

18 October 2019

15756

Mr Jim Betts  
Secretary  
NSW Department of Planning, Industry and Environment  
320 Pitt Street  
SYDNEY NSW 2000

Attention: Brendon Roberts

Dear Brendon,

## **SSDA 7317 – MOD 17 – SECTION 4.55(1A) MODIFICATION APPLICATION BUILDING 2, AUSTRALIAN TECHNOLOGY PARK, EVELEIGH**

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

The application seeks approval for minor modifications to the design and operation of Building 2, which include:

- amendments to the design and layout of the retail tenancies along Locomotive Street;
- creation of signage zones along the northern elevation;
- retail amenities; and
- a feature awning.

This application identifies the consent, describes the proposed modifications and provides an assessment of the relevant matters contained in Section 4.55(1A) of the EP&A Act. This application is accompanied by:

- Amended Architectural Drawings prepared by fjmt (**Attachment A**);
- Locomotive Street Retail Design Guide prepared by Mirvac Design (**Attachment B**);
- Heritage Statement prepared by Curio Projects (**Attachment C**); and
- BCA Statement prepared by Advance Building Approvals (**Attachment D**).

### **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, including:

- site preparation works, site clearance, excavation and remediation;
- construction of three mixed use buildings with a total Gross Floor Area (GFA) of 107,427m<sup>2</sup> comprising:
  - Building 1 for commercial/office, retail and childcare uses (GFA of 46,830m<sup>2</sup> and a height of nine storeys);
  - Building 2 for commercial/office and retail uses (GFA of 56,686m<sup>2</sup> and a height of seven storeys); and
  - Building 3 for retail, gym, childcare, community office and commercial uses (GFA of 3,911m<sup>2</sup> and a height of four storeys).
- car and bicycle parking;

- landscaping, road and public domain works; and
- building identification signage zones.

To date, a total of 16 modifications to SSD 7317 have been approved between 2016 and 2019, which are summarised below in **Table 1**.

**Table 1 Modifications to SSD 7317**

Modification #	Date Approved	Description
Modification 1	26 June 2017	Changes to Condition B53.
Modification 2	1 December 2017	Changes to signage zones on Building 1, lower ground floor layout reconfiguration of Building 2 and amendments to Conditions B4 and B8.
Modification 3	1 December 2017	Amendments to the design of Building 3 (the community building) which included an increase to the overall GFA of Building 3 by 406m <sup>2</sup> .
Modification 4	20 October 2017	Placement of mechanical exhausts, flutes, vents and photovoltaics on top of the roof of Building 1 and amendments to the wording of Condition A14.
Modification 5	29 June 2018	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.
Modification 6	16 August 2018	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.
Modification 7	17 July 2018	Minor amendments to Building 1 in relation to the façade materials and the addition of a signage zone, plant, louvres and an awning.
Modification 8	24 September 2018	Modification to the to the approved bicycle parking and storage lockers within Building 1 and Building 2 of the ATP precinct.
Modification 9	30 November 2018	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 and terrace as trafficable space for the building's commercial tenants and minor alterations to the approved entrance doors.
Modification 10	3 September 2018	Minor design amendments to Building 3 in response to future tenant requirements.
Modification 11	15 November 2018	Minor wording changes to various conditions within the Instrument of Approval.
Modification 12	13 December 2018	Amendments to the approved Landscape Masterplan, Public Domain signage and the introduction of two new conditions.
Modification 13	23 October 2018	Extension of the external terrace area at the Lower Ground Level of Building 1.
Modification 14	30 October 2018	Minor modifications to Building 2, including the approved roof materials and the location of the lower northern signage zone.
Modification 15	28 March 2019	Modification to the timing for the implementation of works to improve pedestrian connectivity between the site and Redfern Station (Condition F23).
Modification 16	18 June 2019	Amendment of the approved maximum Gross Floor Area (GFA) for Building 2, minor design changes and amendments to the plan schedule in Condition A2.

## 2.0 Proposed Modifications to the Consent

### 2.1 Modifications to the Development

The proposed modification to Development Consent SSD 7317 comprises:

- amendments to the design and layout of the retail tenancies along Locomotive Street;
- creation of signage zones along the northern elevation;
- retail amenities; and
- a feature awning.

The fit out and operation of the subject retail tenancies are intended to be undertaken as complying development in accordance with *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, and are not proposed as part of this modification application.

#### 2.1.1 Shopfront Design and Layout

The proposed modification involves amendments to the design and layout of retail tenancies along Locomotive Street, on the upper ground floor of Building 2.

These amendments, which are discussed in further detail below, respond to the growing consumer demand for more diverse food and beverage options. In this regard, the proposed modification will result in a more fine-grain and dynamic retail offering in Building 2.

The proposed modification to the layout of the retail tenancies along Locomotive Street is detailed in the amended Architectural Plans prepared by fjmt (**Attachment A**) and illustrated below in **Figure 2** and **Figure 3**.

