

## ASSESSMENT REPORT

### UNIVERSITY OF SYDNEY F23 BUILDING SSD 7055 MOD 1

#### 1. INTRODUCTION

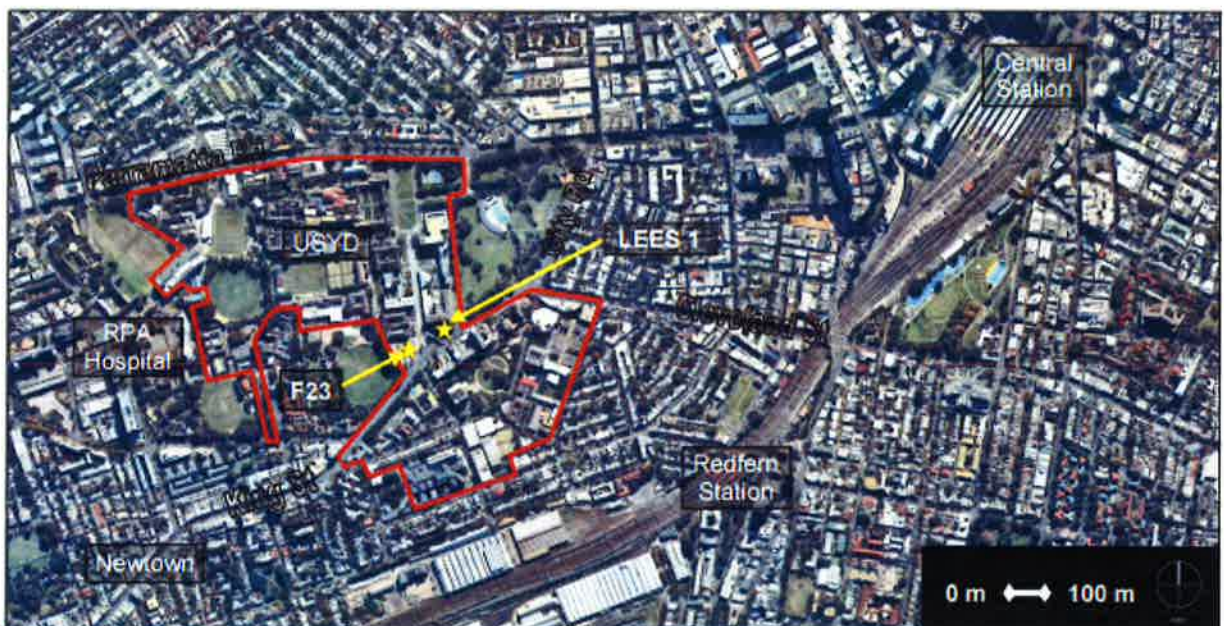
This report is an assessment of an application seeking to modify the State Significant Development (SSD) approval for the construction and use of a new administration building (known as the F23 building) at the University of Sydney, Camperdown Campus in the City of Sydney local government area.

The application has been lodged by the University of Sydney pursuant to section 96 (1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act). It seeks approval to amend Condition A2 relating to the Landscape Plan and Condition B6 relating to Public Art.

#### 2. SUBJECT SITE

The subject modification relates to the F23 building within the Camperdown Campus of the University of Sydney (see **Figure 1**).

The site is located approximately 2.5 kilometres (km) southwest of Sydney's central business district and one kilometre west of Redfern Station. Existing University land uses surround the sites to the north and south, while the recently approved LEES 1 building is located immediately northeast of the site. St Paul's College Oval is located immediately to the west of the F23 building and St Paul's College residential accommodation is located further to the west beyond the oval.



**Figure 1: Site Location**

### 3. APPROVAL HISTORY

On 22 December 2016, the Minister granted SSD approval for the construction and use of a new five storey administration building, known as "F23" at the University of Sydney, Camperdown Campus.

