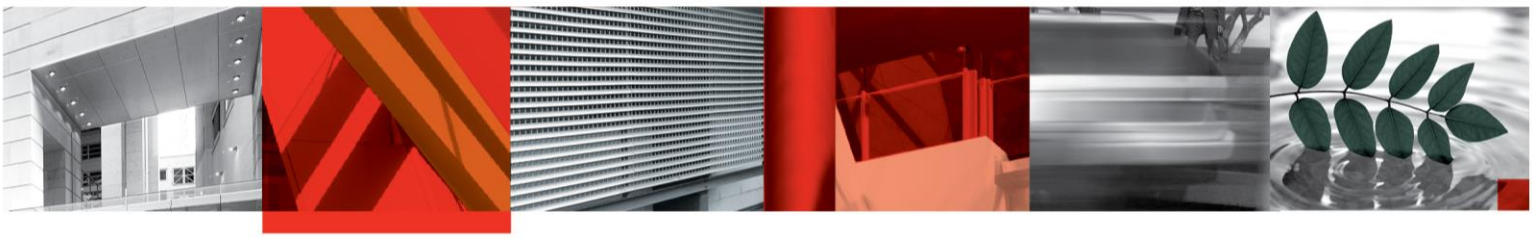
Response to Submissions

State Significant Development Application 7382



University of Technology Sydney

UTS Central Project

Submitted to Department of Planning & Environment
On Behalf of University of Technology

August 2016 ■ 15746

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JBA operates under a Quality Management System that has been certified as complying with ISO 9001:2008. This report has been prepared and reviewed in accordance with that system. If the report is not signed below, it is a preliminary draft.

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1.0 Introduction

An Environmental Impact Statement (EIS) for a State Significant Development Application (SSDA) for the UTS Central Project was publically exhibited for a period of 29 days between the 12 May 2016 and 10 June 2016 (SSD 15_7382).

In total, 10 submissions were received in response to the public exhibition of the EIS. The submissions were from government agencies, the Central Park owner's corporation and a single submission received from the general public:

- City of Sydney Council;
- Roads and Maritime Services;
- Transport for NSW.
- NSW Environmental Protection Authority (EPA)
- Heritage Council;
- Sydney Water;
- Central Park Owners Corporation (x3); and
- General Public (x1).

The Department of Planning and Environment (the Department) has also prepared a letter setting out additional information or clarification required prior to final assessment of the application.

The proponent, University of Technology Sydney (UTS) and its specialist consultant team have reviewed and considered all issues raised. This report provides a detailed response to these issues and outlines any proposed amendments to the exhibited Environmental Impact Statement. Where individual issues are not discussed in this report, a detailed response can be found in the table at **Appendix A**.

2.0 Key Issues and Proponent's Response

This section of the report provides a detailed response to the key issues raised by the Department of Planning and City of Sydney Council, relating to Design Excellence, Environmental and Residential Amenity, and Developer Contributions.

A response to each of the individual issues raised by the Department and other authorities is provided in the table at **Appendix A**.

2.1 Design Excellence

2.1.1 Issue

The Department raised concerned with the design excellence demonstrated in the proposal, in particular the design integrity of the Lacoste + Stevenson podium design and integration with the proposed Building 2 tower.

The Department requests that the following matters be addressed:

- Reintroduction of the 'lace column' element from the competition winning design;
- Relocation or redesign of the Collaborative Learning Theatre to ensure that the principle of an open, activated façade is maintained along the Broadway elevation;
- Review of the design of the podium veil to retain the lightness and subtlety of curve indicated in the competition winning scheme, specifically at the building corners of the podium, and in the manner in which the 'veil' meets the ground;
- Review frit patterning to establish viability of use of part of the façade for projections; and
- Review proposed staging to ensure delivery of a continuous integrated Broadway façade.

2.1.2 Proponent's Response

As further detailed within Architectural Response to Submissions prepared by FJMT submitted with this report at **Appendix B**, the identified matters relating to design excellence with regard to the design integrity of the Lacoste + Stevenson podium design and integration with the proposed Building 2 tower are addressed below:

- *Reintroduction of the 'lace column' element from the competition winning design:*

The lace columns were a proposal of an alternative expression of structure and sustainability and intended to ensure that the expectation created by the new smooth, curved glass façade as indicated on the competition winning scheme and further developed for the current DA was not just a skin-deep experience but one that continued into the building and integrated with the existing CB01. Continued study of the interface with the existing CB01 revealed that the complexity and inter-connectivity of the existing structural systems of CB01 greatly limited the opportunity of integrating complex new structural systems as represented by the conceptual intent of the 'lace columns'. As the UTS brief also evolved during the continued development of the project and to adequately address the requirement for multi-function, flexible space, the structure and servicing was rationalised to ensure future flexibility for all possible uses.

- *Relocation or redesign of the Collaborative Learning Theatre to ensure that the principle of an open, activated façade is maintained along the Broadway elevation:*

The two 350 seat collaborative teaching spaces which have been located along the Broadway facade are two significant spaces within the UTS Central brief and are the first of their kind in Australia. These spaces represent a clear vision of UTS to provide a new objective and opportunity for collaborative teaching within the campus and as a pioneering example of what is possible.

