



Planning and Assessment,
Department of Planning, Industry & Environment
GPO Box 39
Sydney NSW 2001

17 December 2019

Ref No: F2019/01557

Attention: Director – Social & Infrastructure Assessments
Application number: SSD-9673

To whom it may concern,

Re: Randwick City Council submission on the State Significant Development SSD-9673 – University of NSW Kensington Campus - Redevelopment of the Chancellery building

I refer to the exhibition notice seeking comment on the State Significant development application (SDDA) lodged by the University of NSW for Redevelopment of the Chancellery building for an educational establishment use at the UNSW Campus (Kensington Campus), which is on public exhibition from 20 November until 17 December 2019.

The proposal involves the construction of a 14 storey (59.88m high) educational establishment building comprising:

- Centralised teaching and learning facilities.
- Common student facilities.
- Event and Exhibition Space.
- Administrative functions and chancellery.
- Ground level retail space servicing the building and Campus (food and drink premises);
- Supporting and ancillary facilities.
- Basement with 13 car parking spaces.

Council Officers have reviewed the application and provide the following objections and comments to assist the Department of Planning. A list of recommended conditions of consent are also attached.

Objection - Insufficient Plans

1. Council note that the plans provided are unclear and incomplete, particularly in relation to setbacks from site boundaries and other buildings, including maximum permitted building height. The submitted shadow diagrams do not indicate the full extent of additional overshadowing to other parts of the campus.

Objection - State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

2. The Vegetation SEPP applies to the development and has not been addressed as part of the submitted documentation.

Objection - Randwick Local Environmental Plan 2012

3. The site is zoned SP2 Infrastructure (Educational Establishment) in the Randwick Local Environmental Plan 2012 and the proposal is defined as an “educational establishment”, which is permitted with consent in the zone.
4. There is no maximum FSR, and therefore the building height standard and controls within the Randwick DCP dictates a suitable building envelope.
5. The maximum permitted building height is 24m that applies to the front of the site only for a depth of approximately 25m. The taller section of the building is setback 30m and is therefore not subject to the maximum permitted height (however the Randwick DCP permits a maximum wall height of 25m for this location). According to the Applicant’s written request pursuant to Clause 4.6 of the Randwick LEP, the lower section of the building breaches the maximum permitted building height by 3.13m (13%). It is noted that the submitted height plane appears to measure existing ground level from the top of the slab of the existing building, however existing ground level should be taken from beneath the slab and therefore, the non-compliance is likely to be greater than depicted.
6. With regards to Clause 4.6 (4) (a) (i) of the Randwick LEP, the consent authority cannot be satisfied that the Applicant’s written request has adequately demonstrated that compliance is unreasonable and unnecessary, and that there are sufficient environmental planning grounds for the following reasons:
 - The size and scale of the development is not compatible with the desired future character of the locality. The desired future character is set by applicable standards, and the proposal does not comply with the building height or design excellence standards pursuant to the Randwick LEP, or envelope standards pursuant to the Randwick DCP (see comments further below). Further, there are no other buildings within the visual catchment of the street that are of a similar height and therefore, the proposal will be out of character with the streetscape and will dominate the heritage conservation area opposite the site to the north.

Therefore, the variation is not in accordance with Clause 4.3 (1) (a) or (b) of the Randwick LEP:

(a) to ensure that the size and scale of development is compatible with the desired future character of the locality,

(b) to ensure that development is compatible with the scale and character of contributory buildings in a conservation area or near a heritage item,

- The development will result in adverse amenity impacts upon neighbouring land given the size and scale will impact visual amenity from the adjoining lawn area to the south and other buildings, effectively providing greater mass than envisaged for the site.

Based on the submitted shadow diagrams, approximately half of the lawn area to the south will receive 0-2 hours solar access, which is unacceptable given the building height variation results in additional overshadowing over and above a compliant envelope (the Applicant’s written request states otherwise). The Randwick DCP acknowledges this gathering place as a key open area that requires maximised mid-winter sunlight, and the non-compliance does not maximise winter sunlight. The

shadow diagrams do not depict the full extent of overshadowing to surrounding buildings and concerns are raised that adverse overshadowing will occur to the open space to the east as well.

