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06 September 2018

Ms Carolyn McNally

Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Dear Ms McNally,

REQUEST FOR SECRETARY'S ENVIRONMENTAL ASSESSMENT REQUIREMENTS (SEARS)

UNIVERSITY OF NEW SOUTH WALES, KENSINGTON CAMPUS - NEW BUILDING D14

1. INTRODUCTION

In accordance with Clause 3 of Schedule 2 of the *Environmental Planning and Assessment Regulation* 2000 (EP&A Regulation) and Schedule 1 (clause 15) of *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP), the University of New South Wales (UNSW) requests the issue of Secretary's Environmental Assessment Requirements (SEARs) for the redevelopment of Building D14 at UNSW's Kensington Campus.

The proposal qualifies as a State Significant Development (SSD) as the Capital Investment Value (CIV) is in excess of the requisite SSD threshold of \$30 Million for Educational Establishment projects.

The purpose of this request is to provide a preliminary environmental assessment and other supporting documentation to allow for the SEARs to be issued to facilitate the preparation of the Environmental Impact Statement (EIS) to accompany the SSD development application (DA).

2. SITE DESCRIPTION

Kensington Campus

UNSW's main Campus is located in Sydney's inner south eastern suburb of Kensington. Established in 1949, the Kensington Campus has grown to a freehold site of 38.9ha with more than 140 buildings of various ages and conditions (**Figure 1**).

The Kensington Campus is located within the Randwick Local Government Area (LGA) and sits to the south of Royal Randwick Racecourse, to the west of the Prince of Wales Hospital, and between the Kensington and Kingsford town centres on Anzac Parade. The Kensington Campus boundaries are

defined by Anzac Parade (to the west), High Street (to the north), Botany Street (to the east), and Barker Street (to the south). It also includes Building L5 located at 223 Anzac Parade and the Western Campus comprising developments to the west of Anzac Parade and north of Day Avenue, including the National Institute of Dramatic Art (NIDA), the University Regiment, and the New College Post-Graduate Village. There is a pronounced fall of approximately 28 metres from Botany Street to Anzac Parade and a 20 metre fall across a north-south escarpment to the east of the campus creating a topographically defined eastern 'Upper Campus' and western 'Lower Campus'.

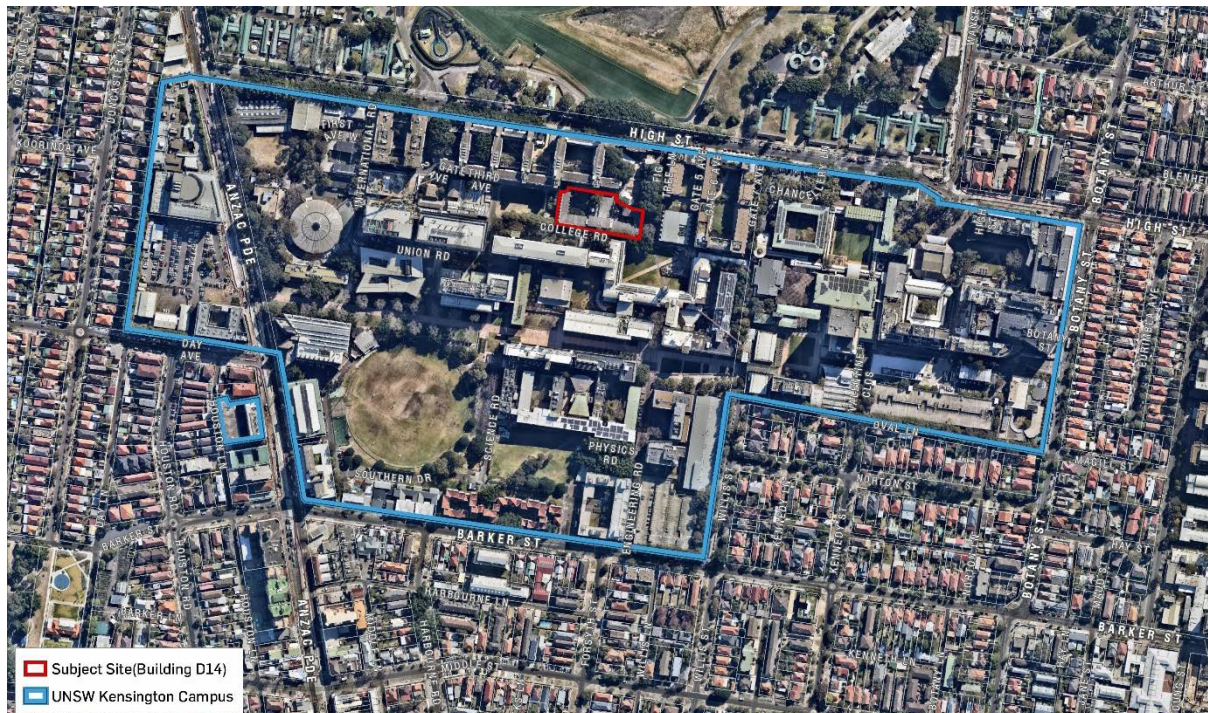
University Hall – Building D14

The project involves the redevelopment of an asset situated within the “Lower” Kensington Campus (University Hall – D14) to address both the short and long-term needs of several key faculties.