Given the significance and scale of these spaces it has been an important and intentional decision to prominently locate these teaching spaces along the Broadway facade. These spaces will be setback from the Broadway façade allowing informal learning and activated areas to occupy the space adjacent to the Broadway façade which would be very visible from Broadway. The Collaborative Learning Theatres will be glazed along the back wall allowing visual connectivity to Broadway and allowing natural daylight into these spaces. The intended and designed uses for these spaces encourage non-conventional, open collaborative and active teaching and learning in a large open and flexible space which would also be visible from Broadway. The roof of the top level of the podium along Broadway is proposed to have a series of large skylights to help to lighten the top podium level uses by providing open views to the sky. These skylights will be visible from Broadway generating a connected openness for both the uses and perceived activation of the Broadway facade.

- *Review of the design of the podium veil to retain the lightness and subtlety of curve indicated in the competition winning scheme, specifically at the building corners of the podium, and in the manner in which the 'veil' meets the ground:*

The Broadway and Jones Street facades of CB02 as represented in the DA for UTS Central reinforces the vision that was established in the competition scheme by retaining the lightness and subtlety of curve and veil-like appearance of the building to more consistently integrate and unify the scheme. The expression of the curvilinear form is most clearly expressed on the corners of the podium and tower. The podium facade also reinforces the competition design by retaining an elevated facade along Broadway and maintaining a clear, activated and connected facade at ground level.

- *Review frit patterning to establish viability of use of part of the façade for projections:*

The proposal for the treatment of the facade for the Planning Submission represents the design intent as captured in the competition submission. It is anticipated that as the design and particularly the facade on Broadway continues to develop there will be opportunity to explore how this facade is best representative of the competition design intent while still maintaining its integrity and impact along Broadway.

- *Review proposed staging to ensure delivery of a continuous integrated Broadway façade:*

The anticipated staging of the project is required to maintain key operations to UTS and the Broadway Campus. The opportunities to deliver an integrated Broadway facade has been carefully considered to develop a strategy of ‘stitching’ the facade along Broadway to deliver a seamless and continuous facade. This will be achieved by maintaining a consistent approach to the proposed facade types along Broadway allowing staging to occur with minimal to no representation of the differing timelines for the phased works.

Refer to images and drawings attached at **Appendix B** which reference staging of phase 1 and 2.

2.1.3 Issue

The Department raised concerned with maintaining design excellence during the construction stages, in particular podium design.

The Department has recommended that the application consider establishing an independent design review panel during the construction stage to ensure critical design elements, including the material quality and fine detailing of the façades, are delivered to ensure the flowing form, lightness and transparency of the design is achieved. The elements of the podium design that must be reviewed include the relationship of each 'slipped' slab to the next, the use of curved (not facetted) glass, ceramic frit and the detailing of Operable elements.

2.1.4 Proponent's Response

The architects and other project consultants are engaged through the construction stage to ensure that the integrity of the design is maintained. The material quality and fine detailing of the façades; the flowing form, lightness and transparency of the design; the relationship of each 'slipped' slab to the next; the use of curved (not facetted) glass; ceramic frit; and the detailing of operable elements are amongst the things that are receiving particular attention.

As the project evolves it is subjected to design review through the Project Control Group and Physical Infrastructure Committee involving, inter alia, Gabrielle Morrish, the jury chair of the original competition, Professor Desley Luscombe, UTS Dean of Design Architecture and Building and Clive Gunton, UTS Manager Campus Development Planning and Design.

The delivery method of Managing Contractor is the same as employed on the UTS Faculty of Science and Graduate School of Health Building [Thomas Street Building 7] which won numerous awards including the 2015 Educational Architecture: National Award, Australian Institute of Architects, the William E Kemp Award and the City of Sydney Lord Mayor's Prize in the 2015 NSW Architecture Awards. Co-incidentally the managing contractor for UTS Central, Richard Crookes Constructions, was also appointed for the UTS Faculty of Science and Graduate School of Health Building project.

UTS has proven time and time again that the buildings and spaces it delivers to meet the modern and growing educational demands of its students are of exceptional quality – with design excellence all but assured again for the UTS Central project. Refer to below images as reference of the design quality achieved in recent times at UTS.