### 4. PROPOSED MODIFICATION

On 7 February 2017, the Proponent lodged an application SSD 7055 MOD 1 seeking approval for the following:

- Amendment of Condition A2- Landscape Plan
- Amendment of Condition B6- Public Art

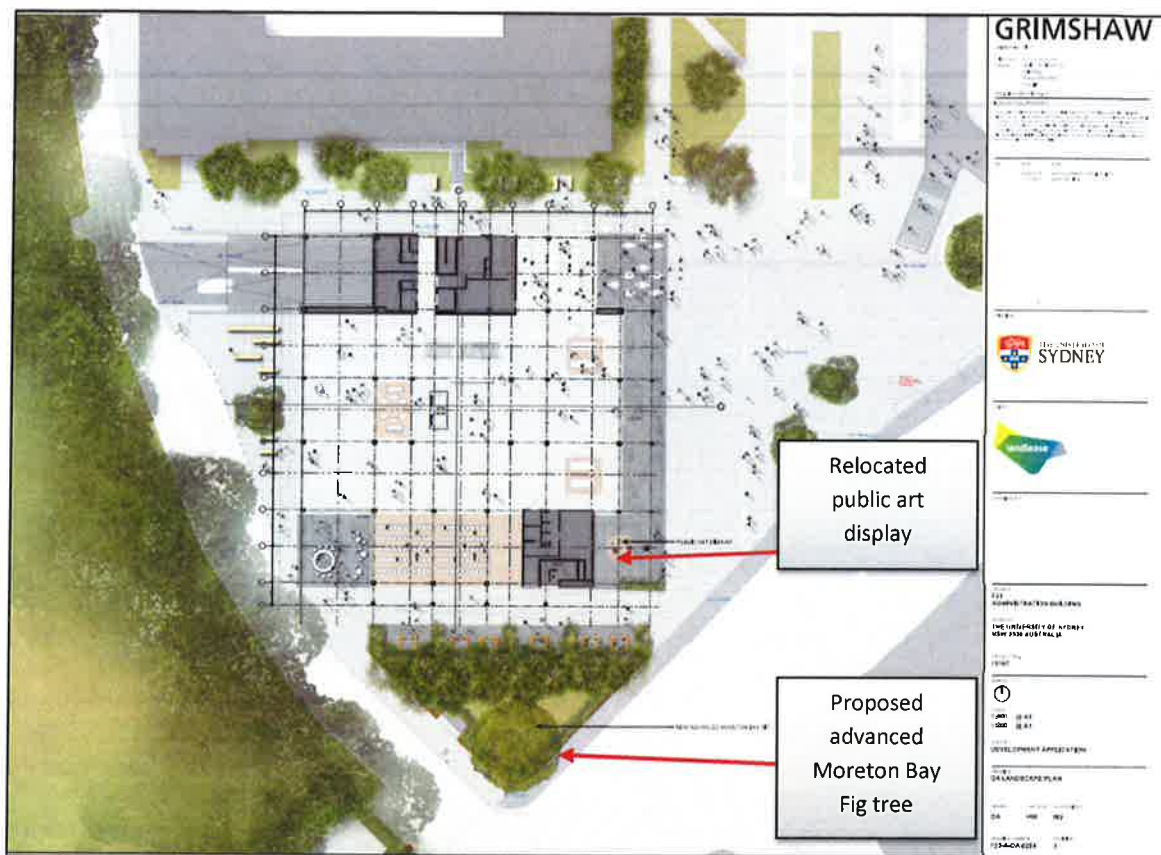
#### Landscape Plan

The application seeks to amend Condition A2 to alter the approved Landscape Plan. The amended Landscape Plan shows the public art display relocated to the south eastern podium of the F23 site and the replacement of a Port Jackson Fig tree within the southern triangular landscaped area with an advanced Moreton Bay Fig tree (see **Figure 2 and 3**).



