

Our Ref: F2012/00304

Contact Officer: Scott Williamson

15 January 2013

Director General
NSW Department of Planning and Infrastructure
23-33 Bridge Street
SYDNEY NSW 2000

Attention: Ms Megan Fu

Dear Madam,

**STATE SIGNIFICANT DEVELOPMENT APPLICATION: UNSW MATERIALS
SCIENCE AND ENGINEERING BUILDING REF: (SSD 5373)**

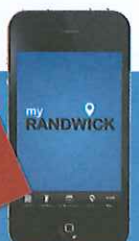
I refer to the abovementioned application being assessed by the Department of Planning and Infrastructure and regarding the University of New South Wales.

Council provides comment in relation to the project, as advised by letter from the Department of Planning and Infrastructure on 19 November 2012.

It is noted that the project has the potential to deliver social and economic benefits to the community, enhancing the established UNSW campus.

Notwithstanding potential benefits, the proposed building will be of significant height and prominence within the Randwick area. Such proposals demand a high quality and well considered design response. It is imperative the proposal responds appropriately to it's context, mitigating potential detrimental impacts. Consistency with the UNSW DCP is considered the basis for achieving these outcomes.

Council is of the view the proposal requires refinement, most notably in relation to building height, articulation and parking provision, in order to achieve the desired high quality design outcome.



State Significant Development Application SSD 5373; UNSW Material Science and Engineering Building

Council provides its comments in relation to the State Significant Development Application being exhibited for a ten (10) storey educational building, located towards the western side of the UNSW Kensington Campus. The following key issues are raised by Council.

1. UNSW Kensington Campus DCP - Campus 2020

While the requirements of the UNSW DCP may not hold strict applicability to State Significant Development through means of the SEPP (State and Regional Development), the Director-General's Requirements in this case specifically move to adopt the provisions of the DCP within the 'Policies, Guidelines and Planning Agreements' requirements.

The most relevant guideline available in informing development suitability on the UNSW site remains the UNSW DCP. The DCP is recent and was prepared in association with the University. The DCP is a result of extensive community consultation and independent architectural and urban design investigation. The DCP remains in force and Council's Draft Comprehensive DCP, currently in the exhibition phase, proposes the continued application of the current controls.

Council is of the view that the aims and objectives outlined within the DCP hold strong relevance to informing appropriate development on the site and minimising consequent environmental impacts. As such, the DCP is a central matter for consideration within the assessment of this proposal.

a) Height:

Section 5.8 of the UNSW DCP outlines a maximum of 24 metres in wall height as being suitable for this location of the campus.

The proposal seeks a building with wall height of over 45 metres and overall height of 48 metres. As such, the building is proposed to be over 20 metres in excess of the UNSW DCP provisions.

The proposed building seeks to match and exceed the scale of the existing Chemical Sciences building. The resulting scheme is of overwhelming height and despite its central location within the campus, will be visible external to the site. Council considers the proposed height to be excessive and unacceptable.

Speculation of a potential future campus urban design framework by the proponent is not an appropriate measure of what may be acceptable on the site and holds no applicability in justifying the excessive height proposed. Should greater height be appropriate in this location, architectural investigation informing the UNSW DCP would have recommended this. The height provisions of the DCP should be applied to the current development in order to achieve built form integration and the high quality design outcome the university seeks.

On a merit basis, the building seeks to replicate and exceed the scale of the Chemical Sciences building, the largest element existing on the lower campus. The proposed height has potential to introduce considerable shadow to important spaces within the campus and an undesirable built form precedent. The proposed

building is of basic design and uses concrete louvers to offset the horizontality of a large box, further discussed in the following section.

Contrary to the proponent's broad statements of general consistency with the objectives of the DCP (Page 32 of the EIS), the overwhelming variation the proposal seeks to what have been established as suitable heights in the lower campus, would suggest the contrary. The proposed height will eventuate in a built form outcome that is inconsistent with surrounding development and of significant visibility external to the campus.

The height of the proposed building is not supported by Council.

b) Bulk and scale

The UNSW DCP emphasises a sympathetic approach to design, encouraging a sense of place within the campus through outward focussed ground floor uses. The DCP provides that buildings should be open and welcoming, with distinctive architectural character, quality and of exceptional design.

Council acknowledges the University has conducted a design competition process in arriving at the current design scheme. Further, it is understood that floor plates of substantial size are necessary for the proposed research and laboratory uses.

