



One Carrington Street

*State Significant
Development
Modification Assessment
(SSD 5824 MOD 11)*

September 2019

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Cover photo

Perspective looking north-east across Wynyard Park to the development (Source: SSD 5824 MOD 8)

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Glossary

Abbreviation	Definition
Consent	Development Consent
Council	City of Sydney
Department	Department of Planning Industry and Environment
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPI	Environmental Planning Instrument
LEP	Local Environmental Plan
Minister	Minister for Planning and Public Spaces
RtS	Response to Submissions
SEPP	State Environmental Planning Policy
SRD SEPP	<i>State Environmental Planning Policy (State and Regional Development) 2011</i>
SSD	State Significant Development



1. Introduction

1.1 Preamble

This report provides an assessment of an application to modify State significant development (SSD) consent (SSD 5824) for a mixed-use retail and commercial development at One Carrington Street (also known as Wynyard Place), Sydney.

The modification application seeks for:

- reconfiguration of the tower lobby including replacement of the previously approved stairs and ramp with a new revolving door
- a new awning
- a new sliding door at the entrance of Wynyard Lane bridge.

The application has been lodged by National Australia Bank Ltd (the Applicant) pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

1.2 Concept approval site

The One Carrington Street concept approval (MP 09_0076) site is located in the northern part of Sydney's CBD, within the City of Sydney local government area (LGA) (refer to **Figure 1**). The concept approval consists of two separate stages, being:

- **Stage 1:** land east of Carrington Street; and
- **Stage 2:** land west of, underneath and including Carrington Street

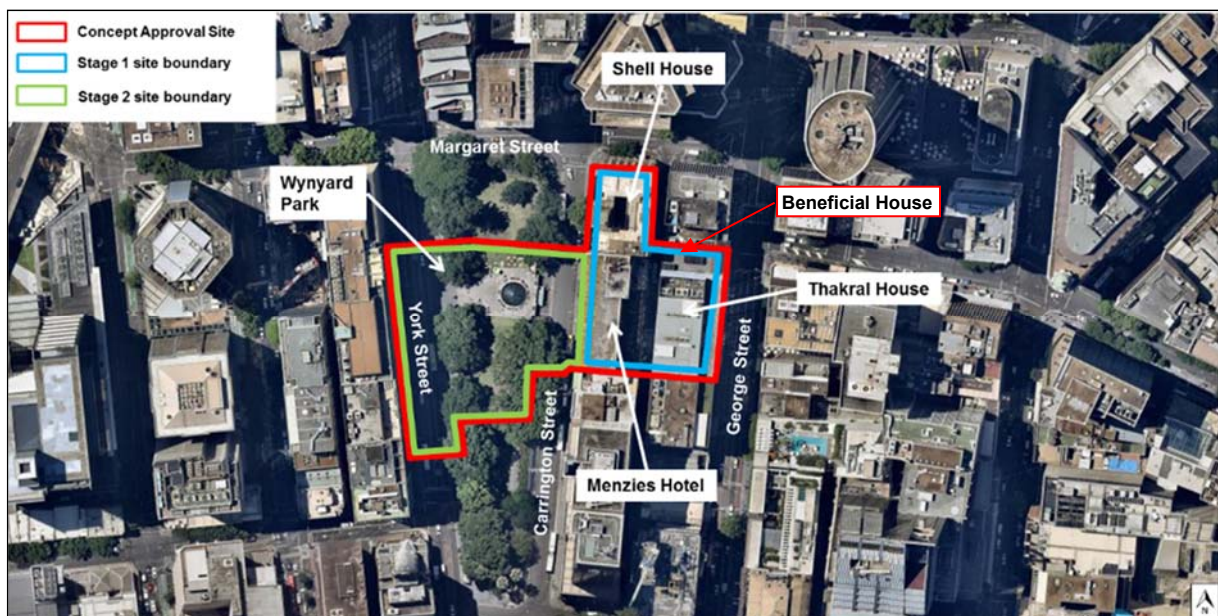


Figure 1 | Site Location (source: SSD 5824 Mod 8 report)

Stage 1 is 'L' shaped and is bound by, and has frontages to, George Street to the east, Carrington Street to the west and Margaret Street to the north. Stage 2 is irregular shaped and consists of parts of Carrington Street, Wynyard Park and York Street.