University Hall or Building D14 (due to its location at Campus grid reference D14) is a three-storey building constructed in 1966. The building is not listed as of local or state heritage significance. The building currently provides student accommodation consisting of 208 single rooms with shared facilities including bathrooms, kitchens and common areas. Together with University Terraces (B8), UNSW Village (B10), and International House (C6), Building D14 forms part of a student housing neighbourhood within this part of the Kensington Campus.

The development site sits within Lot 3 on DP1104617, is irregular in shape with an area of approximately 5000m². The boundaries of the site are as illustrated in **Figure 2**.

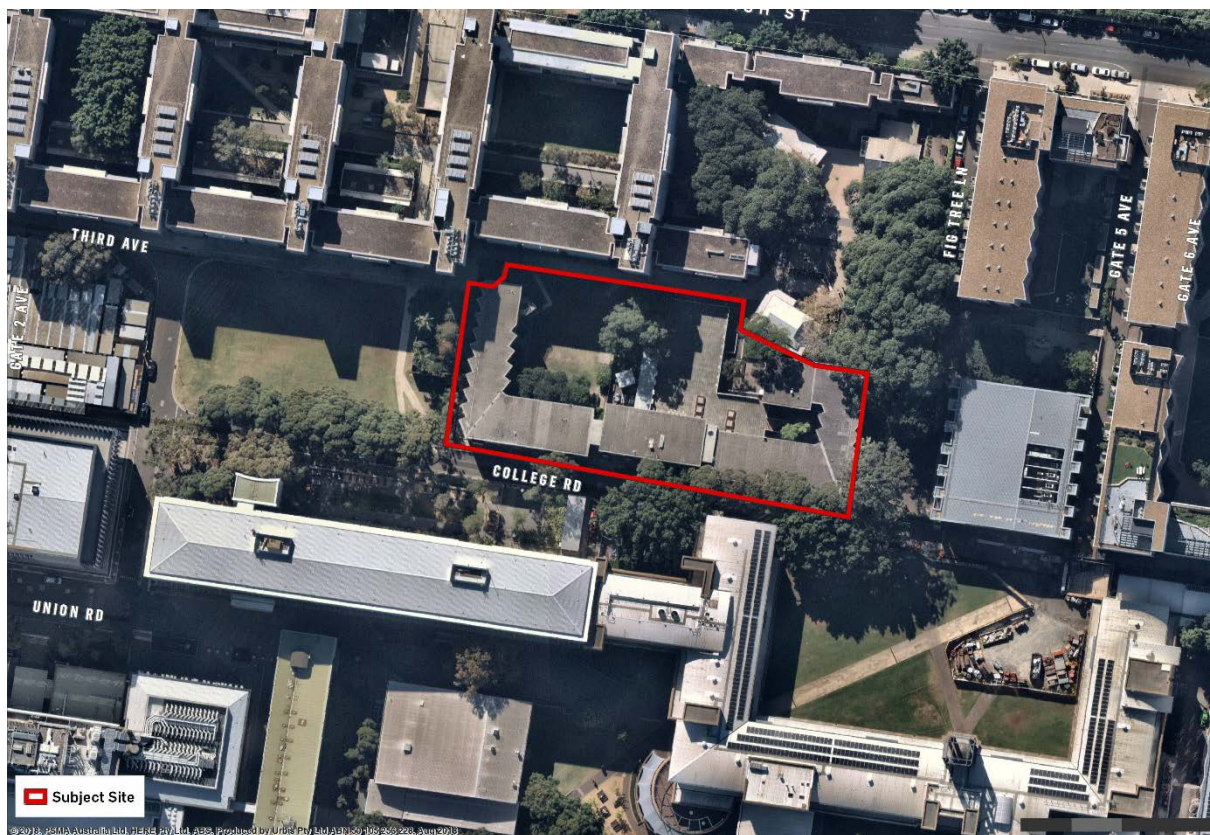
Figure 1 – Site Location



Source: Nearthmap

The north-eastern portion of the site area extends into the Old Tote and Fig Tree Theatre heritage conservation area (HCA). The HCA includes a group of three buildings which date from the use of the site as Kensington Racecourse (prior to the foundation of the University) consisting of the Fig Tree Theatre, the White House and the Old Tote (**Figure 8**). Significant trees within the HCA are listed on the Randwick City Council Significant Tree Register and referred to as 'Group A: Fig Tree Lane (Old Tote)' and 'Fig Tree Theatre Group' (a row of 100-year old Moreton Bay figs).

Figure 2 – Indicative Site Boundaries



Source: Nearmap

3. PROPOSED DEVELOPMENT

UNSW has identified the need to provide new facilities at its Kensington Campus within the Lower Campus. Building D14 and the adjacent area have been selected as the preferred site due to:

- Its strategic Lower Campus position, which will allow it to act as a conduit for implementation of Campus master planning initiatives;
- The opportunity to activate adjoining open spaces including Alumni park, Old Tote / Fig Tree HCA as well as the nearby Quadrangle Lawn, enhancing student amenity and social engagement; and

- The condition of Building D14, which is approaching the end of its useful lifespan.

