



University of Wollongong Western Building

*State Significant
Development
Modification Assessment
(SSD 8596 MOD 1)*

May 2019

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Glossary

Abbreviation	Definition
AHD	Australian Height Datum
BCA	Building Code of Australia
CIV	Capital Investment Value
Consent	Development Consent
Council	Wollongong City Council
Department	Department of Planning and Environment
EIS	Environmental Impact Statement
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
ESD	Ecologically Sustainable Development
LEP	Local Environmental Plan
Minister	Minister for Planning
OEH	Office of Environment and Heritage
RMS	Roads and Maritime Services
RtS	Response to Submissions
SEARs	Secretary's Environmental Assessment Requirements
Secretary	Secretary of the Department of Planning and Environment
SEPP	State Environmental Planning Policy
SRD SEPP	<i>State Environmental Planning Policy (State and Regional Development) 2011</i>
SSD	State Significant Development



Contents

Glossary	iii
1. Introduction	1
1.1 Background	1
1.2 Approval History	1
2. Proposed Modification	3
3. Strategic Context	4
4. Statutory Context	5
4.1 Scope of Modifications	5
4.2 Consent Authority	5
5. Engagement	6
5.1 Department's Engagement	6
6. Assessment	7
6.1 Built form and urban design	7
6.2 Building occupancy	7
7. Evaluation	9
8. Recommendation	10
9. Determination	11
Appendices	12
Appendix A – Instrument of Modification	12



1. Introduction

This report is an assessment of the application to modify State significant development (SSD) consent (SSD 8596) for the construction and use of a new educational establishment, known as the Western Building, at the University of Wollongong (UOW), in the Wollongong local government area (LGA).

The application has been lodged by Ethos Urban on behalf of UOW (The Applicant) pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act). It seeks approval for internal and external changes to the design of the building. The design changes include amendments to the façade, reconfiguration of the internal layout, an increase in the number of staff workspaces, and the provision of an emergency generator and bin storage area. Also, the Applicant seeks consent for an increased building occupancy to 235 persons.

1.1 Background

The subject site is located within the UOW campus on Northfields Avenue, Keiraville, and is legally described as Lot 1 DP 1188267. UOW is situated in the Illawarra region, south of Sydney and approximately two kilometres from the Wollongong CBD. The Illawarra escarpment is located to the west of UOW and the Pacific Ocean and South Coast railway line to the east.

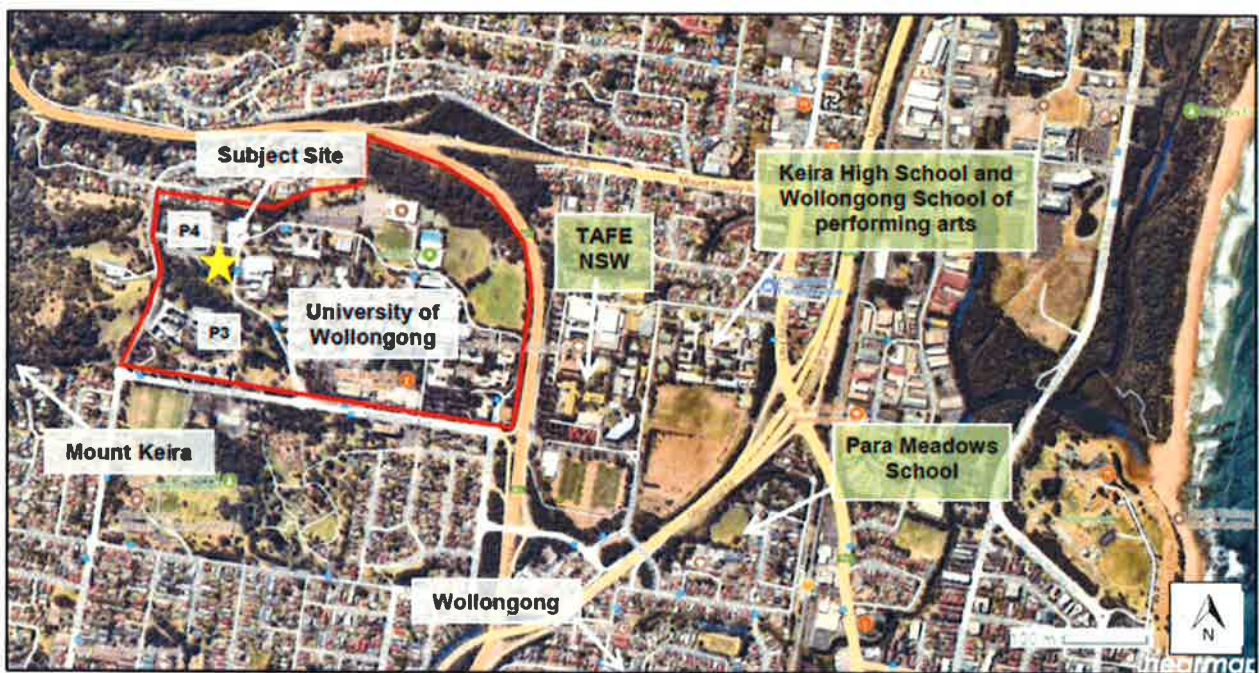


Figure 1 | Site Location (Source: Nearmap and SSD 8596 Assessment Report)

