

**University of Technology Sydney  
Levels 5-10, Central Park Block 4N  
100 Broadway, Chippendale NSW**

**State Significant Development Application  
UTS Graduate School – Change of use from  
'commercial office' to 'tertiary institution' including  
fitout and signage**

**Environmental Impact Statement**



**August 2018**

 **UTS**

**URBANAC**

Cover Image: Source: Foster & Partners from DPE Major Projects – SSD 6673 EIS 2014-11-17  
 Appendix C04Block4NPlanningDOFFICE.pdf

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## Document control

Revision	Date	Details	Author	
			Name, Position	Signoff
01	18/6/2018	Preliminary draft issued for client feedback	AC, Director	AC
02	28/6/2018	Updated draft for Issue to Frasers	AC, Director	AC
03	16/7/2018	Updated draft with UTS feedback and final attachments	AC, Director	AC
04	16/7/2018	Issue to DPE	AC, Director	AC
05	13/8/2018	Final following DPE Adequacy Review	AC, Director	AC

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## About this report

This Environmental Impact Statement (EIS) has been prepared by Alan Cadogan of Urbanac Pty Ltd for the University of Technology Sydney.

### ***The proponent***

The Proponent is University of Technology Sydney, a Crown Authority, in accordance with Section 4.32 of the Act Clause 226(1)(c) of the Regulations. The person responsible is:

Glen Rabbitt

Director, Facilities Management Operations, University of Technology Sydney  
Level 19, 15 Broadway ULTIMO NSW

### ***The subject land***

The proposed development is on land known as Block 4N Central Park, 100 Broadway, Chippendale (comprised of multiple lots including Lot 1 in DP 807298 and part of Lot 12 in DP1194122) and is owned by Frasers Central Park Land No. 2).

### ***Proposed development***

The proposed development is a Crown State Significant Development Application under Part 4 of the Act for:

- the change of use from the approved 'commercial office' use to educational establishment 'tertiary institution' of Levels 5-10, 100 Broadway, Chippendale NSW and 23 carparking spaces in the basement allocated to the commercial use, and including the internal fitout, and one building identification sign.

This EIS contains an assessment of the environmental impact of the development dealing with the matters referred to in Schedule 2 of the Regulations.

The Capital Investment Value of the proposed development has been estimated by a quantity surveyor at \$ 15,963,763 and the estimated cost of works at \$10,676,632. The proposal will create 13 FTE construction jobs and 235 operation jobs.

### ***State Significant Development***

The proposed development is State Significant Development in accordance with Section 4.36 of the Act because it is declared State Significant by Clause 8 of the SRD SEPP and Schedule 2 Clause 2 because it is development that has a capital investment value of more than \$10 million on land identified as being within the Broadway (CUB) Site as identified on the SSD Sites map.

### ***Declaration***

I declare that this Environmental Impact Statement:

- (i) has been prepared in accordance with Schedule 2 of the Environmental Planning and Assessment Regulations 2000
- (ii) contains all available information that is relevant to the environmental assessment of the development to which the statement relates, and
- (iii) contains information that is neither false nor misleading.

### ***Disclosure of political donations and gifts***

In accordance with Section 10.4 of the Act *Disclosure of political donations and gifts* I declare that I have made no reportable political donations to anyone in the last 2 years.

### ***Alan Cadogan***

Master of Heritage Conservation (University of Sydney), Bachelor of Architecture (UTS)  
Director, Urbanac Pty Ltd, ABN 761444997, 4/18 Hornsey St, Rozelle NSW 2039

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## Attachments

The appendices to this EIS are attached as separate documents.

Attachment 1	Secretary's Environmental Assessment Requirements
Attachment 2	Biodiversity Assessment Report Waivers
Attachment 3	Quantity Surveyors Report
Attachment 4	Owners Consent
Attachment 5	Community Consultation Letter
Attachment 6	Architectural plans
Attachment 7	Plan of Management
Attachment 8	Noise and Vibration Assessment
Attachment 9	BCA Report
Attachment 10	Accessibility Statement
Attachment 11	Waste Management Plan
Attachment 12	Ecological Sustainable Development Report
Attachment 13	CPTED Report
Attachment 14	Traffic and Transport Report

## Abbreviations

Council	Council of the City of Sydney
SEPP	State Environmental Planning Policy
Codes SEPP	SEPP (Exempt and Complying Development Codes) 2008
Education SEPP	SEPP (Educational Establishments and Child Care Facilities) 2017
Infrastructure SEPP	SEPP (Infrastructure) 2007
SRD SEPP	SEPP (State and Regional Development) 2011
EIS	Environmental Impact Statement
SEARs	Secretary's Environmental Assessment Requirements, 30/1/2018
SLEP2005	Sydney Local Environment Plan 2005
SLEP2012	Sydney Local Environment Plan 2012
The Act	Environmental Planning and Assessment Act 1979
The Proponent	University of Technology Sydney
The Regulations	Environmental Planning and Assessment Regulations 2000
UTS	University of Technology Sydney

## 1 Overview

### **Secretary's Environmental Assessment Requirements**

The SEARs were issued 30 January 2018. A copy is included in the attachments. The table below summarises the SEARs and identifies where in this EIS they are addressed.

**Table 1. Secretary's Environmental Assessment Requirements**

SEARS issues to be addressed	Where is the issue addressed
1. Relevant EPIs, Policies and Guidelines	Section 4
2. Land use	Section 6.1 regarding permissibility Section 3 regarding the Proposal
3. Compliance with the Building Code of Australia	Section 6.2 and Attachment 9
4. Fit out	Section 6.2 regarding adequate provision of sanitary facilities for staff and patrons and compliance with the Disability Discrimination Act and AS 1428. Attachment 6 re architectural plans
5. Operation	Section 6.3 and Attachment 7
6. Traffic and transport	Section 6.4 and Attachment 14
7. Noise and Vibration impacts	Section 6.5 and Attachment 8
8. Ecologically Sustainable Development (ESD)	Section 6.6 and Attachment 12
9. Consultation	Section 5
10. Signage	Attachment 6 re plans and Section 7.1.4 re SEPP64 assessment
11. Environmental and residential amenity	Section 6.8.1 regarding potential impacts, and Section 6.8.2 regarding the activities of the primary health clinic
12. Biodiversity	Section 6.8 and Attachment 2
Plans and documents	See: <ul style="list-style-type: none"> <li>• Architectural plans</li> <li>• Plan of Management</li> <li>• Noise and Vibration Assessment</li> <li>• BCA Statement</li> <li>• Accessibility Assessment</li> <li>• Waste Management Plan</li> <li>• Ecological Sustainable Development Report</li> </ul>

## 2 The Site

### 2.1 Site Description

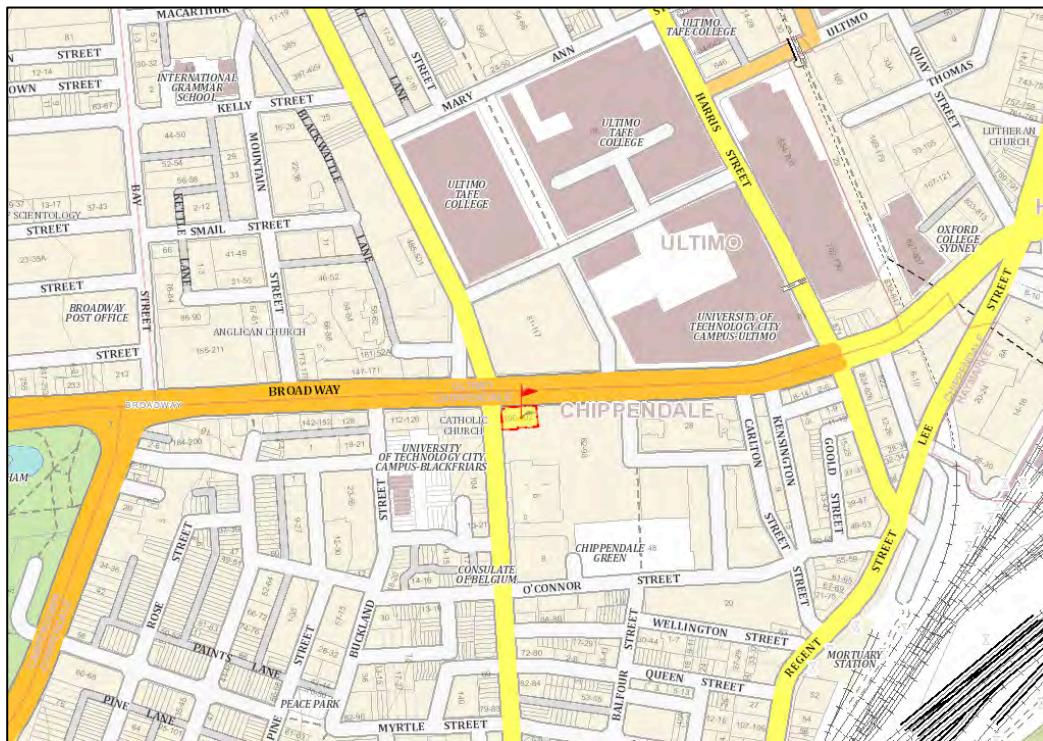
The site of the proposed development is Levels 5-10, Block 4N Central Park, 100 Broadway, Chippendale.

Central Park is a large redevelopment occupying the land of the former Carlton United Brewery, located on the southern edge of the Sydney Central Business District (CBD) on Broadway in close proximity to the University of Technology Sydney, Central Station, and Broadway Shopping Centre.

Block 4N is located at the north western corner of the Central Park site and is bounded by Broadway to the north, Central Park Avenue to the south, adjacent Block 1 and Chippendale Way to the east, and Abercrombie Street to the west. Together with Block 1, Block 2, the Clare Hotel (Block 3A) it forms the northern edge of Central Park, providing an urban edge and separating Chippendale Green and other areas of public domain within the Central Park site from Broadway.

The Block 4N site occupies an area of 4,111m<sup>2</sup> and is currently under construction, including refurbishment of the existing Australian Hotel and three terrace houses located at the north-western corner of the site.

The site is legally described as Lot 1 in DP 807298 and part of Lot 12 in DP1194122 and is owned by Frasers Central Park Land No. 2.



**Figure 1 Site Location**

Source: NSW Government Spatial Services sixmaps



**Figure 2 Illustration showing the part of the approved building subject to the change of use.**

Source: Foster & Partners from DPE Major Projects – SSD 6673 EIS 2014-11-17 Appendix C04Block4NPlanningDOFFICE.pdf

## 2.2 Surrounding Development

Development in the surrounding area is a mixture of educational, commercial, and residential at the south-western edge of the Sydney CBD.

The remainder of the Central Park development provides a range of uses including public domain open space, residential, shopping including supermarkets and specialty retail and office, hotel, restaurant and childcare uses. Opposite the site on Broadway is the main city campus of the University of Technology Sydney occupying the blocks between Wattle Street and Harris Street.

West of the site the St Benedicts church and Part of the University of Notre Dame Australia campus occupying a number of heritage buildings The University of Technology Sydney occupies much of the remainder of the block to the west, and the Blackfriars Precinct is currently the subject of the Stage 1 Approval for a new research building, as well as heritage buildings and a recently completed childcare.

Further west and south the Chippendale area is characterised by a mix of small-scale terrace housing and larger bulkier warehouse and industrial forms with a mix of residential and commercial uses, with an emphasis on creative industries. Further west is Victoria Park, including a swimming pool and fitness centre, and Broadway Shopping Centre a major retail area, and the campus of the University of Sydney. To the northeast on the other side of Broadway is the main UTS campus currently undergoing a substantial redevelopment.

## 3 The Proposed Development

### 3.1 Development Overview

The proposed development comprises the change of use from the approved 'commercial office' use to educational establishment 'tertiary institution' of Levels 5-10, 100 Broadway, Chippendale NSW, and includes the internal fitout and related exterior signage for the UTS Graduate School of Health.

No external building changes (other than signage) are proposed in relation to this application. In particular, no changes are proposed to parking, loading, basement areas or the non-commercial parts of the approved building as a result of this application. There is no net change to the building's gross floor area and no demolitions.