#### Western Retail Units (Zone A)

Five of the approved western retail tenancies are proposed to be reconfigured into seven 'container style' retail tenancies. The tenancies will have floor areas ranging between 37-42m<sup>2</sup>, with unique orientations and dimensions.

The final shopfront design of the retail tenancies will be determined by the future tenants. A condition is proposed that would permit the Council to approve individual tenancy shopfronts; this is proposed to allow future tenants to install and modify their individual shopfronts as needed. Mirvac Design have prepared a Locomotive Street Retail Design Guide (**Attachment B**), which provides guidance on shopfront design, windows, openings, signage and graphics.

Where the final shopfront design is generally consistent with the indicative shopfronts established in the Locomotive Street Retail Design Guide, the proposal seeks to allow the shopfront design and installation to be undertaken without the need for an additional DA or Section 4.55(1A) Modification Application, subject to approval from Council. A draft condition to this effect is provided in **Section 2.2**.

An indicative render of the Western Retail is shown in **Figure 1** below.



**Figure 1** Indicative render of Western ‘Container’ Retail Units

Source: Mirvac Design

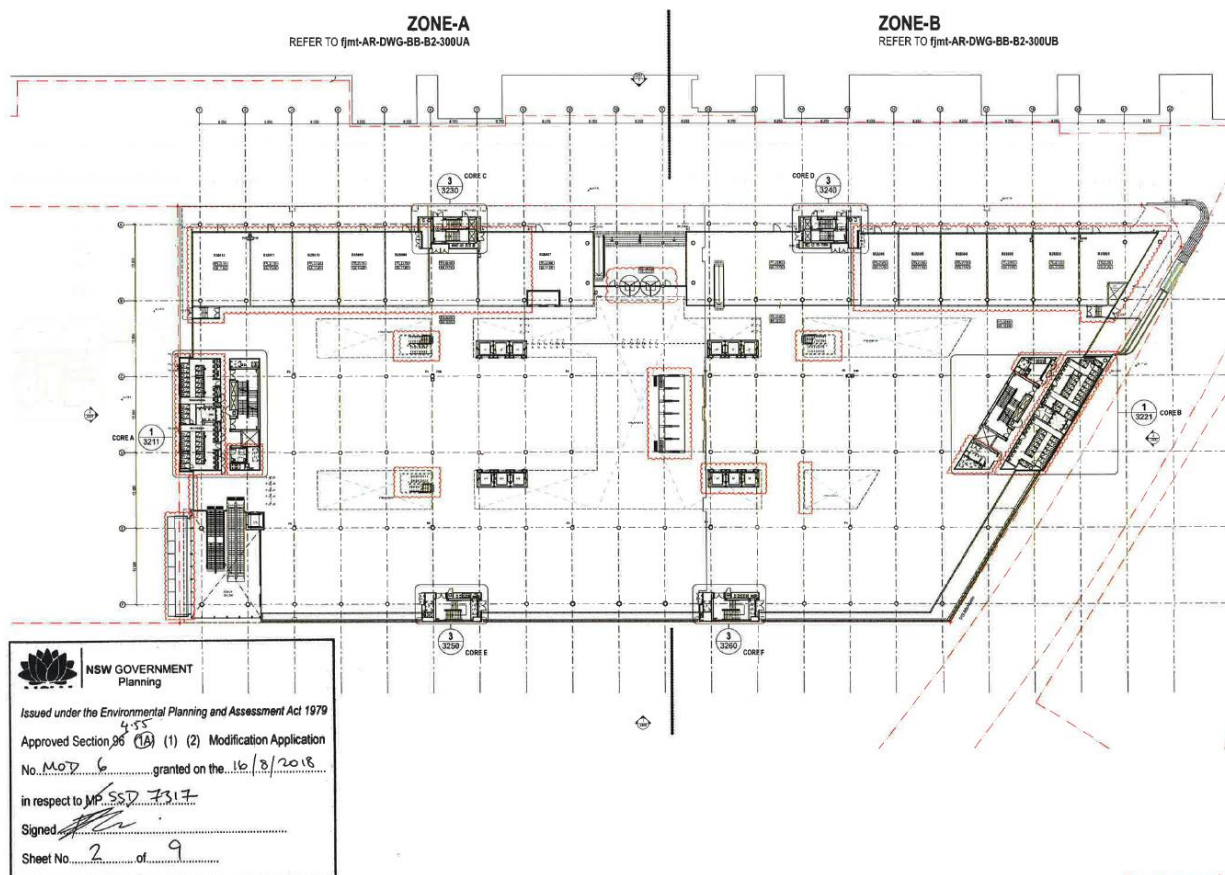
### **Eastern Retail Units (Zone B)**

In Zone B, the six (6) approved retail tenancies are proposed to be amalgamated into three (3) retail tenancies. In accordance with the approach for Zone A, the final shopfront designs of the retail tenancies will be determined by the future tenants and approved by Council.