Further, the non-compliance is likely to impact views from within the campus / other buildings to the heritage conservation area.

Therefore, the variation is not in accordance with Clause 4.3 (1) (c) of the Randwick LEP:

(c) to ensure that development does not adversely impact on the amenity of adjoining and neighbouring land in terms of visual bulk, loss of privacy, overshadowing and views.

7. With regards to Clause 4.6 (4) (a) (ii) of the Randwick LEP, the consent authority cannot be satisfied that the development is in the public interest given it is not consistent with the objectives of Clause 4.3 Height of buildings (as discussed above) and is not consistent with the objectives of the objectives of the SP2 Infrastructure zone, specifically:

- *To facilitate development that will not adversely affect the amenity of nearby and adjoining development.*

The development will adversely affect visual amenity and solar access to highly utilised parts of the campus as a result of the non-compliant building height.

8. Clause 6.11 Design excellence of the Randwick LEP, the clause applies given the height exceeds 15m. The development does not exhibit design excellence given the bulk and scale of the building that is not appropriate for its location on the fringe of the campus with a sensitive interface with the nearby heritage conservation area. The development will not improve the quality and amenity of the public domain, does not achieve an acceptable relationship to existing buildings on the site (becoming the tallest building), and will impact view corridors both into and from within the site.

The building is dominant in its setting and the eastern and western wings are disjointed. The eastern wing does not adopt the design language of the western section that steps down when viewed from within the campus. The clear glazing section helps to visually break up the building, however the massing is excessive and should be reduced in height and provided with a stepped façade towards the south, which will result in a more unified design and will provide opportunities for terraced landscape areas.

The presentation to High Street is equally disjointed, with the taller section of the building not responding well to the lower section of the building, resulting in a dominant building that is further exacerbated due to the expanse of cladding that does not relate well to the heritage conservation area opposite the site. There are no other immediately adjoining buildings that are of this height, and therefore the proposal will be out of character with the established street and will be prominent when viewed from surrounding vantage points (e.g. the Randwick Racecourse). With regards to massing, it is noted there are also excessive voids proposed that contribute to unnecessary bulk and scale (and are not needed considering the northern orientation of the building).

Objection - Randwick DCP 2013

The site is subject to Part E2 of the Randwick DCP – Randwick Education and Health Specialised Centre.

9. CI 1.4 i): The building does not recognise, preserve and respond well to the heritage conservation area opposite the site and does not protect residential amenity (visual amenity and solar access) nor enhance the public space opposite the site (Randwick Racecourse).
10. CI 1.5 ii) the ground floor uses fronting High Street should be active uses noting this area is identified as a contemplative space in accordance with Figure 5.6b (e.g. café or recreation with furniture / public art) and not be predominantly fronted by centralised teaching and learning facilities (CATS).
11. In accordance with this section of the Randwick DCP, it is recommended that the development incorporates more environmentally sensitive design (energy / water usage) to promote the university campus as a leader in sustainability. E.g. provision of a community garden / recycling of waste etc.
12. CI 4.2.2 i) the sense of place has not been explored. The building must be understood in its wider context on approach and from afar in terms of silhouette / relationship to the context of the campus and how it will contribute to this identity, recognising the heritage conservation area opposite the site as well. The development as proposed will introduce an entirely new built form on the northern edge of the campus that will be prominent when viewed from key vantage points (e.g. the Randwick Racecourse). The building has the potential to be a landmark, however as proposed the two wings are disjointed and the massing is reflective of an office in CBD Sydney rather than an educational establishment that exemplifies sustainability.
13. CI 4.2.2 iii) the building severs the open gathering space to the south from High Street to the north. This open space area is identified as a major contributor to sense of place in accordance with Figure 5.1 and requires a view corridor to be maintained from the street in accordance with Figure 5.2. In this regard, the western setback to the pedestrian entrance should be increased to improve the physical and visual connection from the street, which will also help maintain views through the site to the heritage conservation area. Further the vehicular access severs the main pedestrian access, which is highly undesirable.
14. CI 4.2.6, 2. An adaptive layout for potential future use of rooms has not been demonstrated.
15. CI 4.2.6, 3. The building has not been optimally designed to relate to the scale, use and amenity of the campus, does not minimise overshadowing, transparent and active ground floor, and visible through-routes.
16. CI 4.2.6, 7. v) permits a maximum wall height of 24m in accordance with Figure 5.8, allowing plant and equipment above the wall height only. The eastern section of building grossly exceeds this, adversely impacting solar access to southern (and potentially eastern open space areas) that are identified as "generously sunlit campus space at mid-winter" in accordance with Figure 5.8. Should the taller section of the building comply with the RDCP (25m wall height) and adopt a more sensitive design by stepping down to the lower height of existing buildings to the south, amenity will be improved.
17. CI 4.2.6, 7. xiv) & xv) requires a view impact assessment for buildings over 20m in height, and urban design analysis for buildings over 40m in height demonstrating the proposals' relationship with the public domain from vantage points around the campus. This was not provided as part of the supporting documentation, therefore a full and complete assessment cannot be carried out nor the extent of impacts understood.