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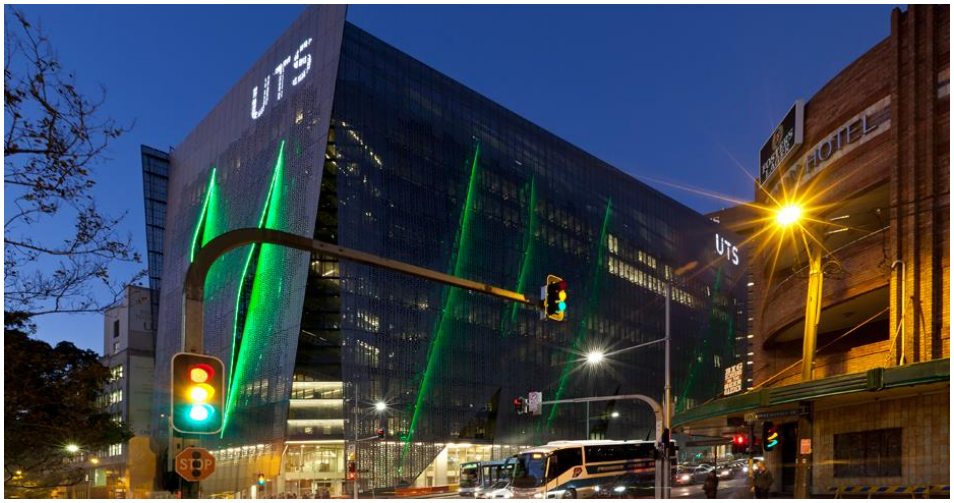
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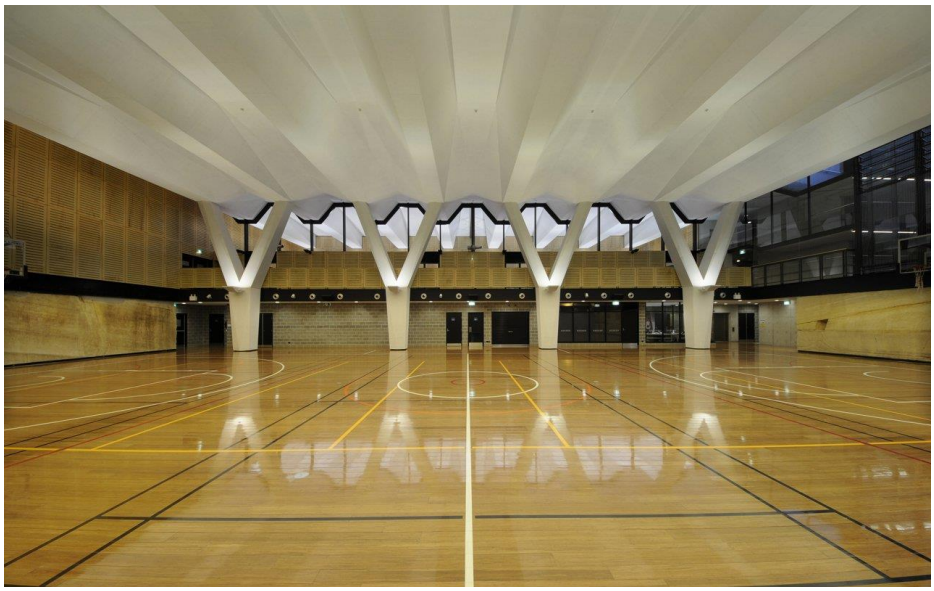

Figure 1 – UTS Design Excellence precedents

2.1.5 Issue

The Department has requested that staging plans (including elevations and montages) be provided to:

- Illustrate how the Building 2 podium would appear upon completion of the Phase 1 Works;
- Demonstrate how the interim façade to Broadway would achieve design integrity with the final podium design; and
- Demonstrate how the interim design would be integrated with the final podium design.

2.1.6 Proponent's Response

A set of staging plans (including elevations and montages) has been prepared by FJMT and is submitted with this report at **Appendix B**.

Since 2008, the UTS Campus Master Plan has provided for a staged approach to all projects. This is to ensure that physical works are programmed to:

a) mitigate the impact on university business and its students, staff and neighbours,

b) meet the needs of the university as and when these are forecast to arise, notably student load forecasts

c) assist "affordability" by planning the work and therefore the associated capital expenditure, in a manner consistent with the university's finance plan including its regular updates.

The staging approach to the UTS Central project is thus consistent with the university's campus masterplan.

On June 15 2016, UTS Council approved the expenditure of funds for the first stage, the redevelopment of Building 2. This will enable further significant improvement in university facilities, notably a new library and learning commons together with new research spaces.

In order to mitigate an otherwise significant escalation in the risk of impact on university activities, staff, students and neighbours, and while noting that the extension to the Building 1 Podium (second stage) is a key part of the Campus Master Plan, it was not recommended to include the second stage in the current construction program. The program for undertaking the second stage will be co-ordinated with future updates of the university's finance plan.

2.2 Urban Design

2.2.1 Issue

The Department has raised concern with the built form impacts on pedestrian movement around and through the site given the proposed minimal setback on Broadway. In this regard, additional information is sought regarding pedestrian movement and further demonstration that location of the bus stop will not interfere with pedestrian movement.

2.2.2 Proponent's Response

As detailed within Architectural Response to Submissions prepared by FJMT submitted with this report at **Appendix B** and the pedestrian movement analysis prepared by GTA Consultants at **Appendix C**, the proposal will not result in undue adverse impact on pedestrian movements around the site.

The assessment suggests that the Broadway footpath, when based on conservatively projected growth, will likely carry some 24,000 pedestrians per day (ppd) at present.