Despite the above, the substantial bulk and scale of the proposal is emphasised in the horizontality of a minimalist design approach. The bulk and scale of the building will be immediately obvious in the absence of any articulating or modulating elements providing relief. Visual interest and a breaking up of the horizontality of the building should be achieved through physical building articulation. The proposed concrete louvers go some way to achieving visual interest in a basic building form, however the firmly minimalist approach adopted is considered inappropriate to a building of the height proposed.

Significant opportunity exists for the design scheme to emphasise the educational nature and pedestrian surrounds of the building, through incorporation of increased articulating and modulating elements at lower levels. Simple refinement of the design could eventuate in a substantially improved relationship to the pedestrian realm at lower levels. This approach is vital in the creation of an effective educational building and maintaining cohesiveness within the UNSW campus.

c) Shadow impacts

The east-west orientation and excessive height of the building means the shadow impact upon the southern adjoining buildings and open spaces is likely to be significant. The shadow diagrams provided to Council seem to lack important detail including elevational detail of adjoining buildings. In the absence of an indicated north point on the submitted diagrams, Council is unable to check the accuracy of the diagrams.

d) Parking Issues

Council's Development Engineers provided the following comment in relation to the proposal:

Parking Introduction

Section 5.10 in Council's DCP for the UNSW site titled 'Campus 2020' specifies in some detail the transport and parking objectives and

provisions for the UNSW campus which are relevant to the subject proposal. Of specific interest to Development Engineering is the consistency of the proposal with these provisions and the accompanying Transport Strategy for the UNSW site.

Although the need to reduce car dependence and adopt a sustainable transport strategy is recognized, Development Engineering have significant concerns on the parking aspects of this proposal. Specifically the concerns relate to the loss of the existing 84 car spaces and the failure to provide any staff or visitor parking for the new building. The argument used to justify the removal of the parking and non-provision of additional parking is considered to be fundamentally flawed. The proposal is also inconsistent with Council's DCP - Campus 2020 for the UNSW site.

Loss of 84 spaces (including 2 disabled and 1 carshare space)

The proposed development will require the removal of 84 car spaces on lower campus including 2 disabled spaces and a carshare space operated by GoGet Carshare. The traffic and parking study attempts to justify this by noting that the total amount of parking spaces on campus will actually increase by 1 space when taking into account recent redevelopments around the campus.

It is Development Engineering's view that this approach is fundamentally flawed as it fails to recognize the increased parking demand generated by the redevelopment within the campus and the significant reduction of parking availability to permit holders and visitors.

It also does not recognize the geographical nature of the parking demand with Lower Campus likely to experience a severe parking deficiency as a result of this proposal. The University of NSW is a large campus and offsetting parking demand by re-developments on the other side of campus is not always considered appropriate especially as any additional spaces created elsewhere will be used to fulfil the surplus demand generated by that redevelopment and will unlikely be available to users on the other side of campus.

For example the subject development in conjunction with the closest redevelopment at the Gate 2 student housing project (DA/494/2011) will remove a total of 230 car spaces. Seventy seven spaces will be provided within the student housing development however a majority of these will not be available to permit holders or visitors. These spaces along with the 84 proposed to be removed as part of this proposal were extensively used by patrons of the Gym, Swimming pool and NIDA (especially on the evenings of performances). Patrons of these facilities will unlikely park at other parking facilities such as the parking station in upper campus and instead park in High Street. The removal of this parking is therefore likely to significantly affect the availability of on-street parking in High Street which is already in high demand.

The loss of the carshare space is not consistent with the sustainable transport objectives and at minimum this space shall be relocated elsewhere on lower campus, with additional share spaces considered. The loss of the carshare space is not acknowledged in the accompanying Traffic and Parking Report.

Parking Provision

The accompanying traffic and parking study states that the new building will accommodate up to 700 staff but claims a majority of these will be relocated from elsewhere within the campus. Only 24 additional staff will initially result increasing to 144 at its final completion. On what basis is this calculation determined is not explained in the Environmental Impact Statement. It is also claimed the building will not contribute to additional student numbers.

Based on the findings of the most recent transport survey in 2012 (appendix B) it is expected that 44% of staff will travel to work by private vehicle.

The parking study has calculated the expected parking demand generated to be in the order of 30 spaces based on the decreasing trend of staff travelling to work by motor vehicle to 35%, and 60% of staff attending the 11am peak based on the transport Strategy for the DCP.

