

13 July 2018

15756

Carolyn McNally
Secretary
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

Attn: Brendon Roberts

Dear Mr Roberts

SSD 7317 SECTION 4.55(1A) MODIFICATION (MOD 12) – AUSTRALIAN TECHNOLOGY PARK, EVELEIGH

This application has been prepared by Ethos Urban on behalf of Mirvac Projects Pty Ltd (Mircvac) pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to modify State Significant Development 7317 (SSD 7317) which relates to the development of a commercial campus at the Australian Technology Park, Eveleigh.

The modification application specifically seeks to:

- amend the approved Landscape Masterplan;
- gain approval for the proposed Public Domain Signage and External Signage Strategy; and
- introduce new conditions of consent to the Instrument of Approval for SSDA 7317.

This application identifies the consent, describes the proposed modifications and provides a planning assessment of the relevant matters for consideration contained in section 4.55(1A) of the EP&A Act and is accompanied by:

- a revised Landscape Masterplan prepared by Aspect Studios (**Attachment A**);
- a Public Domain Design Report prepared by Aspect Studios (**Attachment B**); and
- an External Signage Strategy prepared by Urbanite (**Attachment C**).

This application should be read in conjunction with the Environmental Impact Statement (EIS) for SSDA 7317 prepared by JBA (now Ethos Urban) dated December 2015.

1.0 Consent proposed to be modified

Development consent (SSD 7317) was granted by the Planning Assessment Commission on 20 December 2016 for a commercial campus at the Australian Technology Park. The works included:

- Site preparation works, site clearance, excavation and remediation;
- Construction of three mixed-use buildings with a total gross floor area (GFA) of 107,427m² comprising:
 - Building 1 for commercial/ office, retail and child care uses (GFA of 46,830 m²/ height of nine storeys);
 - Building 2 for commercial/ office and retail uses (GFA of 56,686 m²/ height of seven storeys);
 - Building 3 for retail, gym, child care, community office and commercial uses (GFA of 3,911 m²/ height of four storeys).
- Car and bicycle parking;
- Landscaping, road and public domain works; and
- Building identification signage zones.

1.1 Background to the provision of the Public Domain design documentation

Landscape Masterplan

A Landscape Masterplan prepared by Aspect Studios was submitted and approved as part of the original consent for SSDA 7317. It defined the Public Domain area and presented the general upgrade concepts which were proposed within the ATP precinct.

Detailed Design Elements

The Instrument of Approval issued for SSDA 7317 included Condition B53 which required a detailed landscape and public domain plan, to be prepared in consultation with Council and the Heritage Council and approved by the Secretary prior to the issue of the first Construction Certificate for above ground building works. The detailed landscape and public domain plan was required to include the following:

- provision for the conservation and retention of moveable heritage items;
- interpretive devices for heritage features and in relation to the history of the site overall;
- location of existing and proposed structures on the site including, but not limited to, existing and proposed trees, paved areas, planted areas, planted areas on slab, planted areas in natural ground, lighting and other features;
- details of earthworks and soil depths including mounding and retaining walls and planted boxes (if applicable);
- deep soil depth, unencumbered by any structures for mature tree growth;
- mature tree species that form a continuous canopy between Building 1 and the Alexandria child care centre;
- details of planting procedures and maintenance; and
- details of drainage, waterproofing and watering systems.

On 26 June 2017, the Planning Assessment Committee (as delegate for the Minister for Planning) approved Modification 1 to SSDA 7317. This Modification approval amended the wording of Condition B53 to allow Mirvac gain approval for and deliver the detailed landscape and public domain works in two stages as illustrated in **Figure 1**.