1.3 Subject Site

The modification application relates to Shell House and the One Carrington Street office tower (**Figure 2**), which are located within the Stage 1 site, fronting George Street to the east, Carrington Street to the west and Margaret Street to the north. Shell House is listed as a local heritage item within Sydney Local Environmental Plan 2012 and is noteworthy for its association with Shell Oil Co. It has aesthetic significance for its scale of city streetscape prior to the 'skyscraper era' and use of glazed tiles for external wall treatments during the Inter-war period.

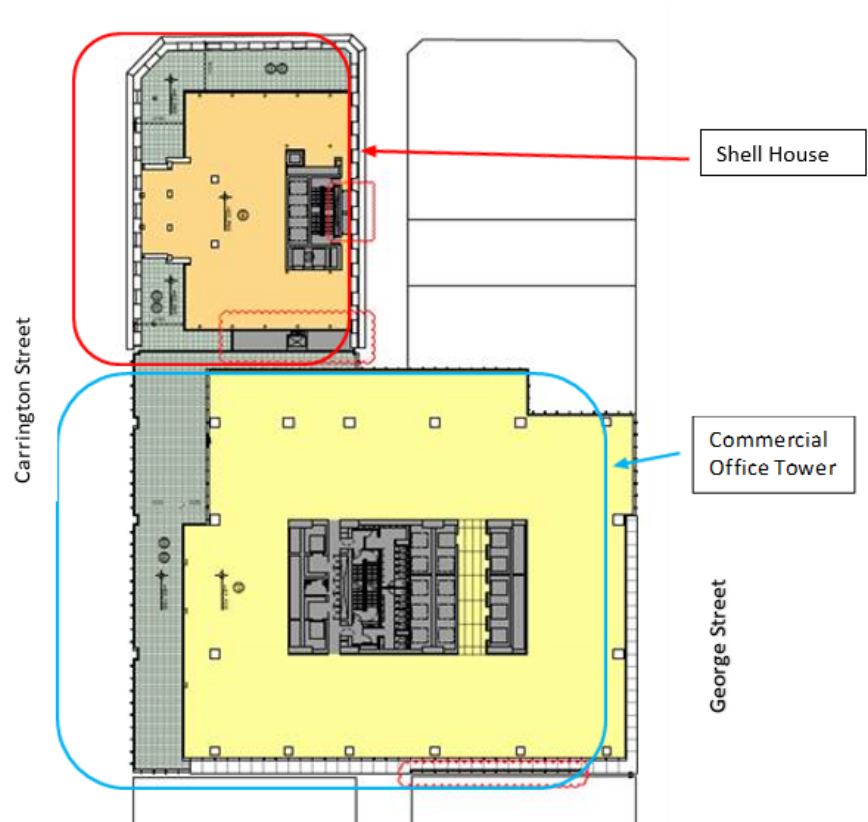


Figure 2 | Shell House and Tower (Base source: DPIE SSD 5824 Mod 8 Assessment Report)

1.4 Approval history

On 25 September 2015, the Acting Executive Director, Infrastructure and Industry Assessments, granted consent to Stage 1 (SSD 5824) of the One Carrington Street concept approval, consisting of the demolition of the Menzies Hotel and 301 George Street, refurbishment of Shell House and Beneficial House, construction of a 27-storey commercial building and public domain works.

In addition to the current modification application, SSD 5824 has been modified on eight occasions (see **Table 1**).

Table 1 | Summary of Modifications

Mod No.	Summary of Modifications	Consent Authority	Type	Status
MOD 1	Design refinements.	Department	4.55(1A)	Approved

MOD 2	Stratum subdivision.	Department	4.55(1A)	Approved
MOD 3	Increase the extent of demolition works to Shell House.	Department	4.55(1A)	Approved
MOD 4	Design refinements.	Department	4.55(1A)	Approved
MOD 5	Administrative changes.	Department	4.55(1)	Approved
MOD 6	Inclusion of additional void zones within four levels of Shell House.	Department	4.55(1A)	Approved
MOD 7	Amend the timing to establish the footpath alignment levels within the public domain plan.	Department	4.55(1A)	Withdrawn
MOD 8	Design refinements.	Department	4.55(1A)	Approved
MOD 9	Design refinements and construction hours extension.	Under Assessment	4.55(1A)	Under Assessment
MOD 10	Design refinements and floor levels changes to support accessibility and servicing requirements.	Under Assessment	4.55(1A)	Under Assessment

