



Planning Assessment Report

Development Application DA 156-7-2005

1 SUMMARY

This report is an assessment of the proposed development the subject of Development Application number DA 156-7-2005.

The application has been submitted by the Australian Technology Park Precinct Management (ATPPM). The proposal seeks the Minister's consent for the demolition of the existing office fitout in Bays 3 and 4 on Level 1 of the Locomotive Workshop building, Australian Technology Park, and their replacement with a new office fitout for the RTA.

The land is owned by the Redfern Waterloo Authority (RWA). The RWA Chief Executive Officer provided landowners consent to the lodgment of this application on 1 July 2005.

The Minister for Planning is the consent authority under Clause 14 of Sydney Regional Environmental Plan No. 26 – City West, and Clause 9A of the State Environmental Planning Policy (Major Projects) 2005.

It is recommended that the development application be determined by **granting consent**.

2 BACKGROUND

2.1 Site Context

The site is located in the Australian Technology Park precinct Eveleigh within Bays 3 and 4, Level 1 of the Locomotive Workshop. The Land Title description for this site is Lot 42, DP 877901.



Site location –Australian Technology Park Precinct & Locomotive Workshop

3 THE PROPOSED DEVELOPMENT

The proposal seeks the Minister's consent for approval for the demolition of the existing office fitout and replacement with a new office fitout to Bays 3 and 4, Level 1, of the Locomotive Workshop building, Australian Technology Park.

Bays 3 & 4 on Level 1 contain an existing office fitout designed for the NSW Conservatorium of Music as an educational establishment comprising offices, classrooms and amenities (see photos below). This fitout was constructed in a sensitive manner so as not to damage or alter any of the Locomotive Workshops heritage fabric.

The proposed works includes the demolition of the former NSW Conservatorium of Music fitout including suspended ceilings, walls, carpets and services.

The proposed replacement fitout includes new suspended ceilings, partition walls, carpets and services in an open plan office system. New walls shall comprise gyprock and glass and will not be attached to any heritage building fabric.

The environmental impacts of the proposed development are minimal, being an internal office fitout, and primarily comprises demolition / construction impacts. The environmental impacts of the proposed development can be addressed as conditions of consent.

Bay 3 Level 1 Façade to Level 1 Bay 3 tenancy – no proposed changes	
Bay 3 Level 1 Typical internal office space – suspended ceiling and non-structural partitions.	
Bay 4 Level 1 Tenancy entrance to former Conservatorium of Music tenancy from Bay landing – no proposed changes to façade.	

Bay 4 Level 1

Typical internal office space - 2.4 metre high gyprock and suspended ceilings.



4 STATUTORY FRAMEWORK

The provisions of any environmental planning instrument

[S79C(1)(a)(i) EP&A Act]

➤ *State Environmental Planning Policy (Major Projects) 2005*

The SEPP (Major Projects) 2005 was made on the 25th May 2005 and amended on 29 July 2005. Schedule 2 Map 16 identifies the Redfern Waterloo Authority Sites within which the Eveleigh Workshops are included as “*State significant development on specified sites*”. The Minister for Planning is the consent authority for State Significant development on this site.

The SEPP amendments clause 14 require that development with a capital investment of less than \$5 million and located within the Redfern Waterloo Authority area is to be submitted as a Development Application under Part 4 of the Environmental Planning & Assessment Act 1979 (as amended), and for which the Minister for Planning remains the consent authority.

The proposed works have a capital investment value of \$275,000 and can therefore be assessed and determined under Part 4 of the EP&A Act 1979.

➤ *Sydney Regional Environmental Plan No.26 – City West.*

The proposed development is in accordance with the provisions of SREP No.26 – City West, and is consistent with the range of other business, research, technology and office uses located within the locomotive Workshops building. Refer to Attachment 1 for an assessment of the proposed development against the planning principles for the SREP 26 Eveleigh precinct.

➤ *State Environmental Planning Policy No. 55 – Land Contamination (SEPP No 55)*

This SEPP does not apply to the development application as the proposed fit out would not expose any potential land contamination on the site. The proposed fit out is located on Level 1 Bays 3 and 4 of the Locomotive Workshop building, with no excavation or trenching needed.

