

22 December 2020

218990

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

Attention: Caleb Ball (Planning Officer – Social and Infrastructure Assessments)

Dear Mr Ball,

**SECTION 4.55(1A) MODIFICATION APPLICATION – SSD 9670 MOD 5  
WESTERN SYDNEY UNIVERSITY INNOVATION HUB – 2-6 HASSALL STREET, PARRAMATTA**

This application has been prepared by Ethos Urban on behalf of Western Sydney University (applicant), pursuant to section 4.55(1A) of the Environmental Planning and Assessment Act 1979 (EP&A Act) to modify Development Consent SSD 9670 relating to the Western Sydney University Innovation Hub at 2-6 Hassall Street, Parramatta (the site).

This application is the fifth modification to the consent and is known as MOD 5. The application proposes to amend Condition A2 in relation to minor adjustments to the location and dimensions of the northern and western signage zones in order to accommodate the final design of the Western Sydney University building identification signage. This signage is proposed to be installed in accordance with Condition A29.

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 revised Architectural Elevations prepared by Tzannes + Blight Rayner (**Attachment A**).

## 1.0 Consent proposed to be modified

Development consent SSD 9670 was granted by the Department of Planning, Industry and Environment (DPIE) under delegation on 21 November 2019 for the development of the Western Sydney University Innovation Hub. This approval granted consent for the following:

- Construction of a 19 storey mixed use development, including:
  - Tertiary education, commercial and retail uses.
  - A single level basement containing car and bicycle parking, vehicular servicing areas and waste storage areas.
  - Amphitheatre/exhibition space.
  - Landscaping and public domain works.
  - Plant and equipment.
  - Installation of utilities and infrastructure works.

Three modification applications have been approved relation to this development:

- Modification 1 (MOD 1) was approved on 04 March 2020 for the amendment of conditions relating to bicycle parking, wind tunnel testing and construction hours.

- Modification 2 (MOD 2) was approved on 06 May 2020 for minor design refinements including the introduction of glass to the roof parapet, reduction in the parapet height and reduction of pre-cast building core panel height.
- Modification 3 (MOD 3) was approved on 28 August 2020 for the amendment of conditions relating to signage and stormwater infrastructure.

Modification 4 (MOD 4) is currently under assessment and proposes design amendments to the ground floor retail component, building entry portals and basement parking.

The subject modification is therefore the fifth modification to the approved consent.

## 2.0 Proposed modifications to the consent

### 2.1 Description of proposed modifications

The proposed modification to development consent SSD 9670 seeks to make minor adjustments to the dimensions of two (2) signage zones, being:

- One (1) on the Northern Elevation within the building parapet; and
- One (1) on the Western Elevation within the building parapet.

These signage zones are required to be amended in order to accommodate the final design of the Western Sydney University building identification signage.

Amended elevations, prepared by Tzannes + Blight Rayner, are provided at **Attachment A**.

### 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***.

#### A2 – Terms of Consent

The development may only be carried out:

- (a) in compliance with the conditions of this consent;
- (b) in accordance with all written directions of the Planning Secretary;
- (c) generally in accordance with the EIS and Response to Submissions;
- (d) in accordance with the approved plans in the table below:

Architectural Plans prepared by Tzannes Blight Rayner			
Dwg No.	Rev	Name of Plan	Date
30.00	<del>LO</del>	North Elevation	<del>09.08.2019</del> <b><i>10.12.2020</i></b>
30.03	<del>LO</del>	West Elevation	<del>09.08.2019</del> <b><i>10.12.2020</i></b>

**Reason:** The above drawings are proposed to be replaced to make minor adjustments to the dimensions and location of two (2) signage zones.

### 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 in that the proposed modifications relate only to minor matters relating to signage. The proposed modifications will not alter the function and operation of the development, with the approved uses and overall built form to remain identical to the current approval.

### 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.

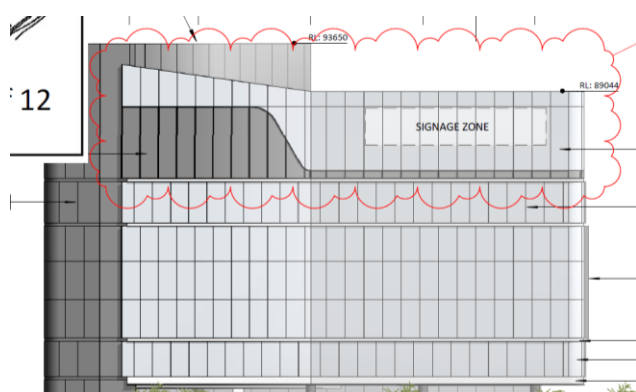
The following assessment considers the relevant matters under section 4.15(1) and demonstrates that the development, as proposed to be modified, will be of minimal environmental impact. The original application considered a range of potential environmental impacts. The following are unchanged as a result of the proposed modifications:

- Design excellence;
- Built form and urban design;
- Overshadowing;
- Visual impact;
- Privacy;
- Transport and accessibility;
- Heritage and archaeology;
- Noise and vibration;
- Infrastructure and utilities;
- Biodiversity;
- Contamination and hazardous material;
- Water cycle management;
- Waste management;
- Construction impact;
- Geotechnical impact and structural adequacy;
- Crime and public safety;
- BCA and accessibility;
- Lighting; and
- Social and economic impact.