Where the final shopfront design is generally consistent with the indicative shopfronts established in the Locomotive Street Retail Design Guide prepared by Mirvac Design (**Attachment B**), the proposal also seeks to allow the shopfront design and installation to be undertaken without the need for an additional DA or Section 4.55(1A) Modification Application.

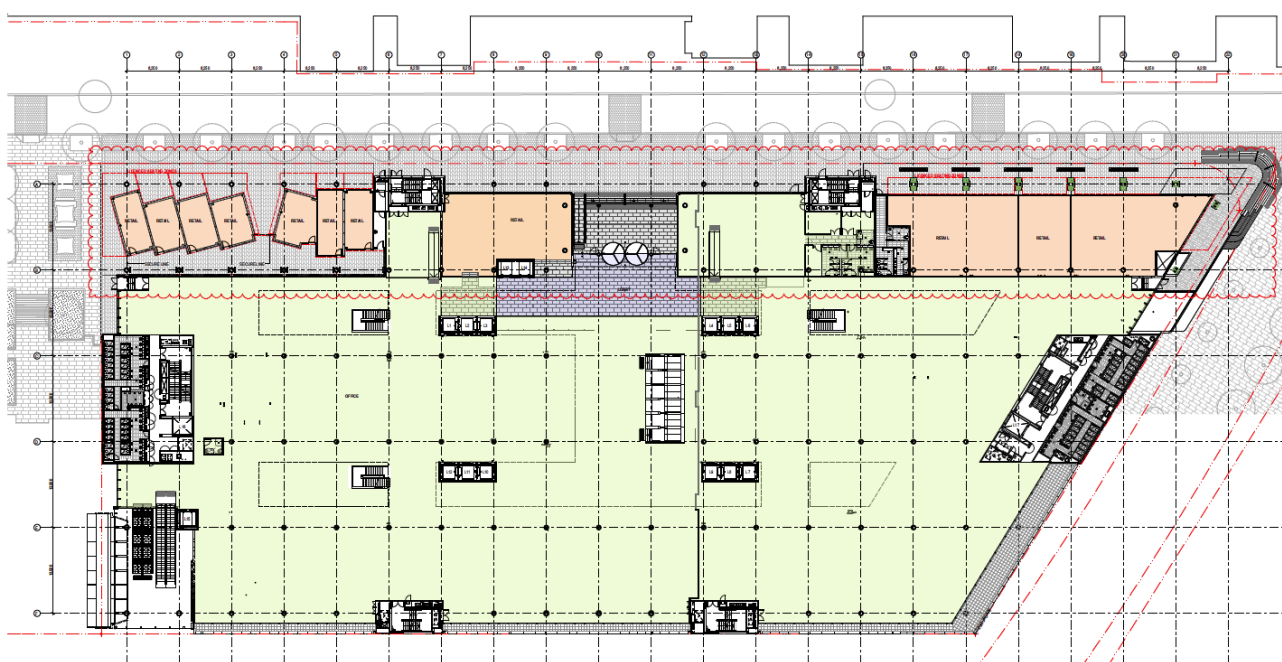
To ensure a level of cohesion in the visual appearance of the retail tenancies along Locomotive Street, the materiality of the shopfront designs for the eastern retail units will be generally consistent with the indicative tenancy designs for the western retail tenancies.





**Figure 2** Approved Upper Ground Floor Retail Layout for Building 2

Source: Department of Planning, Infrastructure and Environment



**Figure 3** Proposed Upper Ground Floor Retail Layout for Building 2

Source: fjmt

### 2.1.2 Awning

The proposed modification includes the installation of a new feature awning on the corner of Locomotive Street and Mitchell Way. The awning has been designed as a simple steel structure with a 'honeycomb' ceiling design that is commensurate with the ceiling finish of the retail along the northern façade of Building 2. The proposed feature awning is shown in **Figure 4** below.



**Figure 4 Proposed Feature Awning on the corner of Locomotive Street and Mitchell Way**

Source: fjmt

### 2.1.3 Retail Amenities

Additional bathrooms facilities are proposed for the upper ground floor of Building 2, within the Zone B Eastern Retail. Accessed from Locomotive Street, the proposed male, female and disabled bathroom facilities will provide additional bathroom facilities for visitors to the ATP precinct.

### 2.1.4 Signage

Signage zones, to facilitate the future installation of business identification signage, are proposed to be included along the Locomotive Street frontage of Building 2. There are a maximum of 23 signage zones proposed.