➤ *Redfern-Waterloo Authority Act 2004*

Clause 29 (2) *Heritage matters* requires the following: -

“(2) However, an item or part of an item listed on the State heritage register is not to be altered or demolished unless:

(a) the Minister has consulted with the Heritage Council of New South Wales about the matter and taken into consideration any advice duly provided by the Council, and

(b) the Minister is satisfied that it is necessary for the sustainable improvement of the operational area.”

By letter dated 8 July 2005, the Redfern Waterloo Authority's Planning Director wrote on behalf of the Minister Redfern Waterloo to the Heritage Council advising it of this proposal. The Heritage Council has replied by letter dated 26 July 2005, advising that it has no objection to the proposed development subject to the inclusion of certain conditions (refer to report section *Heritage*). The Minister for Redfern Waterloo has considered and endorsed the Heritage Council's response.

The provisions of any development control plan

[S79C(1)(a)(iii) EP&A Act]

➤ *Urban Development Plan for Eveleigh Precinct (UDP)*

Although it is not a strictly development control plan, the UDP provides principles and guidelines aimed principally at the future development, conservation and public domain treatment of the precinct. Relevant UDP requirements in relation to this DA are limited to the following: -

- *3.4 Principle – Heritage Conservation, including: -*
 - o Consideration must be given to an appropriate level of conservation of Bays 1-4A of the Locomotive Workshop and their contents.

Comment: The applicant has submitted an independent Heritage Statement concluding that the proposed works will have no impact on any of the building's heritage significance. The Heritage Council has supported the proposed works subject to the inclusion of proposed conditions, which are included in the draft development consent notice.

- *3.6 Principle – Access and Facilities for Disabled People, including:*
 - o Safe and convenient access for disabled people is required to all buildings and open space areas and in areas where there is construction activity.
 - o Disabled people should be able to conveniently use the same entry to a building as others.

Comment: Access for persons with a disability is currently provided by lift up to level 1 with reasonable access provision through and into the tenancy area. Disabled toilet facilities are provided within the Locomotive Workshop Bays 3 & 4 area for the use of all tenants and visitors.

➤ *Australian Technology Park Master Plan*

The ATP Master Plan was amended by the Minister for Planning on 23 June 2005. The Master Plan principally provides guidelines for the future development of vacant land within this precinct, and consequently is not relevant to a proposal for the internal fitout of an existing tenancy area within the Locomotive Workshops building.

5 CONSULTATION / PUBLIC EXHIBITION

[S9(3) SEPP Major Projects; S53 SREP 26 City West; S79C(1)(d)] EP&A Act]

The proposed development was placed on public exhibition for 30 days from 28 July 2005 to 26 August 2005. The proposed development was advertised in the Glebe Weekly on 28 July 2005. A copy of the proposed development was placed on public exhibition at the following locations: -

- DIPNR Information centre - 23-33 Bridge Street, Sydney
- Council of the City of Sydney - One Stop Shop, Town Hall Sydney
- Australian Technology Park Precinct Management, Bay 8, Locomotive Workshop, Eveleigh.

The Council of the City of Sydney and the Heritage Council NSW were notified of the proposed development and provided with a copy of the Statement of Environmental Effects.

One submission was received from the Heritage Council NSW raising no objection to the proposed development and recommending two (2) consent conditions.

6 CONSIDERATION

➤ Context and Setting

The proposed office fitout is located within the Locomotive Workshop Building on the Australian Technology Park site. The location of the proposed works is within a previously built fitout designed for the NSW Conservatorium of Music as an educational establishment comprising offices, classrooms and amenities office suite. The replacement office fitout is designed for the RTA to conduct research and development of traffic management systems and which will be exported overseas. The proposed use and office (tenancy) location is consistent with the character and range of uses operating within the Australian Technology Park.

➤ Noise and vibration

There will be minimal noise or vibration arising from the proposed development consistent with the use of the suite for office purposes. Construction noise can be controlled through standard consent conditions.

