

State Significant Development Section 96(1A) Modification No. 3



One Carrington Street, Sydney (SSD 5824)

Transport Interchange, Commercial and Retail Development

Submitted to Department of Planning and Environment
On Behalf of Sovereign Wynyard Centre Pty Limited

September 2016 ■ 12721

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A	Modified Demolition Plan DA0007 <i>make and Architectus</i>
B	Addendum Heritage Impact Statement <i>GML</i>
C	Structural Investigation Letter <i>Robert Bird Group</i>
D	Temporary Structural Works Letter <i>Taylor Thomson Whitting</i>

1.0 Introduction

This report is submitted to the Department of Planning and Environment pursuant to section 96(1A) of the *Environmental Planning and Assessment Act, 1979* (EP&A Act) to modify State Significant Development (SSD) 5824 relating to a Transport Interchange, Commercial and Retail Development at One Carrington Street, Sydney (SSD 5824).

The proposed modifications include further internal demolition works in Shell House.

The Section 96 Modification has been prepared by JBA on behalf of Sovereign Wynyard Centre Pty Limited or its nominee Brookfield, and is based on the following consultant reports:

- Modified Demolition Plan DA0007 Rev 03 prepared by make and Architectus (**Appendix A**);
- Addendum Heritage Impact Statement prepared by GML (**Appendix B**);
- Structural Investigation Letter prepared by Robert Bird Group (**Appendix C**); and
- Temporary Structural Works Letter prepared by Taylor Thomson Whitting (**Appendix D**).

This report describes the site, its environs, the proposed development, and provides an assessment of the environmental impacts and identifies the steps to be taken to protect or lessen the potential impacts on the environment.

1.1 Background

1.1.1 The Concept Plan

On 3 April 2012, the Planning Assessment Commission, as delegate of the Minister for Planning and Infrastructure, granted Concept Approval to MP 09_0076 for Thakral Holding's 'CityOne development', comprising the upgrade of the eastern access ways to Wynyard Station, and retail and commercial development.

The Concept Plan has been modified on two occasions, with the most recent Concept Plan (Mod 2) application being approved on 25 September 2015.

The Concept Plan (as modified) provides for:

- upgrade of the eastern access ways to Wynyard Station including retail areas and concourse layout;
- indicative building envelope to a maximum height to RL159.7 AHD on the land between Carrington Street and George Street;
- use of the site for a mixed use development including commercial offices, business premises, shops, general retail food and drink premises, health/medical centre, public amenities, transport facilities; and tenant car parking;
- development of former Shell House and 285-287 George Street including demolition of the internal areas and refurbishment for the purpose of commercial and retail use.

1.1.2 State Significant Development 5824

In accordance with the Concept Approval, a SSD application for the upgrade of the eastern access ways to Wynyard Station and a retail and commercial development known as One Carrington Street was approved on 25 September 2015.

The SSD DA provides for:

- demolition of The Menzies Hotel, 301 George Street and eastern access ways to Wynyard Station, development above Wynyard Lane and partial demolition of Shell House and 285-287 George Street;
- upgrade of the eastern access ways to Wynyard Station including provision of a new Transit Hall, through site link, retail areas and concourse layout;
- construction and use of a 27 storey commercial building on the land between Carrington Street and George Street;
- construction of a retail / commercial loading dock and two levels of basement comprising 89 tenant car spaces and end of trip facilities;
- refurbishment of 285-287 George Street and Shell House for commercial and retail uses;
- signage zones; and
- public domain upgrades surrounding the site.

A S96(1A) (Modification No. 1) was submitted to the DPE and sought to modify the SSD 5824 consent by way of further design refinements. Modification No. 1 was approved on 11 August 2016.

A secondary S96(1A) (Modification No. 2) has been lodged and seeks to modify the SSD 5824 consent to allow for stratum subdivision. This is currently under assessment.

This S96(1A) (Modification No. 3) seeks to modify the SSD 5824 consent to allow for further demolition relating to floor plates of Shell House.

1.2 Background to the Modification

The approved development in relation to Shell House includes retention of the eastern, northern and western facades and clock tower, with the southern façade and internal structure proposed for demolition and rebuild. The existing floor structure for the structural bay immediately adjacent to the retained facades is also identified as being retained. The floors were to be retained to provide a temporary support during the demolition and construction works associated with the project.