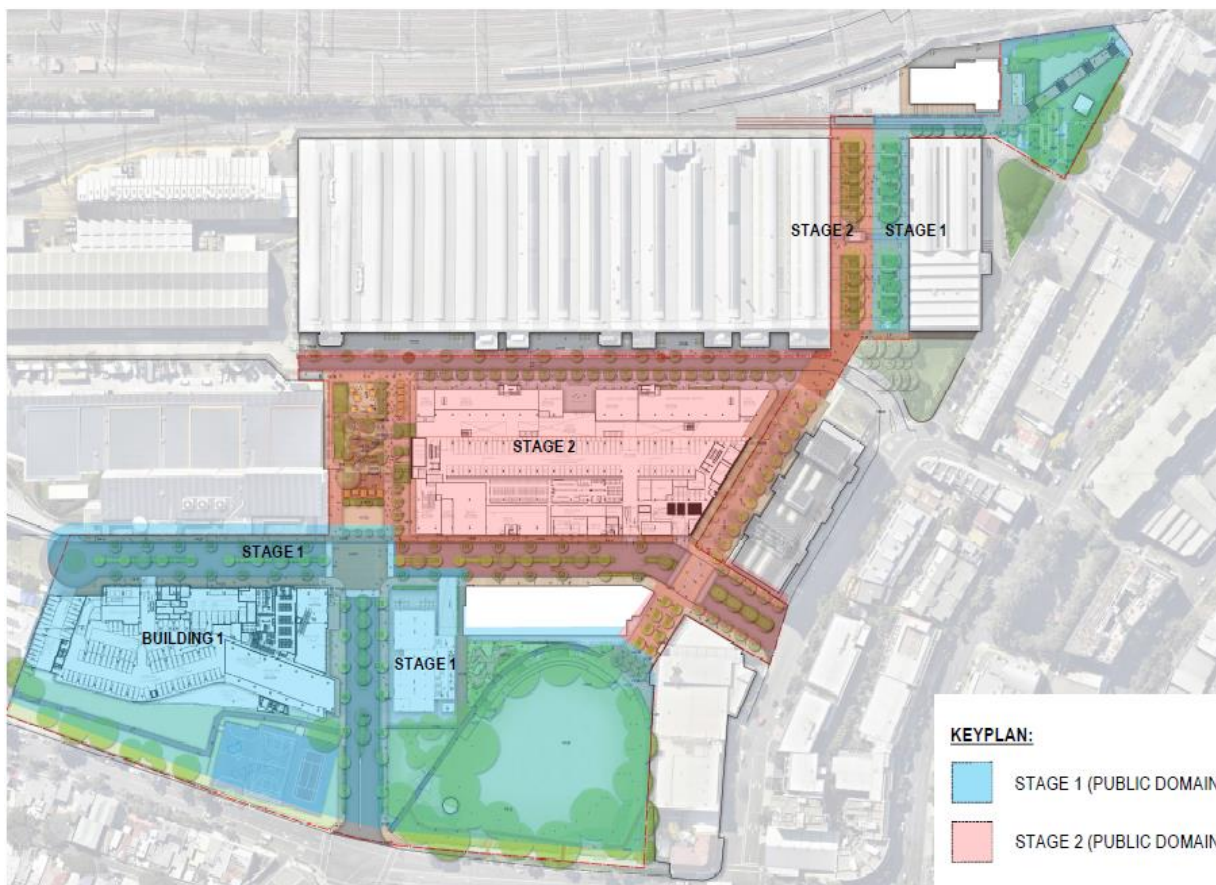


Figure 1 Public Domain Staging Plan

Source: Mirvac

Importantly, the revised Condition wording (now referenced Condition B53A) still required detailed landscape and public domain plans to include the details that were listed within the original wording of Condition B53. It also required the plans to be prepared in consultation with Council and the Heritage Council and then be approved by the Secretary.

The detailed landscape and public domain plans for both Areas 1 and 2 have since been approved by the Secretary following a detailed consultation program and confirmation has been issued by the Secretary that Condition B53A has been discharged.

Works within Public Domain Area 1 are currently underway.

It is noted that Condition B53 (in its entirety) as it stands does not provide a mechanism for the detailed design plans for of the landscape and public domain works to be amended following discharge of Condition B53A by the Secretary.

1.2 Previous Modification Applications

Since the original approval, there have been several applications seeking to modify the original development. These include:

- Modification 1 – which sought changes Condition B53 (as noted in Section 1.1). This modification was approved on 26 June 2017.
- Modification 2 – which sought changes to signage zones on Building 1, lower ground floor layout reconfiguration of Building 2 and amendments to Conditions B4 and B8. This modification was approved on 22 August 2017;
- Modification 3 – which sought amendments to the design of Building 3 (the community building) which included an increase to the overall GFA of Building 3 by 406 m². This modification was approved on 1 December 2017;
- Modification 4 – which sought approval for the placement of mechanical exhausts, flues, vents and photovoltaics on top of the roof of Building 1 and amendments to the wording of Condition A14. This modification was approved on 20 October 2017;
- Modification 5 – which sought approval for the construction of a concrete base structure beneath Locomotive Street to house a travelator that will connect Bay 4 of the Locomotive Workshop to the lower ground floor of Building 2. This modification application was approved on 29 June 2018.
- Modification 6 – which seeks amendments to the internal configuration of the Lower Ground Floor and Upper Ground Floor levels of Building 2, the provision of new doorways into the Upper Ground Floor level retail tenancies and minor amendments to façade materials and signage zones. This modification was lodged with the Department on 3 April 2018.
- Modification 7 – which seeks minor amendments to Building 1 in relation to the façade materials and the addition of a signage zone, plant, louvres and an awning. This modification was lodged with the Department on 5 April 2018.
- Modification 8 – which seeks a modification to the approved bicycle parking and storage lockers within Building 1 and Building 2 of the ATP precinct. This modification was lodged with the Department on 8 May 2018.
- Modification 9 – which seeks approval for minor amendments to Building 1, including the use of the Level 1 terrace as trafficable space for the building's commercial tenants, use of the Level 7 breakout area / terrace as trafficable space for the building's commercial tenants and minor alterations to the approved entrance doors. This application was lodged on 18 May 2018.
- Modification 10 – which seeks approval for minor design amendments to Building 3 in response to future tenant requirements. The application was lodged on 1 June 2018.
- Modification 11 – which seeks approval for minor word changes to various conditions within the Instrument of Approval. This application was lodged on 3 July 2018.