1.5 Other relevant approvals

On 3 April 2012, the Planning Assessment Commission granted concept approval (MP 09_0076) for the upgrade of the eastern accessways to Wynyard Station and a new commercial tower, comprising:

- building envelope to a maximum height of RL 159.7 AHD
- use of the site for offices, shops, food and drink premises, health/medical centre, public amenities, transport facilities and car parking
- adaptive reuse of the former Shell House for commercial and retail use
- a Voluntary Planning Agreement (VPA) for the provision of a transit hall, through site link and associated public infrastructure works and a monetary contribution towards works within the Wynyard Station Precinct
- upgrade of the eastern accessways into Wynyard Station, retail areas and concourse layout.

The concept approval has been modified on two occasions (see **Table 2**).

Table 2 | Summary of Modifications

Mod No.	Summary of Modifications	Approval Authority	Type	Status
MOD 1	Administrative changes, including amendments to the VPA and Statement of Commitments.	Department	Section 75W Mod	Approved
MOD 2	Inclusion of 285 George Street (Beneficial House) and increases to GFA, parking and building envelope.	Department	Section 75W Mod	Approved



2. Proposed Modification

On 13 August 2019, the Applicant lodged a modification application (SSD 5824 MOD 11) under Section 4.55(1A) of the EP&A Act.

The modification application seeks:

- reconfiguration of the tower lobby including replacement of the previously approved stairs and ramp with a new revolving door
- a new awning
- a new sliding door at the entrance of Wynyard Lane bridge.

The proposed changes are shown in **Figures 3 to 5** below:

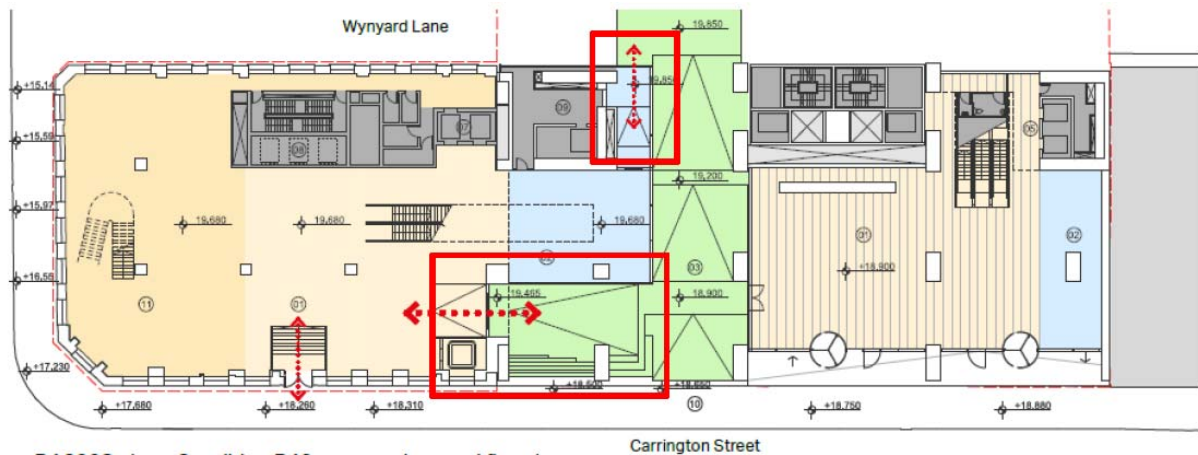


Figure 3 | Approved ground floor layout (location of proposed changes in red) (Source: Applicant's Modification Report)