The detailed wording, colour scheme, and logo to be included in these signage zones is proposed to be submitted to Council alongside the architectural shopfront drawings for approval prior to the issue of the relevant Construction Certificate, consistent with the proposed Condition F7A, which reads:

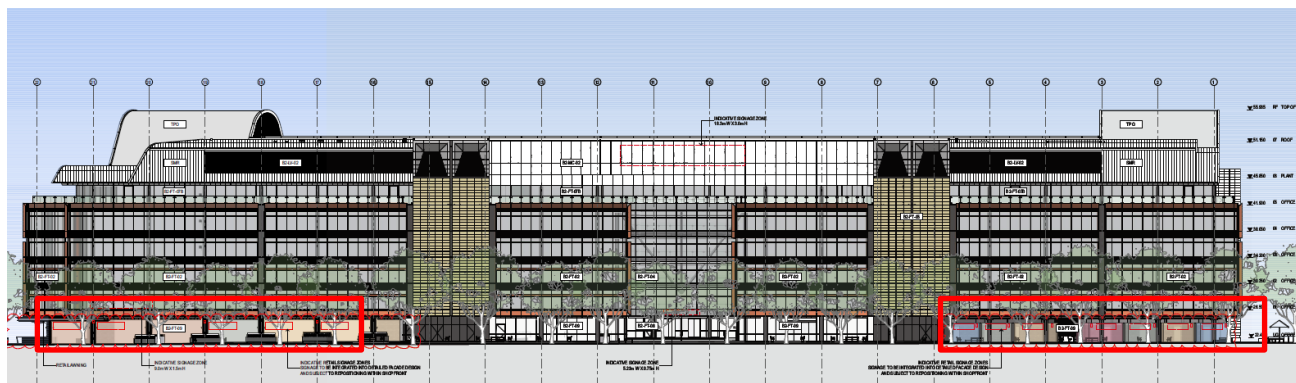
***F7A Retail Signage Zones along Locomotive Street***

***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.***

***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.***

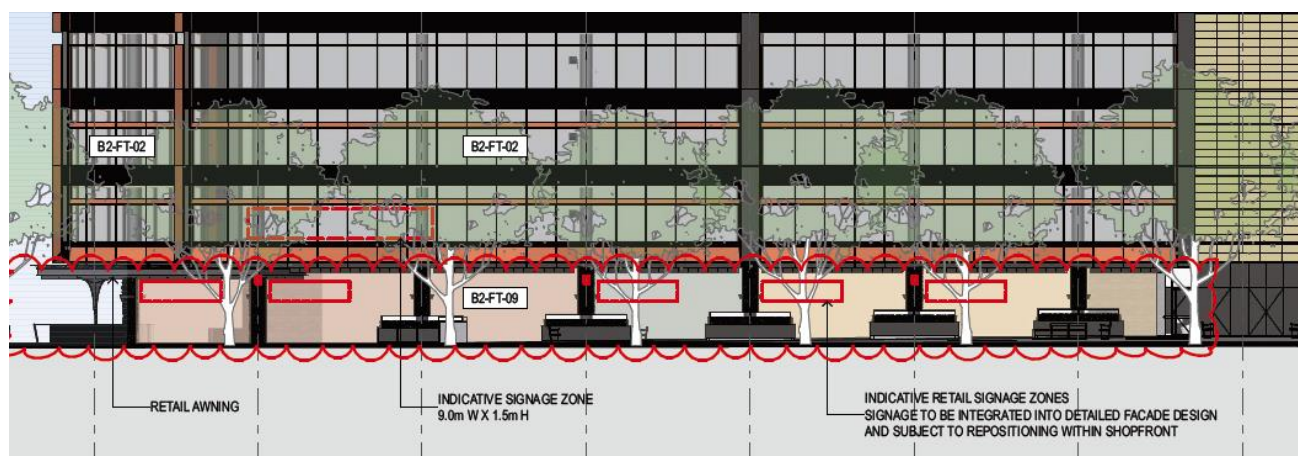
The location and extent of the proposed signage zones are illustrated in the Architectural Plans prepared by fjmt (**Attachment A**) and shown below in **Figures 7-9** (areas of change highlighted in red). It is emphasised that the proposed Condition F7A relates solely to the indicative retail signage zones proposed under this Modification Application.





