



Western Sydney University Bankstown City Campus Modification 2

Modification to signage zone on southern facade
State Significant Development Modification Assessment
(SSD-9831-Mod-2)

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Glossary

Abbreviation	Definition
Council	City of Canterbury Bankstown
Department	Department of Planning and Environment
EIS	Environmental Impact Statement
EPA	Environment Protection Authority
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2021
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
LEP	Local Environmental Plan
Minister	Minister for Planning
Planning Secretary	Secretary of the Department of Planning and Environment
SEPP	State Environmental Planning Policy
SSD	State Significant Development
WSU	Western Sydney University

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1 Introduction

This report provides the NSW Department of Planning and Environment's (the Department's) assessment of an application to modify the State Significant Development (SSD) consent for the Western Sydney University Bankstown City Campus at 74 Rickard Road, Bankstown (Lot 15 DP 1256167) in the Canterbury Bankstown Local Government Area. The approved development comprises a new university campus, including construction and use of a 19-storey building over two levels of basement parking with ground floor retail and associated landscaping and public domain works.

The modification application seeks approval for the modification of an approved signage zone on the southern building facade. The application has been lodged by Western Sydney University (the Applicant) pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

1.1 Background

The site has an area of 3,678sqm and has frontages to Rickard Road to the north and The Appian Way to the east (**Figure 1**). The eastern part of the site includes a right-of-way and serves as an extension of The Appian Way public domain.



Figure 1 | Local context map (Base source: Nearmap)

1.2 Approval history

On 3 September 2020, Council approved DA 697/2019 for early works, comprising demolition of all structures on the site, removal of all trees and bulk earthworks, including excavation for the basement and shoring walls.

On 18 February 2021, development consent was granted by the Executive Director, Infrastructure Assessments as delegate of the then Minister for Planning and Public Spaces, for the development of the Western Sydney University Bankstown City Campus (SSD-9831). The development consent permits a new campus building, including the following works:

- construction of a 19-storey building over two levels of basement parking.
- use as a University including learning spaces, research, library, administration and ground floor retail.
- landscaping works, including plantings on terraces within the building and ground level plantings.
- associated road and public domain works, including upgrade of The Appian Way and upgrade of Rickard Road footpath.
- four signage zones.

Works have commenced on the site in accordance with this consent.

The development consent has been modified on one occasion (see **Table 1**).

Table 1 | Summary of Modifications

Mod No.	Summary of Modifications	Approval Authority	Type	Approval Date
Mod-1	Minor correction to land description	Director	4.55(1)	8 June 2021

2 Proposed modification

On 1 April 2022, the Applicant lodged a second modification application (SSD-9831-Mod-2) to amend the approved project under section 4.55(1A) of the EP&A Act. The proposed modification seeks to increase the width of the approved signage zone on the southern façade zone of the building from 20.7m to 25.6m as shown in **Figures 2 and 3**.

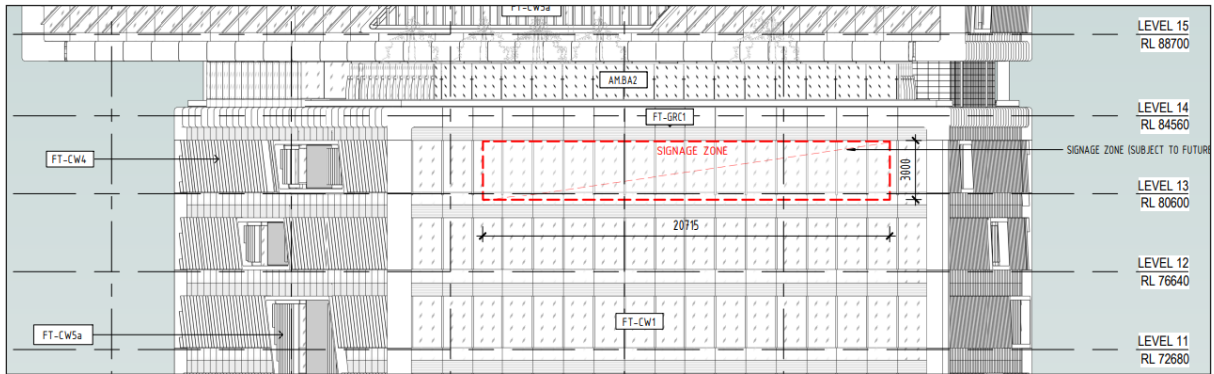


Figure 2 | Approved signage zone (Source: SSD-9831 Approved Plans)