Figure 2 Approved Landscape Plan





**Figure 3** Proposed Landscape Plan

## Public Art

The application seeks approval to amend Condition B6- 'Public Art' to allow details of the public art to be provided to the Principal Certifying Authority prior to the issue of an Occupation Certificate, rather than prior to the certification of aboveground works. The application also seeks consent to allow for a copy of the public art to be submitted to the Department prior to occupation of the building, rather than prior to the commencement of work.

The proposed modified condition, as requested by the Applicant is outlined below.

## Public Art

- B6. Public art is to be integrated into the development in accordance with the University of Sydney's *Public Arts Strategy and Wingara Mura-Bura Barrabugu Strategy*, details of which are to be provided to the satisfaction of the Certifying Authority prior to the **issue of any Occupation Certificate** ~~certification of aboveground works~~. The Applicant must submit a copy of the public art to the Department, prior to **occupation of the building** the commencement of work.

The modification is requested on the basis that the process of artist selection and public art design and finalisation is expected to take some months and will be concluded prior to occupation of the approved building. The University argues that it is unreasonable to require the public art selection and design to be finalised prior to the commencement of works on the site.

The modification would require the deletion of Condition B6 from Schedule 2 Part B and the modification of Condition D3 to incorporate the amended Condition B6 as proposed by the Applicant.

The proposed modified Condition D3 is outlined below.

## Public Art

**D3. Public art is to be integrated into the development in accordance with the University of Sydney's Public Arts Strategy and Wingara Mura-Bura Barrabugu Strategy, details of which are to be provided to the satisfaction of the Certifying Authority prior to the issue of any Occupation Certificate. The Applicant must submit a copy of the public art to the Department, prior to occupation of the building.** High quality Public art is to be installed in accordance with condition B6 and the University of Sydney's ~~Public Arts Strategy and Wingara Mura-Bunga Barrabugu Strategy~~ and to the satisfaction of the Certifying Authority prior to the issue of to the commencement of use of the building.

## 5. STATUTORY CONSIDERATION

### 5.1 Modification of approval

Section 96(1A) of the EP&A Act requires the consent authority to be satisfied that the following matters are addressed in respect of all applications that seek modification approvals:

Section 96(1A) matters for consideration	Comment
That the proposed modification is of minimal environmental impact	<b>Section 7</b> of this report provides an assessment of the impacts associated with the proposal. The Department is satisfied that the proposed modification would have minimal environmental impact.
That the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all).	The proposed modification seeks approval for minor changes and does not result in any additional adverse impacts on the surrounding area. On this basis, the proposal would result in development that is substantially the same as the originally approved development.
The application has been notified in accordance with the regulations	The modification application has been notified in accordance with the regulations. Details of the notification are provided in <b>Section 6</b> of this report.
Any submission made concerning the proposed modification has been considered.	The Department did not receive any public submissions on the proposal. The suggestions raised by the City of Sydney Council have been considered in <b>Section 7</b> of this report.

### 5.2 Environmental Planning Instruments

The following EPIs are relevant to the application:

- *State Environmental Planning Policy (State and Regional Development) 2011*
- *State Environmental Planning Policy No. 33 – Hazardous and Offensive Development*
- *State Environmental Planning Policy No. 55 – Remediation of Land*
- *State Environmental Planning Policy (Infrastructure) 2007*
- *Sydney Local Environmental Plan 2012*

The Department undertook a comprehensive assessment of the redevelopment against the above mentioned EPIs in its original assessment. The Department has considered the above EPIs and is satisfied that the modification is generally consistent with the EPIs.

### 5.3 Approval Authority

The Minister for Planning is the approval authority for the application. However, the Director, Modification Assessments, may determine the application under delegation as:

- the relevant local council has not made an objection; and
- a political disclosure statement has not been made; and
- there are no public submissions in the nature of objections.

