

09572
1 December 2009

Mr Sam Haddad
Director General
NSW Department of Planning
GPO Box 39
SYDNEY NSW 2001

Attention: Michael File

Dear Mr Haddad

**PRELIMINARY ENVIRONMENTAL ASSESSMENT - THOMAS STREET BUILDING, UTS
BROADWAY
THOMAS STREET, ULTIMO, LOTS 2003 & 2004 IN DP 1053548**

We are writing on behalf of the University of Technology Sydney (UTS), the proponent for the development of the Thomas Street Building located in the Broadway Precinct of the UTS City Campus.

The purpose of this letter is to request that you issue your requirements for the preparation of an Environmental Assessment to accompany a Project Application for the proposed development.

This letter outlines the project, describes the site and the locality, and provides the statutory planning context. To support the request for the Director-General's Requirements (DGRs), a Preliminary Environmental Assessment (PEA) of the project identifying the key likely environmental planning issues associated with the proposal follows.

1.0 BACKGROUND TO THE PROJECT

UTS lodged an Environmental Assessment Report for the Concept Plan for the development of the Broadway Precinct of the City Campus with the Department of Planning (DOP) in May 2009 (MP08_0116), and the Preferred Project Report in October 2009. The Concept Plan is currently under assessment. It comprises several new development sites on the campus including the Thomas Street Building (see **Figure 1** and **Attachment 1**).

At this stage, the university wishes to commence constructing the Thomas Street Building in January 2011 and, in accordance its commitment to design excellence, will undertake a Design Competition for the new building in 2010. The DGRs are intended to form part of the brief for the shortlisted entrants undertaking Stage 2 of the competition. Construction will be completed by June 2012.

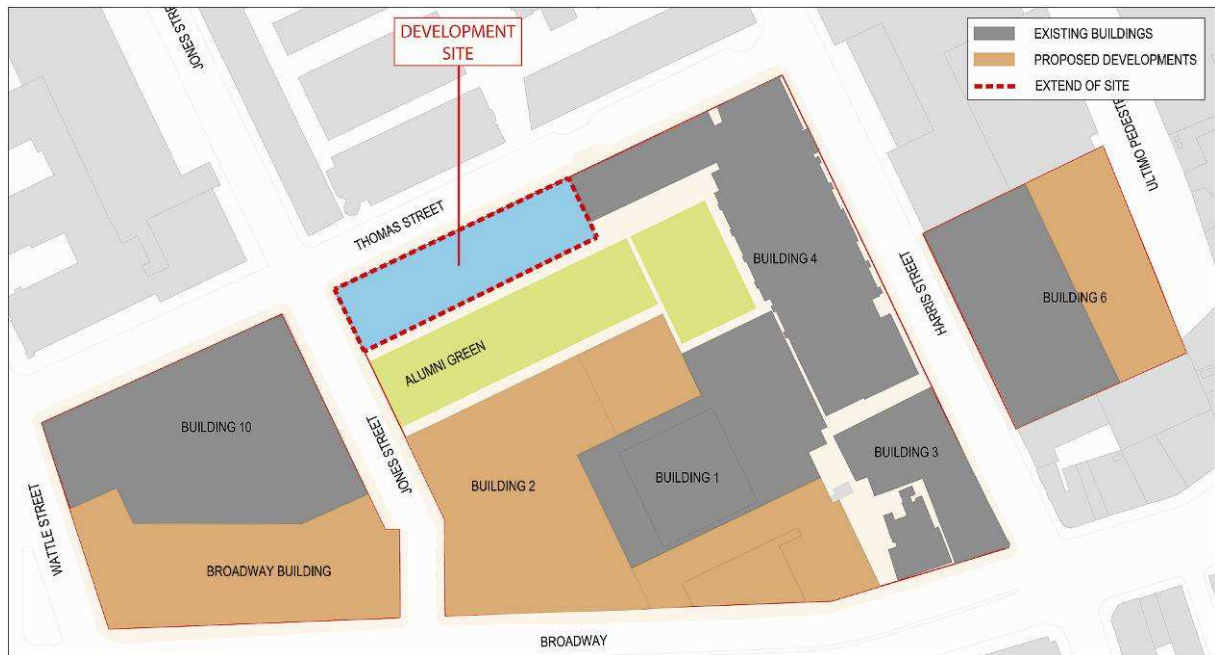


Figure 1 – Development site

2.0 THE PROJECT

2.1 Proposed works

The new 10,000 square metre Thomas Street Building will accommodate research offices and laboratories, teaching space, and faculty space, as well as possibly an art gallery and café at ground level on Thomas Street, and a connection through to Alumni Green.