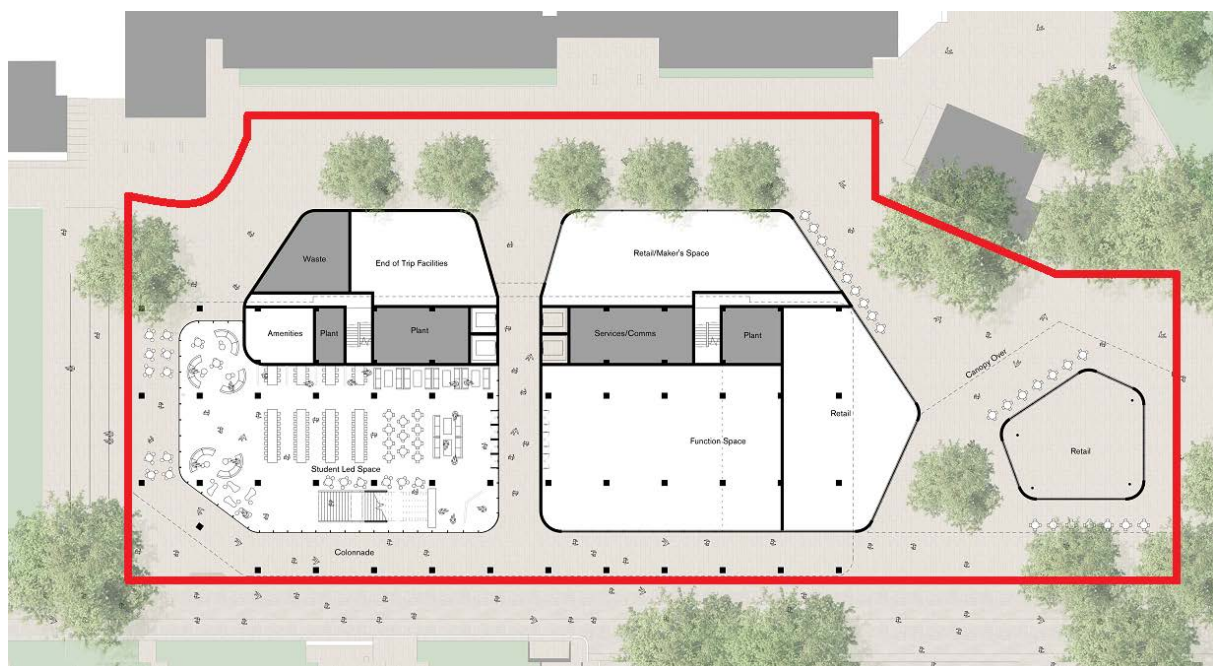
The new Building D14 will be capable of fulfilling multiple space demand uses. With building height of some 35 metres and gross floor area (GFA) of some 15,000 sqm the building will provide:

- A new student study space within the Lower Campus to relieve the demand on the Law library and Main library student study spaces;
- Centrally allocated teaching spaces (CATS) and configurable general teaching rooms/ student led learning spaces;
- Academic workspace for Faculties;
- End-of-trip facilities and storage;
- Ground level retail opportunities; and
- Public domain works.

Site establishment works including but not limited to building demolition, associated tree removal as well as capping and diversion of services will be addressed via separate approval.

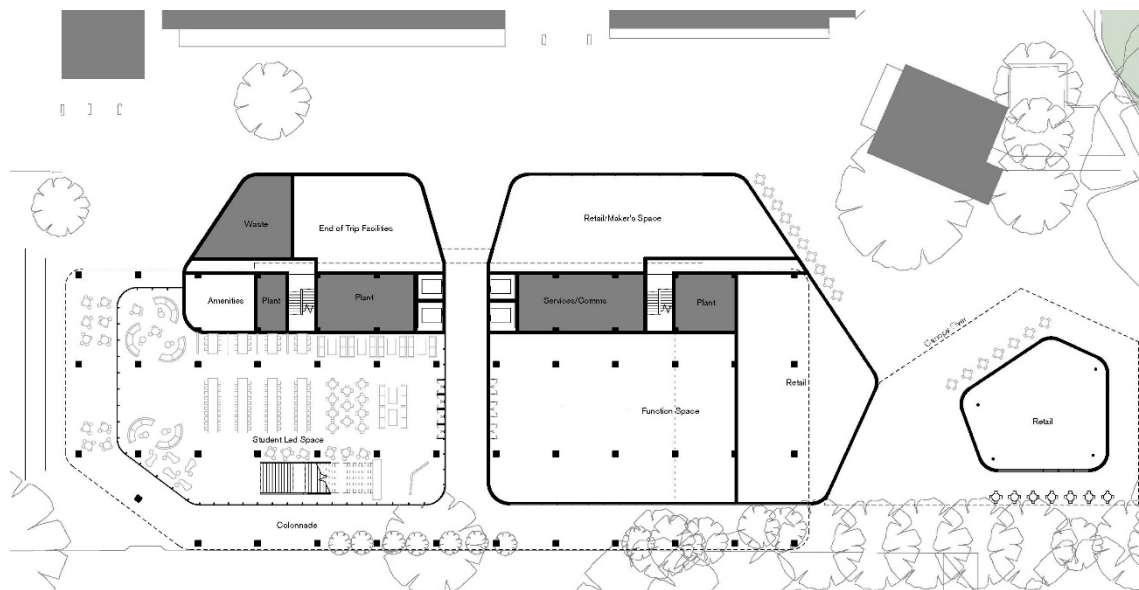
A Concept Design has been prepared and relevant extracts are shown below in **Figures 3 – 6**. This Concept Design has formed part of the brief for the potential detailed design solution for the proposal.