➤ Heritage

The whole Eveleigh Railway Workshops are listed on the NSW State Heritage Register (listing number 01140). Furthermore, the SREP 26 Schedule 4 *Heritage Items Part 2 Items in Eveleigh Precinct* lists a number of heritage buildings which includes: -

- 1. Locomotive Workshops – Bays 1-15, Eveleigh Rail Yard

The applicant has submitted a Heritage Impact statement by Dr Wayne Johnson, Heritage Consultant, who concludes: -

“I have examined the proposed demolition plan and visited the site to assess the heritage impact.

The fitout were installed after the mid 1990’s in accordance with heritage guidelines that outlined that installation of new fabric should have minimal impact on existing (heritage) fabric.

It is evident that the fit-out installed in the 1990’s had **no impact** on the original, not being attached to any existing heritage-listed fabric.

The **removal** of this fit-out will therefore have **no impact** on heritage-listed fabric.”

The Heritage Council has advised, by letter dated 26 July 2005, that it has no objection to the proposed development subject to the inclusion of the following conditions: -

1. All demolition workers be instructed to ensure there is no damage to any of the heritage fabric during demolition and removal of waste from the site; and
2. New partitions or furniture not being attached to any historic fabric. Where a proposed partition meets the historic brick wall, a minimum gap of 10mm be retained, that can be filled with a flexible packing. No glue or mechanical fixings (screws etc) be used to secure the partition to the brick wall. The new partitions could be fixed to the ceiling and the floor.

The applicants Heritage Statement is supported and the Heritage Council’s proposed conditions are included in the draft development consent notice.

➤ *Public Domain*

As the proposed fitout is to be located entirely within the Locomotive Workshop building, there will be no impacts on the public domain.

➤ *Site design and internal design*

There are no site design issues as the proposed fitout is within an existing office suite within the Locomotive Workshop Building. The internal fitout does not propose to undertake any structural work and the fitout primarily comprises non-structural partitions.

➤ *Construction*

The proposed demolition and fitout works are not considered to have any impact on the heritage fabric of the Locomotive Workshops building. Nevertheless, the applicant proposes a precautionary measure of protecting all external walls (including fittings and glazing) during demolition and construction phases. The proposed works do not involve any structural works.

There will be construction impacts arising from the proposed development, caused by the delivery of building materials to the site and the removal of demolished materials off site. Furthermore, there are likely to be noise and dust impacts resulting from both the construction and demolition. Conditions of development consent will be incorporated prohibiting the storage of any materials on the street. Furthermore, a condition of development consent will regulate the hours in which construction and demolition can occur, including period when noisy works are prohibited. In this way the amenity of surrounding residents can be protected.

➤ *Building Code of Australia*

The proposal seeks to modify, relocate or install the following: -

- Fire hose reels
- Fire extinguishers
- Modified Evacuation Plan to suit the new office partition layout
- Modify the existing Fire Sprinkler system to suit new office layout
- Provide required smoke detectors.

The matters raised in Section 79C(1) of the Environmental Planning and Assessment Act, 1979 have been considered. The consideration is also given to relevant provisions of SREP 26 – City West. It is considered that the proposed development complies with the statutory controls and the relevant aims and objectives.

➤ ***Suitability of the Site*** [S79C(1)(c) EP&A Act]

The site is suitable for the proposed development as the Eveleigh Locomotive Workshops building has been adapted for commercial reuse purposes.

➤ ***The Public Interest*** [S79C(1)(e) EP&A Act]

The proposed development is in the public interest as it makes available commercial floorspace to office workers in the ATP precinct.

7 CONCLUSION

The assessment concludes that the proposal complies with the statutory controls and consistent with the principles outlined under SREP 26 – City West and the Urban Development Plan for Eveleigh Precinct.

The proposed development is of a relatively minor nature. Based on the assessment above, it is considered that there are no significant planning impacts or issues arising from the proposal. It is recommended that the proposal be granted development consent, subject to conditions.

8 RECOMMENDATION

It is recommended that the Minister for Planning pursuant to section 80(1) and 80A of the *Environmental Planning and Assessment Act, 1979* (as amended), Clause 14 of Sydney Regional Environmental Plan No. 26 – City West, and Clause 9A of the State Environmental Planning Policy (Major Projects) 2005:

- (A) **grant consent** to the application subject to conditions (Tagged “A”), and
- (B) authorise the Department to carry out post-determination notification.

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