

Notice of decision

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

Application type	State significant development
Application number and project name	SSD 8636 Sydney University Stage 1 of Engineering and Technology Precinct
Applicant	The University of Sydney
Consent Authority	Minister for Planning

Decision

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

A copy of the development consent and conditions is available here:

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8636

A copy of the Department of Planning and Environment's Assessment Report is available here:

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8636

Date of decision

14/2/19.

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 2000*;
- the objects of the Act;
- all information submitted to the Department during the assessment of the development application and information considered in the Department's Assessment Report;
- the findings and recommendations in the Department's Assessment Report; and
- 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 additional capacity and improved educational facilities, \$116,000,000 total capital investment, 150 construction jobs and 14 new operational jobs
- the project is permissible with development consent, and is consistent with NSW Government policies including:
 - A Metropolis of Three Cities – The Greater Sydney Plan
 - State Infrastructure Strategy 2018-2038
 - New Future Transport Strategy 2056
 - Eastern City District Plan
- 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 are recommended to address key impacts associated with urban design, noise and traffic impacts.
- the issues raised by the community during consultation and in submissions have been considered and adequately addressed through changes to the project and the recommended conditions of consent.
- weighing all relevant considerations, the project is in the public interest.

Attachment 1 – Consideration of Community Views

The Department exhibited the Environmental Impact Statement for the project from 19 April until 18 May 2018 (30 days) and received nine public submissions (including six objections) and a submission from Council expressing community views.

The key issues raised by the community (including in submissions) and considered in the Department's Assessment Report and by the decision maker include streetscape impacts, construction noise, traffic impacts, amenity impacts, and developer contributions. Other issues are addressed in detail in the Department's Assessment Report.

Issue	Consideration
<p>Streetscape</p> <ul style="list-style-type: none"> Concerns were raised by Council and surrounding residents that the external gas storage / plant areas would present an unattractive 'back-of-house' appearance to the street with adverse impacts for the heritage character of the area. 	<p>Assessment</p> <ul style="list-style-type: none"> To address these concerns the Applicant redesigned the gas storage, to a consolidated location with improved screening including vertical aluminium louvre screen fencing and new landscaping. The Department considers the proposed screening will ensure the storage areas will not be highly discernible elements within the streetscape. In the context of the tall adjoining building, the screened enclosures will not be obtrusive elements and in conjunction with associated proposed landscaping and existing boundary plantings which will assist to further screen this area, the Department is satisfied the proposed structures will not result in any adverse streetscape or heritage character impacts on the conservation area, located on the opposite side of Shepherd Street.
<p>Construction Noise</p> <ul style="list-style-type: none"> Concerns were raised that noise impacts during construction would be significant. 	<p>Assessment</p> <ul style="list-style-type: none"> The Applicant submitted a noise and vibration assessment (NVA) with the EIS. The NVA identifies that construction works would be expected to exceed recommended construction noise management levels at nearby sensitive receivers if no mitigation measures are implemented. The NVA recommends a number of mitigation measures such as: <ul style="list-style-type: none"> preparation of a Construction Noise and Vibration Management Plan (CNVMP), including implementation of noise complaint handling procedures. consultation with nearby sensitive receivers. managing truck access and movements and associated activities. appropriate plant and equipment selection and maintenance. avoiding high noise generating activities in the extended Saturday construction hours. The Department is satisfied that, subject to the preparation and implementation of a CNVMP prepared in consultation with the closest sensitive receivers, construction noise and vibration impacts can be satisfactorily managed and mitigated to ensure the amenity and operations of surrounding sensitive receivers is not adversely impacted upon. The CNVMP would ensure that potential impacts on human comfort and buildings and structures are minimised. <p>Conditions</p> <ul style="list-style-type: none"> Conditions include requirements that the Applicant implement the mitigation measures outlined in the NVP, including preparation and implementation of a CNVMP.
<p>Traffic</p> <ul style="list-style-type: none"> Concerns were raised regarding traffic impacts, particularly from trucks accessing the site from Shepherd Street, noting that Shepherd Street is a narrow residential street designed for light traffic only. 	<p>Assessment</p> <ul style="list-style-type: none"> To address these concerns, the Applicant revised the access routes. Primary access to the loading dock would be via City Road / Butlin Avenue / Maze Crescent, with all heavy and medium rigid vehicles required to adopt this route. Only small vehicles (cars and vans) could use Shepherd Street. As the proposal results in removal of on-site parking spaces there would be a decrease in vehicle movements associated with the building. Whilst a new loading dock is proposed, the number of traffic movements associated with the loading dock (average 13 deliveries per day) is less than the traffic movements associated with the 30 car parking spaces being removed, and the majority of the service vehicle movements would not affect the adjoining residential area, as discussed above. <p>Conditions</p> <ul style="list-style-type: none"> Conditions include a requirement that all heavy and medium rigid vehicles accessing the loading dock enter and leave the campus via Butlin Avenue and not via Shepherd Street.

Other Amenity Impacts

- Concerns were raised in public submissions that the proposal would result in overshadowing, overlooking and light spill impacts to neighbours east of Shepherd Street.

Assessment

- As the proposed building would be more than 100 metres from the nearest residential properties and separated from those properties by existing university buildings, the Department is satisfied the building would not result in any unacceptable privacy or light spill impacts.
- Shadow diagrams demonstrate that additional shadows would be limited to the rear of four properties (48-54 Calder Road) for 1 hour (2pm-3pm) mid-winter. At all other times of the day and at all other times of the year, the proposal would not result in any overshadowing of residential premises. The Department is therefore satisfied the extent of the overshadowing is minor, would be consistent with the extent of shadowing expected by the approved building envelopes under the Concept Approval, and would not materially affect the amenity of adjoining neighbours.

Conditions

Conditions include standard requirements to ensure the proposal does not result in unacceptable light spill impacts.

Developer Contributions

- Council and community submissions raised concerns that the Applicant was seeking an exemption from payment of Developer contributions.

Assessment

- The Applicant subsequently advised it no longer sought an exemption and was agreeable to suggested conditions which require payment of development contributions, or the provision of public infrastructure works in lieu of monetary payment.
- The Department considers that subject to any public domain works being agreed to by Council and UrbanGrowth NSW, the development will result in appropriate contributions to both affordable housing provision, as well as local infrastructure, either through monetary contributions or direct provision of public domain works.

Conditions

- Conditions have been included which require payment of applicable contributions:
 - under the Redfern-Waterloo Authority Affordable Housing Contributions Plan.
 - Redfern-Waterloo Authority Contributions Plan, or public domain works as agreed with Council and UrbanGrowth NSW in lieu of monetary contributions.