

University of Technology Sydney
New Research Building
UTS Blackfriars Precinct
2-14 Buckland Street, Chippendale NSW

State Significant Development SSD 6746
Stage 1 Development Application (Use
and Envelope)

Response to Submissions



Issue

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Cover Image: Envelope photomontage from Broadway, Source H2o Architects Pty Ltd

Executive Summary

The exhibition of the Stage 1 state significant development application SSD 6746 for the proposed envelope and use for a new research building at the UTS Blackfriars site, 4-12 Buckland Street, Chippendale ended on 7 February 2016.

In accordance with clause 85A of the Environmental Planning and Assessment Regulation 2000, the Secretary requires the applicant to respond to the issues raised in these submissions.

Submissions were received from the following sources:

- City of Sydney
- Heritage Council
- Transport for NSW
- NSW Environmental Protection Authority
- Three submissions from the University of Notre Dame Australia
- Four submissions from the public

The Department also wrote to the proponent advising of its preliminary assessment identifying a number of key issues to be addressed.

This report, prepared by Urbanac on behalf of the proponent, the University of Technology Sydney, sets out the responses to the issues raised in accordance with Clause 85A of the regulations, and details the final proposal design and final mitigation measures for which approval is sought.

The key issues raised in the submissions can be broadly grouped into the following headings:

- Urban Design
- Heritage
- Environmental and Residential Amenity
- Site Area / Site consolidation
- Flooding

This report provides a detailed response to each of the above issues and outlines the proposed amendments to the proposal as exhibited. Issues raised in submissions but not falling into the above key issue categories have been addressed in a more detailed table responding to all issues at Appendix 1.

Many issues raised in submissions have been identified as being appropriately addressed in the subsequent Stage 2 development application, when the detailed design of the building within the envelope will be considered.

The final proposal includes amendments made by UTS pursuant to Clause 55 of the regulations EP&A to address matters raised in the submissions.

The proposed changes include:

- The proposed envelope has been significantly reduced in order to provide a greater level of certainty about the urban design impacts of the built form that could be built within the envelope, to address heritage concerns, to retain a greater area of landscaping on Buckland Street, and to reduce overshadowing impacts on nearby residential uses and on the UNDA courtyard
- A flooding study has been completed confirming a flood planning level for the ground floor

The changes proposed are considered to result in a development that does not substantially differ from the original application that was publicly exhibited. It is considered that the amended proposal will deliver improvements to urban design, heritage, residential amenity, overshadowing, tree loss, residential amenity, overshadowing and height. All other environmental impacts of the amended proposal remain consistent with the application as exhibited. It is considered that, overall, the amendments result in an improved outcome with reduced impacts still capable of delivering demonstrable public benefits.

The final measures to mitigate the impacts associated with the refined proposal are detailed at Section 3 of this report.

In conclusion, the proposal for the new research building at the UTS Blackfriars site, 4-12 Buckland Street, Chippendale will have significant and long lasting public benefits for Sydney and NSW and contributing to a world class education precinct consistent with the Sydney Central subregional strategy with minimal environmental impacts.

About this Report

This Response To Submissions report has been prepared by Alan Cadogan of Urbanac for the University of Technology Sydney following the exhibition of the Stage 1 state significant development application SSD 6746 for the proposed envelope and use for a new research building at the UTS Blackfriars site, 4-12 Buckland Street, Chippendale.

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Abbreviations

Act	Environmental Planning and Assessment Act 1979
ADG	Apartment Design Guide
CMP	Conservation Management Plan
Council	City of Sydney Council
DA	Development application
Department	Department of Planning and Environment
EIS	Environmental Impact Statement
SLEP	Sydney Local Environment Plan 2012.
Minister	Minister for Planning
Proponent	University of Technology Sydney
Regulations	Environmental Planning and Assessment Regulations 2000
RTS	Response to Submissions
SEARS	Secretary's Environmental Assessment Requirements, issued 18 November 2014
SEPP	State Environmental Planning Policy
SRDSEPP	State Environmental Planning Policy (State and Regional Development) 2011.
ISEPP	State Environmental Planning Policy (Infrastructure) 2007.
E&CSEPP	State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
UNDA	University of Notre Dame, Australia
UTS	University of Technology Sydney

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1 Introduction

1.1 Introduction

The exhibition of the Stage 1 state significant development application SSD 6746 for the proposed envelope and use for a new research building at the UTS Blackfriars site, 4-12 Buckland Street, Chippendale ended on 7 February 2016.