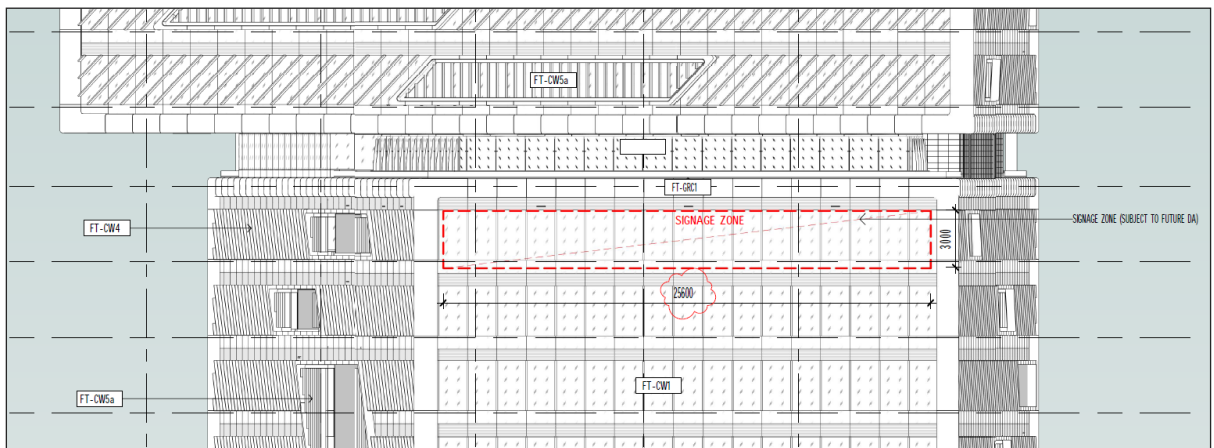


Figure 3 | Proposed signage zone (Source: SSD-9831-Mod-2 southern elevation architectural plan)

3 Statutory context

3.1 Scope of modifications

The Department has reviewed the scope of the modification application and considers that the application can be characterised as a modification involving minimal environmental impacts as the proposal:

- would not significantly increase the environmental impacts of the project as approved.
- is substantially the same development as originally approved.
- would not involve any further disturbance outside the already approved disturbance areas for the project.

Therefore, the Department is satisfied the proposed modification is within the scope of section 4.55(1A) of the EP&A Act and does not constitute a new development application. Accordingly, the Department considers that the application should be assessed and determined under section 4.55(1A) of the EP&A Act rather than requiring a new development application to be lodged.

3.2 Consent authority

The Minister for Planning is the consent authority for the application under section 4.5(a) of the EP&A Act. However, under the Minister's delegation dated 9 March 2022, the Team Leader, Social Infrastructure may determine the modification application as:

- the City of Canterbury Bankstown (Council) has not made an objection.
- a political donation disclosure statement has not been made.
- public exhibition of the application was not required and therefore no public submissions objecting to the proposal were received.

3.3 Mandatory matters for consideration

The Department conducted a comprehensive assessment of the project against the mandatory matters for consideration as part of the original assessment of SSD-9831.

Recently, before the lodgement of the modification application, all NSW State Environmental Planning Policies (SEPPs) were consolidated into 11 policies. The operation of the consolidated SEPPs commenced on 1 March 2022, with the exception of State Environmental Planning Policy (Housing) 2021, which commenced on 26 November 2021.

The SEPP consolidation does not change the legal effect of the repealed SEPPs, as the provisions of these SEPPs have simply been transferred into the new SEPPs. Further, any reference to an old SEPP is taken to mean the same as the new SEPP.

The Department considers this modification application does not result in significant changes that would alter the mandatory matters for consideration under section 4.15 of the EP&A Act, including the relevant recently consolidated SEPPs as the provisions remain unchanged, and conclusions made as part of the original assessment.

The Department has considered the findings and recommendations in the Department's Assessment Report for SSD-9831, including the key reasons for granting consent outlined in the Notice of Decision. The Department is satisfied that the key reasons for the granting of consent continue to be applicable to the development, as modified.

4 Engagement

Section 105(4) of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation) specifies that the notification requirements of the EP&A Regulation do not apply to section 4.55(1A) modifications with minimal environmental impact. Accordingly, the application was not notified or advertised. However, it was made publicly available on the Department's website on 1 April 2022 and was referred to Council for comment.