By the same principles, it is anticipated that by 2020 Broadway would carry some 26,000 ppd. The assessment reveals that the fronting footpath is operating with no capacity constraint at present, and will likely continue to operate at satisfactory levels of service (i.e. no worse than Level of Service - Category C) under the projected growth in 2020.

In addition to the above:

- The facade line at footpath level has been setback a minimum of 1.5m from the boundary along Broadway – providing for an overall 6m+ wide footpath (consistent with George Street footpath), refer to **Figure 2** below of proposed relationship of the podium to Broadway;
- The pedestrian movement and sight lines at the junction between the Broadway Building 1 entry and the bus stop have been improved by the proposed removal of the three Plane trees that are located behind the bus stop and within the path of travel.
- New street trees are proposed in accordance with the City of Sydney's Street tree masterplan to the full extent along the Broadway frontage.

On this basis, it is considered that the proposed redevelopment works are not likely to have adverse implications on the Broadway footpath capacity.

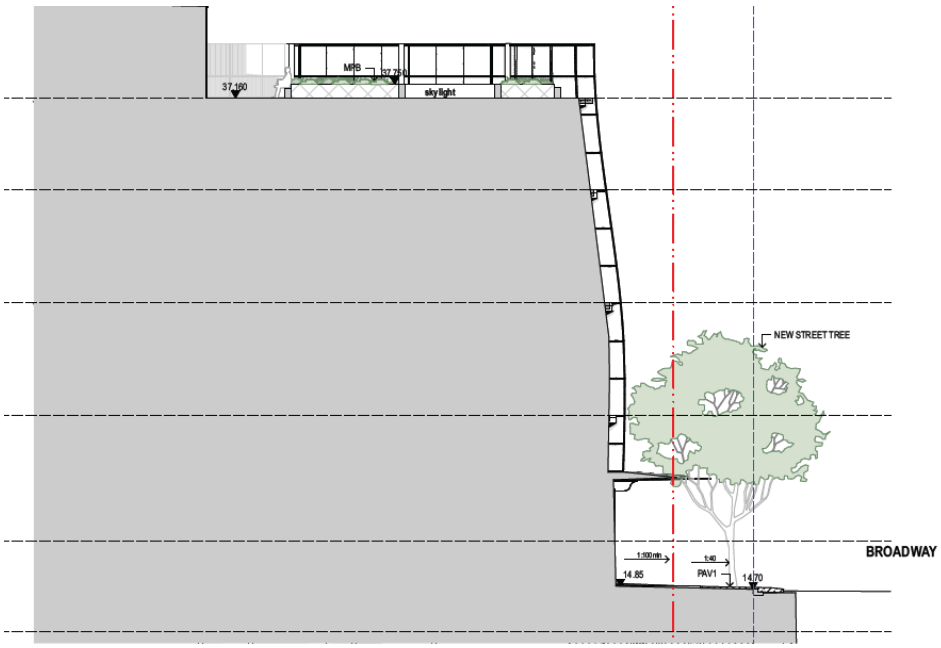

Figure 2 – Proposed Broadway interface

2.3 Environmental and Residential Amenity

2.3.1 Issue

The Department has raised concern with the overshadowing impacts from the proposed building on the residential properties within Central Park and a further quantitate analysis of solar access to be retained and lost for all dwelling impacts by the proposal must be provided, including additional analysis of whether the proposal would impact on any heliostat solar collectors for building within Central Park.

2.3.2 Proponent's Response

As outlined within the EIS, an Environmental Assessment Report (EAR) for modification to the approved Concept Plan at UTS City Campus, Broadway Precinct was publically exhibited for a period of 48 days inclusive between the 27 August 2015 and 12 October 2015 (MP08_0116 MOD 5).

MOD 5 sought to limit the height of the podium building of Building 2 to 30 metres from ground level (including plant) at Broadway and to limit the height of the additional floors above the redeveloped podium to 65.5 metres from ground level (including plant) at Broadway. The massing form and suitability within the surrounding context were assessed within the EAR, along with a detailed analysis of the proposed additional shadows cast from the amended Building 2 envelope. The form and massing of the final Building 2 envelope was strongly influenced by the key principle adopted by UTS and the project team to minimise overshadowing impacts on the adjacent residential dwellings within Central Park.

Detailed elevational shadow diagrams for Central Park (Building 2A, Building 2B and Block 1) have been prepared by FJMT (**Attachment B**) for June 21 (7.30am to 3pm) illustrating:

1. Existing Shadows Cast;
2. Shadows cast by UTS Central SSDA.

The detailed analysis undertaken by FJMT demonstrates that:

- The additional shadows cast by the UTS Central Project SSDA for the most part fall onto non-residential floors/uses of Building 2A and Building 2B Central Park.
- The shadow cast are entirely contained within the shadows cast by the approved Mod 5 envelopes and are reduced compared to the MOD 5 envelope for Building 2.
- A total of 62 units will be partially impacted by the UTS Central Project across Block 1, Building 2A and Building 2B within Central Park however, 28 of the 62 units affected will continue to maintain 2 hours solar access.