2.0 Proposed modifications to the consent

This application seeks to modify SSDA 7317 by:

- Amending the approved Landscape Masterplan as illustrated in the revised drawings, prepared by Aspect Studios (**Attachment A**) by:
 - realigning the public domain master plan boundary to include a parcel of land adjacent to the southern edge of Innovation Plaza that is intended to become an Indigenous Garden;
 - introducing a ‘wellness and junior scooter park’ at the south-east boundary of the ATP site (adjacent to Building 1) in place of a turfed grass area;
 - relocating the brick pathway proposed to run around the northern edge of Eveleigh Green 1.2m inboard to avoid impacting existing tree roots; and
 - introducing a feature lighting concept within the Public Domain area.
- Seeking approval for Public Domain Signage and External Signage Strategy (**Attachment C**).
- Introducing Conditions into the Instrument of Approval for SSDA 7317 that enables the detail design documentation approved under Condition B53A to be modified with approval from the PCA, subject to any revised elements being consistent with the approved:
 - Landscape Master Plan;
 - the Public Art Strategy;
 - the Feature Lighting Concept; and
 - External Signage Strategy.

The proposed modifications are described in further detail at **Section 2.1**.

2.1 Modifications to the development

2.1.1 Landscape Master Plan Modifications

A revised Landscape Masterplan prepared by Aspect Studios is provided at **Attachment A** along with a separate drawing that highlights the proposed changes to the Landscape Masterplan.

Indigenous Garden

As illustrated in **Figures 3 and 4**, the Public Domain boundary is proposed to be extended to include a parcel of land along the eastern boundary of the ATP site. This parcel of land is included within the lot boundary for the SSDA 7317 development, however it was not originally included within the area to be upgraded as part of the Public Domain works.

It is intended that this additional parcel of land is to be converted into an Indigenous Garden, that will include an area of passive recreation that is respectful of the Indigenous heritage within the locality. The Indigenous Garden will feature pedestrian pathways, native indigenous plant species and areas for respite and relaxation. The detailed design of the Indigenous Garden will be confirmed within the Stage 2 Heritage Interpretation Plan for the Public Domain and the detailed construction level drawings will be provided to the PCA as part of the relevant construction certificate documentation.

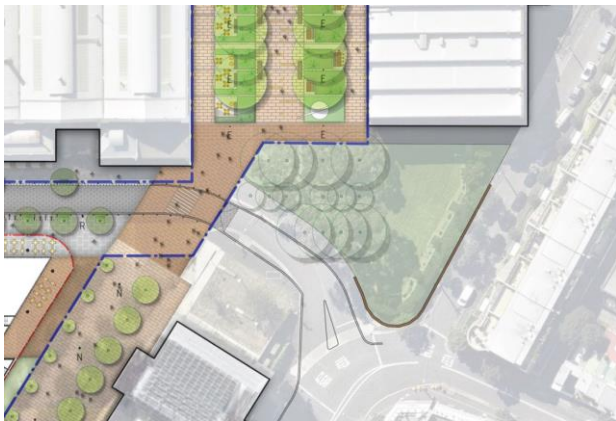


Figure 2 The proposed modification to Indigenous Garden
 Source: Aspect Studios

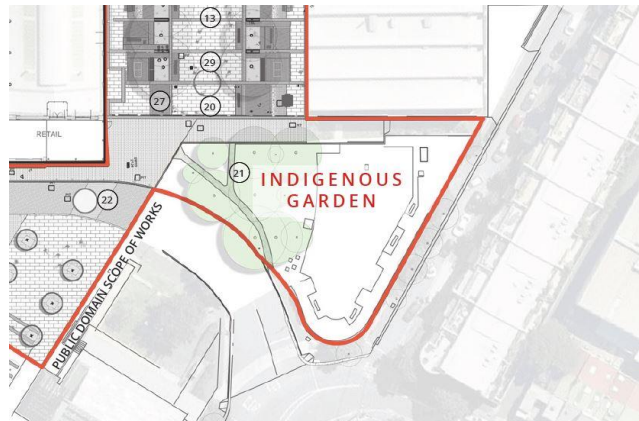


Figure 3 The proposed modification to Indigenous Garden
 Source: Aspect Studios

Wellness Precinct

Mirvac seek approval to provide a Wellness Precinct that will comprise a wellness park and junior scooter park in place of an existing open turfed area along the south-east boundary of the ATP precinct, as shown in **Figure 4**.

The proposed Wellness Precinct layout, detailed sectional drawings, wall, bench and planting details are provided in the Public Domain Design Report included at **Attachment B**. The detailed construction level drawings will be prepared in accordance with the Landscape Masterplan and Public Domain Design Report (once approved) and provided to the satisfaction of the PCA within the relevant construction certificate documentation.