The approved Western Building will be located in the western campus precinct of the Wollongong Campus (See **Figure 1**), comprising the faculties of Law, Humanities and the Arts, and Social Sciences and Business, and the McKinnon Building, UOW College and the Early Start Facility.

1.2 Approval History

On 24 August 2018, the Executive Director, Priority Projects Assessments, approved the SSD application (the SSD consent) for the construction and use of a new educational establishment, known as the Western Building, comprising:

- site preparation works involving the demolition of two existing demountable buildings, removal of 113 trees and removal of 104 Carpark P4 car parking spaces and two bicycle parking spaces.
- construction of a new four storey education building (plus rooftop plant), with 9329 sqm of gross floor area.
- provision of 13 new bicycle parking spaces.
- landscaping and public domain works and ancillary drainage, infrastructure and site access works.



2. *Proposed Modification*

The modification application (MOD 1) proposes the following design changes:

- altering the materials and form of the façade, including a new vertical architectural motif and perforated metal screening (See **Figure 2**).
- a new awning to the main entrance at the northern elevation.
- reconfiguring the internal layout, including plant and services.
- relocating the door between the theatre workshop and the loading dock.
- reconfiguring the proposed roof, including the plant arrangement and location of the cooling towers.
- new landscaping to the western third floor terrace.
- expanding the size of the external loading dock pavement, including the splays to the street.
- linking the loading dock to the bike storage shed with pavement, and a new screening structure for bin storage and an emergency generator.
- incorporating smaller and relocated doors to the southern elevation of the front of house area.

In addition, the Applicant proposes to increase the building occupancy from 190 to 235 persons.

The modification proposes to amend Condition A2 to achieve these changes.



3. Strategic Context

The development, as modified, continues to be consistent with:

- the *Illawarra-Shoalhaven Regional Plan*, since the education precinct of Metropolitan Wollongong will be strengthened with enlarged and enhanced facilities.
- the *Future Transport Strategy 2056* since the project provides enhanced educational facilities in an accessible location.



4. Statutory Context

4.1 Scope of Modifications

The Department has reviewed the scope of the modification application and considers that the application can be characterised as a modification involving minimal environmental impact as the proposal:

- would not significantly increase the environmental impact of the project as approved.
- is substantially the same development as originally approved.
- would not involve any further disturbance outside the already approved disturbance areas for the project.

Therefore, the Department is satisfied the proposed modification is within the scope of section 4.55(1A) of the EP&A Act and does not constitute a new development application. Accordingly, the Department considers that the application should be assessed and determined under section 4.55(1A) of the EP&A Act rather than requiring a new development application to be lodged.

4.2 Consent Authority

The Minister for Planning is the consent authority for the application under section 4.5(a) of the EP&A Act. However, under the Minister's delegation dated 11 October 2017, the Director, Social and Other Infrastructure Assessments, may determine the application as:

- the relevant local council has not made an objection.
- a political disclosure statement has not been made.
- there are no public submissions by way of objection.



5. Engagement

5.1 Department's Engagement

Clause 117(3B) of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation) specifies that the notification requirements of the EP&A Regulation do not apply to State significant development.

Accordingly, the application was not notified or advertised. However, it was made publicly available on the Department's website, and was referred to Council, Roads and Maritime Services (RMS) and Transport for NSW (TfNSW) for comment. No issues were raised by the public authorities.

Following a preliminary assessment, the Department requested the following information from the Applicant on 29 March 2019:

- clarification of the building occupancy numbers considered in the original application and those proposed in the modification application.
- clarification of whether staff capacity of the campus, and associated campus-wide parking demand, will be increased as a consequence of the proposed modifications.

On 18 April 2019, the Applicant clarified that the SSD application envisaged a building occupancy of 190 staff, whilst the modification application seeks consent for a capacity of 235 staff, representing an increase of 45.