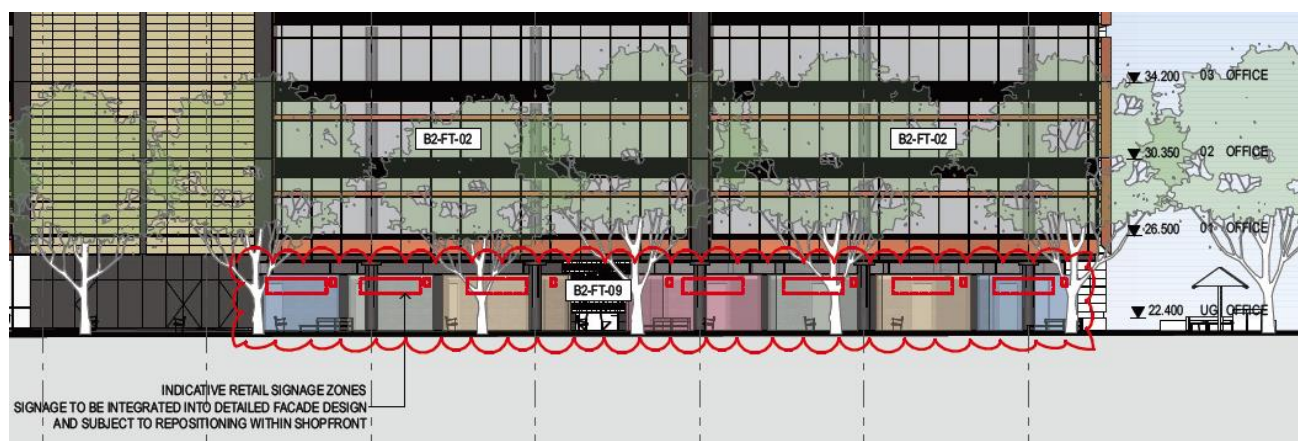
**Figure 5** Location of Proposed Signage Zones along Locomotive Street

Source: fjmt



**Figure 6** Eastern Retail Signage

Source: fjmt



**Figure 7** Western Retail Signage

Source: fjmt

## 2.2 Modifications 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***.

### SCHEDULE 2

#### A2 Terms of Consent

Architectural (or Design) Drawings prepared by fjmt and SISSONS			
Drawing Number	Revision	Name of Plan	Date
<del>Fjmt-AR-DWG-BB-B2-300U</del> <del>Fjmt-AR-DWG-2100U</del>	<del>Q</del> <del>DA1</del>	<del>General Arrangement Plans – Upper Ground</del> <del>Upper Ground Plan</del>	<del>06.03.18</del> <del>24.07.19</del>
<del>Fjmt-AR-DWG-BB-B2-3101</del> <del>Fjmt-AR-DWG-21001</del>	<del>M</del> <del>DA1</del>	<del>General Arrangement Plans – Level 01</del> <del>Level 1 Plan</del>	<del>25.01.18</del> <del>24.07.19</del>
Fjmt-AR-DWG-21050	<del>DA4</del> <del>DA5</del>	Elevations – North & West	<del>28.05.19</del> <del>24.07.19</del>
Fjmt-AR-DWG-21051	<del>DA4</del> <del>DA5</del>	Elevations – South & East	<del>28.05.19</del> <del>24.07.19</del>

### B PRIOR TO THE ISSUE OF CONSTRUCTION CERTIFICATE

#### B62 Retail Premises along Locomotive Street

*Prior to the issue of any Construction Certificate for the façade/shopfront of any retail tenancy on the Upper Ground Floor of Building 2, architectural shopfront drawings shall be submitted to the satisfaction of Council showing that the proposed design is generally consistent with the approved guidelines detailed in the Locomotive Street Retail Design Guide prepared by Mirvac, dated 2 August 2019.*

#### F7 Signage Zones

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, ***with the exception of the approved indicative retail signage zones along the Upper Ground Floor of Building 2.***

#### F7A Retail Signage Zones along Locomotive Street

*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.*

***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.***



### 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 the consent was originally granted and before that consent as originally granted was modified (if at all)*”.

The development, as proposed to be modified, is substantially the same development as that originally approved, given the proposed modifications:

- do not alter the approved use of the tenancies – the use remains ‘retail premises’ as per the original consent;
- do not materially alter the building envelope and are generally limited to the design and layout of ground floor retail units and the creation of signage zones along Locomotive Street;
- do not increase the approved gross floor area of the development;
- do not alter the approved development’s level of compliance with the applicable environmental planning instruments and policies; and
- do not result in any additional environmental impacts beyond those considered and determined to be acceptable by granting Development Consent to SSD 7317, as discussed further in **Section 4.3** below.

The consent authority may therefore be satisfied that the development consent as proposed to be modified will remain substantially the same as the original development consent, with the proposed modifications representing only a minor addition to the scope of the already approved development. The proposed modification of Development Consent SSD 7317 may therefore be lawfully approved under Section 4.55(1A) of the EP&A Act.

### 4.0 Environmental Assessment

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*”.

Under Section 4.55(3) the consent Authority must also take into consideration the relevant matters to the application referred to in Section 4.15(1) of the EP&A Act and the reasons given by the consent authority for the grant of the original consent.

The following assessment considers the relevant matters under Section 4.15(1) and demonstrates that the development, as proposed to be modified, will be of minimal environmental impact.

#### 4.1 Reasons Given for Granting Consent

In granting Development Consent to SSD 7317, the Planning Assessment Commission (PAC) recognised that the development would “enable a business park to harness potential job growth and activity for this location and supports an outcome that will improve the utilisation of this important site, while retaining its heritage features and character”. The proposed modification will not affect the public benefits identified by the PAC in granting Development Consent to SSD 7317.

