have been many design modifications undertaken to address a number of concerns including visual impact as well as to address other priorities and issues such as heritage significance of the site, amenity and compatibility of the proposal with the site setting. We submit that the amended design changes in the RtS will enhance the visual impact of the development particularly for 44 and 46 Beach Street.
- Vegetation to the rear of the site will be maintained and regenerated where possible.
- The surrounding residential amenity of the context is maintained to ensure there are no adverse noise impacts, overlooking or privacy concerns.
- The proposal will result in positive economic impacts through the provision of direct and indirect employment, during both construction and operation.
- The Statement of Heritage Impact and Conservation Management Plan support the proposal and the long term management of the state listed heritage item.
- It has been demonstrated that the proposed works will result in minimal environmental impacts, all of which can be managed or mitigated appropriately as outlined in this report.
- The proposal is in the public's interest; and
- The proposal appropriately satisfies each item within the SEARs.

In summary, the development warrants the support of the Minister and we therefore recommend that approval be granted to proposed development, subject to conditions.

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This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.



# **APPENDIX A      AMENDED ARCHITECTURAL AND LANDSCAPE DRAWINGS (FJMT)**

# **APPENDIX B      REVISED OPERATIONAL MANAGEMENT PLAN (UNSW)**

## **APPENDIX C      GREEN TRAVEL PLAN (INCLUDING A TRAVEL ACCESS GUIDE) (TTPP)**

# **APPENDIX D      ACOUSTIC RESPONSE LETTER (JHA)**

# **APPENDIX E      ADDENDA TO VISUAL IMPACT ASSESSMENT (GMU)**

# **APPENDIX F      HERITAGE RESPONSE LETTER (WEIR PHILLIPS)**

# **APPENDIX G      BIODIVERSITY DOCUMENTATION (RE OEH REFERRAL) (NARLA ENVIRONMENTAL PTY LTD)**

# **APPENDIX H      REMEDIAL ACTION PLAN (JBS&G)**



# **APPENDIX I      ABORIGINAL CULTURAL HERITAGE ASSESSMENT REPORT (MDCA)**

# **APPENDIX J      HISTORICAL (NON-INDIGENOUS) ARCHAEOLOGY: TEST EXCAVATION REPORT (MDCA)**



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