The proposal includes:

- Change of use of 6,417m<sup>2</sup> GFA from commercial office to tertiary institution (located in the building's western wing facing Abercrombie Street on levels 5-10 inclusive, and of 23 car parking spaces in the basement allocated to the approved commercial use)
- Fitout: of levels 5-10 (see Attachment 6 - Fitout Concept Plans)
- Signage: one building identification sign within the building on the ground floor generally in accordance with the signage zones identified for the building as shown on the Approved Architectural Plans and Architectural Design Report (SSD 6673).

### 3.2 Development Objective

The objective of the proposed development is to provide space for the UTS Graduate School of Health in a timely manner in close proximity to the main UTS City Campus.

### 3.3 Proposed development

#### 3.3.1 Definitions:

**Graduate Coursework Student** means a student enrolled in a Graduate Certificate, Graduate Diploma, Masters degree (Coursework) or Masters degree (Extended) all having the meaning in the University of Technology Sydney (UTS) Rules Schedule 1.

**Graduate Research Student** means a student enrolled in a Masters degree (Research) or a Doctoral degree all having the meaning in the UTS Rules Schedule 1.

**Graduate School** means the UTS Graduate School of Health, or another UTS Faculty but only for Graduate Certificate, Graduate Diploma, Masters degree (Coursework), Masters degree (Research) or Masters degree (Extended) programmes all having the meaning in the UTS Rules Schedule 1.

**Teaching Space** means a part of the Lettable Area that is used as a class or seminar room and other space used for direct student instruction and student seminars and discussion groups. Teaching Space does not include the primary health clinic or the office of a member of the teaching staff, nor does it include areas such as passages, corridors, kitchens or such other areas.

#### 3.3.2 Proposed Development

The proposed development comprises:

A Graduate School comprising the following fitout and activities:

- (a) postgraduate teaching with a maximum of 300 Graduate Coursework Students in attendance in the Lettable Area for coursework at the same time; and

- (b) space for Graduate Research Students and other graduate training and research for predominantly full-time occupants involving:
  - (i) higher degree research (HDR) students completing their PhDs;
  - (ii) early and mid-career research staff; and
  - (iii) clinicians;
 but not Graduate Course Work Students;
- (c) administration facilities for the Graduate School;
- (d) Teaching Space for which the Lettable Area allocated will not exceed 50% of the total Lettable Area;
- (e) a primary health clinic, part of the Graduate School of Health, that:
  - (i) is fitted out as a medical centre and is open to the public during the hours 8.00am to 9.00pm Business Days only;
  - (ii) offers services in the UTS Graduate School of Health disciplines, which as of 2018 include pharmacy, clinical psychology, orthoptics, physiotherapy, and genetic counselling, speech pathology, and indigenous health;
  - (iii) operates as a teaching facility with students supervised by academic staff;
  - (iv) is contained on one floor of the Premises; and
  - (v) does not require an Occupation Certificate for a class 9a building classification.

The Graduate School of Health currently has 464 students, which is estimated to increase to 640 students by 2020. The maximum use population is set by the lease which is summarised in the table below.

**Table 2. Proposed Maximum Population**

Staff	120
Higher Degree Research	160
Post Graduate Students	282
Clinic Staff and Patients	78
<b>Total</b>	<b>640</b>

The proposed modification of use will retain the existing commercial car parking provision of 23 spaces, including two accessible spaces, and two motorcycle parking spaces securely located on basement level 3. The car parking provision would be allocated to staff.

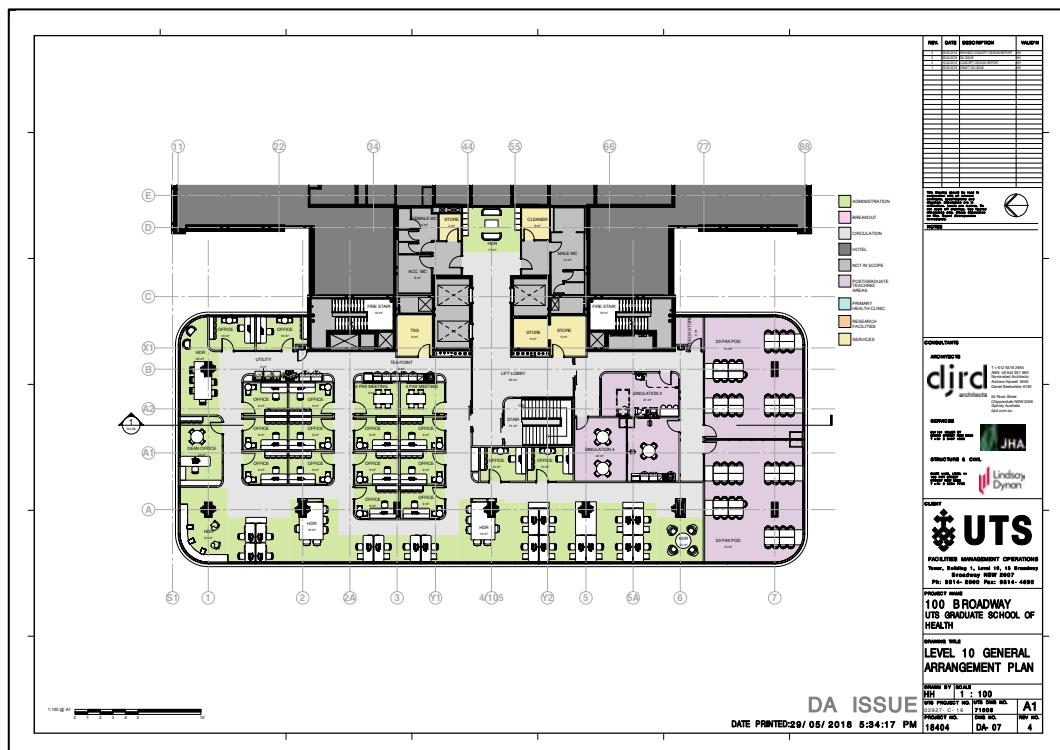
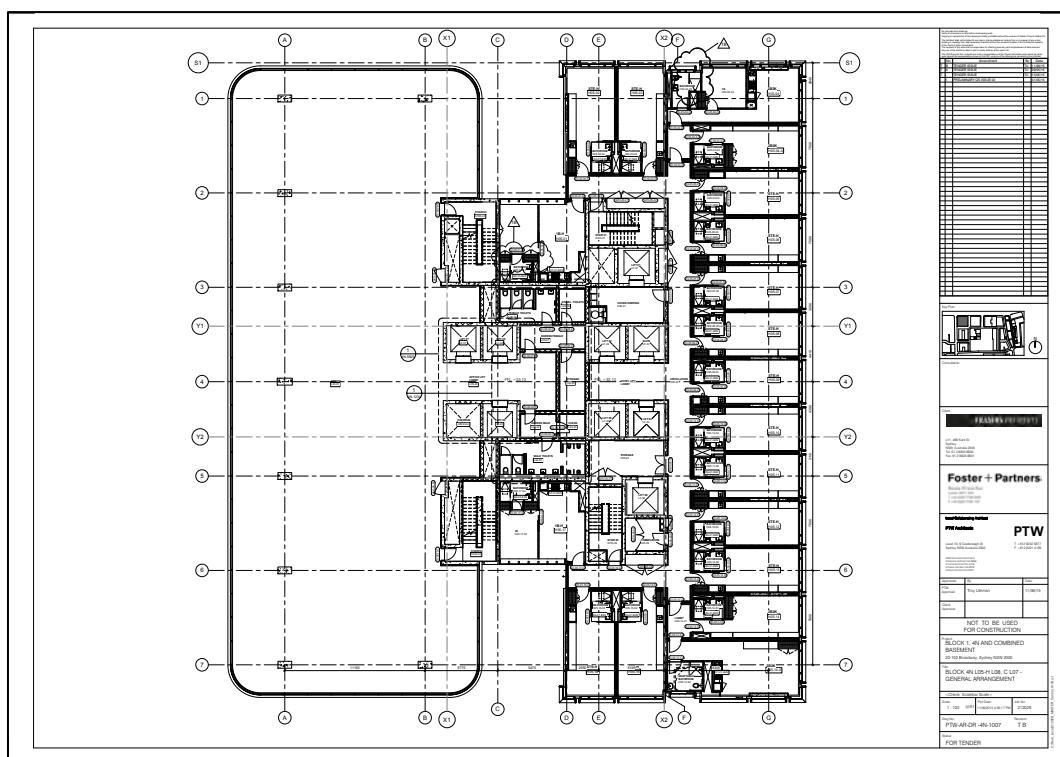


Figure 4 Proposed Fitout Level 10: Research Space.

Source: UTS For the full Fitout Concept Plans refer to Attachment 6

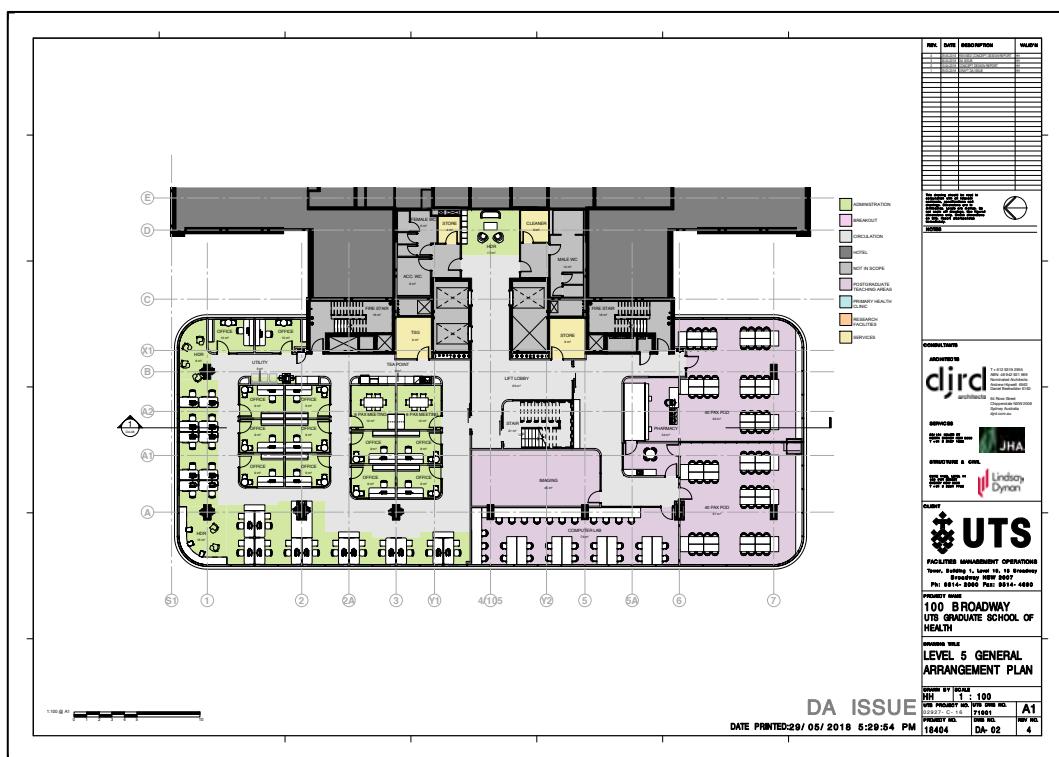


Figure 5 Proposed Fitout Level 5: Medical Centre.