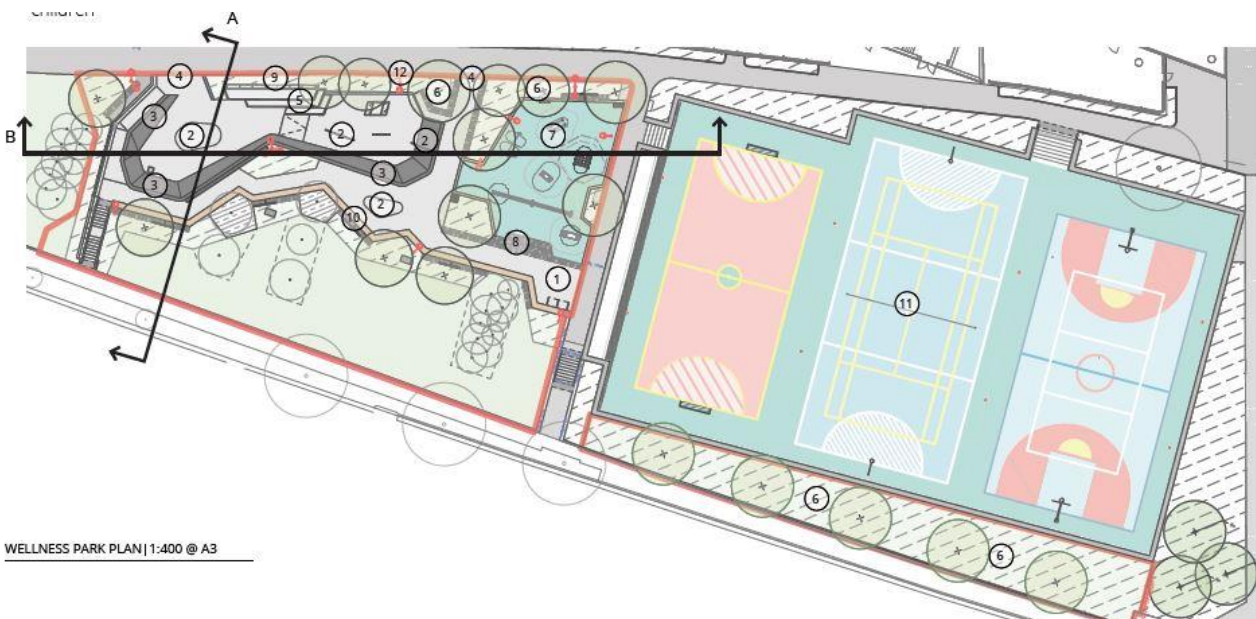


Figure 4 The proposed wellness and skate/scooter park
 Source: Aspect Studios

The provision of the Wellness Precinct results from Mirvac's continued refinement to the scope of the proposed public domain works and its mission to create a *'vibrant new precinct that combines world class work, retail and community spaces'*.

The inclusion of the Wellness Precinct within the ATP seeks to provide additional facilities for the use and enjoyment of the local and new worker community. It is also envisioned that the provision of the Wellness Precinct will further contribute to opening up the ATP to the surrounding neighbourhood and reposition the ATP as a central hub for Eveleigh.

As set out in the Public Domain Design Report at **Attachment B**, the conceptual design for the Wellness Precinct is derived from the following key design principles which identify the important relationship between wellness and the outdoors:

- Space to be flexible to allow for inter-generational play;
- Make use of the existing condition of the site;
- Provide an active street interface; and
- Create a wellness precinct in nature, connecting sports, fitness and children.

The Wellness Precinct will consist of various forms of equipment and structures intended for active use, including outdoor exercise equipment, scooter ramps, rails and seating. Various forms of planting and landscaping will surround this equipment, which will include several large trees providing shade, and understorey planting to provide a lush landscape surrounding the recreationally focused scooter park. The Wellness Precinct has also been designed to develop the space within the confines of the level change of the site, with bench seating used to address height differences.

The Wellness Precinct includes the following key items:

1. Internal circulation pathway from Henderson Road to the main pedestrian thoroughfare between the park and Building 1, with brick edges and seating provided that faces the scooter space;
2. Scooter and skate elements including mounds and rails of levels suited to younger children;
3. Concrete ramp edging to connect the circulation pathway to the scooter plaza space;
4. Accessible walkways into the scooter plaza;
5. Terraced edges of the scooter and skate area;
6. Large trees to provide shading with understorey planting for landscaping aesthetics;
7. Outdoor gym facility on soft fall ground cover;
8. Brick stepped edges to act as both exercise stations and seating;
9. Interpretive steel cladding on the brick wall to describe the heritage aspects of the area;
10. Paving inlays; and
11. Multi-function lighting poles to meet the City of Sydney compliant lighting levels.

Eveleigh Green

The proposed change to the approved landscaping works are illustrated within the revised Landscape Masterplan package at **Attachment A**, with further details included within the Public Domain Design Report at **Attachment B**. As shown, the northern portion of the brick pathway that provides a continuous loop around the Oval has been relocated approximately 1.2m inbound in order to avoid impacting on the tree roots of the existing *Ficus macrocarpa* trees.

The detailed construction level drawings will be prepared in accordance with the Landscape Masterplan (once approved) and provided to the satisfaction of the PCA within the construction certificate documentation.

Feature Lighting Concept

Mirvac seeks approval to provide landscape feature lighting that will be integrated with the Public Domain design. The landscape feature lighting will include:

- Up-lighting to trees;
- Accent lighting to greenery and planting;
- Handrail lighting to increase wayfinding and access level changes; and
- Integrated lighting into seating and landscape walls.

It is intended that the detailed design documents associated with the provision of the landscape feature lighting will be prepared in accordance with the 'Feature Lighting Concept' once it is approved and then provided to the satisfaction of the PCA.

