

State Significant Development Section 96(1A) Modification No.4



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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28/09/2016

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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.

The proposed modifications, which are detailed in **Section 3**, involve:

- repositioning of the core within Shell House and subsequent changes to passenger lift operation and servicing levels;
- reconfiguration of plant and substations in Shell House;
- creation of a double height terrace at level 1 above George Street and Carrington Street through plant relocation;
- enhancements to the commercial lobby area including re-alignment of the Carrington Street facade line;
- introduction of an additional mega column on Carrington Street and enhanced response to the Shell House interface;
- changes to the floor levels of Shell House to enable enhanced integration with the One Carrington building;
- continuation of the Transit Hall soffit materials to the George Street and Carrington Street level one balconies;
- an increase in car parking below Shell House by one car space; and
- Shell House external entrance access modifications.

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 Architectural Drawings provided by Make in association with Architectus (see **Appendix A**), and other supporting technical information appended to the report (see Table of Contents).

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 refurbishments 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.

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

This S96(1A) (Modification No. 4) seeks to modify the consent by further design refinements due to future tenancy agreements.

1.2 Background to the Modification

Following approval of Mod 1, there have been further refinements as a result of additional design analysis and feedback from future tenants. This Modification includes these refinements, including the specific tenant requirements which are necessary to enable the delivery of this important project.

2.0 Site Analysis

2.1 Site Location and Context

The site is located within the City of Sydney Local Government Area (LGA) and forms part of the One Carrington Concept Plan Site, which is generally referred to as the land between George and York Streets including 301 George Street, the Menzies Hotel, Shell House, 285 George Street, and Wynyard Park, strata above and below Wynyard Lane and strata underneath Carrington Street, York Street and Wynyard Park, Sydney.

The site is located between George and Carrington Streets in the northern part, and the commercial core of Sydney's CBD.

The site relates to all of the Concept Plan Site located to the east of the eastern boundary of Carrington Street. An aerial photo of the Stage 1 SSD site in relation to the Concept Plan is shown at **Figure 1**. It is noted that a future application will be prepared for Stage 2, which relates to the land west of, and under, Carrington Street.

