

***University of New South Wales C25 Cancer
Research Facility***

High Street, Kensington Campus

***Proposed by Conics (Sydney) Pty Ltd on
behalf of the University of New South Wales***



Modification MP 06_0281 MOD 1

Modification of Minister's Approval under Section
75W of the *Environmental Planning and
Assessment Act 1979*

April 2010

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1. EXECUTIVE SUMMARY

The University of New South Wales (the Proponent) lodged an application to modify the Part 3A project approval MP 06_0281, pursuant to section 75W of the *Environmental Planning and Assessment Act 1979* (the EP&A Act), requesting approval for the installation of a gas fired co-generation electrical plant on the roof of the C25 Cancer Research Building within the grounds of the University of NSW.

On 13 October 2006, the Director General delegated his functions under Part 3A and 1A of the *Environmental Planning and Assessment Act 1979* to Randwick City Council for projects relating to MP 06_0281 - C25 Cancer Centre at UNSW. The powers of delegation included Randwick City Council to undertake the assessment of applications pursuant to Section 75W of the Act. Council has prepared this report, in consultation with the Department.

Overall the proposed installation of the co-generation electrical plant is supported. The appearance of the development will be similar to that which has been approved and there will be no significant adverse external impacts associated with the installation of the proposed co-generation plant.

2. THE SITE

The University of NSW is located primarily on Anzac Parade, Kensington, with frontages also to High Street, Barker Street, and Botany Street. The site is located within the Randwick City Council Local Government Area (see **Figure 1 & 2**), and is approximately 9 kilometres south east from the Sydney CBD.

The subject site is located near the north-eastern corner of the UNSW Kensington Campus on High Street adjacent to Gate 9. It is bounded by High Street to the north and the campus grounds to the west, south and east.



Figure 1: The subject site



Figure 2: Location of proposal within UNSW Kensington Campus.

3. MAJOR PROJECT APPROVAL

Original Major Project Approval MP06_0281

The original approved development (MP06_0281 - UNSW C25 Cancer Research Centre) was approved on 20 June 2007. No previous modifications have been sought for this development. The following elements were included within the initial approval of the project:

- A 6-storey building containing:
 - 2 levels of biological research, plant and equipment (basement and lower ground)
 - 4 levels of general research laboratories, support space and write-up areas (ground and levels 1-3).
 - 2 levels of dry laboratory space and administration offices (levels 4 and 5).
- Rooftop plant;
- A new service tunnel connecting the lower ground levels of the proposed building and the Biological Sciences Building;
- Storage and waste rooms at the lower ground level of Biological Sciences Building;
- Refurbishment of the western façade of the Wallace Wurth Building;
- Removal of trees;
- Landscape works to the Michael Birt Gardens, Chancellery Forecourt and the High Street frontage;
- Extension of surface carparking in Chancellery Forecourt;
- Minor realignment of Gate 9 to the west;
- Repositioning of the existing pedestrian crossing to the east; and
- Associated pavement works

The Proposed Modification (MOD1)

The proposed modification to the existing approval includes the following:

- An eastern co-generation plant - A 1.6m x 12.5m x 1.5m high structure, setback 2.9m from the northern façade and 4.3m from the southern façade, not projecting above the parapet height; and
- A western co-generation plant – A 2.7m x 12.5m x 3.1m high structure, set back 2.9m from the northern façade and 4.m from the southern façade with a roof mounted silencer and flue extending 2.9m above main elevation of the plant roof, 3.85m above the northern parapet.

The proposed amendments result in minor modifications to the terms of the existing approval, without substantial change to the approved design of the building. The proposed modifications have arisen as a result of service infrastructure development, necessitating changes to the placement and size of the rooftop services.

The Proponent has advised both Randwick City Council and the Department that the proposed modifications will alter the primary power source of the subject building. Surplus electricity generated from the co-generation plant will be supplied to the UNSW power grid when available.