As an aside, Mirvac is intending to provide feature lighting to the Heritage Items within the Public Domain, however the concepts and details for the design will be included as part of the Stage 2 Heritage Interpretation Strategy for the Public Domain.

2.1.2 Public Domain Signage and External Signage Strategy

The Public Domain Design Report approved under SSDA 7317 set out:

“that the existing wayfinding signage across the ATP required updating to cater for future users, address new building and site entries, and cater for additional patronage throughout the site. A site wide strategy will be undertaken as part of the public domain works to address the following criteria:

- *Signage will be provided at all identified major entrances, in particular, those connecting the public transport nodes.*
- *Informal signage will be provided at significant pedestrian thresholds such as Village Square and Innovation Plaza.*
- *Pedestrian desire lines indicate that the entrance to Eveleigh Green at the South Eastern corner is to be enhanced. This entrance should feel informal and available to the local community. This can be achieved through the incorporation of planning and seating.*
- *Imaginative, public domain design, including bespoke furniture, re-purposed heritage items, high quality materials, public art, and interpretation of the sites former and current uses, will assist in guiding users through the site as well as creating a sense of place.”*

In consideration of this, Mirvac seek approval within this application for the Public Domain Signs and signage zones contained within the External Signage Strategy, prepared by Urbanite as included at **Attachment C**.

The External Signage Strategy provides the following:

- Design Principles;

- Reference Images;
- Detailed designs of the ten different sign types; and
- Plans identifying the indicative signage locations throughout the ATP precinct.

The proposed external wayfinding signage will assist users to orientate themselves within the greater ATP precinct through the display of information such as mapping, building/site identification, site information and the location of amenity such as parking. The proposed signage ‘family’ is of a style that is respectful of the existing and approved materiality of the ATP precinct and has been designed to be complementary of the existing signage strategy implemented throughout the City of Sydney LGA.

Part of the signage ‘family’ includes heritage interpretation information panels. These are to be incorporated into the rear side of information and wayfinding signs at particular locations throughout the precinct and will contain information relating to a nearby heritage item. This double-purpose signage reduces the amount of signage on the ATP site, allowing for a reduction in duplicate signage, and will provide clear and simple navigation through the precinct.

We note, that Condition F7 within the Instrument of Approval for SSDA 7317 states:

“Details of the final signage design, content and illumination (if proposed) within the approved signage zones are to be submitted to the Secretary for approval prior to the installation and display of any signage”

This application therefore seeks approval for the signage design, general content-type and illumination of the Public Domain Signage ‘family’ as stipulated within the External Signage Strategy document (**Attachment C**). Whilst the exact wording content for each sign is not stipulated within the External Signage Strategy, it is intended that these exact details will be consistent with the principles that are established for each sign within Strategy. Further, the detailed will be confirmed within the Construction Certificate documentation that will be issued to the PCA for approval. On this basis, **Mirvac do not consider it necessary for the exact content of each sign within the Public Domain to be submitted to and approved by the Secretary.**

2.2 Modification to Conditions

The proposed modifications described above necessitate amendments to the consent conditions which are identified below. Words proposed to be deleted are shown in **~~bold strike through~~** and words to be inserted are shown in ***bold italics***.

2.2.1 Condition A2 – Terms of Consent

<i>Public Domain / Landscape Drawing prepared by Aspect Studios</i>			
<i>Drawing No.</i>	<i>Rev.</i>	<i>Name of Plan</i>	<i>Date</i>
14080_LA_001 14080_S4.55_01	Response to Council B	Landscape Master Plan Landscape Master Plan For Section 4.55	May 2016 5 July 2018
	<i>Rev B</i>	<i>External Signage Strategy</i>	<i>28 May 2018</i>

Justification

The proposed modifications as detailed and justified in Section 2.1.1 necessitates amendments to the Landscape Masterplan. Therefore, Mirvac seek to amend the reference to the updated Landscape Masterplan and include the External Signage Strategy within Condition A2.

2.2.2 Proposed Conditions B53E and B53F

As set out at above, the existing wording of Condition B53 does not provide a mechanism for the detailed landscape and design of the landscape and public domain plans to be amended following discharge of Condition B53A by the Secretary.

Mirvac is seeking, through this modification application, to amend the Landscape Masterplan concepts. This means that the approved landscape and public domain plans that have been approved under Condition B53A will require updating within:

- Indigenous Garden area;
- the Wellness Precinct area; and
- northern part of Eveleigh Green.

Furthermore, the introduction of feature lighting and Public Domain signage also require amendments to the detailed plans.

Notwithstanding this, it is envisaged that the elements that will need amending within the detailed landscape and public domain plans will generally only relate to:

- the location of proposed structures, such as the walls, benches and equipment within the Wellness Precinct, the brick pathway along the northern part of the Oval, and the addition of the signage structures;
- earthworks and soil depths relating to the Wellness Precinct;
- the introduction of the feature lights; and
- planting details and paving details in localised areas.

It is noted that level of detail that was provided within the detailed landscape and public domain plans is commensurate with the level of detail that is usually provided at construction certificate stage and is then approved by the PCA.