#### 4.2 Compliance with Environmental Planning Instruments

##### 4.2.1 State Environmental Planning Policy (State Significant Precincts) 2005

The Australian Technology Park is located within the Redfern-Waterloo Authority ‘specified site’ and therefore *State Environmental Planning Policy (State Significant Precincts) 2005* (SEPP SSP 2005) is the principal planning instrument that applies to the ATP precinct.

This modification application does not propose any substantial changes to the overall approved building envelope, land uses or car parking numbers. Therefore, the proposed modifications will not alter the original assessment of the development and remain consistent with the objectives of the Business Zone – Business Park zone.

#### 4.2.2 State Environmental Planning Policy 64 – Advertising and Signage

*State Environmental Planning Policy No 64 – Advertising and Signage* (SEPP 64) applies to all signage that, under an environmental planning instrument, can be displayed with or without development consent and is visible from any public place or public reserve. The proposed signage zones meet the objectives of SEPP 64 as they:

- ensure that future signage is scaled appropriately for the building and the broader area;
- are commensurate with the amenity and visual character of the area, including the character of existing signage; and
- will allow for signage that effectively communicates the tenants of the upper ground floor retail along Locomotive Street.

Schedule 1 of SEPP 64 contains assessment criteria that are to be considered by the consent authority. An assessment of the proposal against the criteria is provided in **Table 2** below.

**Table 2 Assessment Criteria under Schedule 1 of SEPP 64**

Assessment Criteria	Comments	Compliant
<b>1. Character of the area</b>		
<i>Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?</i>	The proposed signage zones are generally compatible with the desired character of Building 2. They will enable the future installation of high-quality signage that is integrated with the design of the retail tenancies along Locomotive Street and contributes to the character of the adjacent public domain.	Yes
<i>Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</i>	The proposed signage zones are generally consistent with the nature of signage within the ATP precinct.	Yes
<b>2. Special areas</b>		
<i>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?</i>	<p>The proposed signage zones have been sensitively integrated into the design of Building 2 and future signage within these zones will not detract from the visual quality of the area.</p> <p>The proposed signage zones are not within any environmentally sensitive area, natural conservation area, open space areas, waterway, rural landscape, nor in direct proximity to residential development.</p> <p>The Heritage Impact Statement prepared by Curio Projects (<b>Attachment C</b>) confirms that future signage will have a neutral visual impact within the heritage precinct and will not detract from the overall heritage views and character.</p>	Yes
<b>3. Views and vistas</b>		
<i>Does the proposal obscure or compromise important views?</i>	The proposal will not obscure or compromise important views.	Yes
<i>Does the proposal dominate the skyline and reduce the quality of vistas?</i>	The proposed signage zones are contained entirely within the upper ground floor of Building 2. Accordingly, they will not impact on the skyline, nor reduce the quality of vistas.	Yes
<i>Does the proposal respect the viewing rights of other advertisers?</i>	The proposal will not impact on the viewing rights of any advertisers.	Yes
<b>4. Streetscape, setting or landscape</b>		
<i>Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</i>	The scale and proportion of the proposed signage zones are appropriate as they respond to the overall size of the building and the ATP.	Yes

Assessment Criteria	Comments	Compliant
<i>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</i>	Future signage within the proposed signage zones will contribute to the visual interest of the streetscape, reinforcing the retail offering along Locomotive Street.	Yes
<i>Does the proposal reduce clutter by rationalising and simplifying existing advertising?</i>	The consistency between the scale and location of the proposed signage zones will ensure that the future installation of signage does not result in visual clutter.	Yes
<i>Does the proposal screen unsightliness?</i>	No, the proposed signage zones do not screen unsightliness.	N/A
<i>Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</i>	The proposed signage zones are contained entirely on the upper ground floor elevation of Building 2. Accordingly, future signage within these zones will not protrude above buildings, structures or tree canopies in the area or locality.	Yes
<i>Does the proposal require ongoing vegetation management?</i>	The proposal does not require any ongoing vegetation management.	N/A
5. Site and building		
<i>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?</i>	The proposal has been carefully designed to be compatible with the scale, proportions, and presentation of the building. The scale of the proposal is considered to be appropriate for the context of the site, and will support the character of the area.	Yes
<i>Does the proposal respect important features of the site or building, or both?</i>	The proposal is respectful in its design and will not dominate the surrounding locality or detract from any of the important features of the building.	Yes
<i>Does the proposal show innovation and imagination in its relationship to the site or building, or both?</i>	The proposed signage zones have been specifically designed to recognise the importance of providing high quality signage that contributes to the character of the public domain. The proposal is innovative in design and is imaginatively integrated into the design of Building 2.	Yes
6. Associated devices and logos with advertisements and advertising structures		
<i>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?</i>	Future signage installed within the proposed signage zones will ensure that lighting devised and logos are design as an integral part of the signage.	Yes
7. Illumination		
<i>Would illumination result in unacceptable glare?</i>	Illumination will be developed with respect to the relevant Australian Standards and best-practice measures for building identification and wayfinding signage.  Lighting will be designed to avoid resulting in unacceptable glare or light spill, or impact the safety of pedestrians, vehicles or aircraft.	Yes
<i>Would illumination affect safety for pedestrians, vehicles or aircraft?</i>		Yes
<i>Would illumination detract from the amenity of any residence or other form of accommodation?</i>		Yes
<i>Can the intensity of the illumination be adjusted, if necessary?</i>	The intensity of the illumination can be adjusted as required; however a curfew is not proposed.	Yes
<i>Is the illumination subject to a curfew?</i>		
8. Safety		
<i>Would the proposal reduce the safety for any public road?</i>	Due to the design, placement, scale, and intensity of the proposed signage zones, future signage will not reduce road safety.	Yes
<i>Would the proposal reduce the safety for pedestrians or bicyclists?</i>	As above, due to the design, placement, and scale of the proposed signage zones, future signage will not reduce pedestrian or cyclist safety.	Yes
<i>Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</i>	Future signage within the proposed signage zones will not obscure sightlines, and thus will not reduce safety for pedestrians.	Yes