18. Cl 4.2.8 identifies the area as being suitable for a childcare centre in accordance with figure 5.11. This option should be explored as part of the proposed uses that are ancillary to the educational establishment.

Objection - Section 7.12 Contributions

19. The SSDA seeks an Exemption or Reduced / partial payment of S7.12 contributions payable under Council's (2015) s94A plan. The reasons listed are outlined on page 31 of the EIS prepared by Urbis.
20. The development should not be exempt from Council's exemption criteria in cl.13 of the S94A (2015) development contributions plan for the reasons outlined further below. The reasons outlined in the EIS for Supporting an Exemption or Reduced Levy include:
- The development does not increase the demand for public facilities and services; and
 - The University provides significant public benefits, as a registered not-for-profit organisation, educational facility and nominated charity.
21. Council officers have reviewed the justification and in response provide the following information:
- Council has consistently considered that development by the University falls under the provisions of Council's S94A (s7.12) Contributions Plan. While it is recognised that the University holds a prominent role in Randwick City, and that the large number of staff and students provide flow-on economic benefits to surrounding businesses and town centres, the University also places heavy demands on, and benefits from the public services and facilities provided by Council. These include on-street parking provision and management, local roads and public domain infrastructure, open space and community facilities and services.
 - The underlying purpose of Council's S94A Plan is to obtain funding from development activities that increase the demand for Council-provided public facilities or services such as a University, and applies across a wide range of development types, including residential, commercial, accommodation, educational and retail development.
 - Randwick City Council's s94A contributions plan is not a nexus-based plan. The Plan applies a flat percentage-based contribution to all development over a nominated value (1% for all developments over \$200,000), with limited exceptions (for example, charities and seniors housing).
 - The University is considered a 'business' providing education on a fee-for-service basis, and as such does not meet the types of development or works to be exempted under the plan.
 - Development by the Crown are not automatically exempt from payments under the S94A plan.
22. In relation to an offer of a partial payment, Council's position has consistently been to apply the total contribution payable under the S94A plan being 1% of the development costs for the reasons outlined above. The total cost of works (as outlined in the quantity surveyors report in Appendix B) is \$132,690,000 therefore a s7.12 contribution of \$1,326,900 is payable (and is reflected in the attached recommended conditions).
23. In relation to the spending of monies collected under s94A, Council identifies priority areas and works for delivery and Council reviews its schedule of works in its plan, as required. Specifically, Council has invested in infrastructure and works which has directly benefited

the University over and above the total amount of development contributions collected to date from UNSW. Further, Council regularly meets with UNSW in relation to the Collaboration Area and its future needs of the precinct. Funding to implement a range of public benefits including public domain improvements is one of the key actions of the Randwick Collaboration Place strategy and Council officers will continue to work with UNSW to deliver on these actions.