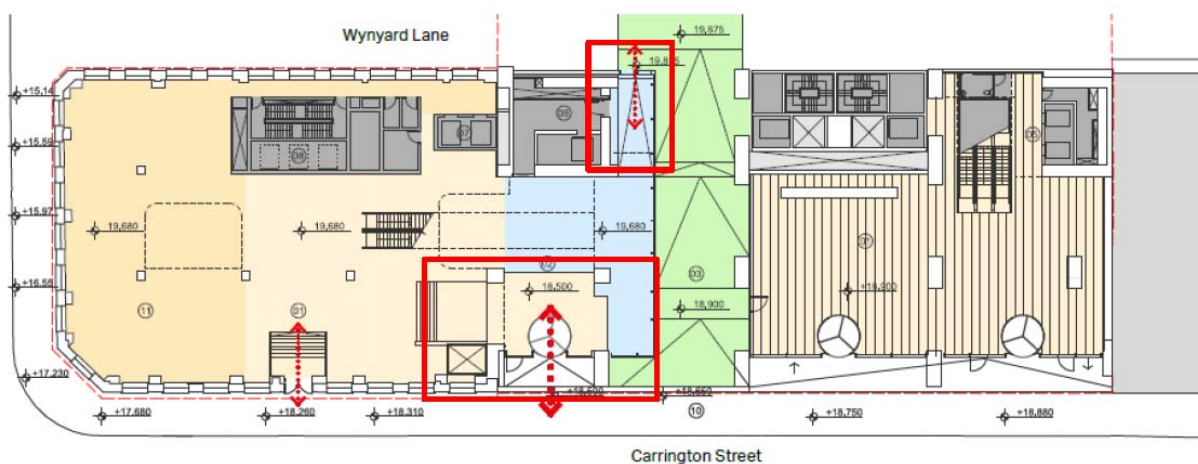


Figure 4 | Proposed ground floor layout (Source: Applicant's Modification Report)

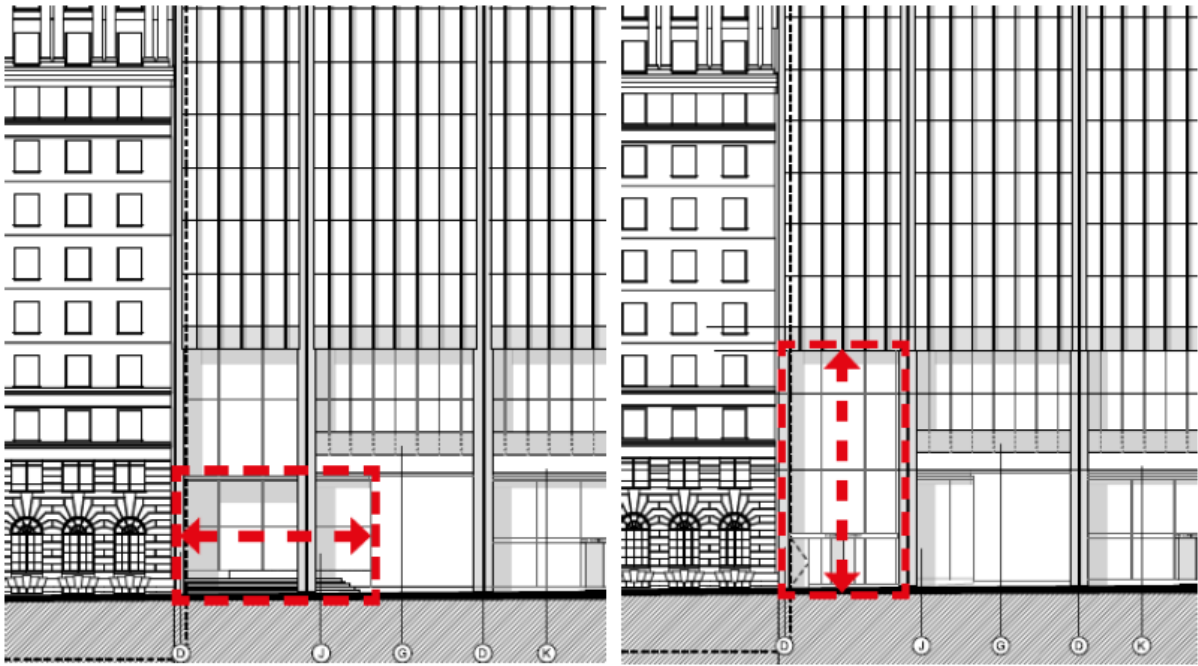


Figure 5 | Approved Carrington Street entry (left) and proposed Carrington Street entry (right)
(Source: Applicant's Modification Report)



3. *Strategic Context*

The Department considered that the original application complied with the strategic planning context for the site in its original assessment. The Department has considered the proposed changes against the strategic planning context and is satisfied that the proposal remains consistent with the strategic planning context. The nature of the proposal, comprising entry and accessibility design changes from Carrington Street, does not alter the Department's view regarding compliance with strategic planning context.