In accordance with clause 85A of the Environmental Planning and Assessment Regulation 2000, the Secretary requires the applicant to respond to the issues raised in these submissions.

Submissions were received from the following sources:

- City of Sydney
- Heritage Council
- Transport for NSW
- NSW Environmental Protection Authority
- Three submissions from the University of Notre Dame Australia
- Four submissions from the public

The Department also wrote to the proponent advising of its preliminary assessment identifying a number of key issues to be addressed.

This report, prepared by Urbanac on behalf of the proponent, sets out the responses to the issues raised in accordance with Clause 85A of the regulations, and details the final proposal design and final mitigation measures for which approval is sought.

1.2 Amendments to the Proposal

UTS and its project team have carefully considered the issues raised by the Department and in submissions.

The proposed envelope has been significantly reduced in order to provide a greater level of certainty about the urban design impacts of the built form that could be built within the envelope. The larger envelope as initially proposed had a 'loose fit' in order to enable a very high degree of flexibility for the design of the final building within the envelope at the time of the Stage 2 application. As a result that envelope represented an overall form that was far greater than the eventual building within the envelope while at the same time lacking any architectural articulation. There was never an intention to build to the full extent of the envelope, with the proposed maximum gross floor area within that envelope limiting the form of the final building.

UTS has now significantly reduced the 'slip' in the envelope to be a much tighter fit to the final building, providing far greater certainty regarding the potential impacts of the final building while still providing space to allow for design articulation. In tightening the envelope UTS has had particular regard to the Department's concerns, the comments by the City of Sydney regarding the appropriate urban form, and the issues raised in submissions. While there is still some flexibility within the proposed envelope, UTS considers that this is at a minimum level.

The envelope has been revised to provide the following features:

- The Buckland Street frontage of the building has been significantly amended with a 9.29m minimum setback that will enable retention of landscaping on the street frontage, including the largest tree on the site, and provide for other landscaping between the proposed building and the former girls school building (CB22), and which responds to the proportions of the girls school

building, and which will retain a larger proportion of the site's perimeter fence and maintain a landscaped setting for the site's heritage buildings

- The part of the envelope with a street frontage alignment (nil setback) to Buckland Street has been reduced. This element will now align with the northern side of Grafton Street. This is considered to be an appropriate urban design response, which helps to reinforce the urban form of Buckland Street while still allowing for a landscaped setting for the heritage items. This form is also considered to be in keeping with the street frontage alignment (nil setback) of the adjacent building to the north (2 Buckland Street) as well as the general built form for the remainder of Buckland Street and throughout Chippendale generally
- The shape of the envelope has been made orthogonal in order to better respond to the heritage buildings on the site, and to reinforce the prominence of the significant internal 'quadrangle'
- The minimum setbacks between the heritage buildings and the envelope have been increased to 8.6m responding to the City of Sydney's preferred urban design diagram
- The height of the proposed envelope has been reduced by a full level and is now 22.060m (30.700m AHD to the top of the lift overrun)
- The extent of envelope for the possible plantroom on the roof has been significantly reduced in order to constrain the likely locations of lift motor rooms and provide greater certainty about visual impacts arising out of the building's height (noting that the final plantroom area is expected to be significantly less than the maximum extent shown on the envelope)
- The Buckland Street frontage has been reduced in height to a maximum of 3 stories, in order to respond to the gutter line of the former girls school building (CB22) and to ensure that the former school remains the most prominent feature of the Buckland Street streetscape
- The envelope is stepped east of the Buckland Street frontage in order to retain solar access to the residential properties opposite the site on Buckland Street and specifically to ensure they continue to receive at least 2 hours of midwinter solar access between 9am and 3pm
- The envelope has been reduced in height and stepped on the eastern boundary with the UNDA campus in order to reduce overshadowing of the UNDA courtyard and to ensure that there is no additional overshadowing of the courtyard until after 2pm in midwinter
- The proposed basement has been constrained to the western side of the site in order to avoid the parts of the site with the highest archaeological potential
- The ground floor level has been raised to 9.67m AHD in order to address potential flooding impacts in accordance with the flood planning level advised by WMAwater Pty Ltd in accordance with the City of Sydney's Interim Floodplain Management Policy
- The overall envelope has been reduced to accommodate a maximum area of approximately 7,543m² with the final building within the envelope to have a maximum of 6,225m² gross floor area.

Overall the amendments have reduced the proposed envelope compared to the envelope as originally submitted and exhibited and all previously identified impacts are considered to have lessened or remained consistent as a result of the changes.