Council raised no objections to the proposed modification although identified the following matters that require attention:

- the signage increase would increase light glare and spill into adjoining properties. Concerns were raised about how this was assessed during the original SSD application and additionally assessment of it in the current modification.
- a clearer justification should be provided in relation to the need for the signage increase.

The Applicant provided a response to these issues on 13 May 2022, including further justification for the signage and details regarding potential illumination impacts on adjoining residents.

The above matters are addressed in **Section 5** of this report.

5 Assessment

The modification application proposes to alter the signage zone on the southern façade of the new Western Sydney University Bankstown City Campus building (WSU building) by increasing the width of the zone from 20.7m to 25.6m. The proposed increase in width of the signage area by 4.9m has been proposed to make the WSU building more identifiable from Bankstown Train Station, along the Appian Way and across Paul Keating Park (from the south of the site).

While Council questioned the need for this increase, given the building would be highly visible in the Bankstown CBD when completed, the Applicant has provided a number of the photomontages which satisfactorily demonstrate that the signage increase will not result in excessive visual impacts. Despite the size increase, **Figure 4** demonstrates that the increase will not result in future signage that will be significantly different from the original approval when taking into account the existing vistas to the building and the scale of the approved WSU building. The proposed enlarged signage zone remains consistent with the original design and visual impact analysis conducted as a part of the original SSD application, which was supported by the Department. The application remains compliant with the Schedule 5 (assessment criteria for signage) of State Environmental Planning Policy (Industry and Employment) 2021 and does not result in additional visual impact.



Figure 4 | Indicative southern elevation signage (Source: SSD-9831-Mod-2)

In response to Council's concern that the wider signage zone will potentially increase illumination, the Applicant has provided details of the original assessment undertaken for SSD-9831 demonstrating that the proposed signage will not result in adverse impact on neighbouring properties and concluded that the increased size of the zone would not affect the previously accepted satisfactorily outcomes.

Notwithstanding, the existing conditions of consent requires the development to comply with the requirements of AS4282 Control of the Obtrusive Effects of Outdoor Lighting (as per condition B12 of the development consent). This will ensure that the development will not result in adverse lighting/glare to neighbouring sites. In addition, the Applicant has confirmed that the future lighting can be adjusted should problems arise once the future signage is installed.

The Department has reviewed the modification report and architectural plans detailing the justification for the proposed amendments to the southern signage zone. The proposed design changes would not have any adverse visual impacts or change the bulk and scale of the development. The increase in the signage size will assist the wayfinding and identification of the building.

6 Evaluation

The Department has reviewed the proposed modification, assessed the merits of the modified proposal, and all issues associated with the proposal have been thoroughly addressed. The development will not significantly change as the increase in the width of the signage zone will not result in excessive illumination or adverse visual impact on surrounding properties.

The Department considers that the application is consistent with the objects of the EP&A Act and continues to be consistent with strategic directions for the State.

The development as modified would be substantially the same as that originally approved and would deliver a significant public benefit through the provision of improved educational facilities. The Department concludes the impacts of the proposed modification are acceptable. Consequently, the Department considers the development is in the public interest and the modification application should be approved.

7 Recommendation

It is recommended that the Team Leader, Social Infrastructure, as delegate of the Minister for Planning:

- **considers** the findings and recommendations of this report
- **determines** that the application SSD-9831-Mod-2 falls within the scope of section 4.55(1A) of the EP&A Act.
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to approve the modification
- **forms the opinion** under section 7.17(2)(c) of the *Biodiversity Conservation Act 2016* that a biodiversity development assessment report is not required to be submitted in relation to this application as the modification will not increase the impact on biodiversity values of the site.
- **modify** the consent SSD-9831.
- **signs** the attached approval of the modification (**Appendix B**).

Recommended by:



Tom Stanton
Senior Environmental Assessment Officer
Social Infrastructure



Megan Fu
Principal Planner
Social Infrastructure

8 Determination

The recommendation is **adopted** by:



19 May 2022

David Gibson

Team Leader

Social Infrastructure

as delegate of the Minister for Planning

Appendices

Appendix A – List of referenced documents

<https://www.planningportal.nsw.gov.au/major-projects/projects/modification-2-modification-signage-zones>

Appendix B – Modification report

<https://www.planningportal.nsw.gov.au/major-projects/projects/modification-2-modification-signage-zones>

Appendix C – Additional information

<https://www.planningportal.nsw.gov.au/major-projects/projects/modification-2-modification-signage-zones>