Mirvac therefore consider that it is entirely appropriate for the PCA to approve amendments to the detailed landscape and public domain plans subject to the detailed plans being consistent (where relevant) with the following documents:

- the approved Landscape Masterplan (as provided at **Attachment A**) - we note that if this modification application is approved, an updated Landscape Masterplan will be issued to the City of Sydney Council and Heritage Council for comment as part of the standard notification processes, prior to approval by the Secretary;
- the approved Public Art Strategy – this was approved by the Secretary on 15 December 2017 following consultation with the City of Sydney Council and NSW Heritage Council;
- the approved Feature Lighting Concept (as provided at **Attachment B**) - we note that if this modification application is approved, the Feature Lighting Concept will have been issued to the City of Sydney Council and Heritage Council for comment as part of the standard notification processes, prior to the approval by the Secretary;
- the approved External Signage Strategy (as provided at **Attachment C**) – we note that if this modification application is approved, the Public Domain Plans and External Lighting Strategy will have been issued to the City of Sydney Council and Heritage Council for comment as part of the standard notification processes, prior to the approval by the Secretary.

Accordingly, the proposed wording for Condition B53E is as follows:

Condition B53E

The proponent shall submit detailed plans, drawn to scale, by a qualified landscape architect or landscape designer of any amendments to the detailed Landscape Plans as approved under Condition B53A to the satisfaction of the PCA prior to the issue of the relevant Construction Certificate. The detailed plans shall be consistent (where relevant) with the following approved documents:

- ***the Landscape Master Plan***
- ***the Public Art Strategy;***
- ***the Feature Lighting Concept; and***
- ***the External Signage Strategy.***

A copy of the detailed landscape plans are to be provided to the Secretary, City of Sydney Council and the Heritage Council.

In addition, it is considered necessary to introduce a condition that provides a deadline for the completion of any amendments to the landscaping and public domain works. Accordingly, the following is proposed.

Condition B53F

Any amendments to the landscaping and public domain works as illustrated on the plans provided to the PCA under Condition B53E are to be completed prior to the issue of the last Occupation Certificate for SSDA 7317, unless an appropriate bond is secured to cover the cost of the outstanding landscaping.

It is considered that Mirvac has demonstrated (through the previous consultation exercises undertaken to meet the requirements of Condition B53A) to the City of Sydney Council and the Heritage Council that a high quality public domain will be delivered, that is relevant to the industrial character and is generally in accordance with Council's 'Public Domain Manual'.

Furthermore, as part of the standard notification process, both the City of Sydney Council and Heritage Council will be afforded an opportunity to comment on the proposed concepts for each of the proposed modifications, the feature lighting concept and external signage strategy.

The inclusion of the proposed conditions, and in particular Condition B53E, will avoid the need for the City of Sydney Council and Heritage Council to perform a role that the PCA has authority to do under Section 6.5 of the EP&A Act. Furthermore, we note that section 6.29(1) of the EP&A Act enables the PCA to issue a construction certificate if the PCA is satisfied that any specified matter has been complied with if they are satisfied as to that matter.

Therefore, it is not considered necessary to repeat the consultation exercise for the proposed modifications to the detailed landscape and public domain plans.

3.0 Substantially the same development

Section 4.55(1A) of the EP&A Act states that a consent authority may modify a development consent if *“it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all)”*.

As described in **Section 1.1**, SSD 7317 has been the subject of numerous modifications since its original approval. In light of this, it is noted that the proposed modification and associated works represent the first significant modification to the approved landscaping and public domain. Accordingly, the development as proposed to be modified is substantially the same development as that originally approved in that:

- the proposed modification does not seek to modify the approved use or building envelopes;
- the modified development retains the same landscape design and development parameters as approved;
- the proposed modification does not involve the removal of public amenity as approved;
- the proposed modification is consistent with the design principles which informed the original design of the public domain;
- the environmental impacts associated with the proposed modification remain substantially the same as the approved development, as outlined in **Section 4.0**; and
- the proposed modification does not give rise to any new matters of non-compliance; and
- the proposed modification will result in minimal environmental impact.

For these reasons, the Department of Planning can be satisfied that the modified proposal is substantially the same development for which consent was originally granted. Furthermore, it is important to note that the proposed modifications are not considered to have greater environmental impacts beyond those considered under SSD 7317.

4.0 Environmental assessment

Section 4.55(3) of the EP&A Act requires a consent authority to take into consideration such of the matters referred to in section 4.15(1) as are of relevance to the development the subject of the application.

Section 4.55(1A) of the EP&A Act states that a consent authority may modify a development consent if *“it is satisfied that the proposed modification is of minimal environmental impact”*.

It is noted that the Environmental Impact Statement (EIS) submitted with the original SSDA 7317 application addressed the following environmental impacts:

- Consistency with relevant legislation, Strategic and Statutory Plans;
- Built form and design quality;
- Public domain and urban design;
- Transport, traffic and access;
- Aboriginal and European heritage;
- Accessibility;
- Noise and vibration;
- Civil infrastructure and utilities;
- Railway infrastructure;
- Operational waste management;

- Geotechnical implications;
- Contamination;
- Wind impacts;
- Reflectivity;
- BCA and Fire Safety;
- Social and economic impact;
- Crime prevention and public safety;
- Environmental and construction management;
- Ecologically sustainable development;
- Development contributions;
- Site suitability; and
- Public interest

The planning assessment of the proposed modified development remains generally unchanged with respect to the above matters. The relevant matters that require specific detailed assessment in relation to the modification application are discussed below.