1.3 Consistency with the application as exhibited

The proposal remains consistent with, and does not substantially differ from, the development as originally proposed and exhibited. The proposed amendments have been made in order to address and reduce potential impacts, and the key elements of the proposed development have remained unchanged from those of the proposal as originally submitted.

1.4 Revised Proposal

The revised envelope for which approval is sought in accordance with Clause 55 of the Regulations is described in the Revised Architectural Drawings prepared by H2o Architects Pty Ltd at Appendix 6.

2 Key Issues

2.1 Urban Design

The Department has advised of its concerns regarding the built form impacts on the surrounding locality and character of the site given the bulk and scale of the proposed envelope as lodged and also the minimal setbacks to adjacent buildings and the street. In this regard the Department has advised that measures to mitigate these impacts must include:

- greater separation to adjoining buildings; and
- setback of the envelope from Buckland Street and retention of trees along Buckland Street to retain the landscaped character and setting. This would also ensure that the future building is compatible with the landscaped setting of the heritage items and provides an appropriate relationship that allows the heritage buildings to be properly seen, appreciated and understood within a landscape setting.

Proponent's response

The proposed envelope has been significantly reduced in order to provide a greater level of certainty about the urban design impacts of the built form that could be built within the envelope. The larger envelope as initially proposed had a 'loose fit' in order to enable a very high degree of flexibility for the design of the final building within the envelope at the time of the Stage 2 application. UTS has now significantly reduced the 'slip' in the envelope to be a much tighter fit to the eventual building, providing far greater certainty regarding the potential impacts of the final building. In tightening the envelope UTS has had particular regard to the Department's concerns, the comments by the City of Sydney regarding the appropriate urban form, and the issues raised in submissions.

The envelope has been revised to provide the following features:

- The separation distances between the proposed envelope and the existing heritage buildings have been amended to have a more rectilinear form, with minimum separations that range from 21.725m at the Buckland Street frontage, to 8.6m nearer to the interior of the site, responding to the alignment of the northern face of the former boys school heritage building (CB25) as suggested by the diagram submitted by Council.
- The Buckland Street frontage of the building has been significantly amended with a 9.29m minimum setback extending for 21.725m north of the former girls school building. This setback:
 - provides for retention of the largest tree on the site (tree T35)
 - maintains a landscaping setting and character between the proposed building and the former girls school heritage building (CB22)
 - allows space for the former girls school heritage building (CB22) to be seen from the public domain of Buckland Street
 - responds to the proportions of the former girls school heritage building (CB22)
 - will ensure a minimum of 13m length of the site's perimeter fence is retained north of the former girls school heritage building (CB22).
- The length of the envelope with a street frontage alignment to Buckland Street has been reduced to 19.315m. This street frontage alignment:

- reflects a stronger urban design approach to the site by aligning this element with the warehouse forms on the northern side of Grafton Street establishing a 'gateway' into Buckland Street
- provides an improved interface to the existing building at 2 Buckland Street which has a street frontage alignment (nil setback) and a blank wall built on the side boundary with UTS with no openings or fenestrations
- has a reduced height that responds to the height of the former girls school heritage building (CB22)
- has a stepped form that retains solar access to nearby residential development and specifically ensures that any overshadowing does not reduce midwinter solar access to less than 2 hours between 9am and 3pm for any property on Buckland Street as a result of the proposal
- has a significantly reduced visual impact on Buckland Street, with upper levels stepped back from the street frontage and not directly visible from typical eye-height on the opposite footpath.

2.2 Heritage

The Department has advised of its concerns that the proposed envelope dominates the site and would detract from the heritage elements of the site and does adequately address the relationship between the proposal and the heritage listed former Blackfriars Public School buildings and St Benedict's Church Group. In this regard measures to mitigate these impacts must include:

- reduction in the height of the building envelope to below the gutters of the adjoining heritage significant buildings to ensure the roofline, silhouette and spires of the adjoining heritage buildings are maintained as the prominent features of the skyline from key vantage points external to the site; and
- reconsideration of the geometry of the building envelope to ensure that an orthogonal building would be provided and historical alignments are maintained for the site.

Proponent's response

A heritage assessment by Paul Davies Pty has been provided in relation to the amended proposal (see Appendix 3).

The proposed envelope has been significantly reduced in order to provide a greater level of certainty about the urban design impacts of the built form that could be built within the envelope.

