

18 October 2019

15756

Jim Betts
Secretary
Department of Planning, Industry & Environment
GPO Box 39
SYDNEY NSW 2000

Attention: Amy Watson

Dear Amy,

RE: Response to Submission, Australian Technology Park, South Eveleigh (SSD 7317, MOD 17)

Ethos Urban has prepared this letter on behalf of Mirvac Projects Pty Ltd (Mircac) in response to the submissions received during the exhibition period of the Modification Application (MOD 17) to amend State Significant Development (SSD) Consent SSD 7317 relation to the commercial campus at the Australian Technology Park, Eveleigh.

It is understood that the only submission received in response to the public exhibition of the Modification Application was from the City of Sydney Council (Council) on 25 September 2019. It is noted that no comment was received from the Heritage Council.

Mircac have reviewed and considered the issues raised in the submission by Council. This letter provides an overview of post-lodgement discussions with Council and outlines the proposed amendments to the exhibited Modification Application. The amendments to the Modification Application are included in the amended Modification Application, amended Architectural Plans (**Attachment A**) and amended BCA Statement Report (**Attachment D**).

1.0 Key Issues and Applicant's Response

A response to the key issues raised by Council during the public exhibition of the Modification Application is provided in **Table 1** and a response to the comments contained within the Department's 'Request for Response to Submissions' (dated 16 October 2019) is provided in **Table 2**.

Table 1 Response to comments from Council

Issue	Comment / Response
Reconfigured Tenancies	
The reconfiguration of the tenancies was presented to the City of Sydney on 30 July 2019 during a pre-lodgement meeting with Mirvac. The City does not object to the proposed size, amalgamation of the tenancies, or 'container' approach for the retail tenancies, except where noted below.	Mircac's vision for the area located behind the container style tenancies is for a quieter seated dining area, shielded from the substantial foot traffic along Locomotive Street.
As noted during this meeting, the layout of the retail tenancies should be redesigned to allow for an additional opening next to the amenities of the north-east of the site for the rear external seating area (in blue outline below). This may result in the loss of some retail GFA but would provide for additional amenity for patrons.	The creation of additional opening for the rear seating area would undermine this vision and create conflict with the building services required to service the Western Retail Units. There is a void above each of the containers. This void will provide airflow to the rear area, without the need to create an additional opening. It is also noted that shifting the containers to the west to accommodate the additional opening would result in the western container being too close to the edge of the building, where it would be affected by inclement weather.
	On this basis, Mirvac propose to retain the existing configuration proposed for the Western Retail Units.