Comment - Landscape

24. The submission seeks the removal of eight trees, comprising:

- T007, a 5m tall Bottlebrush towards the northwest site corner;
- T309, a stand-alone, 15m tall Brown Pine near the northeast site corner,
- T320 & 322-326, 15-20m tall Tallowoods, along the western boundary, near the northwest site corner, which while having a presence due to a combination of their size and quantity, are a common, non-endemic species.

25. Consistent with past advice, due to the scope of works involved with this SSD, none of these trees will pose a material constraint, with the replacement strategy for the loss of these 3 small trees and 5 large trees nominated to be 2 medium sized trees and 5 large canopy trees, which (in time), will result in a net-gain of overall canopy cover, so is considered an acceptable outcome as all of these trees are deemed the least significant of those that are in and around the works zone.

26. The 5 listed for retention are:

- T310: a 9m tall Brown Pine towards the northeast site corner, which will minimise any loss of amenity along the streetscape arising from the removal of T309, which is just to its east;
- T311-312 & 319: three mature Moreton Bay Figs, of enormous dimensions of between 14-20m x 16-25m, which are the dominant feature of this entire streetscape, and are all included in Council's Register of Significant Trees as Items 35 aai – aak;
- T321: a mature, 16m x 16m Hills Weeping Fig, right in the northwest site corner, which is listed as an 'associate planting' in the Significant Register, so also contributes to the presence of significant trees along this frontage.

27. Consistent with past advice, the strategic retention of these 4 most significant trees is non-negotiable and will be possible based on the information provided, with relevant protection measures provided.

Comment - Traffic and Parking

28. The proposal is not expected to impact the operation of the local road network. Reasons for this include:

- No increase in parking on the campus is proposed as part of the project
- Time restricted parking areas (including paid parking) are closely managed and enforced by Randwick Council and UNSW;
- Recent travel surveys have indicated that over three quarters of staff and students currently use non-car modes of transport (mostly public transport) to access the campus;

- Given that the proposed development does not itself involve any increase to student or staff numbers or staff at the campus, and no additional parking will be available, there will be no increase in site traffic generation resulting from the proposal;
- No roads are proposed to be closed during construction and completion; and
- Vehicular site access into UNSW is to be retained via Gate 8 on High Street. Due to the above factors, no traffic modelling was undertaken for the proposal. Further, no infrastructure will be required to ameliorate any impacts on the road network as a result of the proposed development. This approach was discussed with Transport for NSW during consultation undertaken for this project, with no objection raised.

Comment - Drainage

29. The proposed development must drain in general accordance with the UNSW 2025 Stormwater Strategy Management Plan (July 2017).
30. The development site straddles 3 existing stormwater sub-catchments as per the 2025 Stormwater Strategy Master Plan. Two sub-catchments (coded B2 & D3) drain stormwater towards High Street to the north and one (coded A1) drains stormwater within the campus to the south west.
31. The majority of stormwater rainfall and runoff within the development site drains towards the UNSW Village Green located in the south west of the campus. Water quality measures and an infiltration device in this location permit clean water to drain into the underlying aquifer.
32. This existing situation will be maintained as part of the B22 development. Minor alterations to the local drainage will be undertaken to service the new building and redirect a greater proportion of the site stormwater runoff to the Village Green.
33. This approach has a dual benefit of increasing the quantity of water drained into the aquifer via the Village Green infiltration device and decreasing the quantity of water discharged to Council's systems on High Street, thereby reducing downstream flood risk.
34. Existing stormwater infrastructure in the Library Lawn area will be replaced and upgraded with new infrastructure designed to service the B22 building.
35. The applicant's consultants propose the B22 development site be drained into an existing 375 mm trunk line flowing to the west of the Library Lawn. The Library Lawn will act as on site detention (OSD) and provided temporary surface storage in large storm events that exceed the capacity of the downstream systems.

I trust that Council's comments will be taken into consideration for this proposal. Should you have any questions regarding the submission, please contact William Jones, Senior Town Planner, on 9093 6919.

Yours sincerely,



William Jones

Senior Town Planner – Randwick City Council