Figure 3 – Concept Design - Public Domain Plan



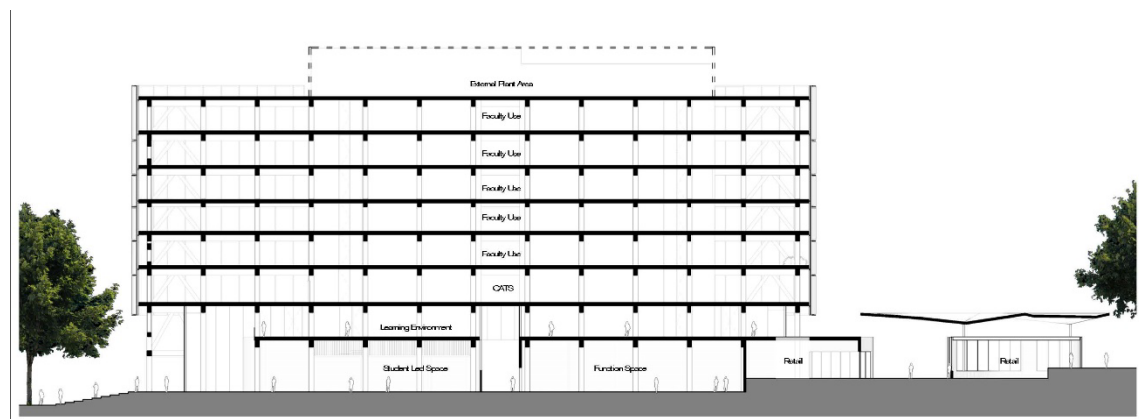
Source: UNSW (marked up by Urbis)

Figure 4 – Concept Design - Ground Floor Plan



Source: UNSW

Figure 5 – Concept Design - Section



Source: UNSW

Figure 6 – Concept Design – Section



Source: UNSW

4. STATUTORY PLANNING FRAMEWORK

The following legislation and environmental planning instruments will apply to the proposed development:

- Environmental Planning and Assessment Act 1979 (EP&A Act)
- Environmental Planning and Assessment Regulation 2000 (EP&A Reg)
- Biodiversity Conservation Act 2016 (BC Act)
- State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55)
- State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)
- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Education SEPP)
- Randwick Local Environmental Plan 2012 (RLEP)
- Randwick City Council Section 94A Development Contributions Plan

4.1. ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

The EP&A Act sets the assessment framework for State Significant Development (SSD). Under Section 4.38 of the EP&A Act the Minister for Planning (or his delegate) is the consent authority for SSD. Section 4.12(8) requires that a development application (DA) for SSD is to be supported by an Environmental Impact Statement (EIS).

4.2. ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2000

In accordance with Clause 3 of Schedule 2 UNSW requests the issue of SEARs for the Project at the UNSW Kensington Campus.

4.3. BIODIVERSITY CONSERVATION ACT 2016

Section 7.2 of the *Biodiversity Conservation Act 2016* (BC Act) provides that development under the *Environmental Planning and Assessment Act 1979* (EP&A) is likely to significantly affect threatened species if:

- (a) it is likely to significantly affect threatened species or ecological communities, or their habitats, according to the test in section 7.3, or*
- (b) the development exceeds the biodiversity offsets scheme threshold if the biodiversity offsets scheme applies to the impacts of the development on biodiversity values, or*
- (c) it is carried out in a declared area of outstanding biodiversity value.*

In the case of SSD, an application must be accompanied by a Biodiversity Development Assessment Report (BDAR) unless the Secretary of the Department of Planning and Environment (DPE) and Chief Executive of the Office of Environment and Heritage (OEH) determine that it is not likely to have any significant impact on biodiversity values.

The UNSW Kensington Campus is a modified urban environment with areas of planted landscaping. The Kensington Campus is not within a declared area of outstanding biodiversity value and the proposed development does not exceed the biodiversity offsets scheme threshold (no removal of vegetation is proposed as part of this application).

Therefore, pursuant to Section 7.9 of the *Biodiversity Conservation Act 2016*, this SEARs request makes a request for exemption from the requirement to prepare a BDAR, subject to a determination from both DPE and OEH.

4.4. STATE ENVIRONMENTAL PLANNING POLICY NO. 55 – REMEDIATION OF LAND

On review of Douglas Partner's Report on Contamination Assessment dated 15 August 2018 for UNSW Hall Site (D14), we note that low contamination levels are expected for in situ soils in areas investigated on the D14 site.