The approval of One Central Park (Building 2A and 2B) was based on the acceptance that more than 70% of apartments received solar access on June 21, utilising the Cox/Tzannes method. The carefully considered design approach for the Building 2 above the podium building ensures solar access to residential dwellings is maximised at One Central Park and that there is no change to the approved level of solar access that this building (residential dwellings) receives. It is also recognised that Block 1 was originally intended for commercial use rather than residential.

Building 2A

The shadow cast from the proposed UTS Central Project has been analysed by JBA and FJMT and found to be limited to 7 residential apartments.

As detailed within **Table 1** below, each of the impacted units within Block 2A has been assessed in terms of the shadow impact in mid-winter, specifically whether the shadow cast will impact living room, bedroom or private open space and comparison between existing solar access and the proposed solar access as a result of the proposal. It is noted that each of the affected units (7 units) will maintain 2 hours solar access.

Table 1 – UTS Central Shadow Impact on Building 2A (21st of June)

Apartment	Type	Living Room	Bedroom	Bedroom 2	Bedroom 3	Private Open Space	Maintains 2 Hours Solar Access
LEVEL 4							
L04-01	2 Bed	60 mins	60 mins	60 mins	N/A	N/A	✓
L04-02	Studio	90 mins	90 mins (Studio)	N/A	N/A	N/A	✓
L04-03	Studio	60 mins	60 mins (Studio)	N/A	N/A	N/A	✓
LEVEL 5							
L05-02	Studio	30 mins	30 mins (Studio)	N/A	N/A	N/A	✓
L05-03	2 Bed + POS	60 mins	30 mins	30 mins	N/A	30 mins	✓

Apartment	Type	Living Room	Bedroom	Bedroom 2	Bedroom 3	Private Open Space	Maintains 2 Hours Solar Access
LEVEL 6							
L06-02	Studio	30 mins	30 mins (Studio)	N/A	N/A	N/A	✓
L06-03	2 Bed + POS	30 mins	30 mins	30 mins	N/A	30 mins	✓

Building 2B

The shadow cast from the proposed UTS Central Project has been analysed by JBA and FJMT and found to be limited to 18 residential apartments.

As detailed within **Table 2** below, each of the impacted units within Block 2B has been assessed in terms of the shadow impact in mid-winter, specifically whether the shadow cast will impact living room, bedroom or private open space and comparison between existing solar access and the proposed solar access as a result of the proposal. It is noted that each of the affected units (18 units) will maintain 2 hours solar access.

Table 2 – UTS Central Shadow Impact on Building 2B (21st of June)

Apartment	Type	Living Room	Bedroom	Bedroom 2	Bedroom 3	Private Open Space	Maintains 2 Hours Solar Access
LEVEL 4							
L04-04	1 Bed	30 mins	30 mins	30 mins	N/A	N/A	✓
L04-05	1 Bed + Study	60 mins	60 mins	60 mins (study)	N/A	N/A	✓
LEVEL 5							
L05-04	2 Bed + POS	60 mins	60 mins	30 mins	N/A	60 mins	✓
L05-05	1 Bed	30 mins	30 mins	N/A	N/A	N/A	✓
L05-06	1 Bed + Study	30 mins	30 mins	N/A	N/A	N/A	✓
LEVEL 6							
L06-04	2 Bed + POS	45 mins	45 mins	30 mins	N/A	N/A	✓
L06-05	1 Bed	45 mins	45 mins	N/A	N/A	N/A	✓
L06-06	1 Bed + Study	30 mins	30 mins	N/A	N/A	N/A	✓
L06-09	1 Bed + 1 Bed Key + POS	N/A	30 mins	N/A	N/A	N/A	✓
LEVEL 7							
L07-04	2 Bed + POS	30 mins	30 mins	30 mins	N/A	N/A	✓
L07-05	1 Bed	30 mins	30 mins	N/A	N/A	N/A	✓
L07-06	1 Bed + Study	30 mins	30 mins	N/A	N/A	N/A	✓
L07-09	1 Bed + 1 Bed Key + POS	N/A	30 mins	N/A	N/A	N/A	✓
LEVEL 8							
L08-04	2 Bed + POS	30 mins	30 mins	N/A	N/A	N/A	✓
L08-05	1 Bed	N/A	30 mins	N/A	N/A	N/A	✓
L08-06	1 Bed + Study	N/A	15 mins	N/A	N/A	N/A	✓
LEVEL 9							

Apartment	Type	Living Room	Bedroom	Bedroom 2	Bedroom 3	Private Open Space	Maintains 2 Hours Solar Access
L09-04	2 Bed + POS	15 mins	15 mins	N/A	N/A	N/A	✓
L09-05	1 Bed	N/A	15 mins	N/A	N/A	N/A	✓

As demonstrated within the above tables and the detailed elevational shadow diagrams for Building 2A and Building 2B (**Attachment B**), each of the identified 25 units impacted by the UTS Central Project will continue to maintain 2 hours solar access.

Block 1

The detailed analysis undertaken by FJMT demonstrates that:

- The shadows cast are reduced compared to the MOD 5 envelope for Building 2.
- The proposed UTS Central Project will result in overshadowing of apartments at the lower levels of Block 1 between 9am and midday on 21st of June.