### 4.3 Environmental Impacts

The EIS submitted with the original State Significant Development Application (SSDA) addressed the likely impacts of the development, including:

- 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 proposed modifications to the approved development do not give rise to any material alteration to the assessment of the potential impacts that were considered and determined to be acceptable in the granting of Development Consent SSD 7317.

Supplementary technical assessment has been undertaken for key environmental issues relevant to the proposed amendments to SSD 7317, which are discussed in further detail below.

The assessment confirms that considering the nature of the proposed modification, the conclusions of the original assessment remain generally valid and that the development, as proposed to be modified, will be of minimal environmental impact.

#### 4.3.1 Built Form and Design Quality

During design development and through further consideration of the retail offering on Locomotive Street, Mirvac has had the opportunity to revisit the design intent for the Locomotive Street tenancies. It was considered that the current approved design for the subject retail tenancies, while being adequate and of a high quality, could be redesigned to better complement and celebrate the heritage character of Locomotive Street, while simultaneously breaking up the long, continuous mass of Building 2.

The proposed modifications to the Western Retail introduce a level of dynamism to the ground floor retail offering, and serve to break up and add interest to the façade of Building 2 and Locomotive Street. The proposal to allow individual tenants to design their own shopfronts in accordance with the attached Retail Design Guide will also serve to improve the design quality of the retail offering, by introducing variation and distinctiveness, while ensuring a consistent aesthetic and design quality is maintained.

Overall, the proposed modifications are considered to be a significant improvement to the approved scheme and will enhance the quality and vibrancy of Building 2 and Locomotive Street.

#### 4.3.2 Heritage

The proposed modifications are not physically associated with any built heritage item or heritage fabric, and therefore will have no physical impact on any heritage item or heritage fabric. However, the upper ground floor of Building 2 is located directly opposite the State Heritage-listed Locomotive Workshop (refer to **Figure 8**).

Accordingly, Curio Projects has prepared a Heritage Impact Statement (**Attachment C**) to identify and assess any potential heritage impacts of the proposed development on the overall heritage values and significance of the ATP Precinct and any potential visual impact on the setting, character and streetscape of the Locomotive Workshop.