Source: UTS For the full Fitout Concept Plans refer to Attachment 6

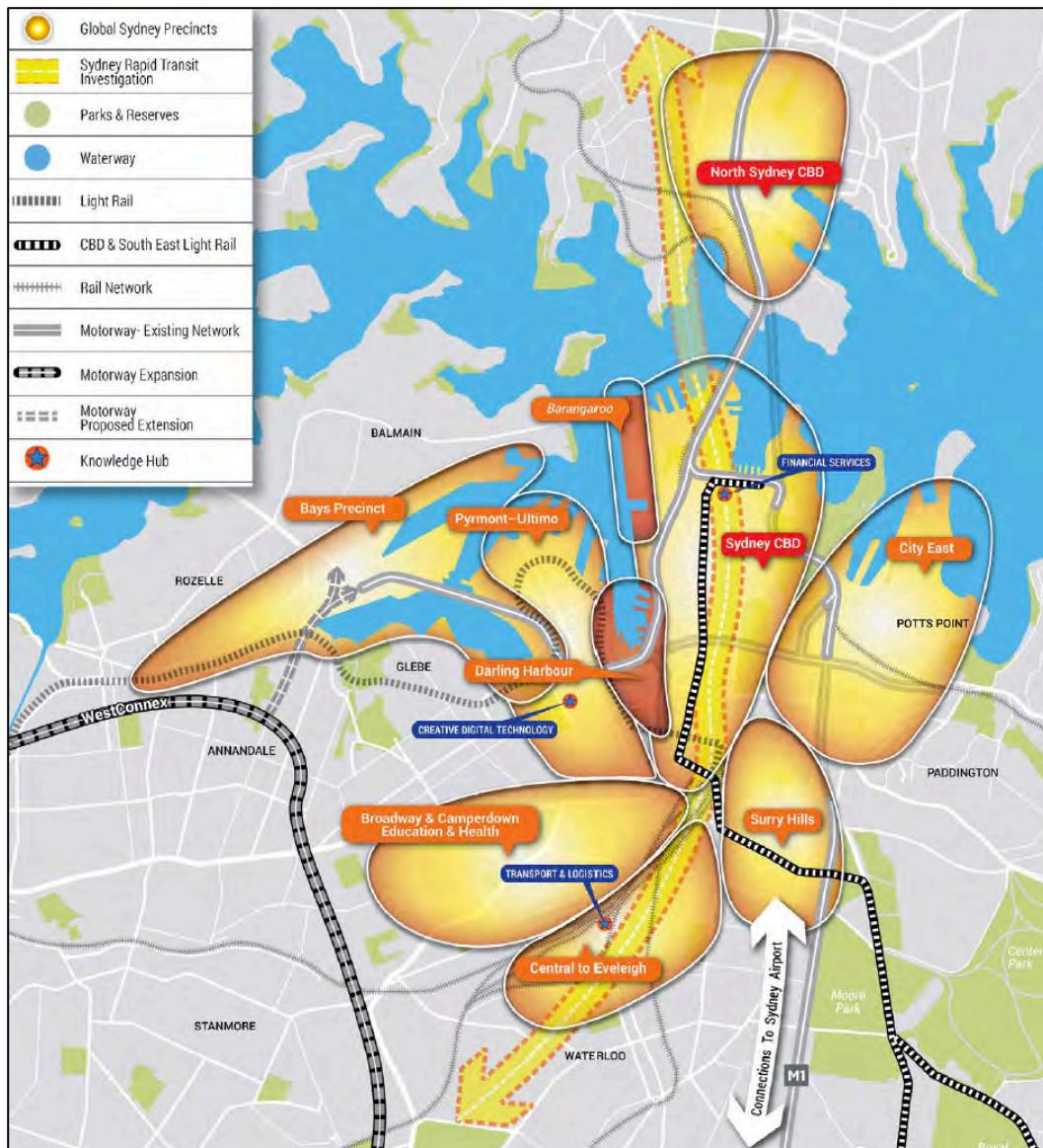
## 4 Environmental Planning Context

### 4.1 Strategic Planning and Policy Context

#### 4.1.1 A Plan for Growing Sydney

A Plan for Growing Sydney, released in December 2014, is the NSW Government's plan for the future of the Sydney Metropolitan Area over the next 20 years.

The Government's vision for Sydney is: a strong global city, a great place to live.



**Figure 6 Global Sydney**

Source: A Plan for Growing Sydney, Figure 8

To achieve this vision, the Government has set down goals that Sydney will be:

- a competitive economy with world-class services and transport;
- a city of housing choice with homes that meet our needs and lifestyles;
- a great place to live with communities that are strong, healthy and well connected;
- and

- a sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.

The Plan sets out actions that will deliver these goals for Sydney. Each goal has a number of priority areas (directions which provide a focus for the actions). Directions relevant to the proposal include:

- Direction 1.1: Grow a more internationally competitive Sydney CBD
- Direction 1.6: Expand the Global Economic Corridor to support jobs growth
- Direction 1.7: Grow centres that provide more jobs closer to homes
- Direction 1.9: Support prioritised industries that can provide jobs
- Direction 1.10: Plan for more education and health services to meet Sydney's growing needs

The plan includes priorities for each subregion in Sydney. The Central subregion spans central Sydney, the eastern suburbs and the inner west of Sydney and includes the CBD setting out development needs in these areas for the foreseeable future.

Priorities for the Global Sydney strategic centre aligned with the proposal are:

*Broadway and Camperdown Education and Health Precinct*

- *Support education-related land uses and infrastructure around Sydney University, University of Technology Sydney, and Notre Dame University.*

The Proposal is located in the global economic corridor, and adjacent to the creative digital technology knowledge hub. It directly addresses these priorities by providing education related research uses.

#### **4.1.2 Towards Our Greater Sydney 2056 / A Metropolis of Three Cities**

A Metropolis of Three Cities – the Greater Sydney Region Plan together with *Towards our Greater Sydney 2056*, its first amendment, is a future plan for a growing Greater Sydney. It supports the vision for a metropolis of three cities that will rebalance growth and deliver its benefits more equally and equitably to residents across Greater Sydney. The Plan is a 40 year plan built on a vision of three cities where most residents live within 30 minutes of their jobs, education and health facilities, services and great places.

To meet the needs of a growing and changing population the vision seeks to transform Greater Sydney into a metropolis of three cities:

- the Western Parkland City
- the Central River City
- the Eastern Harbour City.

This vision involves a major shift in strategic planning for Greater Sydney which focuses on the regional significance of central and western Sydney. *Towards Our Greater Sydney 2056*, with its strategy for a metropolis of three cities provides a framework to better underpin strategic planning for a more productive, liveable and sustainable city.

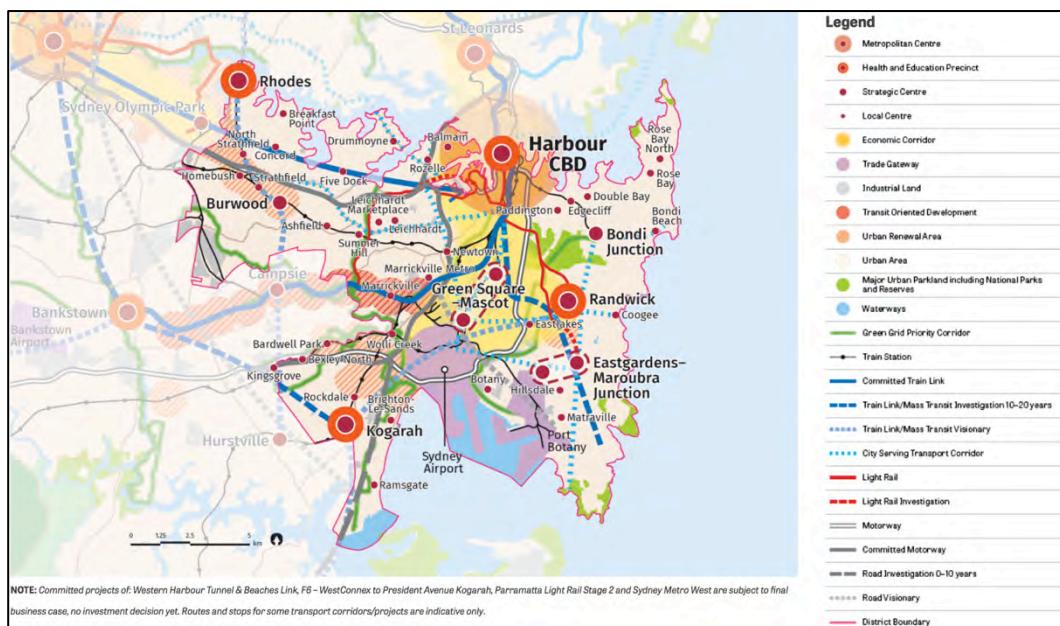
The Proposal is consistent with *Towards our Greater Sydney 2056* and is well aligned to Ten Directions for the metropolis of three cities, directly contributing to:

- A city supported by infrastructure, by locating employment uses close to existing and planned infrastructure (objective 4)
- A collaborative city, by providing a facility in which the benefits of growth being realised by collaboration of governments, community and business (objective 5) with the Camperdown-Ultimo health and education precinct identified as a priority for delivery
- Jobs and skills for the city, by contributing to Harbour CBD being stronger and more competitive (objective 18)

#### 4.1.3 Eastern City District Plan

The Eastern City District Plan, finalised in March 2018, provides a 20-year plan to manage growth and achieve the 40-year vision, while enhancing Greater Sydney's liveability, productivity and sustainability into the future. It is a guide for implementing *A Metropolis of Three Cities* - the Greater Sydney Region Plan at a District level and is a bridge between regional and local planning.

The District Plans contain four key themes of infrastructure and collaboration, liveability, productivity and sustainability. Ten Directions for Greater Sydney guide the delivery of the themes in a balanced way with planning priorities and actions to achieve results that provide a great quality of life for people in the District.



**Figure 7 Eastern City District Plan on a page**

Source: <https://www.greater.sydney/eastern-city-district-plan>

The plan states that the vision for Greater Sydney as a metropolis of three cities – the Western Parkland City, the Central River City and the Eastern Harbour City and a 30 minute city – will see the Eastern City District become more innovative and globally competitive, carving out a greater portion of knowledge intensive jobs from the Asia Pacific Region, and will improve the District's lifestyle and environmental assets.

This will be achieved by:

- Strengthening the international competitiveness of the Harbour CBD, supported by the Innovation Corridor, health and education precincts and the District's strategic centres
- Boosting innovation and creative industries alongside knowledge-intensive jobs growth
- Stimulating the night-time economy within a responsive regulatory environment
- Protecting international trade and freight routes
- Retaining industrial and urban services land
- Nurturing quality lifestyles through well-designed housing in neighbourhoods close to transport and other infrastructure
- Sustaining communities through vibrant public places, walking and cycling, and cultural, artistic and tourism assets

- Aligning growth with infrastructure, including transport, social and green infrastructure, and delivering sustainable, smart and adaptable solutions
- Being innovative in providing recreational and open space areas, and increasing urban tree canopy
- Transitioning to a low-carbon, high-efficiency District with precinct-scale initiatives
- Building effective responses to climate change and natural and urban hazards.

The Plan's Planning Priority E2 Working through collaboration identifies Camperdown-Ultimo health and education precinct, as a priority for collaboration which is to be led by the Commission, will bring together the City of Sydney, Inner West Council, the Royal Prince Alfred Hospital, the University of Sydney, UTS, UNDA, TAFE Ultimo and medical research institutions.

The Proposal is completely aligned with and directly supports and contributes to this priority, locating the UTS Graduate School of Health within the Camperdown-Ultimo health and education precinct.

#### **4.1.4 City of Sydney Policy for Waste Minimisation in New Development**

The purpose of this policy is to encourage efficient waste minimisation and resource recovery for demolition, construction and ongoing facility management. The policy also seeks to facilitate the efficient and safe waste and recycling collection from all premises in the Council of the City of Sydney local government area (LGA). The policy has also been developed to assist all stakeholders (including council staff, planners, architects and builders) to design for sustainable, safe and healthy waste management systems.

The objectives of this policy are:

- Waste minimisation and resource recovery –
  - To avoid waste through design and ordering correct material quantities
  - To encourage improved environmental outcomes through increased source separation of materials
  - To ensure more efficient management of waste and recyclable materials
  - To maximise reuse and recycling of building construction materials, household generated waste and industrial commercial waste.
- Access
  - To ensure waste systems are easy to use and that collection vehicles are able to access buildings to remove waste safely and easily
- Safety
  - To ensure safe practices for storage, handling and collection of waste and recycling
- Pollution prevention
  - To prevent stormwater pollution that may occur as a result of poor waste storage and management practices
- Ecologically Sustainable Development (ESD)
  - To promote the principles of ESD through resource recovery and recycling leading to a reduction in the consumption of finite natural resources
- Hygiene
  - To ensure health and amenity for residents, visitors and workers in the City Of Sydney
- Noise minimisation
  - to minimise noise during use by residents and collection of waste and recyclables.