As illustrated in the attached plans, the building will have a maximum height of approximately 27.10 metres (under SLEP 2005) adjacent to Building 4 and 18.05 metres at the Jones Street edge, or 33.3 metres and 23.70 metres respectively in accordance with the Standard Instrument - Principal Local Environmental Plan. The majority of the building will be limited to four storeys above ground. There will be two basement levels and the service entry off Thomas Street to Buildings 1 and 2 will be retained and incorporated into the design.

The Thomas Street Building has been deliberately scaled to ensure solar access to Alumni Green during winter months. The maximum height of 27.10 metres is comparable to that of the adjacent Building 4 and the proposed extensions to Buildings 1 and 2 on the southern side of Alumni Green. The step down to 18.50 metres at Jones Street will provide at least 10 metres of sun to Alumni Green at 12 noon at the winter solstice. A lift will be installed towards the eastern end of the building to provide a new connection to Building 4 and the height of the lift overrun has also been limited to maintain solar access to Alumni Green.

As the design will be the subject of a Design Excellence Competition, further details of the building design cannot be provided at this stage. However the development will be guided by the building envelope and the Design Quality Controls established in the Concept Plan.

2.2 Capital Investment Value

The capital investment value of the project is approximately \$44 million.

3.0 THE SITE AND LOCALITY

3.1 The site and existing development

The Broadway Precinct of the UTS City Campus is located on the southern edge of the Sydney Central Business District with frontages to Broadway, and Thomas, Wattle and Harris Streets (see **Figure 2**). As illustrated in **Figures 1 and 2** the site is rectangular in shape and has street frontages to Thomas Street to the north and Jones Street to the west. Alumni Green, to be landscaped as a significant open space on the campus, is to the south of the site, while the existing Building 4 is to the east. The land is currently vacant and was previously part occupied by the now demolished former TAFE NSW Building T.

Total site area is approximately 2,120 square metres. The land is part of two lots owned by UTS legally described as Lots 2003 and 2004 in DP 1053548.



Figure 2 - The site and surrounds

3.2 The locality

The site is surrounded by a mix of medium to high rise commercial, residential, cultural and education buildings of no consistent scale or design. Opposite, on the northern side of Thomas Street are the buildings associated with the Sydney Institute of TAFE, and beyond this the light industrial and commercial precinct of Ultimo.

To the immediate south, east and west of the site are the various buildings that make up the UTS Broadway Precinct. Significant developments beyond the campus are the Frasers Broadway site on the southern side of Broadway, Central Railway station and Railway Square bus interchange, and the ABC headquarters on Harris Street.

4.0 RELEVANT PLANNING PROVISIONS

The following strategic plans, state and local environmental planning instruments, and development control plans apply to the proposed development:

- Metropolitan Strategy;
- Draft Sydney City Subregional Strategy;
- Sydney 2030;
- NSW State Plan;
- State Environmental Planning Policy (Major Development) 2005;
- State Environmental Planning Policy (Infrastructure) 2007 (possibly, in relation to traffic generating development);
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005;
- Sydney Local Environmental Plan 2005;
- City of Sydney Access Development Control Plan 2004;
- Draft City of Sydney Ecologically Sustainable Development – Development Control Plan;
- Urban Development Plan for Ultimo Pyrmont.

The following is a summary of the relevant local planning provisions that apply to the site.

4.1 Zoning and Permissibility

Sydney Local Environmental Plan 2005 (SLEP) is the principal local environmental planning instrument applying to the site and contains planning principles, key development standards, land use zones and zone objectives for Ultimo-Pyrmont.