The envelope has been revised to provide the following features:

- The height of the envelope has been amended overall to remove one entire floor
- Within this lower overall form, the envelope geometry has been revised to restrict the built form to an orthogonal form. The orthogonal form:
 - reflects a stronger urban design approach to the creation of a 'cloistered' quadrangle open space within the site between the heritage buildings and the new buildings
 - responds to the alignment of the northern face of the former boys school heritage building (CB25) as suggested by the diagram submitted by the Council
 - responds to the alignment of the former girls school heritage building (CB22)

- has a reduced height on Buckland Street that responds to the height of the former girls school heritage building (CB22) and its gutter height on Buckland Street
- has a reduced height at the eastern boundary interface with the UNDA of 3 storeys, which responds to the gutter heights of the UNDA main building on Abercrombie Street
- has an overall height that responds to the ridgelines of adjacent heritage items with the intention being for the overall building form to be further articulated through the design competitive process for the stage 2 DA to further reduce potential impacts through high quality design, building articulation and the careful use of the final building's materials, fenestration and proportionality
- has a stepped form that maintains solar access impacts to nearby residential development and the UNDA courtyard.

A heritage assessment by Paul Davies Pty has been provided in relation to the amended proposal (see Appendix 3). The heritage assessment states (page 2):

The reduction in height at the boundary is acceptable but not in our view a necessary outcome. Similarly there is no heritage rationale to aligning the height of the building to a particular feature on the heritage buildings. It is unwise to adopt simplistic approaches to locating buildings in the vicinity of a heritage building, rather the context needs to be understood and proposals developed that allow an interface between new and old that can respond siting, form, use of materials, amenity etc.

New photomontages have also been prepared showing before and after images of the proposed development and its context from key public vantage points including nearby corners on Broadway, the UNDA courtyard entrance and along Grafton Street. The photomontages clearly demonstrate that the roofline, silhouette and spires of the UTS and UNDA adjoining heritage buildings are maintained as the prominent features of the skyline from key external vantage points.



VIEW OF COURTYARD LOOKING WEST



VIEW OF COURTYARD LOOKING WEST



VIEW FROM BROADWAY STREET LOOKING SOUTH



VIEW FROM BROADWAY STREET LOOKING SOUTH

Figure 1 Photomontages from Abercrombie St (top) and from the Corner of Braodway and Wattle St, existing (left) and proposed (right)

Source: H2o Architects

The heritage assessment also states:

Our visual assessment of the original envelope established that the skyline was minimally impacted by the development due to the scale of surrounding buildings and the potential building envelope on the Notre Dame site to the north.

The reduction in height of the proposal reduces any impact for the skyline to be affected in long views to the site (particularly those from Broadway).

The stepping of the form fronting Buckland Street also reduces the apparent scale to the street frontage and while the top of the building is heavily screened by trees, greater sky view will be available as a result of the reduction in height and increase in setback.

While we considered the original proposal to be satisfactory the reductions now proposed reduce any potential for impact.

It must also be noted that the proposed form is an envelope and lacks the architectural articulation that will accompany the Stage 2 DA. The Stage 2 DA will be the subject of a design excellence competitive process in accordance with the Council's policy. It is also UTS's intention also to consult with the NSW Government Architect in relation to the proposed competitive process.

UTS has a very strong record of design excellence in recent years, and its intention for this proposed development is that it will be of a design calibre and quality that is in keeping with that high performance. Several recent buildings delivered by UTS have gone on to win architectural acclaim, including the Faculty of Science and Graduate School of Health Building receiving two 2015 Australian Institute of Architects (NSW) awards: the City of Sydney Lord Mayor's Prize, and the Educational Architecture - William E Kemp Award.

It is intended that the Stage 2 final design should investigate fully opportunities for design articulation to further reduce potential impacts and to ensure a high quality contextual fit for the proposed building. Such articulation could include but not be limited to careful setbacks of upper floors to ensure the top of the building recedes further, changes in materiality (such as solid to void/masonry to glass) in the upper levels of the building compared to lower levels, careful design of the scaling and proportionality of the building to respond to the neo-gothic proportioning of the adjacent heritage items in a contemporary but contextual manner. It must be stressed, however, that to be overly prescriptive of these potential treatments in the absence of a full design process is not only at odds with the staged DA process, it also risks undermining the design excellence competitive process for Stage 2 by so severely constricting the design potential as to be counterproductive, and actually reduce rather than encourage the design quality of the final building.