4.1 State Environmental Planning Policy No. 64 – Advertising and Signage

The introduction of the external signage, as envisaged within the External Signage Strategy, prepared by Urbanite (Attachment C) requires assessment against the relevant provisions of *State Environmental Planning Policy 64 – Advertising and Signage* (SEPP 64), as the proposed signage contains content that indicates the name and ownership of various areas within the ATP precinct, that could be classified as business identification signage and building (or site) identification signage, pursuant to the definitions as specified in SEPP 64.

In consideration of the objectives of SEPP 64, the proposed wayfinding signage is considered acceptable as it will increase the amenity and visual character of the ATP precinct through the provision of a high-quality range of wayfinding signs that provide effective communication in suitable locations to visitors and users of the site. In addition, **Table 2** demonstrates that the proposed external signage is satisfies the assessment criteria specified in Schedule 1.

Table 1 An assessment of the proposed signages consistency with Schedule 1 of SEPP 64

Assessment Criteria	Comments	Compliance
1 Character of the area		
Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	The proposed external signage is an effective and appropriate system that will provide both identification and wayfinding functions that is integrated and contributes to the character of the ATP precinct.	Yes
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The proposed external signage system will establish an updated and high-quality theme for wayfinding and identification signage for the ATP precinct.	Yes
2 Special areas		
Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The proposed signage will make a positive contribution to the visual attractiveness and vitality of the streetscape, consequently it will not detract from the amenity of the heritage nature of the precinct.	Yes
3 Views and vistas		
Does the proposal obscure or compromise important views?	The proposed signage will generally be at ground level and will not obscure or compromise important views.	Yes
Does the proposal dominate the skyline and reduce the quality of vistas?	The proposed signage is located on ground level and will not impact the quality of skylines and vistas.	Yes
Does the proposal respect the viewing rights of other advertisers?	The proposed signage does not impede upon any other signs in the vicinity of the development.	Yes
4 Streetscape, setting or landscape		
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The scale, proportion and form of the proposed wayfinding signage is appropriate for the ATP precinct streetscape and is considered appropriate in this urban heritage setting.	Yes
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed signage will contribute to the visual interest of the ATP precinct as the proposed signage is professionally designed and includes well-considered graphic content.	Yes
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The proposed signage will replace and simplify the existing way finding signage throughout the ATP precinct will not result in any adverse visual clutter.	Yes
Does the proposal screen unsightliness?	The size and type of the signage does not screen it's surrounds.	N/A
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The proposed signage does not protrude above any buildings, structures or tree canopies in the locality.	Yes
Does the proposal require ongoing vegetation management?	The proposed signage does not require the ongoing management of vegetation.	N/A
5 Site and building		
Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The proposed signage is entirely compatible with the scale, proportion and form of the public domain works as well as the character of the ATP.	Yes

Assessment Criteria	Comments	Compliance
Does the proposal respect important features of the site or building, or both?	The signage will integrate with and complement the architectural design of the ATP buildings and public domain works.	Yes
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The proposed signage has been specifically designed to complement the character of the site and surrounding locality.	Yes
6 Associated devices and logos with advertisements and advertising structures		
Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	The proposed signage does not provide additional function other than the display of business/building identification, heritage interpretation and wayfinding information.	N/A
7 Illumination		
Would illumination result in unacceptable glare? Would illumination affect safety for pedestrians, vehicles or aircraft?	A number of the proposed signs are proposed to be illuminated as highlighted in the signage strategy, including the threshold entry signs and touch screen signs. These will not result in unacceptable glare or impact on safety for vehicles, pedestrians or aircraft.	Yes
Would illumination detract from the amenity of any residence or other form of accommodation?	No residential properties are located on the site nor will be impacted by the proposed illumination.	Yes
Can the intensity of the illumination be adjusted, if necessary? Is the illumination subject to a curfew?	It is likely that the touch screen signs can be adjusted if required. The illuminated threshold signs will be adjusted to a level so as to not impact on surrounding properties.	Yes
8 Safety		
Would the proposal reduce safety for any public road?	The proposed signage is small in scale and will be located within the ATP precinct, as such it will not reduce safety for users of public roads.	Yes
Would the proposal reduce safety for pedestrians/cyclists?	The location and scale of the proposed signage will not pose any adverse impacts on pedestrian or cyclist safety.	Yes
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The proposed signage will not obscure sightlines from public areas. Moreover it will enhance the safety and legibility of the ATP precinct.	Yes

4.2 Impact on the Public Access Easement

The proposed amendments to the Landscape Master Plan and the provision of external wayfinding signage throughout the public domain will not impact the public easement that resides over Lot 400 in DP1194309 and therefore will not impact upon the terms of the Public Access Easement.