In addition, we note there is no basement structure for the proposed new D14 building with reduction in typical excavation and in ground works required associated with an underground basement structure. As such we would request an Unexpected Finds Protocol be adopted in lieu of a Remediation Action Plan for removal and disposal of any unexpected finds of hazardous materials.

Following demolition of the existing structures, further investigation would be undertaken within the footprint of those structures to fully characterise the site.

4.5. STATE ENVIRONMENTAL PLANNING POLICY (STATE AND REGIONAL DEVELOPMENT) 2011

In accordance with Schedule 1 (Clause 15) of *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP), the Project qualifies as SSD as the CIV of the project is in excess of the requisite SSD threshold of \$30 million for Educational Establishment projects (refer to **Appendix B**).

Pursuant to Clause 11 of SEPP SRD, development control plans (whether made before or after the commencement of the SEPP) do not apply to SSD.

4.6. STATE ENVIRONMENTAL PLANNING POLICY (EDUCATIONAL ESTABLISHMENTS AND CHILD CARE FACILITIES) 2017

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (ESEPP) has provisions that will support for child-care providers, schools, TAFEs and universities to build new facilities and improve existing ones by streamlining approval processes to save time and money and deliver greater consistency across NSW.

In accordance with Clause 45(1), development for the purpose of a university may be carried out by any person with development consent on land in a prescribed zone. The SP2 Infrastructure (Educational Establishment) Zone is a prescribed zone for the purposes of the ESEPP. Development for the purposes of the new Building D14, therefore, is able to be undertaken with consent.

4.7. RANDWICK LOCAL ENVIRONMENTAL PLAN 2012

The site lies within the Randwick LGA and is subject to the *Randwick Local Environment Plan 2012* (RLEP). Relevant controls include:

The *Land Zoning Map* identifies the site as being within the 'SP2 -Educational Establishment' Zone and development for the purpose shown on the Land Zoning Map, including any development that is ordinarily incidental or ancillary to development for that purpose, is permissible with consent. Accordingly, the proposal – being for an educational establishment with ancillary and ordinarily incidental uses is permissible with consent.

Clause 4.3 - Maximum building height, establishes the maximum permissible building height for development on certain land. The Height of Buildings Map does not identify a height limit for the site and as such a merit assessment is required.

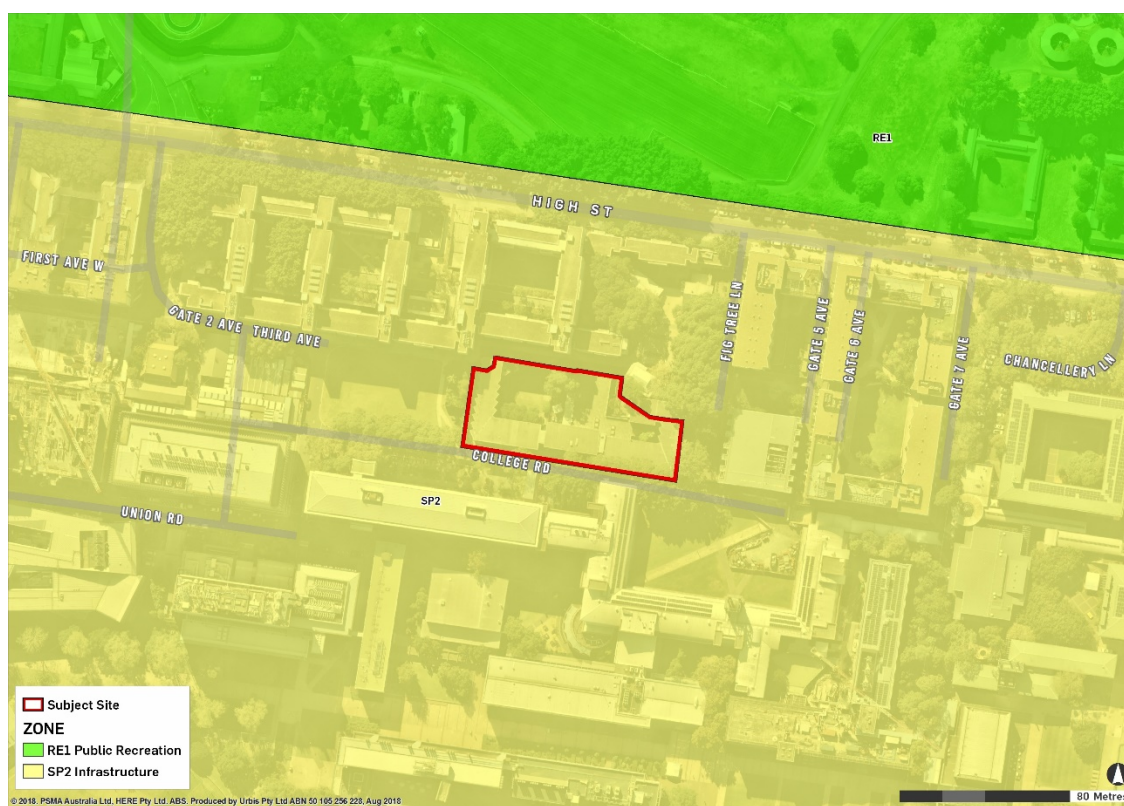
Clause - 4.4 Floor space ratio (FSR), establishes the maximum FSR for development on certain land. The Floor Space Ratio Map does not identify a FSR limit for the site and as such a merit assessment is required. Building D14 is proposed to have a GFA in the order of 15,000m², which results in a proposed FSR of approximately 3:1 when considering the area of the development site upon which the proposed building will sit.

