



**MODIFICATION REQUEST:
*The University of Sydney Campus
Improvement Program Concept Proposal
(SSD 6123 MOD 1)***

- Minor modification to development description;
- Modify condition *A4 Determination of Future Applications*; and
- Minor modification to condition *B13 Heritage* to reference correct building identification number.

Secretary's Environmental Assessment Report
Section 96 of the *Environmental Planning and
Assessment Act 1979*

June 2015

© Crown copyright 2015
Published June 2015
NSW Department of Planning & Environment
www.planning.nsw.gov.au

Disclaimer:

While every reasonable effort has been made to ensure that this document is correct at the time of publication, the State of New South Wales, its agents and employees, disclaim any and all liability to any person in respect of anything or the consequences of anything done or omitted to be done in reliance upon the whole or any part of this document.

1. BACKGROUND

On 16 February 2015, the then Minister for Planning approved the State significant development (SSD) application for a staged concept proposal, known as The University of Sydney Campus Improvement Program (CIP) at the Camperdown and Darlington Campuses of The University of Sydney. The approved staged concept proposal comprises:

- the establishment of a range of land uses in support of the University's role as an 'educational establishment (with incidental and ancillary uses including student accommodation, retail, commercial and recreation facilities)';
- the establishment of six CIP precincts, comprising building envelopes and design guidelines, providing for up to approximately 264,650 sqm of additional GFA;
- access arrangements, parking and servicing arrangements, vehicle/pedestrian/cycle prioritisation and connectivity, open space, landscaping, public art and future infrastructure provisions;
- the demolition, refurbishment and adaptive re-use of existing buildings;
- an increase of approximately 10,000 students (20 per cent increase) and 400 full-time equivalent staff (five per cent increase) by 2020, including future accommodation for up to 4,000 students on campus; and
- a total future campus parking provision of 2,800 spaces (+443 spaces).

The location and approved CIP Precinct are shown in **Figures 1 and 2**, respectively. No approval was granted for works. To date, one development application under the CIP has been approved by the City of Sydney for the development of a new University Oval No.2 grandstand.