The Proposal is consistent with and does not adversely impact upon the existing approved waste handling systems of the base building of which it is a part, and which have addressed the above policy. A Waste Management Plan for the construction and operational phases of the development is included in this EIS (see Attachment 11).

#### **4.1.5 City of Sydney - Sustainable Sydney 2030 Plan**

Sustainable Sydney 2030 is the City's long term vision to be green global and connected by 2030. It includes 10 strategic directions:

- A globally competitive and innovative City
- A leading environmental performer
- Integrated transport for a connected City
- A City for pedestrians and cyclists
- A lively, engaging City Centre
- Vibrant local communities and economies
- A cultural and creative City
- Housing for a diverse population
- Sustainable development, renewal and design
- Implementation through effective partnerships

UTS has signed a memorandum of understanding with the City setting out how both organisations can work together to deliver on these directions as well as the University's own aims.

The Proposal will contribute to a range of the Sustainable Sydney 2030 strategic directions. The primary alignment is the Proposal's contribution as a research hub supporting the City's global competitive tertiary education sector. It also has a strong alignment through its high sustainability performance and encouragement of public and active transport.

#### **4.1.6 Healthy Urban Development Checklist, NSW Health**

The Healthy Urban Development Checklist is a guide for health services when commenting on development policies, plans and Proposals. The focus of the checklist is on opportunities for participation in the planning and development system that Area Health Service workers are most likely to experience.

The checklist states on page 30, it is intended to be used "as an early or 'upstream' participation tool to provide advice or input during the developmental phase of policies, plans or proposals" or "as a feedback mechanism to assist with providing comment on draft or publicly exhibited policies, plans or proposals". It states further that the types of plans and proposals that this checklist is intended for include "Master Plans (may also be called concept plans), Town Centre Plans, [and] Development applications for projects like large housing developments, shopping centres, and community and health care facilities."

Despite being State significant development, the Proposal does not fit within these categories and the checklist is not intended for use on a single building scale. Notwithstanding, a review of the Proposal against the checklist's Quick Guide questions (pp 42-44 of the guide) was undertaken and no issues of relevance were identified.

### **4.2 Statutory Planning Context**

#### **4.2.1 Environmental Planning and Assessment Act 1979**

The objects of the EP&A Act provide the framework for consideration of the Proposal.

**Table 3. Environmental Planning and Assessment Act Objectives**

EP&A Act Objectives	Comments
(a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,	The Proposal will promote the social and economic welfare of the community through its proposed use and through the efficient use of well-serviced urban land by a development that minimises the use of natural resources.
(b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,	The principles of ecologically sustainable development have been considered as part of this Proposal.
(c) to promote the orderly and economic use and development of land	The Proposal encourages an economic use of the site, collocated with the main university campus.
(d) to promote the delivery and maintenance of affordable housing,	The Proposal does not involve affordable housing (which would not be accordance with the existing approvals for the subject land) and will not adversely impact its provision.
(e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,	The Proposal will have no impacts on the native plant and animal species and ecological communities or their habitats.
(f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),	The Proposal is consistent with and has no impact on the built and cultural heritage of the subject land.
(g) to promote good design and amenity of the built environment,	The proposal maintains the external high design quality of the approved building and includes high quality internal design with no amenity impacts.
(h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,	The proposal is consistent with the proper construction and maintenance of the base building and will support the health and safety of the building occupants.
(i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,	The City of Sydney has been consulted as a part of the preparation and design of the Proposal.
(j) to provide increased opportunity for community participation in environmental planning and assessment.	The preparation of the Proposal has included community consultation and further opportunities for community participation will be provided when the proposal is placed on public exhibition during its assessment.

As a Crown State Significant Development, the Proposal will be assessed under Part 4 of the EP&A Act and the Minister for Planning is the consent authority.

#### **4.2.2 State Environmental Planning Policy (State and Regional Development) 2011**

The proposed development is declared as State Significant by the SEPP (SRD) in accordance with *Section 8 Declaration of State significant development because it is not permissible without consent under Part 4 of the Act and is specified in Schedule 2 State significant development – identified sites:*

*2 Development on specified sites*

*Development that has a capital investment value of more than \$10 million on land identified as being within any of the following sites on the State Significant Development Sites Map:*

*... (c) Broadway (CUB) Site*

A report by a qualified quantity surveyor has calculated that the capital investment value of the development exceeds \$10m (see Attachment 3a – QS Report Capital Investment Value). Accordingly the proposed development is State Significant Development.

#### **4.2.3 State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017**

This policy came into effect on 1 September 2017 and aims to facilitate the effective delivery of educational establishments and early education and care facilities across the State.

It is considered that despite being an addition to the UTS campus, the land on which the proposed development is proposed to be located does not satisfy the test of being *within* the boundaries of an *existing* university and as a result none of the exempt, complying or development permissible without consent categories of development under the policy are available for the proposed development.

#### **4.2.4 State Environmental Planning Policy (Exempt and Complying Development Codes) 2008**

This policy aims to provide streamlined assessment processes for development that complies with specified development standards by identifying types of development that are of minimal environmental impact and that may be carried out without the need for development consent as exempt or complying development.

The 2017 the policy provide for some changes of use between business premises, office premises and tertiary institutions to be complying development in accordance with Clause 5.3 (1). As the building is already approved for use as commercial office in accordance with *SSD 6673 Block 4N - Mixed Use Development* (see below) it is considered that the proposed change of use is capable of meeting the specified standards to be complying development. However, Clause 5.3 (4) provides that for changes of use to tertiary institutions to be complying development, the gross floor area must not exceed 2,000m<sup>2</sup>. As the proposal exceeds this area, the proposal is excluded from the specified development and not considered to be complying development.

Similarly although Clause 5.5 (1) of the policy also provides for the first use of a premises to be complying development, tertiary institution uses are excluded from the list of specified development. Accordingly the proposal is not complying development under this clause.

If the proposal were only for a fitout (rather than a change of use and fitout) then it would appear to meet the requirements for complying development under the Codes SEPP under Part 5 Division 1 Subdivision 1 Building alterations (internal).

Accordingly it is considered that consent is required for the proposed development.

#### **4.2.5 State Environmental Planning Policy (Infrastructure) 2007**

This policy aims to facilitate the effective delivery of infrastructure across the State by improving regulatory certainty and efficiency through a consistent planning regime for infrastructure and the provision of services.

The proposal is no longer defined as traffic generating development under Schedule 3 of the policy (following the commencement of the Education SEPP and the associated amendments to the Infrastructure SEPP). As a result, referral to the Roads and Maritime Services (RMS) is not required.

No other relevant clauses have been identified under the Infrastructure SEPP.

#### **4.2.6 State Environmental Planning Policy No 55—Remediation of Land**

This policy aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment.

Clause 7 of the policy requires the consent authority to consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines before it determines a development application involving a change of use to education.

It is noted, however that the site has already been remediated in accordance with the Concept Plan Approval MP 060171 and State Significant Development Approval 146673, and on the basis that the proposed development is entirely internal within an existing approved building which includes approved residential and childcare uses and does not involve any excavations or ground disturbance, it is considered that the consent authority can be satisfied that the land is suitable in its present state for the proposed use and that a report is not required.

#### **4.2.7 State Environmental Planning Policy No 64—Advertising and Signage:**

This policy aims to ensure that signage is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations, and is of high quality design and finish.

Part 2 of the policy is relevant to the proposed development. Clause 8 requires that a consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:

- (a) that the signage is consistent with the objectives of this Policy as set out in clause 3 (1)*
- (b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 1.*

An assessment of the proposed development against the policy objectives and the criteria of Schedule 1 is provided at Section 7 of this EIS.

#### **4.2.8 Noise Policy for Industry**

The Noise Policy for Industry (2017) balances the need for industrial activity with the community's desire to minimise intrusive sounds. It sets assessment noise levels,

consistent methods, and best practice measures to manage industrial noise, and is based on the latest scientific research regarding noise's health effects.

The policy updates the NSW Industrial Noise Policy published in 2000. It provides a framework and noise levels for the assessment and management of noise impacts from industrial developments such as mines, quarries and large industrial sites that are scheduled under the *Protection of the Environment Operations Act 1997* (POEO Act). Councils may also use the policy to assess and control noise from non-scheduled industrial sources that come under council control, and to assist in their land-use planning functions. The policy aims to ensure that the potential noise impacts from industrial developments are assessed in a consistent and transparent manner and minimised where reasonable and feasible.

The policy raises no issues in relation to the Proposal, which does not include industrial uses or uses likely to generate significant noise levels. A noise and vibration assessment is at Attachment 8a.

#### **4.2.9 Sydney Local Environment Plan 2005**

The subject land is located in the City Edge Zone. The zone objectives are (Clause 38):

*Objectives of the City Edge zone*

*The objectives of the City Edge zone are:*

- (a) to encourage a mixed-use, medium density area which will provide a physical transition between the City Centre zone and nearby lower density, mixed-use and residential areas, and*
- (b) to encourage an increase in the permanent residential population through new residential development or the conversion of existing buildings and to ensure the maintenance of a range of housing choice, and*
- (c) to recognise the development potential of certain major sites within the zone and to encourage development of them which is consistent with other zone objectives, and*
- (d) to enhance the amenity of parks and community places by protection of sun access, and*
- (e) to ensure wind levels are consistent with pedestrian comfort and the amenity of the public domain, and*
- (f) to ensure adequate levels of daylight to streets, and*
- (g) to recognise and enhance the character of Special Areas, and*
- (h) to facilitate the conservation of items and areas of heritage significance, and*
- (i) to ensure that the number and location of clinics, refuges, crisis centres and other welfare facilities within parts of this zone are compatible with the achievement of other zone objectives.*

The approved Concept Plan (as modified) is consistent with the relevant controls in the LEP. Accordingly, Block 4N, which is in accordance with the Concept Plan, is consistent with the LEP.

The proposed use within Block 4N is permissible under the LEP and consistent with the zone objectives and with the other relevant controls in the LEP. No inconsistency with any development standard has been identified in relation to the Proposal.

#### **4.2.10 Sydney Local Environment Plan 2012**

The subject land is excluded from Sydney LEP 2012, however all of the lands adjoining the Central Park site (other than roads) are zoned B4 Mixed Use under SLEP2012.

The objectives for the B4 Mixed Use zone are:

### Zone B4 Mixed Use

#### 1 Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To ensure uses support the viability of centres.

The Proposal is consistent with these adjacent zone objectives.

## 4.3 Previous Approvals

### 4.3.1 MP 060171 - Concept Plan Approval

MP060171 is a Concept Plan approval applying to the Carlton United Breweries (then Frasers Broadway, now Central Park) site, which permits the construction of a mixed use precinct comprising:

- 11 development blocks;
- A maximum GFA of 255,500m<sup>2</sup>, of which a minimum of 30% must be commercial floor space;
- Combined basement car parks, providing car parking for Blocks 1, 4 and 8 and Blocks 2, 5, 9 and the Kensington Precinct;
- A new public park;
- Tri-generation and re-cycle water treatment plants;
- Retention of heritage items;
- Public domain works; and
- Contributions.

MP 060171, MOD 12 established the current proportion of residential and non-residential floor space on the Frasers Central Park site. The approval does not include specific uses for the non-residential component of the floor space (ie it does not distinguish for instance between commercial or educational establishment – merely non-residential).

As a change of use from commercial office to educational establishment (tertiary institution) does not change the amount of non-residential floorspace, the proposal is considered to be consistent with the Concept Plan Approval. Accordingly it is considered that the proposal is consistent with Concept Approval MP 06 and that no modification of that approval is required.

### 4.3.2 SSD 6673 Block 4N - Mixed Use Development

State Significant Development (146673) was granted by the Department of Planning and Environment (DPE) on 20 August 2015 for the development of the Block 4N for a mixed use development comprising:

- construction of a 18 and 19 storey building (maximum height RL 81 .50)
- construction of four levels of basement across Blocks 1 and 4N;
- retention, refurbishment and alteration of the Australian Hotel and Abercrombie Street terraces, including provision of heritage courtyard;
- Total GFA of 26,591 m<sup>2</sup> comprising:
  - 48 residential apartments;
  - hotel use (283 hotel rooms) and ancillary guest and visitor facilities;
  - 6,417m<sup>2</sup> GFA commercial office,
  - 1 ,236m<sup>2</sup> GFA retail; and
  - a childcare facility (90 child capacity).