4. Statutory Context

4.1 Scope of Modifications

Section 4.55(1A) of the EP&A Act outlines the matters that a consent authority must take into consideration when determining an application that seeks to modify an SSD application and results in minor environmental impacts.

The matters for consideration under section 4.55(1A) of the EP&A Act that apply to the modification of the project approval (SSD 5824 MOD 11) have been considered in **Table 3**.

Table 3 | Section 4.55(1A) Modification involving minimal environmental impact

Section 4.55(1A) Evaluation	Consideration
a) that the proposed modification is of minimal environmental impact, and	Section 6 of this report provides an assessment of the impacts associated with the modification application. The Department is satisfied that the proposed modification will have minimal environmental impact, it will not change the intensity of the approved uses and has minimal heritage impacts.
b) 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), and	The proposed modification would alter discrete elements of the development and make minor variations to the overall design. The proposal does not result in additional amenity impacts on the surrounding area. The Department considers the proposed modification remains substantially the same as the originally approved development. The physical appearance, scale and character of the approved development remains unchanged.
c) the application has been notified in accordance with the regulations, and	The modification application has been notified in accordance with the EP&A Regulations. Details of the notification are provided in Section 5.1 of this report.
d) any submission made concerning the proposed modification has been considered.	The Department received a submission on the proposal from Council which advised the Department that Council had no comments to make.

4.2 Consent Authority

The Minister for Planning and Public Places is the consent authority for the application under section 4.5(a) of the EP&A Act.

Under the Minister's delegation dated 11 October 2017, the Director, Key Sites Assessments, may determine the application as:

- the relevant local Council has not made an objection
- a political disclosure statement has not been made
- there are no public submissions in the nature of objection.

4.3 Environmental Planning Instruments

The following environmental planning instruments (EPIs) are relevant to the application:

- State Environmental Planning Policy (State and Regional Development) 2011
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy No. 55 – Remediation of Land
- Sydney Local Environmental Plan 2012.

The Department considered that the original application complied with the abovementioned EPLs in its original assessment. The Department has considered the proposed changes against the above EPLs and is satisfied that the proposal remains consistent with these EPLs.

4.4 Objects of the EP&A Act

The Minister or delegate must consider the objects of the EP&A Act when making decisions under the Act. The Department is satisfied the proposed modification is consistent with the objects of the EP&A Act.



5. Engagement

5.1 Department's Engagement

In accordance with the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation), the application was not required to be advertised. The application was made publicly available on the Department's website and referred to the Council for comment.

5.2 Summary of Submissions

The Department received a submission from the Council. No public submissions were received.

Council raised no objection to the application and advised that it had no comments about the proposed works.

A link to the submission is provided in **Appendix A**.



6. Assessment

6.1 Section 4.15(1) Matters for Consideration

Under Section 4.55(3) of the EP&A Act the consent authority must consider the matters referred to in Section 4.15(1) of relevance to the development. **Table 4** identifies the matters for consideration that apply to the proposed modification.

Table 4 | Consideration of Section 4.15(1) of the EP&A Act

Section 4.15(1) Matters for consideration	Assessment
(a)(i) any environmental planning instrument	The modified proposal remains compliant with the relevant legislation as addressed in Section 4 of this report.
(a)(ii) any proposed instrument	Not applicable.
(a)(iii) any development control plan	Under clause of the SRD SEPP, Development Control Plans do not apply to SSD. However, the Department has considered the relevant provisions of SDCP 2012 and find the application acceptable.
(a)(iia) any planning agreement	Not applicable.
(a)(iv) the regulations	The application meets the relevant requirements of the EP&A Regulation, including the procedures relating to applications (Part 6), the requirements for notification (Part 6, Division 6) and fees (Part 15, Division 1AA) (refer to Section 5 of this report).
(b) the likely impacts of that development including environmental impacts on both the natural and built environments, and social and economic impacts in the locality	The Department considers the likely impacts of the development are acceptable and have been appropriately addressed (refer to Section 6 of this report).
(c) the auditability of the site for the development	The site is suitable for the development as addressed in Section 6 of this report.
(d) any submissions	The Department has considered the submissions received (refer to Sections 5 and 6 of this report).
(e) the public interest	The Department considers the modified proposal to be in the public interest as it provides for compliance with accessibility regulations.