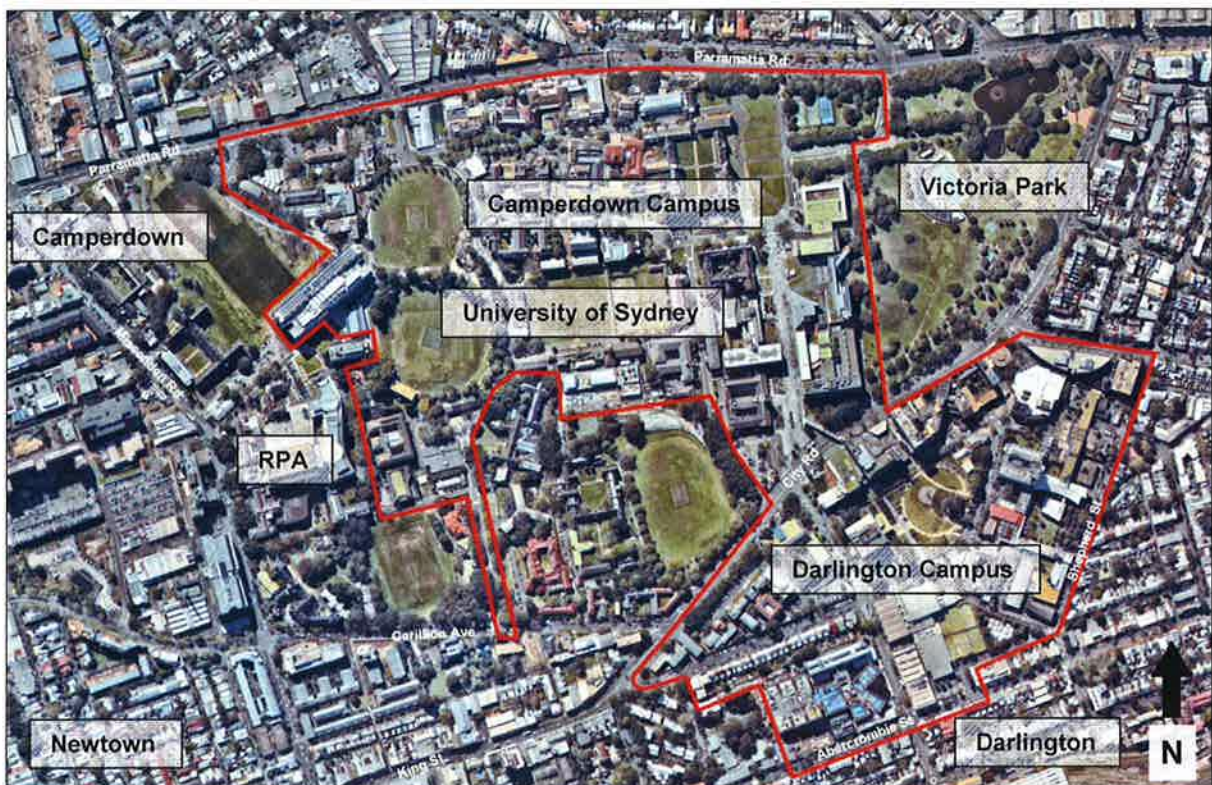


Figure 1: Site Location

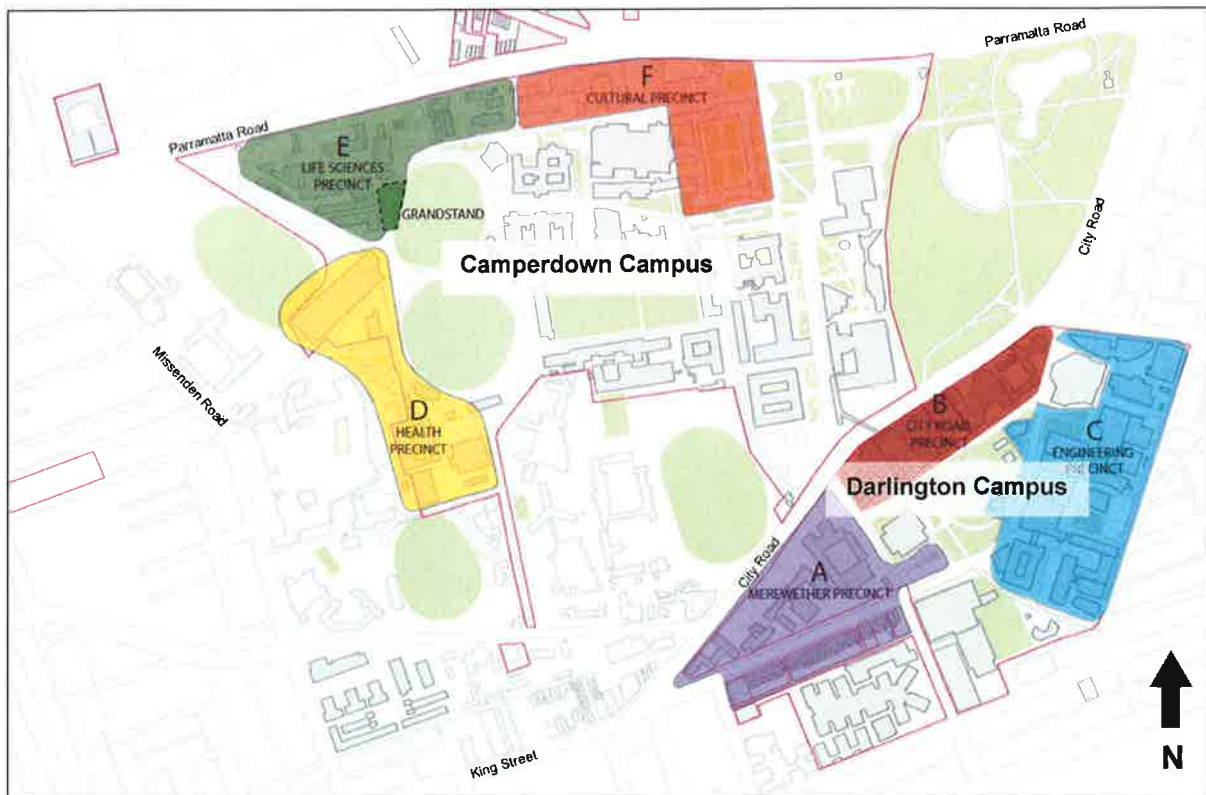


Figure 2: Approved CIP Precinct Layout

2. PROPOSED MODIFICATION

The applicant is seeking to modify the development consent as follows:

- Modification of the development description in Schedule 1 to include reference to "building envelopes" in the second bullet point, as shown in bold and strikethrough below:
 - *Maximum additional gross floor area of 264,650 sqm within identified Campus Improvement Program precincts **building envelopes**;*
- Modification to condition A4 *Determination of Future Applications*, as shown in bold and strikethrough below:

A4. *This approval does not preclude additional development ~~outside identified Campus Improvement Program precincts~~, subject to future approval (where required) and the demonstration of satisfactory environmental impacts, **where such development:***

 - a) ***is located outside of the identified Campus Improvement Program precincts; or***
 - b) ***is located outside of the identified Campus Improvement Program building envelopes (but within identified precinct areas) and constitutes smaller scaled development including internal and minor external alterations and additions to existing University buildings, minor infill development, external structures such as café or student service kiosks, and the like.***
- Modification to condition B13 *Heritage* to reference the correct University building number for International House (G06, not G08).

3. STATUTORY CONTEXT

3.1 Modification of the Minister's Approval

The modification application has been lodged with the Department of Planning and Environment (the Department) under section 96(1) of the EP&A Act.

Section 96(1) of the EP&A Act provides that a consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify a development consent to correct a minor error, misdescription or miscalculation.

The proposed s.96(1) application seeks to amend misdescriptions within the development consent to provide better clarity for future development applications and to correct the building reference number of International House.

3.2 Delegated Authority

Under the Minister's Delegation dated 16 February 2015, the Director, Infrastructure can determine the modification applications as: the City of Sydney has not objected to the proposed modification; a political disclosure statement has not been made for the application; and no public submissions were received objecting to the proposed amendments.

4. CONSULTATION AND SUBMISSIONS

The application was notified in accordance with the Environmental Planning and Assessment Regulation 2000. The application was made publicly available on the Department's website.

The City of Sydney (Council) were notified of the proposed modification and at the time of writing this report, no submission had been received raising any objections.

5. ASSESSMENT

The key assessment issue for the modification application primarily relates to the amended wording of condition *A4 Determination of Future Applications* and implications that this would have on future development within the University and consistency with the approved concept proposal.

The applicant states that while the concept approval applies to the whole of the Camperdown and Darlington Campuses and that the approved building envelopes provide for major new future built form, the CIP was not intended to restrict or exclude other minor development (with negligible environmental impacts) within the CIP Precincts. In this respect, the applicant contends that the current wording of condition A4 could be interpreted to restrict other non-building envelope development within the CIP Precincts and therefore be contrary to the intent of the development approval.

The Department original intention with condition A4 was to clearly outline that the approved concept proposal did not restrict or preclude development within areas not contemplated by the CIP (i.e. areas outside of the six identified precincts), provided that it could be demonstrated that any future development is not inconsistent with the approved concept proposal (as required by s.83D(2) of the EP&A Act).

It is acknowledged however, that the current wording could be interpreted to restrict more minor and non-consequential alterations and additions to existing University buildings that are identified within the CIP Precincts, but outside of the building envelope boundaries. In this regard, the Department has considered the applicant's request and considers that the proposed amendments to the development description and condition A4 are minor in the context of the approved concept proposal, and that the intent of the condition and the integrity of the concept proposal would remain intact. The revised wording would also provide the University with more certainty to enable minor works within these precincts, while remaining not inconsistent with the approved concept proposal. Importantly, the proposed amended wording does not allow for large scale, transformative developments to occur within the identified CIP Precincts beyond that already contemplated by the approved

building envelopes, which the Department would not consider to be consistent with the existing approval.

The proposed amendment to condition B13 to correctly reference International House is considered acceptable and would assist in ensuring that digital photographic archival recording and documentation is correctly undertaken as part of any future development application involving International House.

6. CONCLUSION

The Department has reviewed the modification request and consulted with Council. All the relevant environmental issues associated with the modifications have been assessed.

The proposed amendments to the development description in Schedule 1 and conditions A4 and B13 are considered minor and provide greater clarity to the applicant and future consent authority with regard to the consideration of future development outside of the CIP building envelopes, but within the CIP Precincts.

The Department is of the opinion that the modification of the concept proposal is in the public interest as it would not give rise to adverse environmental impacts. Consequently, the Department recommends that the modification be approved.

7. RECOMMENDATION

It is recommended that the Director, Infrastructure:

- note the information provided in this report;
- approve the modification request; and
- sign the attached modifying instrument (**Appendix B**).

Prepared by:



Peter McManus
Senior Planner
Social Infrastructure

Endorsed by:



David Gibson
Team Leader
Social Infrastructure