4.3 Public domain and urban design

The proposed additions to the overall Public Domain design, being the Indigenous Garden and Wellness Precinct will extend the diversity of the recreational areas that are to be provided, and the amendments to the northern part of the Oval will reduce the impact on the existing trees without undermining the intent of the original design. Furthermore, the proposed feature lighting and external signage simply demonstrates that Mirvac is truly committed to providing a high quality and sophisticated public precinct, that recognises its industrial history but will be enticing for the local community to use and spend time.

In respect of consistency with the public domain design as approved under SSD 7317, the proposed modification to the Landscape Masterplan will result in significant improvements to the Public Domain from that which was approved under SSD 7317. Notably, the proposed modification will result in a public domain that further achieves the objectives as described in the original application, including:

- creating public spaces which are attractive, comfortable and usable;
- integrating social infrastructure including a responsive suite of public realm furniture, lighting and other amenities;
- creating a variety of spaces and places to encourage flexibility of use;
- providing a range of spaces from small and intimate to open and spacious to cater for gatherings and overlays of festivals and events;
- revealing and interpreting the former known forms, patterns and use of the site to create a strong sense of place, and to educate and enhance the everyday experience;
- identifying opportunities for integrated heritage interpretation and site-specific public art and to potentially integrate existing heritage artefacts within the precinct into the public domain design;
- retaining and reinforcing existing site character through preservation of materiality and existing high-quality paving ground treatments, heritage infrastructure and existing mature tree stock;
- supporting the sustainability of the existing residential community in surrounding suburbs by incorporating social infrastructure

The location of the Wellness Precinct adjacent to a key pedestrian pathway will also contribute to enhancing the aesthetic of the southern part of the ATP precinct, through provision of a highly active and visible space. The park has been designed as a junior scooter park that will be predominantly used by young children, with the incorporation of bench seating to enable adults to supervise children that will also and also act as an informal barrier to Henderson Road for safety purposes.

Accordingly, the proposed modifications will continue to successfully accommodate the surrounding development within the ATP precinct, while balancing the environmental needs of the site and ensuring amenity for occupants of surrounding land uses.

4.4 Crime Prevention Through Environmental Design

The proposed modifications to the public domain are generally consistent with the principles of Crime Prevention Through Environmental Design (CPTED), involving works that are likely to increase safety and perceived safety within the wider ATP precincts.

The proposed Wellness Precinct will bring a new form of activity to this area of the public domain, with the inclusion of public exercise equipment and skate/scooter facilities that are likely to increase the use this area and complement the existing tennis courts. The increased use of the site will result in greater opportunities for natural surveillance both to the Wellness Park and the surrounds, assisted by the placement of seating throughout.

Further, the increased use of this area will contribute to greater effective guardianship to the area. As the proposed Wellness Precinct includes both public exercise equipment and skate/scooter facilities, the proposed works provide an area of active recreation of a diverse user group, in line with development within the surrounds. Accordingly, the proposed Wellness Precinct is unlikely to attract unsafe activity to the site. Design features such as the brick edge seating clear denote the extent of the Wellness Precinct and assist in controlling the movement of uses through the park, particularly young children. These features are beneficial for the management of activity and space, territorial reinforcement and access control.

The inclusion of the Indigenous Garden within the public domain works benefits the principles of CPTED as it reduces areas of unspecified use and is likely to increase opportunities for natural surveillance within the area. The inclusion of the Indigenous Garden will also benefit environmental maintenance as the area will now be incorporated within the environmental maintenance procedures of the broader ATP precinct.

The proposed amendments to Eveleigh Oval will have a negligible impact in terms of CPTED. However, the proposed feature lighting and wayfinding signage will increase the legibility of the ATP precinct and provide additional opportunities for visibility, natural surveillance and technical supervision. The design of the public domain as proposed under this modification is unlikely to result in design or use conflicts with the remaining public domain as approved under SSD 7317.

4.5 Site Suitability and Public Interest

The proposed modification will result in a public domain that remains consistent with the site suitability and public interest assessment provided within the EIS for the original SSA application. Namely, the proposed modification to the Landscape Masterplan and provision of a feature lighting concept and wayfinding and external signage strategy:

- is consistent with the use of the subject areas approved under SSD 7317 and does not change the intended purpose of these spaces;
- does not involve the removal of significant public amenity as approved under SSD 7317;
- will provide additional public amenity within the ATP precinct;
- will provide diversity in passive and active recreation within the ATP precinct;
- remains publicly accessible;
- remains substantially the same as the approved development in respect of environmental impact.

In light of the above, the proposed modification and the associated works are considered appropriate for the subject site and are generally in the public interest.

5.0 Conclusion

The proposed modification seeks approval for amendments to the approved Landscape Masterplan, the Public Domain Signage and External Signage Strategy and the introduction of new conditions of consent to the Instrument of Approval.

In accordance with section 4.55(1A) of the EP&A Act, the DPE may modify the consent as the proposed modification is of minimal environmental impact and substantially the same development to that approved under the consent. In light of its merits and in the absence of significant environmental impact, we recommend that the proposed modification be supported by DPE. We trust that this information is sufficient to enable a prompt assessment of the proposed modification.

Yours sincerely,



Claire Burdett
Associate Director
02 9956 6962
cburdett@ethosurban.com