The shadow cast from the proposed UTS Central Project has been analysed by JBA and FJMT and found to be limited to 37 residential apartments within Block 1. Of the 37 impacted units only 23 currently achieve 2 hours solar access.

As detailed within **Table 3** below, each of the impacted units within Block 1 has been assessed in terms of the shadow impact in mid-winter, specifically whether the shadow cast will impact living room or bedroom and comparison between existing solar access and the proposed solar access as a result of the proposal.

Table 3 – UTS Central Shadow Impact on Block 1 (21st of June)

Apartment	Type	Living Room	Bedroom 1	Bedroom 2	Bedroom 3	Private Open Space	Currently Achieves 2 Hours Solar Access	Maintains 2 Hours Solar Access
	LEVEL 2							
L02-09	1 Bed + Study	60 mins	60 mins	N/A	N/A	60 mins	✓	×
L02-10	Suite	60 mins	N/A	N/A	N/A	60 mins	✓	×
L02-11	Suite	60 mins	N/A	N/A	N/A	60 mins	✓	×
L02-12	Suite	60 mins	N/A	N/A	N/A	60 mins	✓	×
L02-13	1 Bed	90 mins	90 mins	N/A	N/A	90 mins	×	×
L02-14	1 Bed + Study	120 mins	90 mins	N/A	N/A	120 mins	×	×
L02-15	1 Bed + Study	60 mins	60 mins	N/A	N/A	60 mins	×	×
	LEVEL 3							
L03-07	2 Bed + 2 Key	N/A	N/A	N/A	N/A	N/A	×	×
L03-07A	2 Bed + 2 Key	90 min (Studio)	N/A	N/A	N/A	60 mins	×	×
L03-08	Suite	90 mins	N/A	N/A	N/A	90 mins	×	×
L03-09	Suite	90 mins	N/A	N/A	N/A	90 mins	×	×
L03-10	Suite	90 mins	N/A	N/A	N/A	90 mins	✓	×
L03-11	2 Bed + 2 Key	90 mins	90 mins	N/A	N/A	90 mins	×	×
L03-11A	2 Bed + 2 Key	90 mins	N/A	N/A	N/A	90 mins	✓	×
	LEVEL 4							
L04-12	2 Bed + 2 Key	30 mins	30 mins	30 mins	N/A	30 mins	×	×

Apartment	Type	Living Room	Bedroom 1	Bedroom 2	Bedroom 3	Private Open Space	Currently Achieves 2 Hours Solar Access	Maintains 2 Hours Solar Access
L04-13	Suite	60 mins	N/A	N/A	N/A	60 mins	✓	×
L04-14	Suite	60 mins	N/A	N/A	N/A	60 mins	✓	×
L06-15	Suite	60 mins	N/A	N/A	N/A	60 mins	✓	×
L06-16	2 Bed + 2 Key	60 mins	60 mins	N/A	N/A	60 mins	✓	✓
L06-16A	2 Bed + 2 Key	60 mins	N/A	N/A	N/A	N/A	×	×
	LEVEL 5							
L05-12	2 Bed + 2 Key	45 mins	45 mins	45 mins	N/A	45 mins	×	×
L05-13	Suite	60 mins	N/A	N/A	N/A	60 mins	✓	×
L05-14	Suite	60 mins	N/A	N/A	N/A	60 mins	✓	×
L05-15	Suite	60 mins	N/A	N/A	N/A	60 mins	✓	×
L05-16	2 Bed + 2 Key	45 mins	45 mins			45 mins	✓	✓
L05-16A	2 Bed + 2 Key	45 mins	30 mins	N/A	N/A	N/A	✓	×
	LEVEL 6							
L06-12	2 Bed + 2 Key	45 mins	45 mins	45 mins	N/A	45 mins	×	×
L06-13	Suite	45 mins	N/A	N/A	N/A	45 mins	✓	×
L06-14	Suite	30 mins	N/A	N/A	N/A	45 mins	✓	×
L06-15	Suite	30 mins	N/A	N/A	N/A	45 mins	✓	×
L06-16	2 Bed + 2 Key	30 mins	30 mins	N/A	N/A	30 mins	✓	✓
L06-16A	2 Bed + 2 Key	30 mins	N/A	N/A	N/A	N/A	✓	×
	LEVEL 7							
L07-12	2 Bed + Study	45 mins	45 mins	45 mins	N/A	45 mins	×	×
L07-13	Suite	30 mins	N/A	N/A	N/A	30 mins	✓	×
L07-14	Suite	30 mins	N/A	N/A	N/A	30 mins	✓	×
L07-15	Suite	15 mins	N/A	N/A	N/A	30 mins	✓	×
	LEVEL 8							
L08-12	2 Bed + Study	45 mins	45 mins	45 mins	N/A	45 mins	×	×

Block 1 with a total of 364 apartments was approved based on achieving 2 hours of solar access to 37% of apartments (135) utilising the Cox/Tzannes method. Based on FJMT's modelling of the UTS Central Project, Block 1 will achieve a revised figure of 28% of apartments (101) achieving 2 hours of solar access utilising the Cox/Tzannes method.