4. STATUTORY CONTEXT

Modification of Minister's Approval

On 13 October 2006, the Director General delegated his functions conferred under Part 3A and 1A of the Act to Randwick City Council, in specific relation to MP 06_0281 - C25 Cancer Research Center, to be constructed within the UNSW Kensington Campus.

The subject modification was lodged under delegation to Randwick City Council, pursuant to s75W of the EP&A Act. Section 75W provides for the modification of a Minister's approval including *"revoking or varying a condition of the approval or imposing an additional condition of the approval"*.

Environmental Assessment Requirements (DGR's)

It is not required to notify the Proponent of any environmental assessment requirements pursuant to s75W(3) of the EP&A Act with respect to the proposed modification, as sufficient information has been provided to Randwick City Council and the Department in order to consider the application and the issues presented remain consistent with the key assessment requirements addressed in the original DGR's.

Consultation and Exhibition

Under 75W of the EP&A Act, a request for a modification of an approval does not require public exhibition. However, under s75X(2) (f) of the EP&A Act, the Director General is to make publicly available requests for modifications of approvals given by the Minister. In accordance with clause 8G of the *Environmental Planning and Assessment Regulation 2000*, the request for the modification was placed on the Department's website.

5. CONSIDERATION OF PROPOSED MODIFICATIONS

The proposed gas fired co-generation electrical plant will have a maximum height that will be lower than the roof plant and equipment previously approved for the project. Additionally, the proposed structures demonstrate adequate setbacks from the sides of the building and the materials and finishes of the proposed plant structures will remain consistent with the original project approval. Accordingly, the proposed plant rooms will not detract from the architectural design of the approved building nor result in any detrimental impact on the visual amenity of the streetscape.

Noise and vibration attenuation measures approved under the original Project will remain applicable to the proposed co-generation plant. Additionally, the proposed plant will not give rise to any adverse impact on surrounding properties in terms of overshadowing, overlooking or view loss.

Overall, the appearance of the development will be similar to that which has been approved. There will be no significant adverse external impacts associated with the installation of the proposed co-generation plant.

6. CONSULTATION AND EXHIBITION

Under Section 75W of the Act, a request for a modification of an approval does not require public exhibition. However, under Section 75X (2) (f) of the Act, the Director-General is to make publicly available requests for modifications of approvals given by the Minister. In accordance with Clause 8G of the *Environmental Planning and Assessment Regulation 2000*, the request for the modification was placed on the Department's website.

Given the minor nature of the application, the modification was not referred to any statutory bodies.

7. MODIFICATIONS TO CONDITIONS OF APPROVAL

Additional Conditions of Approval are recommended to address issues including air quality. These are included at **Tag 'A'**.

8. CONCLUSION

The proposed modification is minor and does not result in significant change to the overall development as approved. The modification sought through this application does not significantly alter the design of the building, nor demonstrate any unreasonable impact towards the surrounding natural or built environments. The proposed development remains consistent with the terms of MP06_0281 as modified and is therefore considered to be acceptable.

It is therefore recommended that the modification be approved subject to additional conditions.

9. RECOMMENDATION

Under the instrument of delegation dated 25 January 2010, the Minister has delegated his functions under section 75W of the Act relating to modifying Part 3A approvals to the Director, Metropolitan Projects.

It is recommended that the Director, Metropolitan Projects in accordance with the Instrument of Delegation issued by the Minister for Planning, on 25 January 2010, pursuant to Section 75W of the *Environmental Planning and Assessment Act 1979*:

- (a) **Consider** the findings and recommendations of this report; and
- (b) **Approve** the modification, subject to conditions, under Section 75W of the *Environmental Planning and Assessment Act, 1979*; and
- (c) **Sign** the attached Instrument of Modification (Tag 'B').

Prepared by:



for David Ongkilli
Planner, Randwick City Council
(Under Delegation dated 13/10/06)

Endorsed by:



Michael Woodland
Director, Metropolitan Projects

7/4/2010