The following matters however warrant further assessment, and the following assessment demonstrates that the proposed modifications will be of minimal environmental impact.

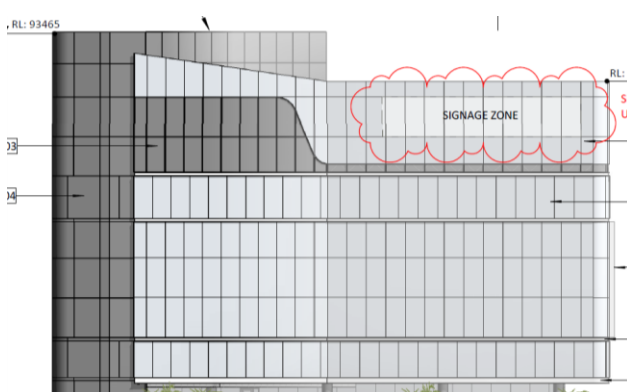
#### 4.1 Signage Zones

The proposed modification involves adjustments to the approved signage zones on the north and west elevations to accommodate the final design of the Western Sydney University building identification signage, which are proposed to be installed in accordance with Condition A29. The proposed modifications are minor in nature, as shown in the comparison of the approved signage zones and the proposed signage zones (provided in **Figure 1** to **Figure 4** below).



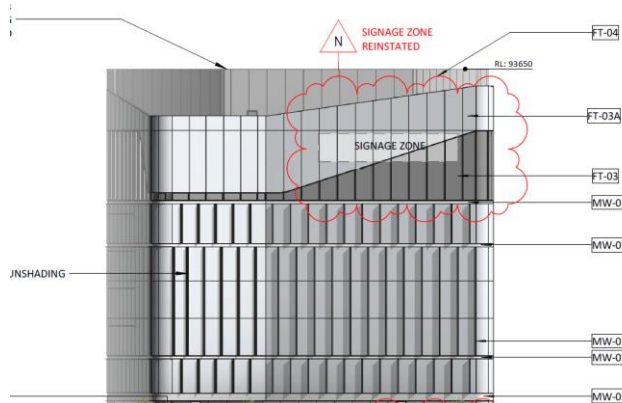
**Figure 1 Approved Signage Zone – Northern Elevation**

Source: Tzannes + Blight Rayner



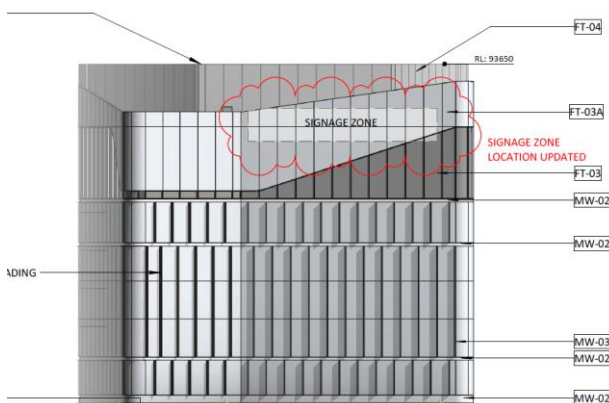
**Figure 2 Proposed Signage Zone – Northern Elevation**

Source: Tzannes + Blight Rayner



**Figure 3 Approved Signage Zone – Western Elevation**

Source: Tzannes + Blight Rayner



**Figure 4 Proposed Signage Zone – Western Elevation**

Source: Tzannes + Blight Rayner

As well, the modification of these signage zones remains consistent with the original assessment undertaken against *State Environmental Planning Policy No. 64 – Advertising Structures and Signage* (SEPP 64). The proposed minor adjustments of the signage zones will accommodate the final design of the Western Sydney University signs. These signs will assist in identifying a key new university campus within the Parramatta CBD from prominent locations to the north and west of the site. The detailed signage to be installed within these zones will be subject to Condition A29, with design, content and illumination to be to the satisfaction of the Secretary.

Accordingly, the proposed amendment to Condition A2 will not result in any new or expended environmental impacts, when compared to the original assessment of the SSD.

## 4.2 Minimal Environmental Impact

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 given by the consent authority in the granting of the original consent.

We consider that the proposed modifications are of minimal environmental impact, for the following reasons:

- The proposal does not include changes to the overall form, operation, function and use of the approved development;
- The proposed amendment to the approved architectural drawings seek only minor adjustments to signage zones, having no resultant additional or expanded environmental impacts; and
- The environmental impacts of the modified development are substantially the same as the approved development.

## 5.0 Conclusion

The proposed modifications to SSD 9670 sought under this application relate to minor adjustments to the dimensions of the northern and western signage zones in order to accommodate the final design of the Western Sydney University building identification signage. No changes are proposed to the approved built form, operation and uses contained within the development.

It has also been demonstrated in this statement that the proposed minor modifications will not result in any unacceptable impacts.

In accordance with Section 4.55(1A) of the EP&A Act, the DPIE may modify the consent given that:

- The proposed modifications are of minimal environmental impact; and
- The development to which the consent as proposed to be modified relates is substantially the same development for which the consent was originally granted.

In light of the merits of the proposed development and in the absence of any significant environmental impacts, it is without hesitation that we respectfully recommend this the development consent be suitably modified.

We trust that this information is sufficient to enable assessment of the proposed modification application. Should you have any queries regarding this matter, please do not hesitate to contact the undersigned.

Yours sincerely,



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