The site is zoned **Residential-Business** under SLEP 2005 (see **Figure 3**). Uses that are consistent with one or more of the zone objectives are permissible with development consent in the zone. None of the zone objectives are directly or specifically relevant to the proposed educational use, however it is noted that the UTS Broadway Precinct is a significant educational use in the zone and the locality, and the proposed development would not be inconsistent or out of character with the zone. It is entirely consistent with the Concept Plan currently being assessed by the Department of Planning.

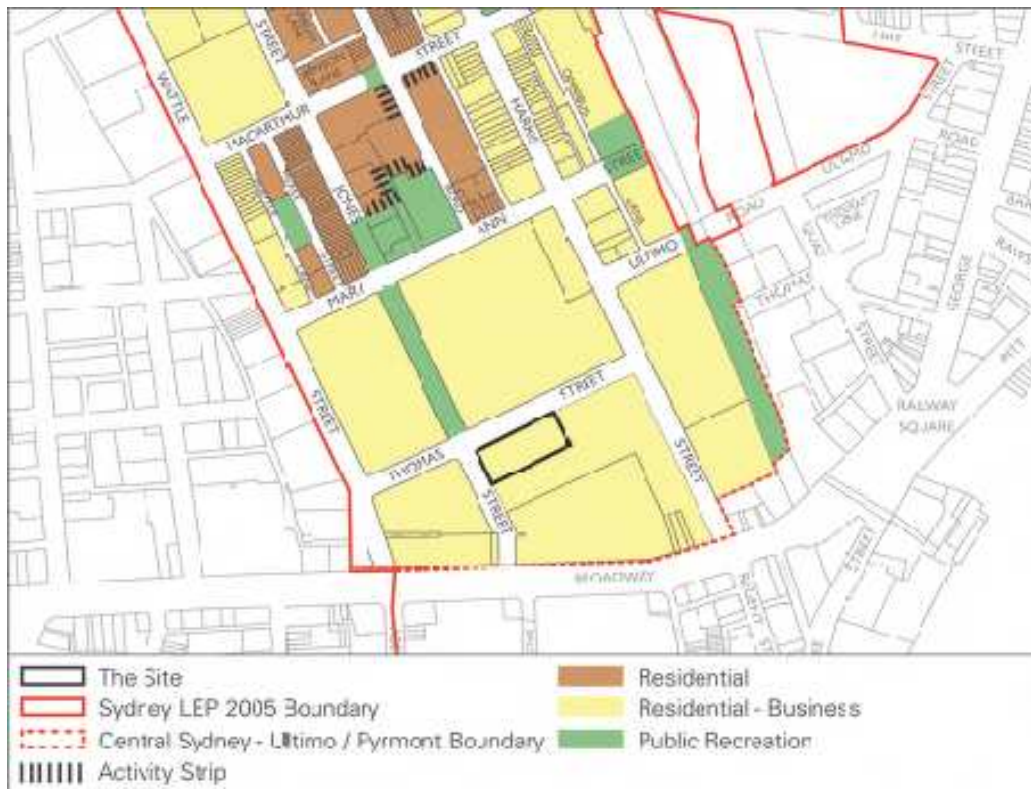


Figure 3 - SLEP 2005: zoning extract

In addition, SLEP 2005 has a range of planning principles applicable to development in Ultimo-Pyrmont - of specific relevance to the proposal are the following principles:

- Role and land use activities:
 - Development is to provide for a significant increase in residential population in a mixed-use development pattern also accommodating employment, **educational** (our emphasis) and other uses;
 - Uses at the ground level of buildings fronting the public domain should complement the functions of the public domain; and
 - Where possible, development is to make use of existing under-utilised buildings and large areas of land which are either vacant or occupied by out of date facilities.
- Education:
 - Development relating to educational establishments should be based on strategies for their growth and response to technological and other changes, and their integration with surrounding development.

The proposed development is consistent with the above principles.