Site investigation works undertaken since that time, and material test results, have identified the integrity of the concrete floor plates has been significantly affected, resulting in deterioration of the slab reinforcement. It is therefore considered that the floor is substantially compromised and cannot be retained. Consequently, this S96 Modification No.3 seeks to allow for the full demolition and replacement of the internal floors.

2.0 Site Description

The overall site comprises 301 George Street, the Menzies Hotel, Shell House, stratum above and below Wynyard Lane, and 285-287 George Street and has a site area of 4,452m².

The relevant part of the site for this modification application is Shell House, described as Lot 10 in DP595978. Shell House is owned by Sovereign Wynyard Centre Pty Limited. Shell House is a local heritage item under the Sydney Local Environmental Plan 2012.

A plan illustrating each allotment is shown in Figure 1.

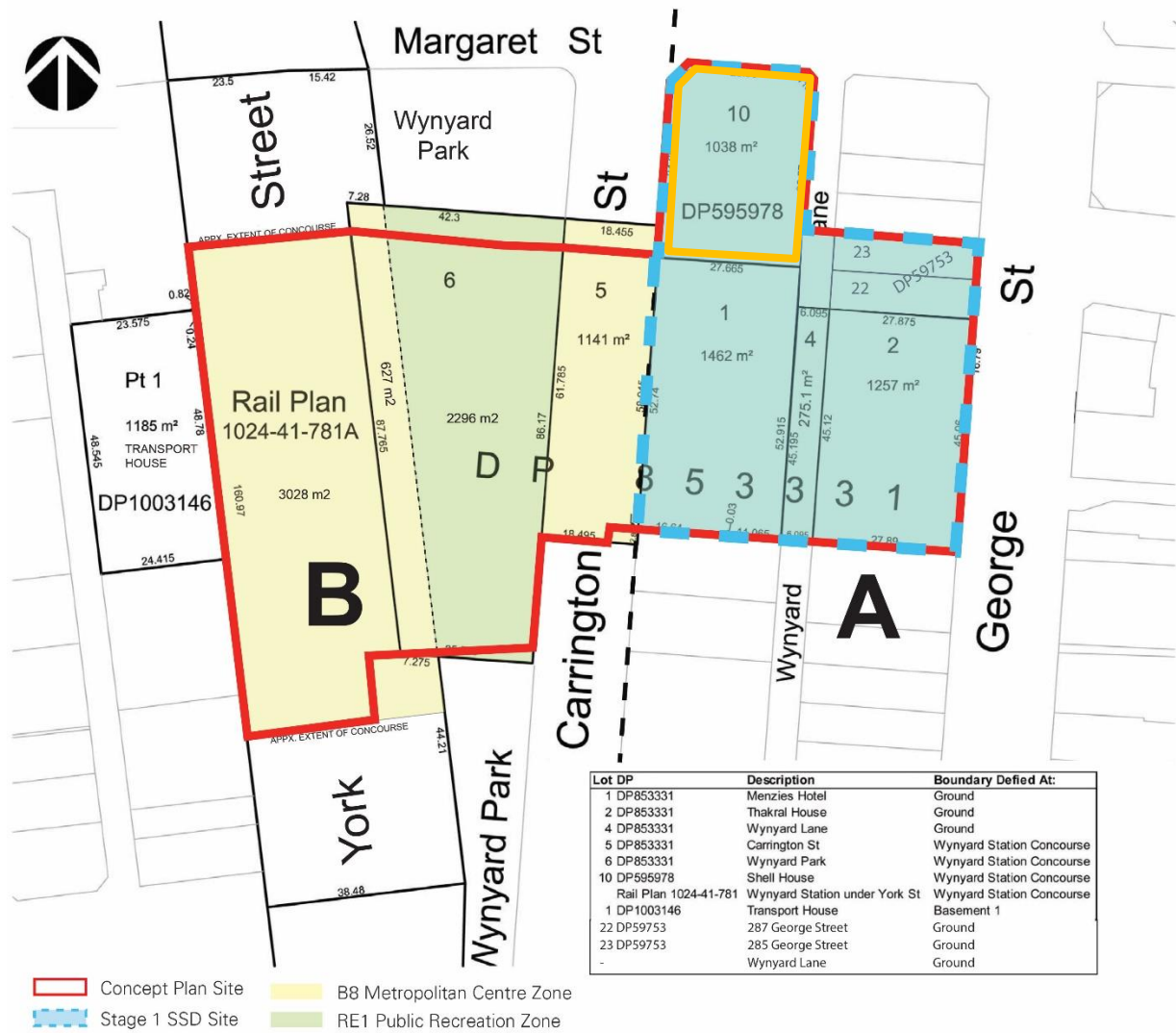


Figure 1 – The site showing Shell House in orange

3.0 Proposed Modifications

This application seeks approval to modify the approved development to expand the scope of approved demolition works within Shell House.