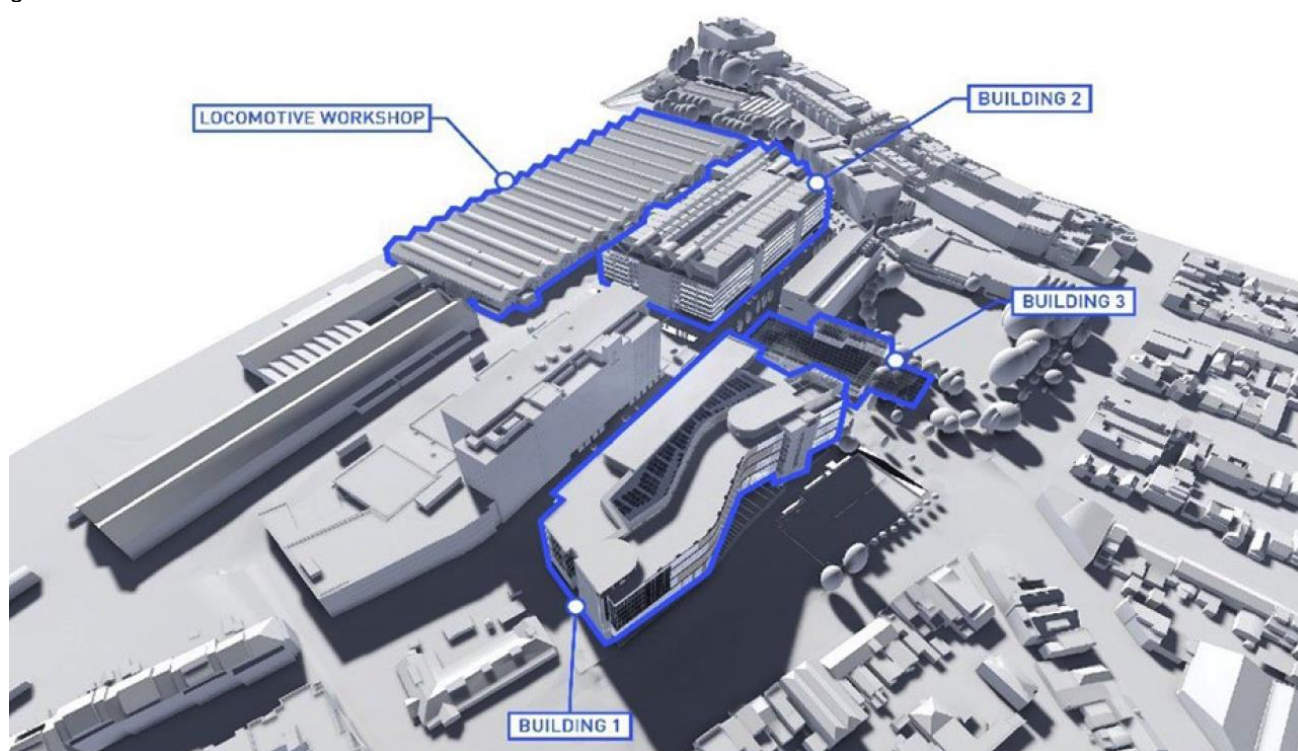


Having considered the proposed modifications, Curio Projects considers that the proposed changes to the ground floor retail will introduce further innovation, variety and activation to the Locomotive Street, without detracting from the industrial and historical values of the area, or the visual dominance of the Locomotive Workshop.

The promotion of an active pedestrian frontage along Locomotive Street will also strengthen the interpretation of the historic Locomotive Street as a key thoroughfare within the ATP. The diversification and variety of the retail offering along Locomotive Street will also contribute to the viability and longevity of the South Eveleigh Precinct.

Curio Projects consider that adherence with the Locomotive Street Retail Design Guide prepared by Mirvac (**Attachment B**) should ensure that the future detailed design of the shopfronts are individualised, yet sympathetic to the heritage significance of the ATP Precinct.

On this basis, Curio Projects concludes that the proposed modification along Locomotive Street will have a neutral visual impact on the streetscape of Locomotive Street, the Locomotive Workshops, and the wider heritage precinct of South Eveleigh. Curio Projects therefore conclude that the proposed modifications are supportable on heritage grounds.



**Figure 8** Building 2 in relation to the Locomotive Workshop

Source: Sissons Architects

#### 4.3.3 Building Code of Australia

A supplementary BCA Statement has been prepared by Advance Building Approvals (**Attachment D**) which considers the compliance of the proposed modifications with the Building Code of Australia (BCA). The assessment confirms that the approved development, as proposed to be modified, remains capable of achieving compliance with the BCA.

#### 4.3.4 Crime and Public Safety

To minimise opportunities for anti-social behaviour, the area around the 'container style' western retail tenancies will be closed off and locked outside of trading hours (10pm to 7am). The revitalisation of the approved retail offering will improve active and passive surveillance along Locomotive Street, contributing positively to public safety and reducing the likelihood of antisocial behaviour and crime.

#### 4.3.5 Suitability of the Site

Under SSD 7317, the area of the upper ground floor of Building 2 along Locomotive Street has already been approved for retail uses. The proposed modifications will not alter the suitability of the site for these retail uses and will support the future operation of retail tenancies along Locomotive Street.

#### 4.3.6 The Public Interest

The proposed modifications to the approved development are in the public interest, as the amendments will revitalise the retail offering of Building 2 and activate surrounding public spaces, while having no adverse environmental impacts.

### 5.0 Conclusion

The proposed modification seeks approval for modifications to the upper ground floor of Building 2, including the addition of signage zones, retail amenities and a feature awning. The proposed modification also includes minor amendments to the design and layout of retail tenancies along Locomotive Street. The proposed modifications will revitalise the retail offering of Building 2 and support the activation of the ATP Precinct.

In accordance with Section 4.55(1A) of the EP&A Act, the Department may modify the consent as:

- the proposed modification is of minimal environmental impact;
- substantially the same development as development for which the consent was granted; and
- the proposed modification is in the public interest.

We trust that this information is sufficient to enable a prompt assessment of the proposed modification request.

Yours sincerely,



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