- 121 on site car parking spaces, six on-site service vehicle spaces and six on-street short term car parking spaces;
- 122 bicycle parking spaces;
- public domain works and landscaping;
- stratum subdivision; and
- business identification signage zones.

The approval of SSD 6673 as modified provided specifically for commercial office space (rather than the less specific "non-residential" use of the Concept Plan Approval). The approval did not include the commercial fitout, requiring a separate application for fitout and signage.

The approval has been modified twice.

- Mod 1, under Section 96(1A), was approved on 24 June 2016 and included a range of minor design development modifications including an overall reduction of 110m<sup>2</sup> of the development's gross floor area (reallocated from Block 4N to Block 4B (the brewery yard and buildings) and minor amendments to the distribution of gross floor area between the various mixed uses including the approved commercial floor space, which was reduced by 194m<sup>2</sup> to 6,223m<sup>2</sup>.
- Mod 2, also under Section 96(1A), was approved on 18 August 2017 and included reallocating four car parking spaces from the hotel to the child care centre to be used as drop-off spaces, and changes to the public accessibility of some areas of the ground floor level of the building including a lift lobby and courtyard adjacent to the hotel to become private spaces, as well as stratum subdivision plans reflecting these changes.

The Proposal is consistent with the existing consent except in relation to the proposed use, which will change the approved commercial office use to educational establishment 'tertiary institution'. It also includes the fitout and signage associated with the use of this space.

## 4.4 Other matters

### 4.4.1 The Crown

In accordance with Section 4.32 of the Act and Clause 226 of the Regulations, UTS is the Crown because it is an Australian university within the meaning of the *Higher Education Act 2001*. Accordingly this development application is a Crown development application.

### 4.4.2 Environmental Planning and Assessment Regulation 2000

Schedule 1 – Forms (2)(1)(i) of the Regulations requires, for an application involving a change of use, a list of be provided of the Category 1 fire safety provisions that currently apply to the existing building, and that are to apply to the building following its change of use.

This is provided in the BCA report (see Attachment 9).

## 5 Consultation

### 5.1.1 Roads and Maritime Services

Roads and Maritime Services (RMS) were consulted regarding the Proposal as part of the preparation of the Traffic and Transport Report (see Attachment 14).

### 5.1.2 Transport for NSW

Transport for NSW (TfNSW) were consulted regarding the Proposal as part of the preparation of the Traffic and Transport Report (see Attachment 14).

### 5.1.3 City of Sydney Council

Council staff had initially suggested that the SEARs include:

- Assessment of impacts to heritage items (adjoining and in vicinity);
- CPTED should be addressed in terms of not only traffic and transport but in terms of the operation of the use;
- It is recommended that end of trip facilities with lockers be provided for the use.

Urbanac contacted Council staff by email during March and April regarding the proposal. Shannon Rickersey of the City's Planning Team nominated on 28 March that "a phone conversation is probably sufficient at this stage given the minor issues raised" and this conversation occurred at 3pm on 19 April 2018.

Council staff did not raise any objections to the Proposal.

During the conversation the Council's initial comments were discussed:

- In relation to heritage, Mr Rickersey reviewed the Council's database and identified that the only heritage item in the immediate vicinity was the St Benedict's Church. No other relevant heritage items were identified. As a result no further assessment in relation to heritage has been undertaken.
- In relation to CPTED it was confirmed that Council's comments did not arise out of any particular concerns but to ensure that the EIS acknowledged that the new users might have different sensitivities to those of the approved use and to review the CPTED principles with this in mind. A review of CPTED principles has been conducted by UTS's Internal Security Office and is at Attachment 13. The report has identified that the users of the proposed Graduate school have more in common with commercial office workers than undergraduate students and are often treated by UTS Security as though they were staff rather than undergraduate students. It states "*as part of the review we looked at the needs of special user groups... ...and found that special user group's requirements have been properly considered as part of the original approved CPTED report*".
- In relation to end-of-trip facilities, the City was seeking to ensure that these were provided for the new users of the building in accordance with the requirements of the City's DCP. Cycling end of trip facilities have been addressed in the Traffic and Transport Report at Attachment 14.

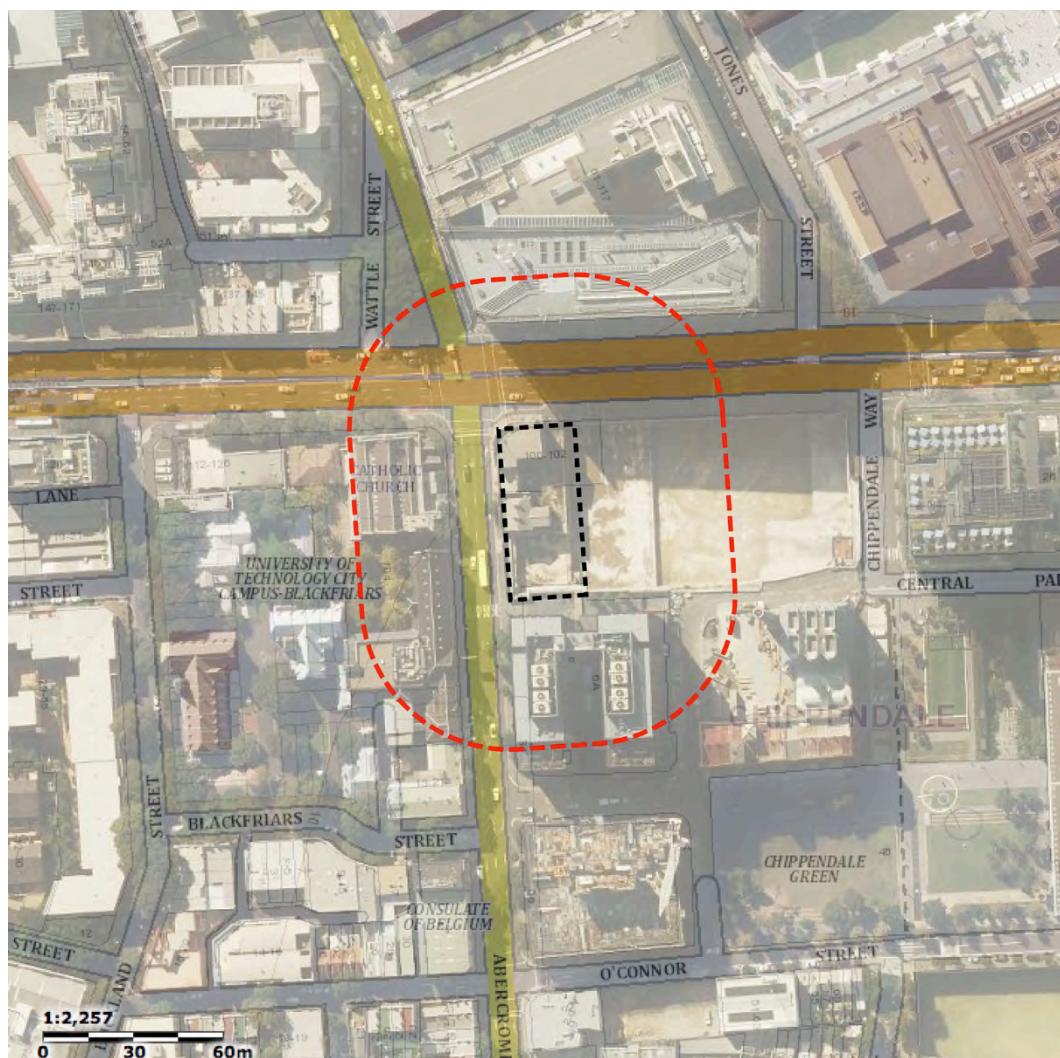
No other issued were raised or discussed.

### 5.1.4 Local Community and Stakeholder Consultation

A consultation process was undertaken over 25 days from 27 March to 20 April 2018.

A community information letter was prepared and delivered to addresses in proximity to the site. These were determined generally in accordance with Council's Development Control Plan 2012 Schedule 1 – Advertising and Notification. Whilst this Schedule does not include State Significant Development, the area for notification was determined

based on the advertising period given in its Table 1.1 for comparable developments (i.e. change of use) at 21 days, corresponding to a notification area of a 50m buffer around the site of the development as illustrated in its Figure 1.6. This is illustrated in Figure 8.



**Figure 8. Notification Diagram**

Source: Base map NSW Land and Property Title Information [six.maps.com](http://six.maps.com).

The community was invited to provide feedback by contacting UTS via email up until 20 April or by attending a briefing regarding the project, which occurred on Tuesday 17 April between 5.30pm and 7pm at UTS Building 11 immediately opposite the site on Broadway. A copy of the community letter is at Attachment 5.

No members of the community attended the briefing. No emails in relation to the project were received at the nominated UTS email address.

Council was also advised of the community consultation evening on 17 April, and did not attend.

## 6 Key Issues

No significant impacts have been identified in relation to the Proposal. This is consistent with its relatively limited scope of the Proposal as a fitout and change of use within an existing building, and its comparative similarity to the approved commercial use.

A key matter to be understood in the assessment of the Proposal is the nature of the proposed use as a Graduate School and its high degree of compatibility and many similarities with the approved commercial use. In particular:

- The proposed use is also an employment generating use
- The post-graduate and research components of the space are very similar in their layout and use to commercial office, and less population intensive than an undergraduate school within the university. In effect the research areas are equivalent in population and fitout to what would be expected in the research areas of many commercial offices – the only difference is that the ultimate owner is a public university rather than a company or business.
- The travel, transport and access arrangements for university staff and students are broadly similar to those of a typical CBD commercial office space with most using public transport to access the building an minimal carparking provided (only 26 existing car parking spaces reallocated from the commercial office use to the new use)
- The operating hours of the university are broadly similar to the operating hours of most commercial offices – the slight difference is that university start times are typically later than most commercial offices helping to ease the morning peak load and reduce impacts compared to the approved uncommercial use
- The expected occupancy on any day of the overall tenancy is equivalent to the approved commercial office and the UTS fitout is broadly similar to several of the approved proposed office indicative layouts by Fosters in the Concept Approval
- The existing design already provides for separation between different uses within the mixed use building and this is maintained by the proposal
- The staff and students of a graduate school are all adults having undertaken as a minimum an undergraduate degree – as a result the age profile is equivalent to many offices and the use does not include regular attendance by minors
- The proposed use includes administrative offices for the Graduate school spread across five floors and equating to more than 40% of the total tenancy floor area which could be equally be classed as a commercial use except that the ultimate owner is a public university rather than a company
- The approved commercial use could conceivable include a medical centre – such a use is consistent with the approved commercial use definition – the fact that it is owned by a university requires that it is an educational establishment use under the Act however any impacts would be equivalent.

As a result the consent authority can be confident that the proposed change of use raises no significant issues that have not already been addressed by the approved commercial use. Because, in the specific circumstances of the proposed Graduate School of Health, the nature of the use is so similar to the approved commercial use, only minor impacts have been identified. With that in mind, the following potential issues have been considered in relation to the proposed development:

- Land Use
- Compliance with the Building Code of Australia
- Operation

- Traffic and transport
- Noise and vibration
- Ecologically sustainable development
- Environmental and residential amenity
- Biodiversity

## 6.1 Land use

### 6.1.1 Consistency with Concept Approval MP 060171

MP060171 is a Concept Plan approval applying to the Carlton United Breweries (then Frasers Broadway, now Central Park) site, which permits the construction of a mixed use precinct comprising:

- 11 development blocks;
- A maximum GFA of 255,500m<sub>2</sub>, of which a minimum of 30% must be commercial floor space;
- Combined basement car parks, providing car parking for Blocks 1, 4 and 8 and Blocks 2, 5, 9 and the Kensington Precinct;
- A new public park;
- Tri-generation and re-cycle water treatment plants;
- Retention of heritage items;
- Public domain works; and
- Contributions.

MP 060171, MOD 12 established the current proportion of residential and non-residential floor space on the Frasers Central Park site. The approval does not include specific uses for the non-residential component of the floor space (ie it does not distinguish for instance between commercial or educational establishment – merely non-residential).