As outlined in **Section 1.2**, structural investigations (refer to **Appendix C**) identified that the existing floor plates of Shell House have been compromised to a point where the floors could not safely support any future works or operations within Shell House.

Accordingly, these floor plates, including columns and internal building fabric, are proposed to be removed. As part of the construction methodology to ensure retention of the Shell House facades, a temporary retention system will be installed to provide structural support for the fabric of the building and for the existing clock tower structure. This proposed construction methodology system uses a new, independent vertical stability core located within the space currently occupied by the light well, with the core connected to the braced façade through a series of strutting beams. It has been designed independently of the permanent works system.

The new flooring to be installed will allow for functional use of the existing window openings in the façade of Shell House, with a number of currently blocked windows to be re-opened. The existing façade and associated embedded structure will be retained.

3.1 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**.

Condition A2

The Applicant shall carry out the project generally in accordance with the:

- a) *State Significant Development Application SSD 5824;*
- b) *Environmental Impact Statement prepared by JBA Planning dated May 2014;*
- c) *Response to Submissions report prepared by JBA Planning dated 25 September 2014 and addendum report dated 21 November 2014*
- d) *Section 96(1A) modification application to Development Consent SSD 5824 prepared by JBA dated November 2015;*
- e) ***Section 96(1A) modification application to Development Consent SSD 5824 prepared by JBA dated September 2016;***
- ~~e) f)~~ *The conditions of this consent; and*
- ~~f) g)~~ *The following drawings, except for:*
 - i) *any modifications which are Exempt or Complying Development;*
 - ii) *otherwise provided by the conditions of this consent.*

Architectural (or Design) Drawings prepared by Make + Architectus			
Drawing No.	Revision	Name of Plan	Date
DA0007	04 03	Demolition Plan – Shell House	25/09/2015 14/09/2016

4.0 Substantially the Same Development

Section 96(1A)(b) 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 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 it:

- does not propose any changes to the approved land uses or built form outcome;
- has minimal impact to the heritage values of Shell House;
- has no impact to the external façade of Shell House; and
- continues to provide for the adaptive reuse of Shell House.

The potential environmental impacts individually and cumulatively, are considered minor and will have no significant impacts beyond those considered during the assessment of SSD 5824.

5.0 Environmental Assessment

This section considers the planning issues relevant to the proposed modifications and contains our assessment of the environmental impacts of those proposed changes to the original development approval.

Section 96(3) of the EP&A Act requires a consent authority to take into consideration the matters referred to in Section 79C(1) that are of relevance to the development the subject of the application. The EIS submitted within the original SSD 5824 application addressed the environmental impacts identified in the Secretary's Environmental Assessment Requirements.

The planning assessment of the proposed modified development remains unchanged with respect to the above matters, however the following matters require further assessment.

5.1 Consistency with Statutory and Strategic Plans

The SSD5824 demonstrated that the proposed development will comply with / is consistent with the relevant strategies, environmental planning instruments, and Concept Plan as determined in the DGRs. This section 96 modification will not result in a non-compliance or inconsistency with any of the below strategies, policies or guidelines:

- NSW 2021
- Metropolitan Plan for Sydney 2036
- A Plan for Growing Sydney
- NSW Long Term Transport Master Plan
- The Sydney City Draft Sub-Regional Strategy
- Sustainable Sydney 2030
- City of Sydney Competitive Design Policy
- Development Near Rail Corridors and Busy Roads-Interim Guideline
- NSW Bike Plan 2010
- Cycle Strategy and Action Plan 2007-2017
- Heritage Council Guidelines Assessing the Significance of Archaeological Sites and Relics
- Crime Prevention Through Environmental Design principles