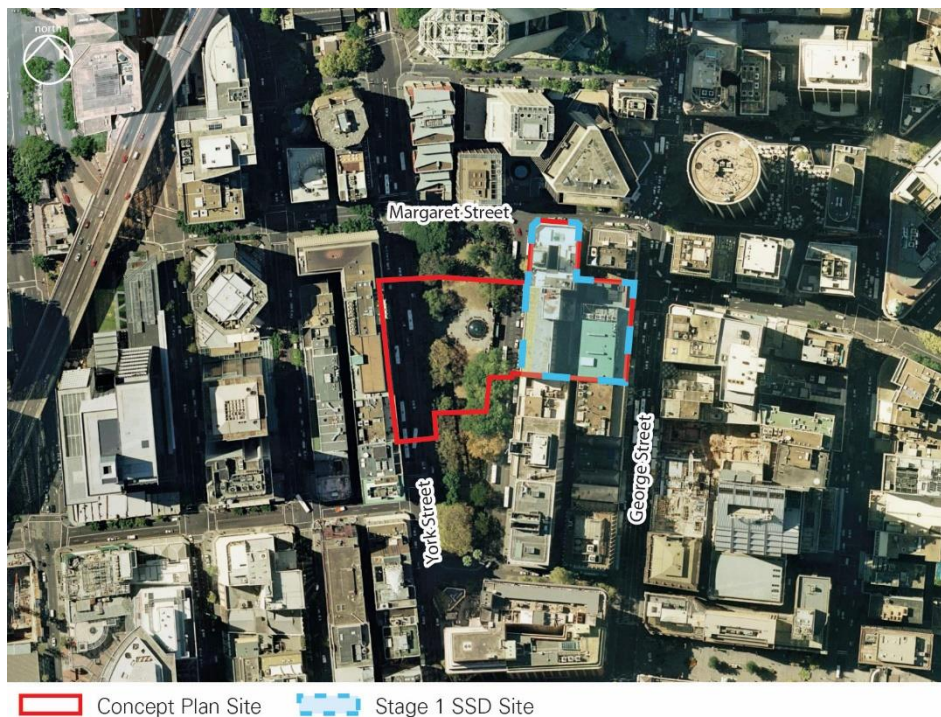


Figure 1 – Aerial Photo

2.2 Site Description

The site comprises 301 George Street, the Menzies Hotel, Shell House, strata above and below Wynyard Lane, and 285-287 George Street, with a total site area of 4,452m². The legal description, ownership of each allotment, and a description of the existing development is detailed in **Table 1**. A plan illustrating each allotment is shown in **Figure 2**. These allotments vary in their substratum and air-rights across the site.

Table 1 – Development Site

Property / Lot & DP	Area	Owner	Description
Stage 1 – East of Carrington Street			
Former Shell House (2-12 Carrington Street) <i>Lot 10, DP 595978</i>	1,038m ²	The Wynyard Centre Pty Limited (now known as Sovereign Wynyard Centre Limited)	An 11 storey commercial office building built in 1938. In 1979 was converted to hotel rooms as an extension of the Menzies Hotel. Shell House is a listed heritage item in the Sydney LEP.
The Menzies Hotel (14 Carrington Street) <i>Lot 1, DP 853331</i>	1,462m ²	RailCorp - Occupied by Brookfield subject to the Wynyard Centre Lease.	A14 storey hotel, completed in 1963. It provides no direct public access to the Station or retail levels that pass beneath it.
301 George Street <i>Lot 2, DP 853331</i>	1,257m ²	RailCorp - Occupied by Brookfield subject to the Wynyard Centre Lease.	A 13 storey commercial office building completed in 1962, with retail space on the ground and first basement levels.
Wynyard Lane (stratum lots above and below road level) <i>Lot 4, DP 853331</i>	275m ²	RailCorp - Occupied by Brookfield subject to the Wynyard Centre Lease. Crown land below RailCorp stratum	Stratum lot that runs above Wynyard Lane between 301 George Street and the Menzies Hotel. Also includes stratum lots below Wynyard Lane.
Wynyard Lane (air space above road level) <i>Public Road</i>	-	City of Sydney	Airspace above Wynyard Lane
285 George Street <i>Lot 22 in DP 56723 and Lot 23 in DP 59753</i>	420m ²	Sovereign Wynyard Centre Limited	An 8 storey commercial building built in 1923, with retail space on ground level. 285 George Street is a listed heritage item in the Sydney LEP 2012.
Subtotal	4,452 m ²		

The site experiences several changes in ground level, increasing over 5.5m in height from George Street in the east to Carrington Street in the west. George Street ground level is at RL 13.37m, Wynyard Lane ground level is RL 14.7m, and Carrington Street ground level is RL 18.9m.

This modification S96 applies only relates to changes within land to be owned by Sovereign Wynyard Centre Limited.