Clause 5.10 - Heritage conservation, establishes protection controls for items of local heritage significance including archaeological sites, Aboriginal objects, and heritage conservation areas. A portion of the site lies within the 'Old Tote and Figtree Theatre' HCA (item no. C2) comprising Old Tote

Building, Figtree Theatre, Whitehouse building and significant fig trees. Preliminary heritage studies have been undertaken and heritage consideration has been incorporated into the design parameters.

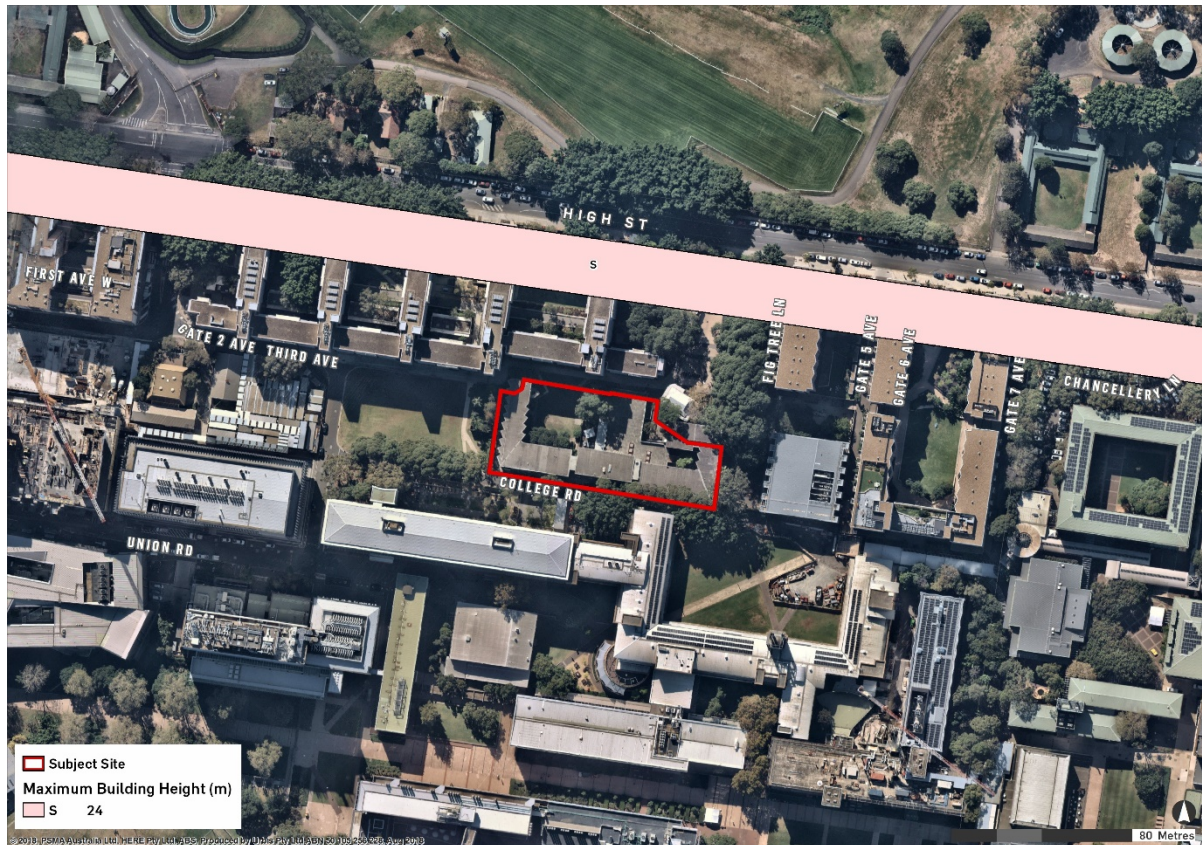
Clause 6.8 - Airspace operations, identifies development that must be referred to the relevant Commonwealth body by virtue of potential impacts on airspace operations. The site falls within Prescribed Airspace for Sydney Airport Obstacle Limitation Surface and may require referral to the Sydney Airports Corporation Ltd (SACL).

Figure –Zoning Map



Source: Randwick LEP

Figure 7 – Maximum Building Height



Source: Randwick LEP

Figure 8 – Heritage Conservation Areas



Source: Randwick LEP

4.8. RANDWICK COMPREHENSIVE DEVELOPMENT CONTROL PLAN 2013

The Randwick Comprehensive Development Control Plan 2013 (RDCP 2013), contains detailed provisions for development of the UNSW Kensington Campus to support the Randwick LEP 2012 under Part E Specific Sites (Randwick Education and Health Specialised Centre). However, in accordance with Clause 11 of the SEPP SRD, the requirements of Development Control Plans (DCPs) do not apply to this proposal, which qualifies as SSD.