2.3 Environmental and Residential Amenity

The Department has advised that it considers that the overshadowing from the proposed building envelope would have adverse amenity impacts on the Grafton Street/Buckland Street properties and the building envelope should be reduced or mitigation measures identified to ensure that a minimum of two hours of solar access is retained to all habitable areas during midwinter between 9 am and 3 pm for all residential properties impacted by overshadowing from the envelope.

The Department considers that the overshadowing from the proposed building envelope would have adverse impacts on the courtyard of the adjoining University of

Notre Dame Campus. A further overshadowing analysis, including consideration of the cumulative overshadowing impacts from the recently approved residential/serviced apartments (Block 4N) approved on the former Carlton United Breweries site must be provided. The overshadowing analysis must demonstrate that the courtyard area would have adequate solar access during mid-winter between 9 am and 3 pm.

Proponent's response

The proponent has adjusted the proposed envelope to significantly reduce the impacts on adjoining properties.

Adjacent Residential

In relation to the adjacent residential development at the Grafton Street/Buckland Street corner (known as 2-4 Grafton Street), UTS has significantly reduced the extent of the proposed envelope in order to address impacts. The envelope has been set back from Buckland Street and reduced in height in order to ensure that there is no shadowing to the windows of any habitable rooms as a result of the proposed development after 9.35am in midwinter. This is demonstrated in the accompanying envelope shadow diagrams, drawing A1.08 at Appendix 6. The east facing windows (ie on the Buckland Street elevation) of this development will have access to over 2 hours of midwinter sun (approximately 2 hours and 25 minutes) from 9.35am until at approximately midday, when the sun moves to be behind the elevation. The north facing windows (ie on the Grafton Street elevation) are not overshadowed by the proposal after approximately 9.30am in midwinter and, due to their northern aspect, these windows will receive greater than 2.5 hours of midwinter solar access.



Figure 2 Extract from solar elevation diagram, showing that there is no midwinter overshadowing of any residential windows after 9.35am

Source: H2o Architects

The *Apartment Design Guide* (ADG) provides guidance regarding appropriate minimum levels of solar access in order to provide for residential amenity. Under the ADG, Objective 4A-1 "Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid winter in the Sydney Metropolitan Area". As a result of the envelope changes, all windows of the development (ie not only those of living rooms) of the adjacent residential development will continue to have a minimum midwinter solar access of greater than 2 hours, exceeding the requirements of the Apartment Design Guide.

The adjacent UNDA Buckland House property at 19-21 Buckland Street is not a residential use. Notwithstanding, the solar analysis also confirms that the east facing windows (ie on the Buckland Street elevation) of this development are not overshadowed by the proposed development after 9.15am in midwinter. As a result, this site will also continue to have access to more than 2 hours midwinter sun.

UNDA Courtyard

In relation to the adjacent UNDA campus courtyard, UTS has significantly reduced the extent of the proposed envelope in order to address impacts. The UNDA courtyard is an internal private open space to the south of the St Benedicts church and east of the boundary with UTS. The envelope has been set back from the UNDA boundary at the upper levels and reduced in height in order to reduce overshadowing impacts. This is demonstrated in the accompanying envelope shadow diagrams, drawing A1.09 at Appendix 6. This drawing specifically focuses on the UNDA courtyard and shows the existing midwinter shadows in the courtyard and the additional shadowing that would arise from the proposed envelope at 1pm, 2pm and 3pm. The proposed envelope does not create any additional overshadowing of the UNDA courtyard in midwinter until after 2pm. There are no shadow impacts arising out of the proposal on the UNDA courtyard in the morning or during a typical lunchtime break.

The diagrams demonstrate that the UNDA courtyard will retain its very good existing levels of solar access at 1pm and 2pm with approximately 50% of the courtyard area having solar access. The other 50% is overshadowed by the UNDA's own buildings, principally the St Benedicts Church. This period is considered to be the most important time of the day for retaining solar access as it coincides generally with lunchtime and will provide for the enjoyment and use of the courtyard during the lunch break in midwinter.