Furthermore, the proposed modifications will not result in any inconsistencies with the following legislation and environmental planning instruments as they apply to the approved development:

- *Environmental Planning and Assessment Act 1979*
- Environmental Planning and Assessment Regulation 2000
- State Environmental Planning Policy (SEPP) 55 – Remediation of Land
- SEPP (Infrastructure) 2007
- SEPP (State and Regional Development) 2011
- Sydney Local Environmental Plan 2012
- Sydney Development Control Plan 2012

5.2 Consistency with Approved Concept Plan

The Concept Plan Approval and Concept Plan Modification (MP 9_0076 Mod 2) establishes the vision and planning framework to assess the detailed design of the future development on the site.

Relevantly, the Concept Plan included approval for the complete demolition of the internal areas of Shell House. As part of the approved SSD application Brookfield sought to retain as much of the floorplates as possible, however, the investigations detailed above have demonstrated that their retention is no longer possible. Accordingly, this modification will result in a development that is entirely consistent with the approved Concept Plan.

The proposed development as proposed to be modified remains consistent with the Terms of Approval and Modifications set out in Schedules 2 and 3 of the Concept Plan.

The modifications proposed as part of this section 96 application do not change the overall development's consistency with the approved Concept Plan Statement of Commitments.

5.3 Heritage and Archaeology

A Heritage Impact Assessment addendum has been prepared by GML and is included at **Appendix B**.

The greatest change proposed under this modification to the current approved design is the demolition of the internal reinforced concrete structure and other elements at all levels. This is considered to be minor in impact, as the interiors of Shell House are highly modified with minimal original fabric remaining, which was given a moderate significance rating within the Conservation Management Plan 2010. Removing the internal structure of Shell House would have an adverse impact on the heritage significance of the building, however as the proposed internal structure will have a similar relationship to the façade as of the current internal structure, the impact is considered acceptable. Furthermore, the new internal structure will approximate the existing floor to floor levels, while retaining a functional relationship to the original window openings.

While the demolition works will pose some risks for the retained glazed terracotta facades and clock tower, a temporary new structure will be introduced to support these elements during the demolition phase. Refer to **Section 5.4** below for an assessment of this temporary support structure.

There are no heritage impacts on nearby heritage items as a consequence of this modification.

The proposed modification works will not result in any additional impacts on the archaeological potential of the site, or any additional impacts on evidence of Aboriginal heritage within the site.

5.4 Structural Assessment

The proposed modifications to Shell House require a temporary structural support system (as part of the construction methodology) to be installed during the demolition works to support the façade of Shell House (refer to **Appendix D**). This will ensure that the clock tower and the eastern, northern and western facades of

the building are retained. The southern façade and internal structure are proposed to be demolished and rebuilt.

The proposed construction methodology uses a temporary support system with a new independent vertical stability core, situated in the space currently occupied by the light well. This core is connected to the façade (which will be braced accordingly) through a number of strutting beams, and also provides support for the clock tower structure. The temporary system is independent from the permanent supporting structure.

5.5 Construction Management

The proposed modifications are still generally in accordance with the previously approved Construction Management Plan (CMP). It is noted that the CMP is a working document that will continue to be refined in consultation with TfNSW prior to the commencement of works in accordance with Condition C4.

5.5.1 Construction Traffic Management

The relatively minor changes proposed to the development, and the generally consistent construction methodology, does not result in a change being required to the existing approved 'One Carrington Street, Wynyard - Construction Pedestrian and Traffic Management Plan' dated 15 May 2015 prepared by GTA Consultants. Construction traffic will continue to be managed in accordance with the approved conditions of consent.

6.0 Conclusion

The proposed modification to expand the scope of demolition within Shell House is the result of detailed investigations which have indicated the existing floor plates of Shell House have been compromised to a point where the floors could not safely support any future works or operations within Shell House. The proposed modification is therefore necessary to enable Shell House to be safely converted back to its historical use as a commercial building in accordance with the Concept Plan and subsequent SSD approval.

The modified development remains consistent with the approved Concept Plan and relevant statutory and strategic plans and policies that apply to the site, specifically the Concept Plan always envisaged full demolition of the internal areas of Shell House.

In accordance with Section 96(1A) of the EP&A Act, the Department may modify the consent as:

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

Given the merits described above, and significant public benefits proposed, it is requested that the application be approved.