As a change of use from commercial office to educational establishment (tertiary institution) does not change the amount of non-residential floorspace, the proposal is considered to be consistent with the Concept Plan Approval. Accordingly it is considered that the proposal is consistent with Concept Approval MP 06 and that no modification of that approval is required.

### 6.1.2 Relationship of the proposal with other approved uses

The approved building incorporates separate entry points, and lift cores for each of the proposed land uses, including childcare, hotel, commercial, and residential.

The Proposal replaces all currently approved commercial use entry and other arrangements with use by the Graduate School of Health (tertiary institution). A review of the CPTED report, the original EIS for SSD6673 and the approved architectural drawings for SSD 6673 has not identified any potential impacts in relation to the proposed change of use for these entries.

As stated at the start of this section, it is also noted that the specific nature of the proposed Graduate School of Health means that it has characteristics that are equivalent to and no different to a broad range of commercial uses that could be installed into the building without the need for a change of use. The approved building has already been purposed design to manage the interaction of its different uses and their users – the change to tertiary institution use for the Graduate School of Health raises no new issues.

### 6.1.3 Safety and CPTED

The approval of SSD 6673 included a very detailed CPTED report by Elton Consulting. UTS Security Services has provided a CPTED report for the proposed development which

has reviewed the original CPTED report, at Attachment 13. The report looked at the needs of special user groups and particularly the special needs requirements for the patients of the clinic, and found that special user group's requirements had been adequately considered in the original report.

The report also includes an assessment of the CPTED requirements of the proposed development against the requirements of Sydney DCP 2012.

The report has found that there will not be any impact on safety or on CPTED principles for the proposed development compared to the approved use.

## 6.2 Compliance with the Building Code of Australia

A Building Code of Australia assessment report has been produced by Metro Building Consultancy Pty Ltd and is located at Attachment 9. The report has assessed the proposal in respect to the deemed to satisfy provisions of the Building Code of Australia 2016, and has found that the design is at a point where the design development can continue and further reviews will be carried out prior to the completion of the design and issue of Construction Certificate.

The report also addresses the Category 1 fire safety provisions for the proposed use compared to the existing use, in accordance with the Regulations, and has found that the fire protection and structural capacity of the building will be appropriate to its new use, and that the building will comply with such of the Category 1 fire safety provisions as are applicable to the new use.

### 6.2.1 Adequate provision of sanitary facilities for staff and students

A review of sanitary provisions was undertaken by Metro Building Consultancy that identified that although the total overall number of sanitary facilities met the numerical requirements of the BCA for a maximum occupancy their provision as separate staff and student facilities was not readily achievable.

The Building Code of Australia 2016 (Amendment 1) Part F2, requires that students are required to have separate sanitary conveniences to members of staff in university buildings. As a fitout of an existing base building however, UTS is limited in the number of sanitary facilities that can be provided without significant building interventions.

The intent of the control appears to be to segregate teaching staff from younger students, particularly minors, and are more in keeping with the environment provided in high school. The BCA does not distinguish between a primary school or high school and a university in regard to this matter, listed them collectively as 'school'

UTS argues that while this may be appropriate in relation to schools for children, it does not make sense for a post-graduate university environment. This is for reasons including:

- All of the staff and students will be adult, and as a result there are no issues in relation to the sharing of facilities by adults and minors
- Administrative offices for the Graduate school are spread across five floors and equate to more than 40% of the total tenancy floor area which do not require segregation of facilities
- The research parts of the GSH encourage collaboration and the distinction between "staff" and 'students" is blurred at best, and arguably meaningless with many students effectively employees on research projects.

As a result, it is considered that, providing the numbers of facilities required by Performance Requirement FP2.1 will be met (and they are), there is no benefit to segregating staff and students facilities and that instead there would be substantial

impacts in terms of costs, and intervention in the approved base building layouts as well as introducing an unjustifiable segregation between building users which is incompatible with the University's approach to inclusion, collaboration and equality.

### **6.2.2 Compliance with the Disability Discrimination Act and AS1428**

The approval of SSD 6673 included an Access Report prepared by Accessibility Solutions. It provided a comprehensive assessment of the building for the different users as well as the ground plane and building approaches.

As an internal fitout and change of use, the proposed development has potential impacts limited only to the difference between the approved commercial use and the proposed tertiary institution use. These uses have equivalent access requirements under the relevant legislation and under the relevant standards. Metro Building Consultancy Pty Ltd has reviewed the approved Access Report and the base building and confirms that accessibility to Levels 5-10 will be unchanged and in accordance with the Access Report by Accessibility Solutions (NSW) Pty Ltd. Access within the tenancy will be in accordance with the Building Code of Australia 2016 (Amendment 1) and AS1428.1-2009 (see Attachment 10).

## **6.3 Operation**

A Plan of Management for the UTS Graduate School has been prepared by UTS. The Plan identifies the key operational requirements including the typical hours of operation, access by students, staff and visitors, staff numbers, deliveries, loading and waste management.

In general terms the GSH is capable of operating successfully within the general existing approved arrangements of the base building, and in a manner which is in many regards similar to the UTS main campus opposite on Broadway. No significant issues or impacts have been identified.

It is noted that the operation of the GSH is also in almost all respects comparable to the expected operations of a commercial use already approved for the site in terms of likely opening hours, staff numbers and servicing arrangements. The key difference is that the university semester breaks are likely to reduce the use of the buildings compared to an office use which is likely to be at similar levels year round. As a result, it is concluded that the operational impacts of the Proposal are likely to be equivalent to or even potentially less than those of the currently approved use.

Accordingly it is considered that the operation of the GSH raises no new issues and no significant impacts have been identified, and no mitigation measures are required.

## **6.4 Traffic and transport**

A traffic and transport report has been prepared by GTA Consultants and is at Attachment 14.

Key findings of the report include:

- the proposed change in use results in a peak hour reduction in trips made by private vehicles and trains and increase in trips by active travel and buses
- The approved Block 4N development includes the provision of 122 secure bicycle parking spaces for staff and visitors on basement levels 1 and 2. Separated female and male change room and shower facilities and one accessible changeroom and shower facility are also provided on basement level 1. These include 60 spaces assigned to the commercial use. Under the City's DCP this is a shortfall of 4 spaces. It is noted that there are numerous bicycle parking racks throughout the Central Park

precinct, as well as a dedicated UTS bicycle parking facility at UTS Building CB10 accessible by all UTS staff and students. On this basis, the existing bicycle parking provisions are considered appropriate for the proposed change in use.

- Furthermore, the Sustainability Group is a team at UTS responsible for ensuring the sustainability of UTS infrastructure and operations, and coordinates a number of active travel initiatives that will be applied to the proposed development.
- As the UTS Graduate School of Health currently operates within the UTS campus located along Broadway, trips generated by students should not be considered as 'new trips' as they are already present on the network.
- The likely distribution of students' residences across the Greater Sydney Metropolitan region results in the demand for services being spread across the public transport network.
- It is expected that the increase to peak hour bus, cycle and walk trips... ...as a result of the change in land use, would not result in any adverse effects to the existing and future public infrastructure network.
- When considering that some of the student trips will not be 'new trips' along with the distribution of students' residences across the Greater Sydney Metropolitan region, the increase in daily trips is considered acceptable and is not expected to result in any adverse effects to the existing and future active and public transport networks.
- No modifications to the approved DA are proposed for Block 4N, aside from the tenancy fit out. As such, all approved access arrangements will be maintained, as will approved CPTED and road safety arrangements.
- Time restrictions to on-street parking near the site are expected to minimise commuter and student parking and encourage trips by active and public transport modes. As such, staff and students are not expected to significantly increase demand for car parking near the development.

As a result, it is considered that the proposed development raises no issues in relation to traffic and transport and no additional mitigation is required.

## 6.5 Noise and vibration

A noise and vibration assessment has been prepared by Acoustic Logic Consultancy Pty Ltd which has assessed the noise and vibration impacts of the UTS Graduate School use on the hotel rooms, residential apartment and retail uses within the building; and on the surrounding land uses and public domain.

The review has found that "the main source of noise from the project will include the operation of the mechanical services proposed for the project. Details of all required acoustic treatments and controls, including duct linings, silencers, acoustic screen and the like will be provided as part of the normal design process of the project once plant and equipment selections are finalised".

The assessment has recommended that a subsequent detailed report be prepared as part of the normal design process of the project once plant and equipment selections are finalised and the internal layouts are finalised in order to specify the required acoustic design and construction of the walls, ceilings, floors and finishes to ensure that the relevant requirements of the EPA and of Australian Standards are met.

Accordingly it is considered that the Proposal is unlikely to have significant noise and vibration impacts on nearby uses or on the internal noise environment, and that any potential impacts can be managed and mitigated by implementing the recommendations of a detailed acoustic report to be completed prior to the

commencement of construction and following the selection of the final plant, equipment and internal finishes.

## 6.6 Ecologically sustainable development

A review of the Ecologically Sustainable Development (ESD) principles of the Proposal and in particular its Green Star Obligations has been carried out by JHA and is located at Attachment 12a.

Because of the mixed use nature of the building it is not eligible for a certified Green Star rating. Instead the approach taken to date in relation to the approved building has been a pathway approach which demonstrates consistency with the principals of 5 Star Green Star Ratings for each component of the building – Multi Unit Residential, Public Building and Office Design (being the categories relevant to the various uses within the Block 4A) even though an overall rating tool as such is not available.

For the purposes of the Proposal, which is a change of use and a fitout, the approach has been to demonstrate that the change of use will be consistent with the pathway approach undertaken to date, and that the fitout achieves sustainable building principles.

The review has identified that there is no impact to the Green Star obligation resulting from the change of use, subject to the final selection of materials and the relevant consideration of ESD issues in the detailed design and construction phases of the project. Accordingly it is considered that there are no significant issues arising out of the Proposal, and that it has no significant impact on the ability of the building to maintain its current Green Star obligations.

The Low Energy Technologies being proposed within the tenancy fitout of UTS Graduate School of Health include:

- The air handling mechanical design will take into account the zoning of the air conditioning system based on the floor usage to ensure that mechanical equipment is used only when required, either through localised controls or time scheduling by the BMS.
- Energy efficient LED lighting, and lighting control systems employed throughout all spaces with dimmable fittings specified where appropriate.
- Water efficient equipment, fixtures and fittings to minimise hot water consumption and subsequently reduce energy demand.

A full list of the low energy technologies being proposed within the tenancy is provided in Attachment 12b.

## 6.7 Environmental and residential amenity

### 6.7.1 Potential impacts on residential amenity

The Proposal replaces all currently approved commercial use entry and other arrangements with use by the Graduate School of Health (tertiary institution). In accordance with the approval of SSD6673 the approved building incorporates separate entry points, and lift cores for each of the proposed land uses, including childcare, hotel, commercial, and residential. A review of the CPTED report, the original EIS for SSD6673 and the approved architectural drawings for SSD 6673 has not identified any potential impacts in relation to the proposed change of use for these entries. As a result it is considered that there is no potential for impacts on residential amenity in terms of the ground plane or the entry and exit from the building.

The residential uses themselves are located on floors that are entirely separate from the proposed GSH use. No potential for impacts has been identified other than noise and

vibration, which has been found to be minimal and will comply with the relevant noise level criteria as detailed within the NSW Environmental Protection Authorities Noise Policy for Industry requirements (see Attachment 8a).

It must also be understood that, as stated at the start of this section, the specific nature of the proposed Graduate School of Health means that it has characteristics that are equivalent to and no different to a broad range of commercial uses that could be installed into the building without the need for a change of use. The approved building has already been purposed design to manage the interaction of its different uses and their users. As a result it is considered that the change to tertiary institution use for the Graduate School of Health raises no new issues.

As a result, and taking into account the above, it is considered that the consent authority can be satisfied that the proposed development will maintain a high level of environmental and residential amenity for other users of the building.

### **6.7.2 Potential impacts of the primary health clinic**

The multidisciplinary clinic will have 4 registered GPs and supported by 2 full time nurses. Postgraduate coursework students will work within the clinic to obtain the required hours of experience required to obtain a qualification in their chosen field. Students will be supervised by academic staff at all times when working in the clinic. The public will be able to make appointments to see a health care professional between the hours of 8am and 6pm. Special clinical health care events may, on occasion, be held within the clinic between 6pm and 9pm. This pattern of use is broadly equivalent to the operation of many medical centres operating throughout Sydney. In particular the clinic will not involve surgical or other procedures that would require a class 9a building classification.