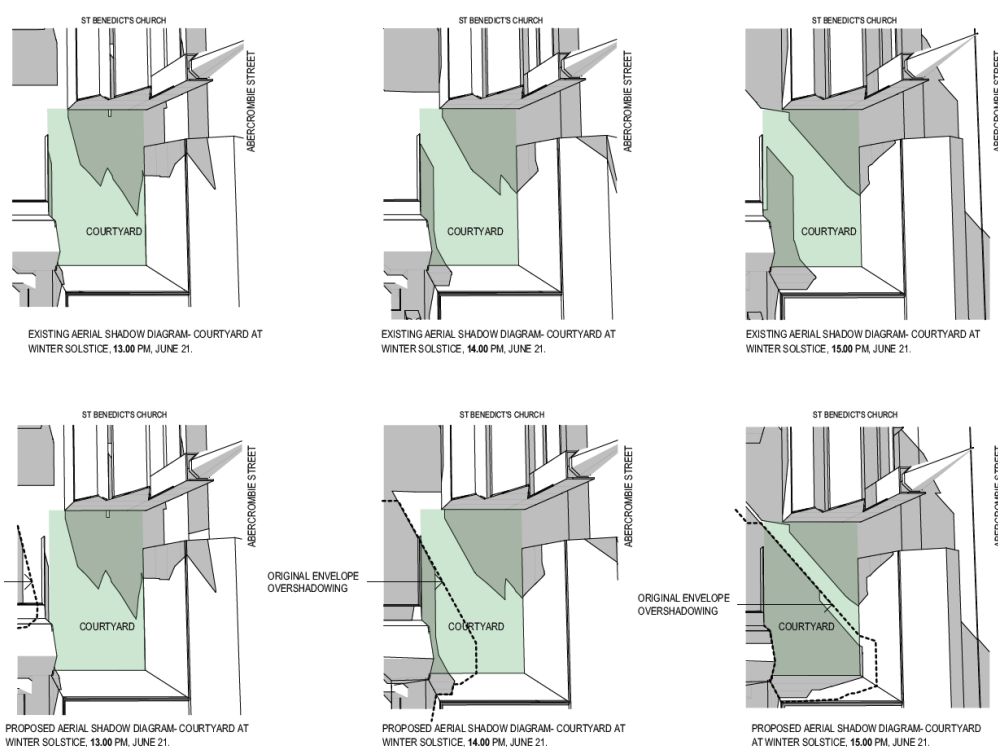


Figure 3 Midwinter afternoon - Solar Access - Extracts from H2o solar study: 1pm (left), 2pm (middle), 3pm (right), existing (top row), proposed (bottom row)

Source: H2o Architects

Between 2 and 3pm, the existing shadows cast by St Benedicts Church, the high brick boundary wall, the UTS former boys school heritage building (CB25) and the other UNDA buildings on Broadway overshadow approximately 50% of the

courtyard area. The proposed development will reduce the solar access to the courtyard over this hour, causing the southeastern corner of the courtyard to be overshadowed approximately 30 minutes earlier than it would otherwise be from existing buildings. At least approximately 15% of the courtyard will retain solar access until at least 3pm. After approximately 3.15pm the courtyard will be in full shade.

The Department has requested that the cumulative impact of shadows from the approved Block 4N of the Central Park development SSD6673 be considered in relation to the UNDA courtyard. Block 4N is a 16-19 storey mixed use building at the corner of Abercrombie Street and Broadway, part of the former Carlton United Brewery site, consistent with the Frasers CUB Concept Plan (Part3A) MP 06_0171. The approved drawings for Block 4N include shadow diagrams for midwinter at hourly intervals (Drawings PA-A4-1303 through 1305 Block 4N Shadow Studies, prepared by Foster + Partners and PTW Architects). A copy of the relevant drawings sourced from the Department's Major Projects website is provided at Appendix 5, and an extract reproduced at Figure 4.

The Block 4N shadow studies show that the UNDA courtyard (like much of Chippendale) is completely overshadowed in midwinter until shortly before 10am, when approximately 25% of the courtyard space in the southwest corner begins to receive sunlight. By 11am the Block 4N development is no longer overshadowing the courtyard, and approximately 50% of the courtyard has solar access.

Accordingly, taking into account the cumulative impact of shadows from the Block 4N development and the revised UTS proposal:

- There will be no change to the existing solar access to the UNDA courtyard between 11am and 2pm
- The UNDA courtyard will have some midwinter solar access from approximately 9.45am until approximately 3:15pm
- Approximately 50% of the UNDA courtyard will have midwinter solar access for 3 hours between 11am and 2pm

Urbanac has not identified specific policy guidance for appropriate solar access to private open space of university educational establishments. The ADG provides guidance in relation to the private communal open space of residential flat developments, stating that 50% of the usable part of the communal open spaces of residential development should receive 2 hours of direct solar access in midwinter between 9pm and 3pm (ADG Objective 3-D1 Design Criteria 2). While the ADG relates to a different type of use, it nevertheless provides some level of guidance regarding the appropriate amenity of spaces, which, like the UNDA courtyard, are private but shared. Taking into account the cumulative impact of all shadows, the UNDA courtyard will exceed (by 150%) the minimum level set by the ADG for similar private spaces indicating a high level of amenity will be maintained.