The additional overshadowing impacts resulting from the UTS Central Project on Block 1 at Central Park is therefore considered to be reasonable.

Overall and in light of the results of the detailed shadow analysis undertaken by FJMT, the following key points reinforce the appropriateness of the UTS Central Project and demonstrate impacts associated are acceptable:

- Substantial setbacks of the Building 2 tower form have been adopted in a direct response to mitigating overshadowing impacts. These setbacks are substantially greater than what is typically required in a CBD context (min 17m proposed

compared to 8m typical) and illustrate the commitment of UTS to be a good and respectful neighbour.

- It is unreasonable to expect that the lower podium levels of a predominantly residential building (Note: Block 1 was originally intended for commercial use rather than residential) on the fringe of Global Sydney would not be affected by surrounding development in terms of overshadowing.
- The shadow cast by the proposed UTS Central Project and that of a 'compliant' Sydney LEP 2012 building height (i.e. 45m) are comparable and will result in approximately the same impact on the lower north facing apartments of Block 1.
- It is understood that Block 1 at Central Park as a predominantly residential building was approved on the basis of taking a holistic approach to amenity (refer below for further discussion in this regard). Solar access was deemed to not be the defining factor for the development in terms of establishing whether high quality amenity would be achieved. Therefore, a slight reduction in the percentage of units achieving solar access is considered reasonable. The key consideration is that the building on balance has a range of other amenity attributes that compensate for its limited amount of solar access (as discussed in greater detail below).
- In terms of the project involving the delivery of critical social infrastructure, some impacts on surrounding development are considered to be reasonable. The UTS site is constrained and there are limited opportunities left to cater for the substantial growth in student numbers that UTS and other Sydney tertiary institutions are experiencing.

Central Park Block 1 Amenity

As per the submission received from the City of Sydney, the proposal is required to demonstrate compliance with the following:

- Objective 3B-2 of the Apartment Design Guide – *Overshadowing of neighbouring properties is minimised during mid winter.*
- Section 4.2.3.1 of the Sydney Development Control Plan 2012 – *Ensure that residential amenity is enhanced with landscaping, private and common open space, sun access, ventilation and acoustic privacy.*

Applying a holistic approach to the consideration of amenity for Block 1 demonstrates that future residents will be afforded a high level of overall residential amenity. Despite the proposed UTS Central SSDA, Block 1 will continue to deliver a wide range of housing choice through variation in apartment mix, range of apartment sizes and orientation taking advantage of local and regional views.

Solar access is but one aspect of amenity and when factoring a holistic view of amenity qualities and building performance, future residents of Block 1 will be provided with an excellent level of amenity.

It is also important to acknowledge and recognise the predetermined level of solar access that is available to the subject site given physical site constraints and orientation.

The solar access performance of the Block 1 is considered to be appropriate and reasonable in the site's context as a higher density urban area. It is also noted that the level of direct solar access achieved is comparable to a number of other development approved by City of Sydney Council, with considerably less valuable additional amenity benefits (such as views, outlook, proximity to services, and building facilities as listed above).

Block 1, as part of the Central Park site provides significant amenity to its residents by virtue of:

- Significant area of open spaces, including publically accessible open space;

- Close proximity to major public transport infrastructure with Central Station and Railway Square within close walking distance to the site and ease of access to local bus services and cycle ways, and future light rail services;
- Close proximity to shops, cafes, convenience retail and other services within the site including a supermarket and café and restaurant experiences;
- Proximity to the Sydney CBD including employment and education opportunities;
- Recreation and communal spaces within the proposal including pools, gym, Jacuzzi, multi-function rooms located on level 2 and outdoor terrace with BBQs on level 16, as well the entry lobby on the eastern façade.

The principle of amenity within SEPP 65 is clearly based on a broader range of considerations, including but not limited to access to sunlight.

Principle 6 provides that:

> *Principle 6: Amenity*
>
> *Good design positively influences internal and external amenity for residents and neighbours. Achieving good amenity contributes to positive living environments and resident well being.*
>
> *Good amenity combines appropriate room dimensions and shapes, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, indoor and outdoor space, efficient layouts and service areas and ease of access for all age groups and degrees of mobility.*

There are many instances where the amenity of a site or a development proposal is based on a range of amenity measures mentioned in Principle 6 of SEPP 65, as well as Characteristics that drive the contextual amenity, and meet the amenity expectations of the future occupants.

The amenity of Block 1 as part of Central Park is primarily a product of its location, and its access to transport, employment, significant open space and recreational opportunities, proximity to entertainment venues, access to local services and retail, rather than its access to sunlight performance alone. As a result, there should be recognition that there are a number of contextual drivers of amenity, other than those that are outlined in SEPP 65 Amenity Principle, which can be just as important in influencing that amenity and in determining the liveability of an apartment.