The parking study has misinterpreted the findings of the DCP Transport Strategy (Appendix 2) in that it assumes that 60% of staff arriving by car will be at the 11am peak. This is not what the transport study is indicating and it is actually indicating that 60% of the staff arriving at the 11am peak travel by private vehicle. The error results in the study significantly underestimating the amount of parking required.

To cater for the 11am peak, parking would actually have to be provided at the rate of $60\% \times 144 = 86$ spaces which is significantly above the 30 spaces calculated by the parking study.

Development Engineering does recognise the decreasing trend in staff arriving to campus by motor vehicle and notes the findings of the 2012 travel survey which indicate that 44% of staff will be arriving by private vehicle. Based on this rate;

Number of Car spaces Required = $0.44 \times 144 = 63$ spaces

The lack of any parking for staff or visitors is not supported by Development Engineering. In addition the total of only 24 additional staff increasing to 144 is questionable. Additional parking demand may be greater than the 63 spaces calculated.

Non-Compliance with Council's DCP UNSW 'Campus 2020'

The proposal is not consistent with the requirements of the UNSW DCP 'Campus 2020' on the following aspects

Transport/ parking Provisions under DCP- UNSW Campus 2020

- c. *Surface parking within the campus is to continue to be relocated under new buildings or within structured car parks.*
 - *New car parking areas are to be constructed under new buildings on western campus and on lower campus (possibly also under new buildings) to replace 300 existing permit and reserved parking as lost due to redevelopment.*

No Basement parking is proposed.

- *100 short-term parking spaces are to be located in lower campus with access from High Street over time as new visitor parking for the campus*

The loss of the 84 spaces is not consistent with this requirement. The application will reduce the amount of visitor parking in lower campus.

Parking - Conclusion

The proposed development will create a total parking deficiency of 147 spaces which takes into account the existing 84 spaces removed by the proposal as well as the 63 spaces generated by the proposed development. This is grossly excessive and will lead to a chronic parking shortfall on lower campus and increase the impact on on-street parking in High street. It is also inconsistent with Council's DCP - campus 2020 for the UNSW site.

It is acknowledged that the future light rail extension recently announced by NSW Government will contribute to reducing the parking demand but this is a number of years away and would not compensate enough to consider the parking deficiency acceptable.

Based on the issues outlined above Council does not support the proposal on parking grounds.

2. Environmental Health Comment:

Council's Environmental Health Officer provided the following comment in relation to the proposal:

a) Land Contamination

Preliminary advice has been received from Coffey Geotechnics dated 11 October 2010 was submitted in support of this application (See Appendix C Statement of Environmental Effects).

The report identifies potential contaminants of concern, however no confirmed opinion on the site's suitability or required remedial actions have been provided, therefore a detailed site investigation is recommended.

b) Potential Acid Sulphate Soils

The Statement of Environmental Effects has not provided any advice on Acid Sulphate Soils therefore further information would be required.

c) Acoustics

An acoustic report titled UNSW Material Science & Engineering Building Acoustic Report dated 15 September 2012 prepared by SLR Consulting Australia Pty Ltd was submitted as appendix L to the Statement of Environmental Effects.

The potential noise issues associated with this development are considered to be:

Noise from plant and equipment

- Impact of existing ambient noise on the project
- Impact on Student Accommodation.
- Other residential receivers.

The report confirms compliance with required noise criteria in daytime and night time. It should be noted the acoustic consultant advised the building and plant will not be in operation at night to assist with compliance. Future night time operation may require further acoustic investigation.

d) Legionella Control

Cooling Towers may be proposed. Suitable conditions to be imposed to address this issue.

e) Risk Analysis

The Statement of Environmental Effects submitted with the application confirms SEPP 33 does not apply in relation to :

Hazards;
Offensiveness.

The SoEE concluded that there were no unidentified environmental risks associated with the development, therefore no additional mitigation measures (beyond those already discussed for noise and dispersion of gases including fume cupboard design and operational velocity.) Further compliance with BCA, Australian Standard 1668 parts 1,2 would also assist in compliance with relevant criteria.

f) Storage and handling of dangerous goods

As an advanced research facility, the proposed development involves the use and storage of a range of dangerous goods. Impacts on the environment may potentially arise from improper handling and storage practises.

The design and management of the building will comply with the appropriate laboratory design and procedures, dangerous good handling and storage of hazardous waste management controls NSW State legislation, WorkCover requirements and relevant Australian Standards.

g) Waste Management

Operation of the facility will generate a variety of solid and liquid wastes including biological wastes, electronic waste and chemical waste and requires a range of management strategies.