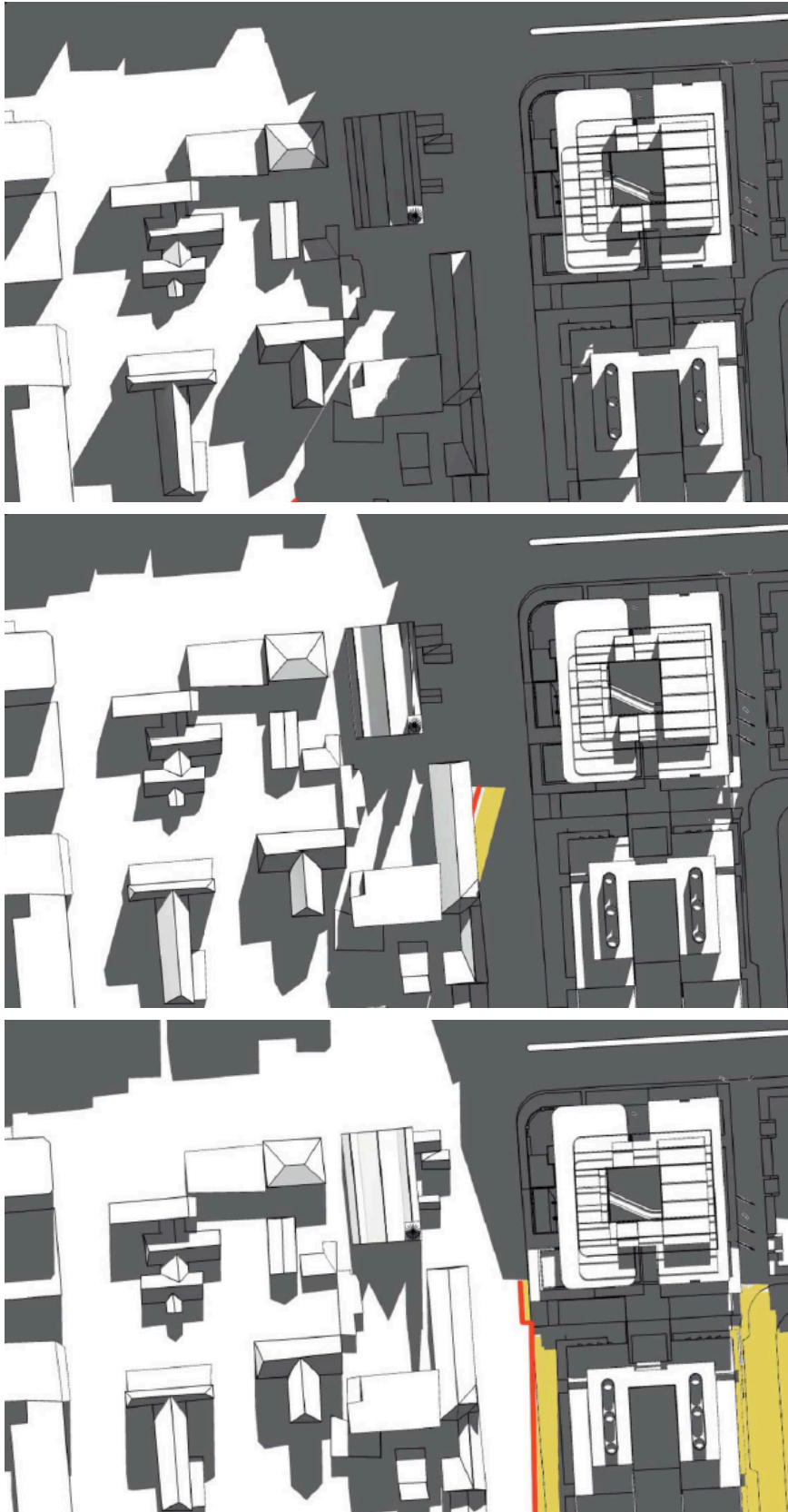


Figure 4 Midwinter Morning - Solar Access - Extracts from Block 4N shadow study: 10am (top), 11am (middle), 12 noon (bottom)

Source: DPE Major Project Website

Taking into account the cumulative impact of shadows, it is considered that the UNDA courtyard will continue to have good midwinter solar access with no impact on its existing solar access at the critically important lunchtime period. The impacts arising out of the proposed development are limited to after 2pm, and are considered to be minimal and reasonable, particularly considering the dense urban context. As a result, it is considered that the UNDA courtyard retains a good level of solar access, that is reasonable for its context, particularly taking into account the standards which apply to comparable spaces (shared/communal private open space) elsewhere in Sydney and NSW.