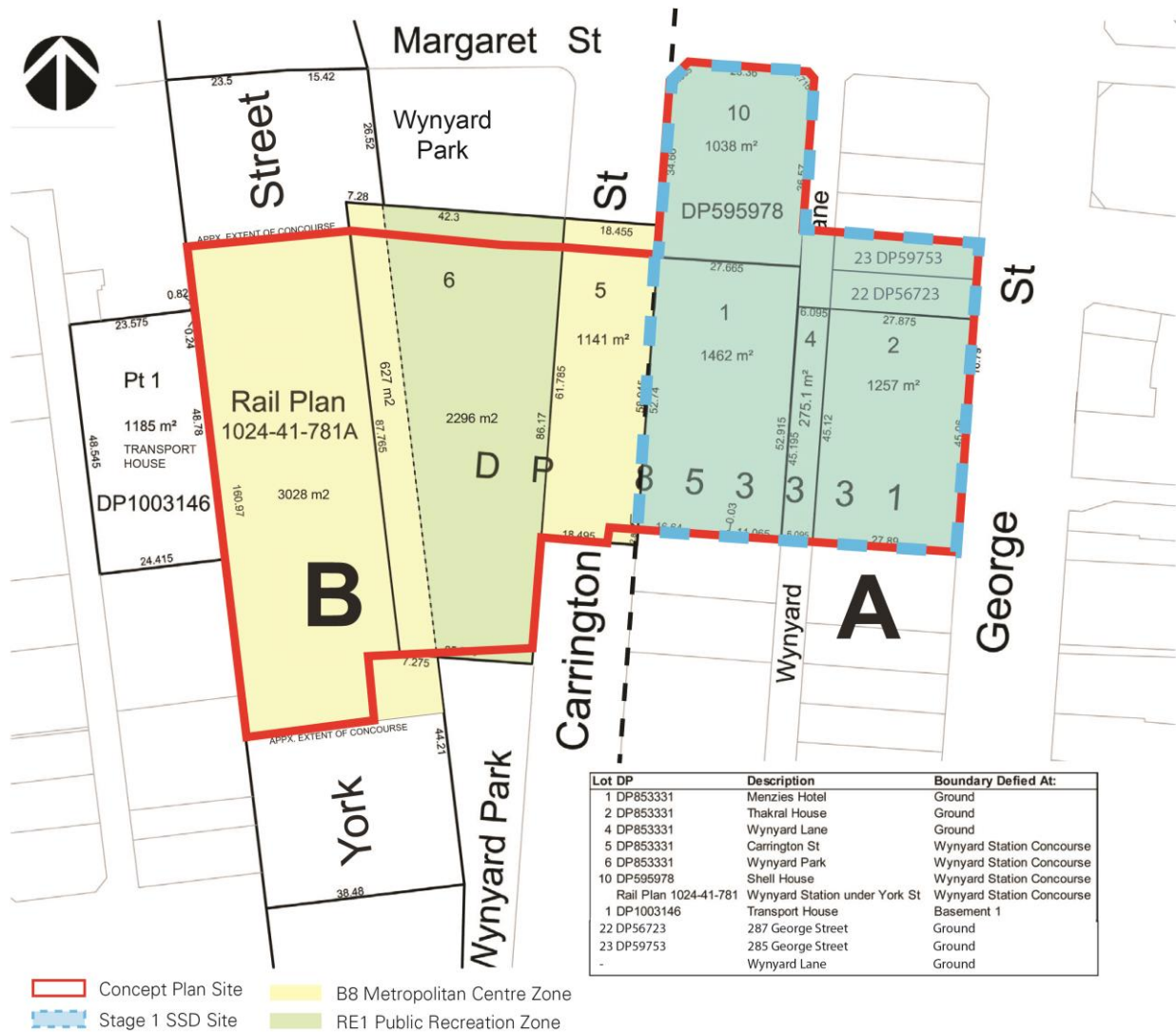


Figure 2 – The site including the lot and plan details

3.0 Proposed Modifications

This application seeks approval for design modifications to the approved development. The modifications include:

- repositioning of the core within Shell House and subsequent changes to passenger lift operation and servicing levels;
- reconfiguration of plant and substations in Shell House;
- creation of a double height terrace at level 1 above George Street and Carrington Street through plant relocation;
- enhancements to the commercial lobby area including re-alignment of the Carrington Street facade line;
- introduction of an additional mega column on Carrington Street and enhanced response to the Shell House interface;
- changes to the floor levels of Shell House to enable enhanced integration with the One Carrington building;
- continuation of the Transit Hall soffit materials to the George Street and Carrington Street level one balconies;
- an increase in car parking below Shell House by one car space; and
- Shell House external entrance access modifications.