In addition, by living in an urban environment, amenity factors such as access to employment, recreation and leisure services, local and regional transport, retail and services mean a resident is often willing to trade-off an apartment with sunlight access for these other benefits. Equally, it should be recognised that the provisions of the Apartment Design Guide (ADG) may not be applied equally, or weighted the same, in different localities. For example, a suburban context would have a different set of amenity considerations to a higher density urban context.

In particular, Block 1 addresses some of the various amenity measures for Central Park as follows:

- **Natural ventilation:** 56% of apartments are naturally cross ventilated, with a further 5% achieving the same levels of thermal comfort and indoor air quality as an equivalent cross ventilated apartment.
- **Solar Access:** 62% of apartments receive 2 hours or more hours of direct sunlight to private open space, with 33% achieving direct sunlight to living room windows at the Winter Solstice. On a typical level 78% of apartments achieve Green Star daylight levels. During March, September and December, solar access exceeds 70%.

- **Apartment size and layout:** apartments meet or exceed the minimum unit's size design criteria and have been designed to provide high levels of functionality and efficiency.
- **Private Open Space:** all apartments are provided with areas of private open space that provide a usable space (chiefly as an extension to the living space). These have been designed as loggias on the northern elevation to afford occupants greater flexibility.
- **Visual and acoustic privacy:** achieved through orientation of units and design of façade systems and loggias on the northern elevation.
- **Storage:** to be provided for each apartment in accordance with the ADG within the apartment and basement.
- **Indoor and outdoor space:** Exceeds the requirements set out in the ADG by providing over 34% of the site spread across internal areas, as well as access to a large (215m²) terrace
- **Views and Outlook:** Significant outlook and views both the north and south.
- **Accessibility:** Located within close walking distance to Central Station, Railways Square, Employment and education opportunities as well as retail and essential services.

The holistic assessment of the various amenity considerations for Block 1 demonstrates that notwithstanding the lower achievement of direct sunlight access, Block 1 will deliver a high level of residential amenity.

The proposal recognises its impact on the 16 identified units within Block 1 Central Park. It is not considered warranted nor practical to prepare a daylight report and a LUX level map of the affected apartments as the impacts of the proposal are fully understood based on the existing quantitative analysis and the limited public information available in relation to the internal floor plans and apartments layouts of Block 1.

Impact on heliostat solar collectors

The proposed development is the same height as the lower tower of No. 1 Central Park and does not impact on the roof level of the lower tower where the reflectors are located or the roof level of the higher tower where the heliostat is located.

2.4 Contributions

2.4.1 Issue

Council has advised that Section 94 Contributions are payable for this development and that the request for exemption from the Ultimo-Pyrmont Contributions Plan (UPCP) contained within SSD 7382 Environmental Impact Statement is not accepted.

2.4.2 Proponent's Response

UTS remains steadfast in its position that development contributions should not be payable under this SSDA – consistent with previous development stages of the UTS Concept Plan. Nevertheless, UTS (in an effort to work collaboratively with Council) is prepared to commit the equivalent contribution amount towards public domain works associated with the planned closure and upgrade of Jones Street. A letter to Council outlining this commitment has been issued and is included at **Appendix I** for information.

It is noted that the contributions plan does provide for alternatives to the payment of the development levy. Such an alternative includes making an offer as part of a development application to carry out works in kind (refer to Section 18.2). The works in kind are proposed to be undertaken to a value determined in accordance with UPCP;

and the works relate to public facilities. Finally, it is noted that in accordance with Section 94B of the EP&A Act, the Minister must have regard to the contributions plan but is not bound to strictly impose a condition in accordance with it.

3.0 Conclusion

The proponent and project team have considered all submissions made in relation to the public exhibition of the proposal. A considered and detailed response to all submissions has been provided within this report and the accompanying documentation.

In responding to and addressing the range of matters raised, the proposal has been refined in response to the key matters raised.

The UTS Central project responds to a series of strategic drivers outlined in the UTS Master Plan including:

- Accommodating further growth as a result of projected increases in staff/student numbers expected to occur over the next 6 years in the Library, general teaching spaces (GTS), academic, research, cultural and informal recreation areas.
- Providing new modes of student-centred, collaborative and individual learning in the spaces.
- Revitalising the heart of UTS by developing a Learning Commons as a centre for the city campus.
- Activating the campus as a living laboratory for sustainability.
- Maximising capacity and development potential of the Building 1 (CB01) and Building 2 (CB02) sites.
- Addressing the objectives of the City of Sydney's Sustainable Sydney 2030 vision.

Further, the proposal has significant planning merits as it will:

- Facilitate the addition of a new iconic (exemplar design excellence) building for the UTS City Campus Broadway Precinct and Sydney CBD more broadly, contributing to its global status;
- Assist in meeting the increased demand for tertiary education;
- Support the creation of additional jobs;
- Support a more skilled workforce;
- Strengthen a key industry of Sydney and NSW that plays a crucial role in making NSW Number One;
- Provide opportunities to improve the extent of open space in the Broadway Precinct; and
- Strengthen and enhance the western gateway to the Sydney CBD.

Given the planning merits described above, and significant public benefits proposed, it is requested that the Minister approve the SSDA.