2.4 Site Area / Site consolidation

The Department has requested clarification regarding whether the application includes site consolidation.

Proponent's response

The overall UTS site currently comprises 13 lots. UTS does not object to consolidating all of these lots into a single lot as part of a Stage 2 Application. It is expected that this could be required as a condition on any approval.

2.5 Flooding

The Department has requested that an assessment of the existing and potential flooding impacts and potential flood planning levels should be provided.

Proponent's response

A flood assessment for the proposal has been carried out by WMAwater Pty Ltd in accordance with the City of Sydney's Interim Floodplain Management Policy, adopted by Council in May 2014. The assessment is attached at Appendix 4.

The assessment has identified that flooding occurs on both Buckland St and Blackfriars St. It identified that *"the peak flood level from mainstream flooding was located on the southern boundary and was found to be 9.25m AHD in the 1% AEP event and 10.05m AHD in the PMF event. Inundation depths of up to 0.6 m and 1.7 m can be expected on Blackfriars St and Buckland St for the 1% AEP event."*

The assessment has found that in order to comply with Council's requirements, the Flood Planning Levels for the proposed New UTS Building development should be 9.67m AHD (minimum 1% AEP level + 0.5m) and for a basement access, 10.08m AHD (1% AEP level + 0.5m or PMF).

Accordingly, the envelope has been adjusted to set the minimum building floor level to 9.67 mAHd.

3 Mitigation

The measures required to mitigate the impacts associated with the proposed works are described in the EIS at Part 8. As a result of the amendment of the proposal in response to submissions the following measure should be added to its Table 9 – Compilation of mitigating measures:

Mitigation Measures – Flooding

- In order to manage potential flood impacts the Flood Planning Levels for the proposed New UTS Building development should be 9.67m AHD (minimum 1% AEP level + 0.5m) for the ground floor, and 10.08m AHD (1% AEP level + 0.5m or PMF) for any basement access.

4 Conclusion

The proponent has considered all submissions made in response to the public exhibition of the proposal.

This report includes a detailed summary of all submissions, including the public submissions, Council's comments and the matters raised by government agencies, and includes the proponent's consideration and response.

In response to the submissions, and to the preliminary comments made by the Department, the proponent has refined the project design. As outlined in this report, all key elements of the proposal as originally proposed and exhibited have remained unchanged. The key amendment is the reduction in the extent of envelope for the proposed building. The size of the proposed building has not changed within the envelope compared to the original proposal as exhibited. Reducing the envelope has provided greater certainty for the location of the proposed building on the site, while still allowing for a small but sufficient degree of 'slip' within the envelope to accommodate architectural articulation of the final building. As a result, the proposed amendments provide greater certainty regarding the potential impacts of the proposed development. Accordingly, it is considered that the development as amended does not substantially differ from the original publicly exhibited development proposal but has reduced its potential impacts.

The environmental impacts of the amended development are reduced or remain consistent with the original application. The reduction in overall envelope provides greater certainty regarding the potential impacts and has lessened potential impacts in relation to views, bulk, scale and height, amenity, heritage, urban design and archaeology.

The proposal is considered to have significant planning merits as it:

1. demonstrates a high degree of consistency with the relevant strategic policy, environmental planning instruments and other matters identified in the Secretary's Environmental Assessment Requirements
2. will result in minimal environmental impacts, all of which can be mitigated by implementing the mitigation measures identified in Part 9 of this EIS
3. is highly in keeping with its context and with surrounding development and with acceptable impacts on its surrounds, with the revised envelope providing a high degree of certainty regarding the extent of the Stage 2 building
4. encourages new research and innovation in the digital economy, as well as support the creation of new jobs in the creative industries sector in the heart of Sydney's global economic arc in accordance with key State and metropolitan policy
5. minimises the use of private vehicles and encourages the use of public transport
6. will create 300 permanent full time equivalent jobs, with an anticipated multiplier of four, leading to the creation of up to 1,200 local jobs in the central Sydney economy

It is considered that the Proposal has substantial merits, and it is requested that the Minister approve the Proposal under Section 89D of the Act.