5. STRATEGIC PLANNING FRAMEWORK

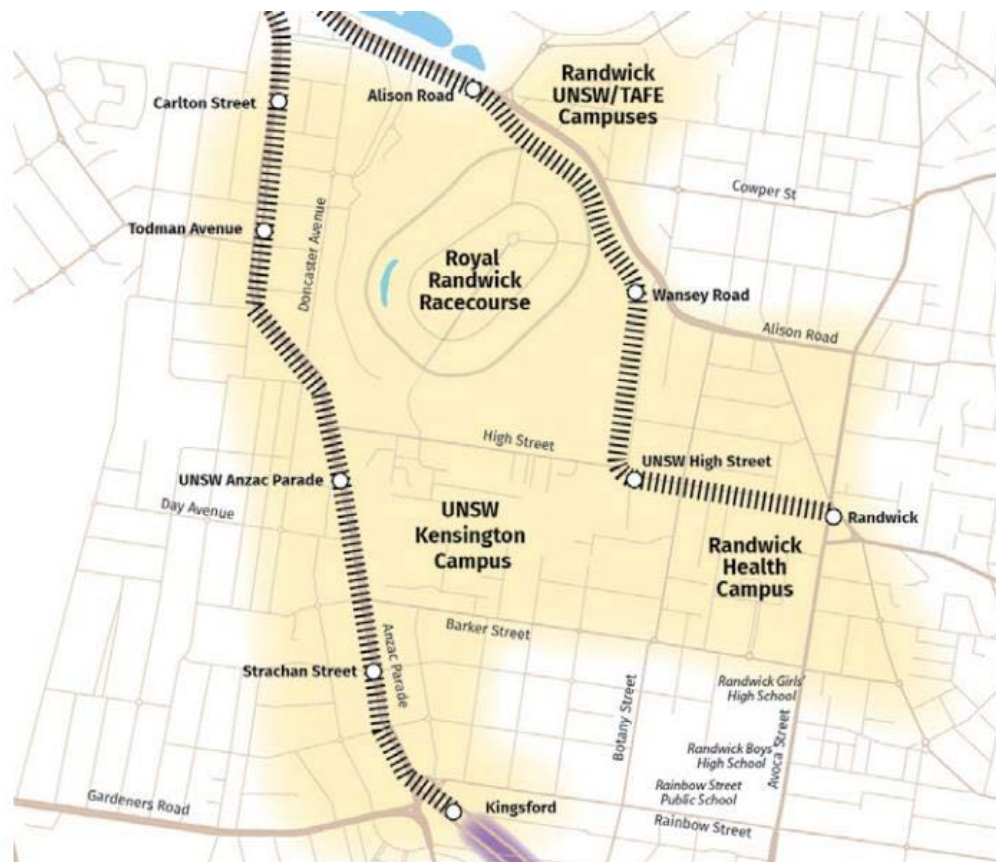
A Metropolis of Three Cities – the Greater Sydney Region Plan

The Greater Sydney Region Plan supports the Greater Sydney Commission (GSC) vision for a metropolis of three cities and will guide the growth of Greater Sydney to 2056. Although not a specific focus of the Region Plan, UNSW is identified as part of the Randwick Health and Education Precinct.

Eastern City District Plan

The GSC Eastern City District Plan sets out priorities and actions for Greater Sydney's Eastern City District. The District Plan identifies the UNSW Kensington Campus as within the 'Randwick Collaboration Area' (**Figure 7**) highlighting an opportunity to deliver significant economic benefits through the agglomeration of health, research and education services.

Figure 9 – Randwick Collaboration Area



Source: Greater Sydney Commission

Future Transport 2056

The Future Transport 2056 Strategy sets a 40-year vision for transport in the Greater Sydney Region. UNSW is located within a trunk Centre-Centre corridor within the Eastern City. Specifically, the Randwick Health and Education Precinct forms part of the Harbour CBD Trunk Centre-Centre corridor and will benefit from the CBD & South East Light Rail, a major infrastructure upgrade currently underway and an initiative of Future Transport 2056.

UNSW 2025 Strategy

The UNSW 2025 Strategy focuses on providing contemporary spaces and facilities that will meet student and staff needs, create a vibrant community of activity and that are safe, accessible and environmentally sustainable. The Strategy emphasises utilisation of the Light Rail, due for completion in 2020, to open up new opportunities to connect the Kensington Campus to the broader Metropolitan Sydney.

6. KEY ISSUES FOR CONSIDERATION

The key issues arising from review of the site context and a preliminary assessment of the indicative Concept Design are listed as follows:

- Built form
- Crime Prevention Through Environmental Design (CPTED)
- Heritage
- Traffic generation, parking and access
- Residential amenity impacts
- Construction and operational impacts
- Developer contributions
- Consultation

The following sections of the report discuss the potential impacts of the proposed development and the likely measures to avoid, mitigate and/or manage these impacts. This information has been prepared to assist the DPE to identify the requirements for preparing the EIS, including the detailed studies and investigations required to support the DA.

