

# Notice of decision

## Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

Application type	State significant development
Application number and project name	SSD 9606 Building D14 Redevelopment
Applicant	UNSW Australia
Consent Authority	Minister for Planning and Public Spaces

### Decision

The Executive Director under delegation from the Minister for Planning and Public Spaces has, under section 4.38 of the *Environmental Planning and Assessment Act 1979 (the Act)* granted consent to the development application subject to the recommended conditions.

A copy of the development consent and conditions is available [here](#).

A copy of the Department of Planning and Environment's Assessment Report is available [here](#).

### Date of decision

9/8/19.

### Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the Department's Assessment Report;
- the prescribed matters under the *Environmental Planning and Assessment Regulation 2000*;
- the objects of the Act;
- the considerations under s 7.14(2) and 7.16(3) of the Biodiversity Conservation Act 2016 (NSW);
- all information submitted to the Department during the assessment of the development application [and any additional information considered in the Department's Assessment Report];
- the findings and recommendations in the Department's Assessment Report; and
- the views of the community about the project (see Attachment 1).

The findings and recommendations set out in the Department's Assessment Report were accepted and adopted as the reasons for making this decision.

The key reasons for granting consent to the development application are as follows:

- the project would provide a range of benefits for the region and the State as a whole, including \$117 million capital investment, creation of 100 construction jobs, and enhance the education facilities for staff and students.
- the project is permissible with development consent and is consistent with NSW Government policies including the *Greater Sydney Regional Plan: A Metropolis of Three Cities*, the *Greater Sydney Commissions' Easter City District Plan*, and the *Future Transport Strategy 2056*.
- the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards. The consent authority has included conditions of consent to ensure construction impacts are appropriately managed, transport access arrangements are adequate and measures for environmentally sustainable development (ESD) are incorporated into the design.
- the community views have been considered and adequately addressed through changes to the project and the recommended conditions of consent.
- weighing all relevant considerations, the project is in the public interest.

## Attachment 1 – Consideration of Community Views

The Department exhibited the Environmental Impact Statement for the project from 16 January 2019 until 22 February 2019 (37 days) and received one submission from Randwick City Council (Council) outlining issues and recommended conditions of consent. No public submissions were received.

The key issues raised by the community (including in submissions) and considered in the Department's Assessment Report and by the decision maker include built form, landscaping, ESD, bicycle parking, drainage and Section . Other issues are addressed in detail in the Department's Assessment Report.

<i>Issue</i>	<i>Consideration</i>
<b>Built Form</b> <ul style="list-style-type: none"> <li>The bulk and scale of Building D14 should be reduced in the eastern and south-eastern portion.</li> <li>The proposed building will 'box in' the Heritage Conservation area and be visually intrusive.</li> </ul>	<b>Assessment</b> <ul style="list-style-type: none"> <li>The proposed development, as modified by the Response to Submissions, is considered to be an appropriate bulk and scale in its context.</li> <li>The proposal is considered to enhance appreciation of the HCA's aesthetic significance by providing a wider curtilage to the contributory buildings and will have no impact on its historic or social significance.</li> </ul> <b>Conditions</b> <ul style="list-style-type: none"> <li>None required</li> </ul>
<b>Landscaping</b> <ul style="list-style-type: none"> <li>Further landscaping information is required including a planting plan and schedule.</li> <li>There shall be no net loss of tree canopy.</li> <li>Tree replacement is less than trees removed.</li> </ul>	<b>Assessment</b> <ul style="list-style-type: none"> <li>A planting plan and schedule was provided with the RtS.</li> <li>Given the scale of the proposed building's footprint and the large canopies of established trees adjoining the site (such as the figs of Fig Tree Lane and the ficus trees adjoining the Quadrangle), the quantity of the proposed replacement tree planting is considered generous; and the primarily native species are considered appropriate to the site context.</li> </ul> <b>Conditions</b> <ul style="list-style-type: none"> <li>Conditions are included to ensure the protection of retained trees.</li> </ul>
<b>ESD</b> <ul style="list-style-type: none"> <li>Council requests that certification of the building's achievement of Green Star rating occurs.</li> </ul>	<b>Assessment</b> <ul style="list-style-type: none"> <li>The Department concurs with Council's comment.</li> </ul> <b>Conditions</b> <ul style="list-style-type: none"> <li>Conditions are included to ensure the development achieves a 6 star Green Star rating.</li> </ul>
<b>Bicycle Parking</b> <ul style="list-style-type: none"> <li>End of trip facilities and bicycle parking should be provided.</li> </ul>	<b>Assessment</b> <ul style="list-style-type: none"> <li>The application proposes 45 bicycle parking spaces; however the bicycle parking room is considered insufficient in size to accommodate these spaces.</li> </ul> <b>Conditions</b> <ul style="list-style-type: none"> <li>Conditions are recommended requiring the provision of a minimum 45 bicycle parking spaces on site, either in the bicycle parking room or by external bike racks.</li> </ul>
<b>Drainage</b> <ul style="list-style-type: none"> <li>The development must drain in accordance with the UNSW 2025 Stormwater Strategy Management Plan.</li> <li>Conditions relating to drainage were recommended by Council.</li> </ul>	<b>Assessment</b> <ul style="list-style-type: none"> <li>The Department does not support the exact conditions relating to stormwater recommended by Council.</li> </ul> <b>Conditions</b> <ul style="list-style-type: none"> <li>The Department recommends a condition which requires the Applicant to demonstrate to the certifying authority that detailed stormwater management plans have been developed in consultation with Council prior to the commencement of construction.</li> </ul>
<b>Contributions</b> <ul style="list-style-type: none"> <li>Council requests development contributions be levied in accordance with <i>Randwick City Council s94A Contributions Plan</i>.</li> </ul>	<b>Assessment</b> <ul style="list-style-type: none"> <li>Following discussions between the Department, Council and the Applicant it was agreed that a monetary payment of \$587,770 would be made by the Applicant in development contributions.</li> </ul> <b>Conditions</b> <ul style="list-style-type: none"> <li>The Department recommends a condition requiring the payment of \$587,770 to Council prior to the commencement of work.</li> </ul>