4.2 Development standards

The following development standards in SLEP 2005 apply to the Residential-Business zone:

- Maximum building height (Clause 93): 42 metres;
- Floor space ratio (FSR) for business uses in non-master planned areas (Clause 99): 5.0:1.

The development will be in accordance with the building envelope proposed in the Concept Plan. With a maximum height of 27.10 metres, the new structures will be well within the LEP height standard. In relation to FSR, the Concept Plan proposed that FSR for the development of the Broadway Precinct be calculated across the whole of the Precinct which in total complies with the FSR control. The approximate additional floor space of 10,000 square metres will be within the proposed maximum for the Precinct.

4.3 Development Controls

The Urban Development Plan for the Ultimo Pyrmont Precinct – 1999 Update provides detailed planning and urban design principles for the locality, and establishes controls in relation to building envelopes, setbacks, corner articulation and the like.

5.0 MAJOR DEVELOPMENT SEPP 2005

Clause 6(1) of the Major Development SEPP provides that development that, in the opinion of the Minister, is development of a kind described in Schedule 1 (Classes of Development) is declared to be a project to which Part 3A of the *Environmental Planning and Assessment Act* (EP&A Act) applies.

‘Educational facilities’ are covered in Clause 18 of Schedule 1 as follows: “Development for the purposes of teaching or research (including universities, TAFE or schools) that has a capital investment value of more than \$30 million”.

The proposed development is part of the Concept Plan for the UTS City Campus which the Minister determined to be a Major Project on 4 September 2008. The proposed Project Application is considered to be authorised within the scope of the Concept Plan and is therefore a development to which Part 3A of the EP&A Act applies.

The following Preliminary Environmental Assessment to support the request for the Director-General’s Requirements provides details about the key likely environmental and planning issues associated with the proposal.

6.0 PRELIMINARY ENVIRONMENTAL ASSESSMENT

This section outlines the key environmental issues and impacts which could potentially arise from the proposed development. Each is summarised below and will be addressed in detail in the Environmental Assessment Report (EAR) that will accompany the Project Application.

As described below there are very few environmental issues associated with the proposal, and all can be managed and/or mitigated through building design or construction management. Nor are there any social and economic issues associated with the proposed development which augments and expands an existing educational use. As discussed above, the use is permissible within the zone and the development will comply with relevant planning provisions and development controls.

The following environmental issues – in no particular order – are relevant to the development of the site:

- visual impact;
- overshadowing;
- contamination; and
- construction traffic and noise.

6.1 Visual impact

The development of the Thomas Street Building will result in upper level views to Alumni Green from the Sydney Institute of TAFE and from the street near the intersection of Jones and Thomas Streets being replaced by built form. However, the northern boundary to the Precinct will be improved through the introduction of active uses on Thomas Street. The roof of the building will be visible from existing taller buildings in the immediate locality, such as the Sydney Institute of TAFE, and UTS Buildings 1 and 10. UTS will undertake a full visual impact assessment of the development for the project application.

6.2 Overshadowing

As described earlier, the envelope of the proposed development has been scaled to minimise overshadowing of Alumni Green during winter. A full shadow impact study of the development will be undertaken for the project application.

6.3 Contamination

Historical records indicate that when the site was filled in the past to alter site levels following the demolition of former Building T (part of the current site) the fill material used may have contained potential contaminants. To verify this and identify any adverse contamination impacts, UTS will undertake a Stage 2 Environmental Assessment of the site including soil and groundwater sampling. Management and mitigation, if required, will be a function of the outputs of these investigations.

6.4 Construction traffic and noise

The construction of the Thomas Street Building will take place over an approximate 18 month period. A Construction Management Plan, including sub plans in relation to construction traffic and noise, will be developed to manage and mitigate any impacts of the development.

7.0 CONCLUSION

We trust that the above information is sufficient to enable the issuing of the DGRs for the preparation of the necessary Environmental Assessment.

We look forward to your early response as UTS would like to incorporate the DGRs in the Design Competition brief. Should you have any queries or require further information, please do not hesitate to contact me on 9409 4927 or vgoldschmidt@jbaplanning.com.au.

Yours sincerely



Vivienne Goldschmidt
Associate

Attachments