There will be very small quantities of potentially hazardous chemicals being used and stored within the 100 Broadway tenancy, limited to the Clinic and research spaces only. There are no wet laboratories being provided in the 100 Broadway tenancy fit out. Any wet lab test work required by GSH will be undertaken in a purpose built facility on the main UTS campus. The GSH currently have access to a PC2 laboratory located in UTS CB.07, Science building level 04 which they will continue to use.

UTS has set guidelines for the management of hazardous chemicals, which GSH will implement at 100 Broadway facility. This starts with a risk assessment to manage the risk. More information is provided in the Plan of Management at Attachment 7.

Hazardous Waste will be generated within the clinic in the form of infectious waste and Sharps only.

Infectious waste will be gathered at source in bins lined with autoclave bags. The autoclave bags will be placed within the individual consult rooms which make up the clinic and any other locations such as research facilities, as is required. It is the responsibility of the clinical staff to collect the autoclave bags each day and place them in a yellow UTS bin. The yellow UTS bins are clearly identified as Clinical Waste by their colour and have appropriate hazard warning signs adhered to them. The bin(s) will be stored in a dedicated store which will be secure.

Similarly, Sharps will be collected at source and placed in a container that complies with Australian Standard AS 4031:1992 "Non-reusable containers for the collection of sharp medical items used in health care areas". When containers are full it is the responsibility of the clinic staff to place the Sharps containers in a yellow UTS bin.

UTS employ a Clinical Waste Disposal contractor to collect the yellow bins and appropriately treat the waste offsite. The contractor will collect the yellow UTS bin(S)

directly from site out of the secure store. They will also replace with empty bins for future collection. The frequency of the collection will be reviewed regularly to ensure removal of waste is appropriate to level of generation. The current service provider of Clinical Waste Disposal is Daniels Health.

With these standard operational procedures in place to manage clinical waste, it is considered that the Proposal raises no issues in relation to impacts of the operation of the primary health care clinic.

## **6.8 Biodiversity**

Applications for State Significant Development are to include an assessment of the proposal's biodiversity impacts in accordance with the requirements of the Biodiversity Conservation Act 2016 (the Act), including the preparation of a Biodiversity Development Assessment Report (BDAR) where required.

An assessment of the potential for biodiversity impacts as identified by the Act and the Regulations was carried out in relation to the proposal. No potential for biodiversity impacts was identified. Based on this assessment, on 22 February, in accordance with Section 7.9 (2) of the Act, UTS requested that the Planning Agency Head and the Environment Agency Head determine that the proposal is not likely to have any significant impact on biodiversity values and that no further biodiversity assessment under the Biodiversity Conservation Act 2016 or the Biodiversity Conservation Regulations 2017 is required in relation to the proposal (SSD 8976).

A waiver for the preparation of a BDAR was granted by the Office of Environment and Heritage dated 5 March 2018, and by the Department of Planning and Environment dated 20 March 2018. Copies of the letters advising of the waivers are at Attachment 2.

## 7 Planning Assessment

An assessment of the proposed development was carried out in relation to the relevant matters for consideration under Section 4.15(1) of the Environmental Assessment Act 1979 and the results are presented in the following sections.

### 7.1 The provisions of any environmental planning instrument – Section 4.15 (1)(a)(i)

#### 7.1.1 State Environmental Planning Policy (State and Regional Development) 2011

The proposed development is declared as State Significant by the SEPP (SRD) in accordance with Section 8 Declaration of State significant development because it is not permissible without consent under Part 4 of the Act and is specified in Schedule 2 State significant development – identified sites Broadway (CUB) Site and has a capital investment value of more than \$10m.

#### 7.1.2 State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

It is considered that despite being an addition to the UTS campus, the land on which the proposed development is proposed to be located does not satisfy the test of being *within* the boundaries of an *existing* university and as a result none of the exempt, complying or development permissible without consent categories of development under the policy are available for the proposed development.

#### 7.1.3 SEPP No. 55– Remediation of Land

Clause 7(1) of SEPP No. 55 outlines a consent authority “must not consent to the carrying out of any development on land unless *it has considered whether the land is contaminated*.”

The subject land has already been remediated as part of the original development approvals.

It is noted, however that the site has already been remediated in accordance with the Concept Plan Approval MP 060171 and State Significant Development Approval 146673, and on the basis that the proposed development is entirely internal within an existing approved building and does not involve any excavations or ground disturbance, it is considered that the consent authority can be satisfied that the land is suitable in its present state for the proposed use and that a report is not required.

#### 7.1.4 SEPP No. 64 – Advertising and Signage

Clause 8 Granting of consent to signage requires that a consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:

- (a) that the signage is consistent with the objectives of this Policy as set out in clause 3 (1) (a), and
- (b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 1.

An assessment of the proposed development in relation to clause 3(1)(a) and Schedule 1 is provided in the table below.

**Table 4. SEPP 64 Assessment**

SEPP 64 Clause 3(1)(a)	Proposed Development	Complies
To ensure that signage (including advertising): (i) is compatible with the desired amenity and visual character of an area, and (ii) provides effective communication in suitable locations, and (iii) is of high quality design and finish	<p>The proposed sign:</p> <ul style="list-style-type: none"> <li>• is compatible with the desired amenity and visual character of an area providing wayfinding and building identification for the UTS use within the existing building;</li> <li>• Provides effective communication to assist deliveries and wayfinding, at the UTS entry providing appropriate building identification signage;</li> <li>• Is high quality involving aluminium edged, illuminated opal acrylic freestanding letters suspended from the ceiling.</li> </ul>	Yes
Schedule 1 Criteria	Proposed Development	Complies
<b>1 Character of the area</b> <ul style="list-style-type: none"> <li>• Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?</li> <li>• Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</li> </ul>	<p>The proposed sign is:</p> <ul style="list-style-type: none"> <li>• In keeping with the existing and desired future character of the subject site</li> <li>• Consistent with the approved signage zones identified for the building as shown on the Approved Architectural Plans and Architectural Design Report (SSD 6673).</li> </ul>	Yes
<b>2 Special areas</b> <ul style="list-style-type: none"> <li>• Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?</li> </ul>	<p>The site of the proposed sign within the ground floor of the building ensures that it has low potential to detract from any sensitive areas.</p>	Yes
<b>3 Views and vistas</b> <ul style="list-style-type: none"> <li>• Does the proposal obscure or compromise important views?</li> <li>• Does the proposal dominate the skyline and reduce the quality of vistas?</li> <li>• Does the proposal respect the viewing rights of other advertisers?</li> </ul>	<p>The proposed sign:</p> <ul style="list-style-type: none"> <li>• Is not in the catchment of any significant views, do not dominate the skyline,</li> <li>• Do not reduce the quality of any vistas, and has no impact on the viewing rights of other advertisers.</li> </ul>	Yes
<b>4 Streetscape, setting or landscape</b> <ul style="list-style-type: none"> <li>• Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</li> <li>• Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</li> <li>• Does the proposal reduce clutter by rationalising and simplifying existing advertising?</li> <li>• Does the proposal screen unsightliness?</li> </ul>	<p>The proposed sign:</p> <ul style="list-style-type: none"> <li>• Are of a scale that is appropriate to the urban CBD edge setting;</li> <li>• Contributes to the visual interest of the streetscape with a high quality contemporary design</li> <li>• Does not add to clutter and has no impact on existing signage,</li> <li>• Does not screen unsightliness,</li> <li>• Does not project above the building or near any trees</li> </ul>	Yes

**Table 4. SEPP 64 Assessment**

<ul style="list-style-type: none"> <li>• Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</li> <li>• Does the proposal require ongoing vegetation management?</li> </ul>	<ul style="list-style-type: none"> <li>• Does not require ongoing vegetation management.</li> </ul>	
<b>5 Site and building</b> <ul style="list-style-type: none"> <li>• Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?</li> <li>• Does the proposal respect important features of the site or building, or both?</li> <li>• Does the proposal show innovation and imagination in its relationship to the site or building, or both?</li> </ul>	The proposed sign is highly compatible with the characteristics of the site and is designed to fit within the existing building proportions and articulation;	Yes
<b>6 Associated devices and logos with advertisements and advertising structures</b> <ul style="list-style-type: none"> <li>• Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?</li> </ul>	The proposed sign incorporate the UTS basic font and identity as an integral part of the signs.	Yes
<b>7 Illumination</b> <ul style="list-style-type: none"> <li>• Would illumination result in unacceptable glare?</li> <li>• Would illumination affect safety for pedestrians, vehicles or aircraft?</li> <li>• Would illumination detract from the amenity of any residence or other form of accommodation?</li> <li>• Can the intensity of the illumination be adjusted, if necessary?</li> <li>• Is the illumination subject to a curfew?</li> </ul>	<p>The building identification sign is a light box illuminated with concealed lighting.</p> <p>The sign:</p> <ul style="list-style-type: none"> <li>• Is not a glare source</li> <li>• Will have no impact on safety for pedestrians, vehicles or aircraft</li> <li>• Is not visible from any residential or other accommodation</li> <li>• Has been designed so that there will be no need to reduce the intensity of illumination (although this could be included)</li> <li>• Is not proposed to be subject to a curfew, given that it is not visible from any environmentally sensitive or residential area.</li> </ul>	Yes
<b>8 Safety</b> <ul style="list-style-type: none"> <li>• Would the proposal reduce the safety for any public road?</li> <li>• Would the proposal reduce the safety for pedestrians or bicyclists?</li> <li>• Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</li> </ul>	The proposed sign is internal and does not have any impact on safety of any road users	Yes

The proposal has been found to be consistent with and raise no issues with regard to the requirements of the SEPP.

### 7.1.5 Sydney Local Environmental Plan 2005

The proposal has been assessed against, and is considered to be consistent with the plan. Compliance with the land use and development standards of the plan is summarised below, as summarised in the table below.

**Table 5. Sydney LEP 2005 Assessment of Key Standards**

Relevant Objectives and Standards	Proposed Modification	Complies
Clause 2.3 Land Use Table	The proposed modification use of educational establishment is permissible with consent. The proposed modification raises no issues beyond those of the original consent.	Yes
Part 4 Principal development standards 4.3 Height of buildings (2) The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map (28m).	The proposed modification does not alter the height of the proposal. The proposed modification raises no issues beyond those of the original consent.	Yes
4.4 Floor space ratio (2) The maximum floor space ratio for a building on any land is not to exceed the floor space ratio shown for the land on the Floor Space Ratio Map.	No change. The proposed development does not add any new gross floor area. The proposed modification raises no issues beyond those of the original consent.	Yes

### 7.2 The provisions of any proposed instrument the subject of public consultation of that has been notified to the consent authority – Section 4.15(1)(a)(ii)

No draft environmental planning instruments that directly relate to the land or the proposed modification have been identified.

### 7.3 The provisions of any development control plan – Section 4.15(1)(a)(iii)

In accordance with State Environmental Planning Policy (State and Regional Development) 2011 Clause 11(a) *Exclusion of application of development control plans*, development control plans do not apply to State significant development.

### 7.4 The provisions of any planning agreement under Section 7.4 – Section 4.15(1)(a)(iiia):

The Affordable Housing Planning Agreement, between the Redfern Waterloo Authority and the landowner, was accepted by Deed Poll dated 29 July 2007 and outlines how contributions towards affordable housing will be calculated for the Frasers Broadway site. A payment plan was established and payments have been made in instalments in previous years..

The Voluntary Planning Agreement between the Minister for Planning and the landowner dated 9 February 2007 requires that 'design excellence' be achieved in the architecture developed across the site. In relation to Block 1, the nominated architects as required by Commitment 2 of the Concept Plan (Design Excellence) are the selected architects completing the project. It is considered that the Proposal has no impact on the achievement of design excellence. In particular no changes to the exterior of the building are proposed and the interiors, despite being an educational use, are broadly consistent with what was anticipated in terms of commercial uses.