6.1. BUILT FORM

The EIS will assess the height, bulk and scale of the proposed development within the context of surrounding built and natural environment. It will demonstrate how the proposal integrates with its context and how the built form and site layout achieves good design and amenity outcomes for future users of the site and users of the public domain.

UNSW has a commitment to sustainability in the planning, design and management of all new buildings on Campus. The proposed development will demonstrate consistency with the sustainability objectives outlined in the UNSW 2025 Strategy.

6.2. CRIME PREVENT THROUGH ENVIRONMENTAL DESIGN

A CPTED assessment will be prepared in accordance with the Safer by Design evaluation process used by the NSW Police to identify and quantify crime risks. Measures will be incorporated into the design to mitigate identified risks.

6.3. HERITAGE

A small portion of the site falls within the 'Old Tote and Figtree Theatre' HCA comprising Old Tote Building, Figtree Theatre, White House and significant fig trees. Preliminary heritage studies have been undertaken and heritage consideration has been incorporated into the design parameters.

A search of the Office of the Environment and Heritage Aboriginal Heritage Information Management System (AHIMS) has indicated that no Aboriginal sites or artefacts are recorded within proximity of the site (**Appendix A**).

6.4. TRAFFIC, PARKING & ACCESS

No change is proposed to the current vehicular access or servicing arrangement.

The site is highly accessible by public transport, particularly noting the CBD & South East Light Rail terminals to be located on High Street and Anzac Parade.

6.5. RESIDENTIAL AMENITY IMPACTS

Due to the site's internal location, impacts on residential properties external to the Kensington Campus are not anticipated.

It is noted that the site is within close proximity to student accommodation within the Kensington Campus. The nearby student accommodation is a mixture of student apartments and colleges. Consultation with this accommodation has commenced and will continue to ensure potential amenity impacts are mitigated.

An assessment will be carried out within the EIS, including view sharing, traffic, parking, bulk, scale and construction and operational factors.

6.6. CONSTRUCTION AND OPERATIONAL IMPACTS

Significant trees will be protected in accordance with relevant Australian Standards and arboricultural recommendations.

The EIS will address and consider the following construction and operation impacts:

- Acoustics and vibration,
- Stormwater,
- Servicing and infrastructure including construction access/traffic, and
- Operation and management issues.

6.7. CONTRIBUTIONS

Randwick City Council Section 94A Development Contributions Plan 2015 (Randwick S94A Plan) applies to the subject site. A 1% levy on the total CIV of the proposed development is payable unless it is exempt, as per Section 13 of the Randwick S94A Plan. Whilst the proposed development is not automatically exempt from the levies of the Randwick S94A Plan there is merit for the proposal to be exempt from contribution payments, for the following reasons:

- The proposal involves improvement of an existing education establishment;
- The proposal is in the public interest; and
- The proposal will not significantly increase the demand for services and facilities levied under the Randwick S94A Plan.

In addition, UNSW:

- Is a not-for-profit educational institution;
- Is a registered charity with the Australian Tax Office;
- Has Crown and Public Authority status;
- Provides functions that are inherently of a public nature;
- Provides numerous facilities and services on the main Kensington Campus that are available to the Randwick community; and
- Is exempt from contributions under the provisions of Department of Planning Circular D6.

6.8. CONSULTATION

UNSW has undertaken internal and external consultation in relation to planned development within the Kensington Campus. The development site has no adjoining land owners being internal within the Campus. The closest adjoining landowners include the Prince of Wales Hospital and Randwick Racecourse both of whom will be contacted to discuss the proposal during the design development phase. A preliminary briefing meeting was held with the Government Architect NSW (GANSW) on 21 August 2018.

Consultation with key stakeholders including the GANSW and the State Design Review Panel will continue throughout the preparation of the SSD development application and associated Environmental Impact Statement.

7. CONCLUSION

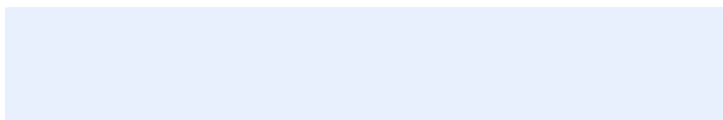
This request has provided an outline of the indicative concept plan for the site and identified the key environmental issues to assist the DPE in the preparation of the SEARs.

We would welcome the opportunity to meet with the Department (and other key stakeholders, as required) to provide a detailed briefing regarding the project.



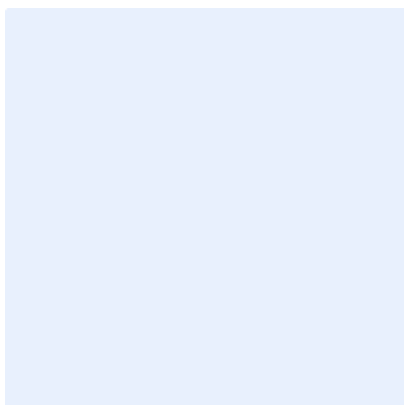
If you have any questions please don't hesitate to contact me at pstrudwick@urbis.com.au.

Yours sincerely,



Peter Strudwick

Director



APPENDIX A: AHIMS
APPENDIX B: CIV STATEMENT