Disposal of hazardous wastes is managed through the Universities Disposal of Hazardous Waste Procedures and must comply with EPA requirements (POEO ACT, regulation) for the removal of hazardous substances, dangerous goods and biological hazardous waste to ensure compliance with regulatory requirements.

3. Randwick Section 94A Development Contributions Plan 2012:

Under the provisions of Council's Section 94A Development Contributions Plan, effective 17 July 2012, the following monetary levy is required:

Category	Cost	Applicable Levy	S94A Levy
Development cost more than \$200,000	\$125,811,038	1.0%	\$1,258,110.38

The Section 94A levy enables Council to provide quality public facilities to meet the expectations of the existing and future population. Section 94A development contributions are intended to address and meet expected increased demands that ongoing development will place upon the City's infrastructure.

UNSW is seeking exemption from Section 94A contributions for various development projects. Within the submitted documentation, the proponent acknowledges that the proposed development, while a Crown Development, is not automatically exempted from the application of Section 94A Contributions.

The applicant provides a number of factors in seeking to justify a perceived need for contributions to be waived, including:

- o *The Kensington Campus and its buildings have a public character, and already provide a number of material public benefits consistent with wider strategic planning objectives;*
- o *The proposal is predominantly replacing existing and redundant university floor space, and so will not generate any substantial additional staff or students on the site, or any additional demand in terms of traffic and transport infrastructure, or open space;*
- o *UNSW is not a developer and is a not-for-profit public institution (and registered as such by the Australian Tax Office) and relies on significant grants, donations and external funding to provide new facilities for both the UNSW community and the wider local community;*
- o *The payment of development contributions would consume resources which should be devoted to the University's core business of teaching and research and the strategic benefits that would result from such a development; and*
- o *UNSW provides a wide range of social, cultural and recreational public benefits and contributions to Randwick LGA and its resident and worker population.*

The Section 94A Development Contributions Plan provides exemptions for certain categories of development. The subject development does not fall into any of the exempt categories identified within the current Section 94A plan, and as such the above levy must be paid to Council as part of any consent granted.

Council has provided substantial benefits in the form of capital infrastructure important to the University without any rating base, such as roads, footpaths, street signage, street furniture, bus shelters, stormwater management, street trees, parks, community facilities (libraries and halls) and town centre public domain improvement.

Council would emphasise that the University's core business model is not possible in isolation and is made possible only with the ongoing support of Council infrastructure and ongoing upgrading of this infrastructure.

Council's Section 94A Plan recognises that expected employment growth in Randwick City will be focused on the University precinct. The University is

therefore expected to continue to place substantial pressures on Council's local infrastructure. It is therefore considered that the imposition of Section 94A contribution requirement on the subject proposal is appropriate and reasonable.

4. Recommendation and conclusion

Recommendation:

The Department of Planning and Infrastructure is strongly urged to pursue design amendments with the applicant, namely with regard to:

- Building height – The proposed building is significantly in excess of the height provisions defined within the UNSW DCP. The height of the building is not supported by Council.
- Bulk, scale and articulation – The proposed building should incorporate enhanced articulating and modulating elements. Lower levels should be refined to improve integration with the pedestrian realm.
- Shadow – The extent of shadow imposed upon adjoining buildings and open spaces requires thorough consideration. Council does not have sufficient information to clarify the shadow diagrams provided.
- Parking – The proposed building seeks a significant shortfall in parking provision on the lower campus.

The current design scheme is not supported by Council based upon these factors.

The Department of Planning and Infrastructure is strongly urged to apply the provisions of Council's Section 94A Contributions Plan. UNSW does not benefit from any exemption under the current plan and with regard to the considerable strain University operations place upon Council infrastructure, it is entirely reasonable to require development contributions as normal.

While the proposed development stands to provide UNSW and greater Randwick locality with economic and social benefits, the distinct environmental impacts of the development cannot be ignored.

On this basis, the Department of Planning and Infrastructure is urged to pursue design amendments with the applicant prior to proceeding with the application, in order to effectively respond to the above issues.

The above issues are pertinent to maintaining environmental amenity and providing a high quality design outcome to the prominent site, in the interest of both Council and the wider community.

If you have any queries or wish to further discuss any of the issues raised above, please contact Scott Williamson in Council's City Planning Department, on 9399 0999.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Frank Ko', written in a cursive style.

Frank Ko
A/ Manager Development Assessment
Randwick City Council