Issue	Comment / Response
Signage Zones along Northern Elevation	
<p>The information provided for the 'Indicative Signage Zones' and 'Indicative Retail Signage Zones' is insufficient for the purposes of an assessment. The size and proposed locations of these zones, materiality and limits to the number of signs per tenancy should be confirmed via the submission of a comprehensive Signage Strategy to be endorsed in consultation with the City of Sydney. The City objects to the signage zones unless the above is addressed.</p>	<p>Following additional post-lodgement consultation with Council, Mirvac have agreed to submit details of the final signage design, content and illumination (if proposed) within the 'Indicative Retail Signage Zones' to Council for approval prior to the installation and display of any signage.</p> <p>A new condition F7A has been proposed to read as follows:</p> <p><i>F7A Retail Signage Zones along Locomotive Street</i> <i>Details of the final signage design, content and illumination (if proposed) generally within the approved indicative retail signage zones along the Upper Ground Floor of Building 2 are to be submitted to Council for approval prior to the installation and display of any signage.</i></p> <p><i>Council may approve retail signage outside the indicative retail signage zones where they are satisfied that the proposed signage is appropriate and compatible with visual appearance of the Upper Ground Floor of Building 2.</i></p>
<p>The height of the proposed top of building sign of dimensions 18.3m x 3.0m should be revised so that it is no higher than 15m above ground (currently proposed at approximately 29m above ground).</p>	<p>The 'top of building' signage zone was approved under the original Development Consent (SSD 7317) and is not proposed to be altered under this Modification Application.</p>
<p>The size and height of the 'Indicative Signage Zone' at 9m x 1.5m in dimensions is not supported – it should be no higher than 4.5m above ground and of smaller dimensions so as to minimise visual impacts.</p>	<p>This 'Indicative Signage Zone' was approved under the original Development Consent (SSD 7317) and is not proposed to be altered under this Modification Application.</p>
<p>The size of the 'Indicative Retail Signage Zones' is not confirmed in text, but on the scaled drawings, appears too large. Further detail on these signage zones is required by way of a Signage Strategy as discussed in point a) above.</p>	<p>To ensure that future signage within the proposed Indicative Retail Signage Zones is appropriately designed and scaled, signage plans will be submitted to Council for approval in accordance with the proposed Condition F7A (detailed above).</p>
Additional Condition 'B62'	
<p>The City objects to imposing additional condition B62 to allow the shopfront design and installation to be submitted without the need for additional DA or S4.55 and to be approved by the Principal Certifying Authority only. Specialist staff at the City are familiar with what has been approved already on the site and are best placed going forward to assess any amendments or shopfront design.</p> <p>Further, the submitted Locomotive Street Retail Design Guide does not adequately outline enough detail on acceptable shopfront designs. Scaled drawings of the shopfronts should be included in the document, with more detailed requirements in terms of maximum amount of signage, minimum amount of clear glazing, specific materials – to ensure a high quality outcome is achieved.</p>	<p>Following additional post-lodgement consultation with Council, Condition B62 has been amended to require architectural shopfront drawings to be submitted to Council (as opposed to the PCA), prior to the issue of any Construction Certificate for shopfront of any retail tenancy on the Upper Ground Floor of Building 2.</p> <p>The amendments to the wording of the condition will ensure that the designs of shopfronts along Locomotive Street are undertaken in consultation with, and ultimately approved by, Council.</p>

Issue	Comment / Response
Outdoor Seating	
<p>The S4.55 cover letter prepared by Ethos Urban dated 26 August 2019 does not propose the following modifications but it is noted they are included in the BCA Statement Report dated 18 July 2019 submitted with the application. These additional modifications include:</p> <ul style="list-style-type: none"> • Use of outdoor areas for the purposes of licensed outdoor seating; • Trading hours for the indoor & outdoor seating areas of the tenancies. 	<p>Reference to trading hours and the use of outdoor areas for seating in the BCA Statement Report was made in error. A revised BCA Statement Report (dated 2 October 2019), with reference to these items removed, is included at Attachment B.</p>

Table 2 Response to comments from the Department

Issue	Comment / Response
Consistency with Current Approved Plans	
<p>Review the plans submitted with the modification application to ensure consistency with the current approved plans. Some minor changes have been noted including a change to the dimensions of an approved signage zone on the northern elevation, changes to the stairs for the stepdown to the ground floor and the awning on the western elevation plan.</p>	<p><u>Stairs along Western Elevation</u></p> <p>In accordance with Condition B53A (approved under Modification 12) Mirvac submitted detailed landscape and public domain plans to the Secretary, following extensive consultation with City of Sydney Council and the Heritage Council. These plans were approved by the Secretary.</p> <p>The Architectural Plans submitted with this Modification Application reflect the 'as built' design of the stairs along the Western Elevation of Building 2 and are consistent with the detailed landscape and public domain plans approved by the Secretary.</p> <p><u>Signage Zones and Awning on Western Elevation Plan</u></p> <p>The inconsistency between the approved architectural plans and proposed architectural plans, with regard to the awning on the western elevation and signage zone on the northern elevation, has been amended in the updated Architectural Plans (Attachment A).</p>

2.0 Conclusion

Mirvac have considered Council's submission made in relation to the exhibition of the Modification Application and the post-lodgement comments provided by the Department. In responding to and addressing the matters raised by Council, the Modification Application has been refined.

The changes proposed to the Modification Application address the concerns raised by Council and the Department, and do not result in any new environmental impacts relative to surrounding development or the wider community. Accordingly, renotification of the revised Modification Application is considered unnecessary.

Should you have any further queries about this matter, please do not hesitate to contact me on 9409 4906 or TAtkinson@ethosurban.com

Sincerely,



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