On 15 May 2019, the Applicant provided a letter from the Director Facilities Management, UOW, which states:

- Buildings B15, B22 and B41 on-campus are occupied by 503 staff presently. Of this amount, 45 staff are proposed to be relocated to the Western Building by the subject modification application, resulting in a total building occupancy of 235 staff.
- 458 staff will remain in the existing Buildings B15, B22 and B41, and these buildings will not be re-purposed. Rather, the remaining occupants will be afforded more space and staff numbers will not increase.



6. Assessment

The key issues for assessment are considered to be built form and urban design and building occupancy.

6.1 Built form and urban design

The proposed widening of the driveway to the loading dock and associated changes to the bicycle storage shed encroach upon new trees approved to be planted by the Landscape Plan in the SSD consent. The original assessment report considered the removal of 113 trees acceptable on the basis that 57 new trees and five new palms would be planted in replacement. To ensure that this replanting outcome is achieved despite the reconfiguration of the driveway and bicycle shed, a new Condition D15 is recommended as follows:

Landscaping

- D15. Prior to the commencement of use of the new Western Building, the Applicant must submit to the satisfaction of the certifying authority an as-planted landscape plan, prepared by a suitably qualified arborist, depicting 57 new trees and five new palms planted on the subject site in locations viable to their long-term growth.

A copy of the as-planted landscape plan is to be submitted to the Planning Secretary.

Subject to the condition recommended above, the proposed modifications to the built form and urban design, as depicted in the Architectural Plans, are considered acceptable because:

- the proposal remains consistent with the relevant state environmental planning policies as assessed in the original development assessment report.
- the proposal remains consistent with the relevant environmental planning instruments, including Wollongong Local Environmental Plan 2009 (WLEP 2009).
- no increase to the building height is proposed (as defined by WLEP 2009, with the exclusion of the proposed fume cupboard flue, which is acceptable due to its limited visual impact).
- no change in gross floor area (GFA) is proposed.
- the proposed timber screening will appropriately minimise the visual impact of the external bin store and emergency generator.
- the proposed alterations to the internal layout and building fenestration will not adversely affect the approved built form.
- no new areas of excavation are proposed and the approved finished floor levels of the building will remain.

6.2 Building occupancy

The Applicant seeks approval for an increase in building occupancy from 190 to 235 persons.

The Department requested clarification from the Applicant that no increase in campus-wide staff capacity will result from the building occupancy increase.

In response, the Applicant submitted a letter from UOW which states that the 45 staff will be relocated from three existing buildings on-campus and these buildings will not be re-purposed. Rather, the remaining occupants of these buildings will be afforded more space.

As such, the Department is satisfied that no additional staff capacity will be generated, and no resulting campus-wide car-parking demand increase will occur.

It is noted that no existing condition of the SSD consent limits the building occupancy of the Western Building explicitly. The Applicant has not requested that a new condition be imposed in the Instrument of Approval, and the Department does not consider a new condition restricting building occupancy necessary in this instance because:

- no existing condition limits the building occupancy.
- no increase in car-parking demand will occur.
- TfNSW, RMS and Council are satisfied that the building occupancy increase will not result in any adverse impacts.

Thus, the proposed increase in building occupancy is considered acceptable, and is approved by reference to the modification application documents in the recommended modifications to Condition A2.



7. Evaluation

The Department has reviewed the proposed modification and assessed its merits, and all associated environmental issues have been thoroughly addressed.

The Department considers the proposed modification acceptable and is satisfied that the environmental amenity of the surrounding area will not be adversely affected by the proposed alterations to the building design and loading dock surrounds. The proposed modification to the building occupancy is considered acceptable on the basis that the additional staff will be relocated from existing buildings on campus, and that no additional parking demand will be generated.

The Department concludes that the impacts of the proposed modification are acceptable. Consequently, the Department considers the development to be in the public interest, and should be approved.



8. Recommendation

It is recommended that the Director, Social and Other Infrastructure Assessments, as delegate of the Minister for Planning:

- **considers** the findings and recommendations of this report.
- **determines** that the application SSD 8596 MOD 1 falls within the scope of section 4.55(1A) of the EP&A Act.
- **forms the opinion** under section 7.17(c) of the *Biodiversity Conservation Act 2016*, that a biodiversity development assessment report is not required to be submitted with this application as the modification will not increase the impact on biodiversity values on the site.
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to grant approval to the application.
- **modifies** the consent SSD 8596.
- **signs** the attached approval (**Appendix A**).

Recommended by:

Alex Hill

Planning Officer

Social and Other Infrastructure

Recommended by:

David Gibson

Team Leader

Social and Other Assessments



9. Determination

The recommendation is: **Adopted by:**



Karen Harragon

Director

21/05/2019

Social and Other Infrastructure Assessments



Appendices

Appendix A – Instrument of Modification