The modification application seeks approval for the following works:

- reconfiguration of the tower lobby including replacement of the previously approved stairs and ramp with a new revolving door which will create a single point of entry
- a new awning in line with the building façade line of Shell House
- a new sliding door at the entrance of Wynyard Lane bridge.

The Applicant's justifications for the proposed amendments include:

- addressing the 'cluttered experience' for employees and customers entering Shell House
- bringing the façade line closer to Carrington Street, aligning with other One Carrington Street development
- an awning that will align with the building façade of Shell House and improve the user experience by arriving directly into the base of a multi-storey atrium
- providing a single, and level, entrance from Carrington Street including a direct entry to Shell House
- the proposed sliding door at the entrance to Wynyard Lane Bridge will support accessibility while the revised level entry will satisfy legislative requirements for accessibility
- the proposed changes will not result in any additional impact to Shell House.

6.2 Heritage

The Applicant submitted a heritage assessment, prepared by GML Heritage, which did not identify any potential historical or Aboriginal archaeological impacts as no additional excavation is proposed.

The report concluded the proposed works would have no impact on the heritage significance of Shell House or heritage items in the vicinity.

The Department considers the proposed change is acceptable as it will have minimal impact on the heritage significance of Shell House.

6.3 Accessibility

The Applicant submitted an Accessibility Report, prepared by Morris Goding Access Consultants, which concluded that the design provides a high degree of functional and technical compliance to the BCA, Access to Premises Standard, AS 1428 series and the Disability Discrimination Act (DDA). The report provided recommendations and identified items requiring further clarification to ensure functional compliance.

The Department considers the direct level access from Carrington Street and sliding door at Wynyard Lane Bridge will improve accessibility and the changes address compliance with applicable standards and legislative requirements. The Department supports the proposal subject to the recommendations made in the Access Issues Report.

6.4 Architecture

The Applicant submitted that the changes will improve the entry experience through a higher void from the public domain creating a better interface at ground level.

The Department supports the revised entry and considers it will improve the public experience on entry from Carrington Street while concurrently improving accessibility.



7. Evaluation

The Department has assessed the modification request and supporting information in accordance with the relevant requirements of the EP&A Act. The Department's assessment concludes that the proposed modification request is appropriate as it meets the relevant statutory requirements and is of minimal environmental impact.

The Department's assessment concludes that the proposed modification is appropriate as it:

- results in minimal environmental and heritage impacts
- complies with relevant statutory provisions and remains consistent with relevant EPIs
- is substantially the same development as originally approved.

Consequently, the Department concludes the modification request is in the public interest and should be approved, subject to the recommended changes to existing conditions of consent as outlined in **Appendix B**.



8. Recommendation

It is recommended that the Director, Key Sites Assessments, as delegate of the Minister for Planning and Public Spaces:

- **considers** the findings and recommendations of this report
- **determines** that the application SSD 5824 MOD 11 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 grant approval to the application
- **modify** the consent SSD 5824
- **signs** the attached Modification of Development Consent (**Appendix B**).

Recommended by:

Marcus Jennejohn

Senior Planning Officer

Key Sites Assessments



9. *Determination*

The recommendation is: **Adopted by:**

David McNamara

Director

Key Sites Assessments



Appendices

Appendix A – List of Documents

- Development consent SSD 5824, granted by the Department on 25 September 2015, together with submissions raised, Applicant's response to submissions, and Department's assessment report.
- Associated modifications to the development consent (SSD 5824).
- Modification Report and accompanying documentation
(<https://www.planningportal.nsw.gov.au/major-projects/project/18861>)
- Agency submissions
(<https://www.planningportal.nsw.gov.au/major-projects/project/18861>)

Appendix B – Modification of Development Consent

<https://www.planningportal.nsw.gov.au/major-projects/project/18861>

Appendix C – Consolidated Consent

<https://www.planningportal.nsw.gov.au/major-projects/project/18861>