

# Notice of decision

## Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

<b>Application type</b>	State significant development
<b>Application number and project name</b>	SSD-83956216 New University Campus
<b>Applicant</b>	Investa Custodian (2) Pty Ltd
<b>Consent Authority</b>	Minister for Planning and Public Spaces

### Decision

The Executive Director under delegation from the Minister for Planning and Public Spaces has, under section 4.38 of the *Environmental Planning and Assessment Act 1979 (the Act)* granted consent to the development application subject to conditions.

A copy of the development consent is available [here](#).

A copy of the Department of Planning, Housing and Infrastructure's assessment report is available [here](#).

### Date of decision

19 March 2026

### Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the Department's assessment report.
- the prescribed matters under the Environmental Planning and Assessment Regulation 2021.
- the objects of the Act.
- all information submitted to the department during the assessment of the development application.
- the findings and recommendations in the Department's assessment report.
- the views of the community about the project (see **Attachment 1**).

The findings and recommendations set out in the Department's assessment report were accepted and adopted as the reasons for making this decision.

The key reasons for granting consent to the development application are as follows:

- the project would provide a range of benefits for the region and the State as a whole, including heritage conservation, new education infrastructure, local contributions and 307 construction jobs and 870 operational jobs.
- the project is permissible with development consent and is consistent with NSW Government policies including the Greater Sydney Region Plan, North District Plan, Transport for NSW's Future Transport Strategy 2056 and North Sydney's Local Strategic Planning Statement.
- the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards. Conditions of consent have been imposed to address key impacts associated with: built form and urban design; heritage; and flooding.
- the issues raised by the community during consultation and in submissions have been considered and adequately addressed through changes to the project and the conditions of consent. Engagement on the project is considered to be in line with *Undertaking Engagement Guidelines for State Significant Projects*, including the community participation objectives outlined in these guidelines.
- weighing all relevant considerations, the project is in the public interest.

## Attachment 1 – Consideration of Community Views

The Applicant engaged with the community during the preparation of the environmental impact statement (EIS) as a requirement of the Secretary’s environmental assessment requirements. The EIS detailed the findings of the engagement and how it influenced the scope and design of the project.

Once the EIS was submitted to the Department, it was placed on exhibition from 8 July 2025 until 6 August 2025 (28 days). A total of four submissions were received, including three objections and comments from North Sydney Council. The Department also received feedback from three members of the community and one from a community group.

The key issues raised by the community (including in submissions) and considered in the Department’s assessment report and by the decision maker include heritage impacts, street activation, bulk and scale and education use. Other issues are addressed in detail in the Department’s assessment report.

<i>Issue</i>	<i>Consideration</i>
<p><i>Heritage impacts</i></p> <ul style="list-style-type: none"> <li>• the loss of heritage fabric amounts to demolition.</li> <li>• inconsistent with the Conservation Management Plan (CMP).</li> <li>• new Denison Street Wing dominates the retained Miller Street Wing.</li> <li>• loss of hierarchy between the two wings.</li> <li>• bas relief and Gerald Lewers sculptures must be preserved.</li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>• The design of the new Denison Street Wing was prepared with input from key stakeholders, including the NSW Heritage Council and North Sydney Council. The Applicant conceded that the new additions were not compliant with the CMP, but the new core and wing are required to meet building code compliance, to address structural and floor plate issues and to fund the conservation of the Miller Street Wing.</li> <li>• The proposed height ensures that the H-shaped design is retained and a proportionally appropriate width for Denison Street Wing is delivered to support the conservation and retention of the most significant element of the existing building (Miller Street Wing) and the relationship between the wings.</li> <li>• The height of the new wing has been designed to minimise impacts on the visual heritage curtilage of the more significant Miller Street Wing. A complying scheme would potentially have greater impacts on the relationship between the two wings.</li> <li>• The interpretive response maintains and highlights the more visually prominent elements of the heritage significance through the restoration of the existing Miller Street Wing to the same scale and form. Further investigations into retention of heritage fabric, where feasible, should be undertaken during the detailed design stage.</li> <li>• Further refinement of the design of the Denison Street Wing should be undertaken during the detailed design stage, in consultation with NSW Heritage and Government Architect of NSW. This would ensure the key contributory elements providing a sympathetic response to the relationship between the two wings are further refined, particularly in relation to materials and finishes.</li> </ul> <p><i>Conditions include:</i></p> <ul style="list-style-type: none"> <li>• Structural review before demolition and retention of heritage fabric where feasible.</li> <li>• Design amendments to simplify the Denison Street Wing southern/northern façade design, respond to the pattern of the Miller Street Wing and refine the screening of rooftop plant.</li> <li>• Finalisation and implementation of the heritage interpretation strategy.</li> <li>• Consultation with the respective families of the bas relief and Gerald Lewers sculptures as part of the conservation and restoration works.</li> </ul>
<p><i>Bulk and scale</i></p> <ul style="list-style-type: none"> <li>• the bulk and scale of the Denison Street Wing is excessive.</li> <li>• the height of Denison Street Wing significantly exceeds planning controls.</li> <li>• the height exceedance undermines objectives of the height control and insufficient justification has been provided.</li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>• The design of the Denison Street Wing was undertaken with input from key stakeholders, including heritage stakeholders and the State Design Review Panel.</li> <li>• The proposed height and massing is comparable and compatible with the surrounding development.</li> <li>• The proposed height ensures that the H-shaped design is retained whilst incorporating sufficient additional floorspace and larger floorplates required to support modern and contemporary building typology required for educational establishments.</li> <li>• Overshadowing impacts meet the criteria in the North Sydney Local Environmental Plan 2013 established for public domain areas and as a result additional height is permitted.</li> </ul>

<b>Issue</b>	<b>Consideration</b>
	<ul style="list-style-type: none"> <li>Visual and view impacts are acceptable as the proposed building would be consistent with the North Sydney City Centre context when viewed from public vantage points, protects visual heritage curtilage and maintains view sharing for surrounding residential properties.</li> </ul> <p><i>Conditions</i> No conditions necessary.</p>
<p><i>Street activation</i></p> <ul style="list-style-type: none"> <li>insufficient street activation.</li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>The desired future character for the North Sydney Centre includes a high level of street activation for the site, which would support the future pedestrianisation of Deniston and Miller Streets. Indicative ground floor and lower ground floor layouts demonstrate how activation could be achieved.</li> </ul> <p><i>Conditions include:</i></p> <ul style="list-style-type: none"> <li>Requirement that the spaces along the ground and lower ground floors (excluding the auditorium) must not be used as formal teaching spaces and must continue to be used for student hubs, retail and the like to ensure activate frontages.</li> </ul>
<p><i>Education use</i></p> <ul style="list-style-type: none"> <li>No need for education use given university teaching is online.</li> <li>Council's loss of rates revenue from education use.</li> </ul>	<p><i>Assessment</i></p> <ul style="list-style-type: none"> <li>The use of the site for a university campus would provide ongoing positive social impacts for the State through delivery of additional education infrastructure and for the local community through increased activation for the site. It is a permissible use under planning policy and would provide a diverse but compatible use for the North Sydney Centre.</li> </ul> <p><i>Conditions</i> No conditions necessary.</p>