## 6. CONSULTATION

The application was notified in accordance with the *Environmental Planning & Assessment Regulation 2000*. The modification request was made publicly available on the Department's website and referred to the City of Sydney (Council). Due to the minor nature of the proposed modification, the application was not exhibited by any other means.

**Council** were generally supportive of the proposed modification but suggested an alternative timing for the submission of public art details to the Department.

No public submissions were received.

## 7. ASSESSMENT

The proposed modifications are minor in nature, and relate to Condition A2 regarding the Landscape Plan and Condition B6 regarding public art.

### Landscape Plan

The application seeks to modify Condition A2 Landscape Plan to show the public art display relocated to the south eastern podium of the F23 site. It also shows the Port Jackson Fig tree within the southern triangular landscaped area, replaced with an advanced Moreton Bay Fig tree.

Council raised no objection to the proposed amendment of Condition A2. As part of the original application, Council noted the design of the triangle shaped landscape between the proposed building and City Road should be consistent with the road frontage and include at least one fig tree. The proposed modification is generally consistent with the road frontage, and incorporates an advanced Moreton Bay Fig tree as suggested. The modification will also address Condition B3 of the consent, which requires the Port Jackson Fig tree species to be replaced with advanced Moreton Bay Fig trees.

The relocation of the public art display from the southern, triangular landscaped area to the south eastern podium of the building would still allow for the feature of an art display, in accordance with the University of Sydney's *Public Arts Strategy*.

The Department's assessment concludes that the modified Landscape Plan is acceptable and would not result in any adverse impacts.

### Public Art

The application seeks to modify Condition B6 to allow details of the public art to be provided to the Principal Certifying Authority prior to the issue of an Occupation Certificate, rather than prior to the certification of aboveground works. The modification also seeks consent to allow for a copy of the public art to be submitted to the Department prior to occupation of the building, rather than prior to the commencement of work.

Council were generally supportive of the proposed modification. However, Council suggested that the Applicant should submit details of the public art to the Department prior to the commencement of any new building works, rather than prior to occupation as requested by the Applicant.

The Department considers it is not necessary for details of the public art to be submitted to the Department prior to the commencement of any new building works. The submission of the public art details prior to the occupation of the building would allow appropriate time for the public art to be designed and finalised and for the Department to review the details. In addition, the Department notes building works have already commenced on the site. Therefore the

Applicant would not be able to comply with Council's suggested timing.

The Department's assessment concludes that the modified condition would not result in any adverse impacts and the original intent of the condition would still be achieved.

## 8. CONCLUSION

The Department has assessed the modification application and supporting information in accordance with the relevant requirements of the EP&A Act. The Department's assessment concludes that the proposed modification is appropriate on the basis that:

- The modification would provide appropriate landscaping consistent with the requirements of the original approval;
- The modification would not alter the visual impact of the development;
- The modification would not result in any adverse environmental impacts; and
- The intent of the original condition B6 relating to public art would still be achieved.

Consequently, it is recommended that the modification be approved subject to the recommended conditions.

## 9. RECOMMENDATION

It is RECOMMENDED that the Director, Modification Assessments, as delegate of the Minister for Planning:

- **considers** the findings and recommendations of this report;
- **approves** the application under section 96 (1A), subject to conditions; and
- **signs** the notice of modification (**Appendix A**).

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**Modification Assessments**

 4/4/17

Anthony Witherdin  
**Director**  
**Modification Assessments**

## **APPENDIX A: NOTICE OF MODIFICATION**

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A copy of the instrument of Modification can be found on the Department's website at the following address:

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=8236](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8236)

## **APPENDIX B: SUPPORTING INFORMATION**

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The following supporting documents and supporting information to this assessment report can be found on the Department of Planning and Environment's website as follows:

1. Modification request

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=8236](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8236)

2. Submissions

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=8236](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8236)

3. Response to Submissions

[http://majorprojects.planning.nsw.gov.au/index.pl?action=view\\_job&job\\_id=8236](http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=8236)

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