## **7.5 The provisions of the regulations – Section 4.15(1)(a)(iv)**

In accordance with the Environmental Planning and Assessment Regulation 2000 the development would be required to be completed in accordance with the requirements of the Building Code of Australia.

## **7.6 The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality – Section 4.15(1)(b)**

### **7.6.1 Natural and built environmental impacts**

#### **Water**

No impacts have been identified beyond those of the originally approved use.

#### **Soils**

No impacts have been identified beyond those of the originally approved use.

#### **Air**

No impacts have been identified beyond those of the originally approved use.

#### **Wind**

No impacts have been identified beyond those of the originally approved use.

#### **Reflectivity**

No impacts have been identified beyond those of the originally approved use.

#### **Noise**

No impacts have been identified beyond those of the originally approved use.

#### **Flora & Fauna**

No impacts have been identified beyond those of the originally approved use.

#### **Waste**

No impacts have been identified beyond those of the originally approved use.

The waste management Plan details the waste impacts of the Proposal. The Plan of Management sets out the procedures for dealing with infectious waste generated by the use of the clinic, which includes standard autoclave bags, sharps containers and separate storage and collection by a clinical waste disposal contractor. No significant issues or impacts have been identified.

#### **Natural Hazards**

No impacts have been identified beyond those of the originally approved use.

#### **Site Design and Internal Design**

No impacts have been identified beyond those of the originally approved use.

#### **Context & Setting**

No impacts have been identified beyond those of the originally approved use.

### **7.6.2 Social and economic impacts in the locality:**

#### **Visual Impacts**

No impacts have been identified beyond those of the originally approved use.

#### **Privacy and Amenity Impacts**

No impacts have been identified beyond those of the originally approved use.

No impacts have been identified beyond those of the original approval.

***Economic***

The proposed development will contribute to the NSW economy by providing educational and research and development uses.

***Social***

No impacts have been identified beyond those of the originally approved use.

***Cumulative Impacts***

No cumulative impacts associated with the proposal have been identified.

**7.7 Suitability of the site for the development – Section 4.15(1)(c)**

Having regard to the characteristics of the site and its location both within the overall Central Park site and Central Sydney, the proposal is considered suitable for the site as it:

- Is located within Central Park which is within the Sydney City sub-region which is nominated as a 'Global Centre'
- Is part of a locality specifically identified for educational and health related uses
- Will take place in a highly modified urban environment and will not impact on biodiversity values
- Will contribute to the enhancement of a key CBD location that is presently underutilized
- Will accord with the principles of Ecologically Sustainable Development by contributing to the proper management, development and conservation of the artificial resources of the site
- Is within walking distance of other services and amenities, including public transport, retail and employment opportunities offered by the CBD.

**7.8 Any submissions made in accordance with the Act or the Regulations – Section 4.15(1)(d)**

Public consultation in accordance with the Regulations will form part of the assessment of the application.

**7.9 The Public Interest – Section 4.15(1)(e)**

The proposal is consistent with the relevant planning controls affecting the site and is considered to be able to operate without risk to life, asset and property. It is noted that the proposal supports an existing public university education facility providing research and training and research that will benefit the community. The proposal will create 13 FTE construction jobs and 235 operation jobs. No significant impacts have been identified and the proposal is considered to comply with all development standards.

Accordingly it is considered that the proposal is in the public interest.

## 8 Compilation of Mitigating Measures

### 8.1 Environmental Risk Assessment

The Department has requested that the EIS include an environmental risk assessment to identify potential environmental impacts associated with the proposal. The assessment undertaken comprised a qualitative assessment consistent with AS/NZS ISO 31000:2009 *Risk management—Principles and guidelines* (Standards Australia 2009). The level of risk was assessed by considering the potential impacts of the proposed development prior to application of any mitigation or management measures. Comment on residual risk (the remaining level of risk following implementation of mitigation and management measures) is also provided.

It should be noted that the assessment is not intended to be exhaustive, rather it focuses on key impacts.

Risk comprises the likelihood of an event occurring and the consequences of that event. For the proposal, the following descriptors were adopted for 'likelihood' and 'consequence'.

**Table 6. Risk Descriptors**

Likelihood:	Consequence:
A Almost certain	1 Widespread irreversible impact
B Likely	2 Extensive but reversible (within 2 years) impact or irreversible local impact
C Possible	3 Local, reversible (within 2 years) impact
D Unlikely	4 Local, reversible, short term (<3 months) impact
E Rare	5 Local, reversible, short term (<1 month) impact

Risk scores for likely and potential impacts were derived using the following risk matrix.

		Likelihood					
		A	B	C	D	E	
Consequence		1	High	High	Medium	Low	Very Low
2		2	High	High	Medium	Low	Very Low
3		3	Medium	Medium	Medium	Low	Very Low
4		4	Low	Low	Low	Low	Very Low
5		5	Very Low				

The results of the environmental risk assessment are presented in Table 5. This provides a risk rating prior to any mitigation and a residual risk rating after mitigation. The risk assessment has been based on information available at the time of finalising the EIS.

**Table 7. Environmental Risk Assessment**

Aspect	Potential impact	Unmitigated Risk			Treatment	Residual Risk		
		L	C	R		L	C	R
Land use	Consistency with Concept Approval MP 060171	C	4	L	No mitigation required	C	4	L
	Relationship of the proposal with other approved uses	C	4	L	No mitigation required	C	4	L
	Safety and CPTED issues do not address new use	C	4	L	No mitigation required	C	4	L
BCA Compliance	Inadequate sanitary facilities	D	5	V	Sanitary facilities are to be available for staff and students (ie not segregated).	E	5	V
Operation	Suitability of the site for the development	D	4	L	Implement the Operation Plan of Management	D	4	L
Traffic and Transport	Suitability of the site for the development				The Proponent is to ensure that the building users are provided with access to the existing UTS bicycle parking facilities within Building 10 of the main university campus.			
Noise and Vibration	Suitability of the site for the development	C	3	M	Implement recommendations of a detailed acoustic report to be completed following the selection of the final plant, equipment and internal finishes	D	4	L
Ecologically sustainable development	Irreversible increase in energy and water usage and waste generation	C	3	M	Fitout works to ensure consistency with the approved pathway approach for Green Star	D	4	L
Construction impacts	Dust, noise and vibrations from construction activities impact adjacent residents and businesses	C	3	M	Implement a construction management plan in accordance with the DECCW <i>Interim Construction Noise Guideline</i> and standard CBD construction hours	D	4	L
	Traffic impacts during construction	C	3	M	Implement a Construction Traffic Management Plan	D	4	L

Key: L = likelihood, C = consequent, R = risk rating

## 8.2 Compilation of Mitigating Measures

Measures to mitigate the environmental impacts associated with the Proposal throughout this EIS are compiled in the table below. UTS commits to undertaking these mitigation measures during construction and operation of the Proposal.

**Table 8. Compilation of Mitigating Measures**

**Mitigation Measures – Land Use**

- No mitigation required.

**Mitigation Measures – BCA Compliance**

- Sanitary facilities are to be available for staff and students (ie not segregated).

**Mitigation Measures – Operation**

- Implement the Operation Plan of Management.

**Mitigation Measures – Traffic and Transport**

- The Proponent is to ensure that the building users are provided with access to the existing UTS bicycle parking facilities within Building 10 of the main university campus.

**Mitigation Measures – Noise and Vibration**

- Implement recommendations of a detailed acoustic report to be completed following the selection of the final plant, equipment and internal finishes.

**Mitigation Measures – Ecologically sustainable development**

- Fitout works to ensure consistency with the approved pathway approach for Green Star.

**Mitigation Measures – Construction Impacts**

- Implement a construction management plan in accordance with the DECCW *Interim Construction Noise Guideline* and standard CBD construction hours
- Implement a Construction Traffic Management Plan

## **9 Justification of the Proposal**

### **9.1 Justification and Benefits**

The site was selected due to its close proximity to the main UTS campus opposite on Broadway, and for its ability to deliver a new facility in the short term to provide for a new Graduate School. At the present time, there is no capacity to deliver the required space in the required timeframe within the UTS Broadway Campus.

It is considered that the proposal is well justified for reasons including:

- The education establishment (tertiary institution) use on the site is compatible with nearby education, commercial, residential, childcare and other uses
- Use as an educational establishment (tertiary institution) maintains a consistent long terms use of the wider area as an education precinct (stretching back 130 years)
- The Proposal integrates suitable educational development in close proximity to the major public transportation bus corridor on Broadway and the major railway interchange of Central and minimises carparking and private vehicle use
- The Proposal will contribute to the Draft Metropolitan Strategy's Central Subregion priorities for Broadway and Camperdown as an education and health precinct
- The Proposal supports the viability of centres by providing employment in the Global Sydney strategic centre, with a specific focus on education-related land uses focussed towards job creation, innovation, and new business activity in the health sector

### **9.2 Ecologically Sustainable Development**

The UTS Environmental Sustainability Policy includes the Proponent's commitment to ensure that its institutional practices emphasise "that UTS demonstrates and promotes the achievement of sustainable futures embracing ecological, economic and social aspects of human existence". The UTS Environmental Sustainability Policy can be viewed at [www.gsu.uts.edu.au/policies/sustainability.html](http://www.gsu.uts.edu.au/policies/sustainability.html). The fitout also responds to and is compatible with the approved sustainability features of the base building. The following table sets out a response to the principles of ecologically sustainable development justifying the carrying out of the development

**Table 9. Principles of ecologically sustainable development**

Principles of ecologically sustainable development	Response
<p>the <b>precautionary principle</b>, namely, that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. In the application of the precautionary principle, public and private decisions should be guided by:</p> <p>(i) careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment, and</p> <p>(ii) an assessment of the risk-weighted consequences of various options,</p>	<p>The Proposal does not cause threats of serious or irreversible environmental damage.</p>
<p><b>inter-generational equity</b>, namely, that the present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations</p>	<p>The Proposal maintains the health, diversity and productivity of the environment for the benefit of future generations.</p>
<p><b>conservation of biological diversity and ecological integrity</b>, namely, that conservation of biological diversity and ecological integrity should be a fundamental consideration</p>	<p>The Proposal has no significant impact on biological diversity and ecological integrity.</p>
<p><b>improved valuation, pricing and incentive mechanisms</b>, namely, that environmental factors should be included in the valuation of assets and services, such as:</p> <p>(i) polluter pays, that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement,</p> <p>(ii) the users of goods and services should pay prices based on the full life cycle of costs of providing goods and services, including the use of natural resources and assets and the ultimate disposal of any waste,</p> <p>(iii) environmental goals, having been established, should be pursued in the most cost effective way, by establishing incentive structures, including market mechanisms, that enable those best placed to maximise benefits or minimise costs to develop their own solutions and responses to environmental problems.</p>	<p>The Proposal maintains the base building's sustainability features, and provides compatible sustainability features at the level of the fitout to ensure the overall achievement of the building's approved sustainability performance.</p>

## 10 Conclusion

This EIS has been prepared to consider the environmental impacts of a proposed change of use and fitout at levels 5-10 of 100 Broadway from commercial use to tertiary institution in order to provide for the UTS Graduate School of Health.

This assessment has addressed the issues required in the Secretary's Environmental Assessment Requirements issued on 30 January 2018 and in accordance with Part 4.1 of the Act and Schedule 2 Part 3 of the Regulations.

The justification for the Proposal includes:

- The Proposal demonstrates a high degree of consistency with the relevant strategic policy, environmental instruments and other matters identified in the Secretary's Environmental Assessment Requirements
- The Proposal demonstrates a high degree of consistency with the existing approvals for the land.
- The Proposal will result in minimal environmental impacts, all of which can be mitigated by implementing the mitigation measures identified in Part 8 of this EIS
- The Proposal is highly in keeping with its context and with surrounding development and with acceptable impacts on its surrounds
- The Proposal encourages new research and innovation in the education and health economy, supporting the creation of new jobs in the heart of Sydney's global economic arc in accordance with key State policy
- The existing transport infrastructure supports the proposed development which minimises the use of private vehicles and encourages the use of public transport

It is considered that the Proposal has substantial merits, and it is requested that the Minister approve the Proposal under Section 4.38 of the Act subject to the mitigation measures identified in this EIS.

**URBANAC**