These changes and the design rationale for those changes are described in detail in the Design Report at **Appendix A** and summarised in **Section 3.1**. Architectural drawings also illustrating the modified development are included at **Appendix A**. Photomontages of the proposed development are shown at **Figures 3** and **4**. These changes result in minor changes to the approved gross floor area (GFA) of the building. Refer to the GFA schedule provided at **Appendix A**.



Figure 3 – View from York and Margaret Street corner
Source: make Architects



Figure 4 – Laneway view from George Street
Source: make Architects

3.1 Modifications to the Development

3.1.1 Tower

The change to tower massing involves the introduction of a double height terrace at the mezzanine level on George Street and Carrington Street (**Figure 5**). This has been achieved through the relocation of plant to Level 1, thereby allowing the full use of the mezzanine level and both terrace spaces.

The Carrington Street frontage has had a fourth mega column introduced from ground floor at its northern end. This column has always been present however it was only expressed to the street above the mezzanine level, with the building façade masking its lower level extent. Its introduction allows for an increase in the height of the atrium space adjacent to Shell House.

Within the approved Transit Hall, glass reinforced concrete is used as the soffit for that area. The proposed modification extends that material out and onto the front of the terrace balconies, providing continuation of materiality through the site link from George Street to Carrington Street.

The recessed façade of the tower lobby has been relocated closer to Carrington Street by approximately 3m, with two revolving doors now proposed. This has increased the legibility of the design. A secondary side entrance to the office lobby has been provided from the through site link, with a further landing added on this link to provide direct access to the lobby through that entrance. The entrance door into Shell House from this link has been relocated to align with the new office lobby entrance door.

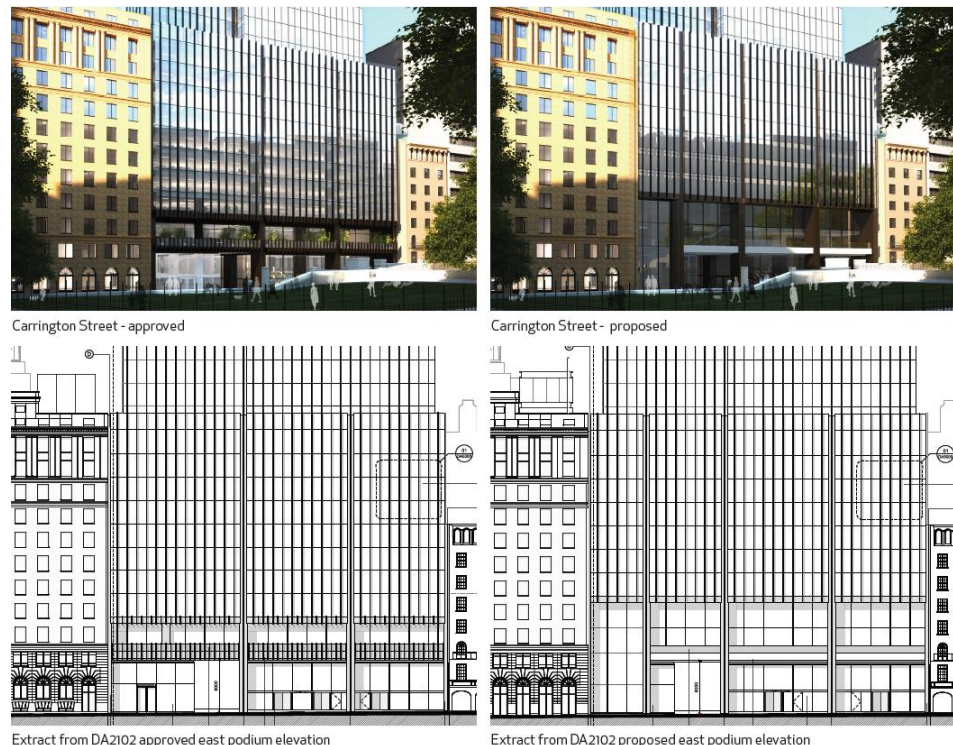


Figure 5 – Extract from the plans showing the change in mega column

3.1.2 Shell House

A number of modifications are proposed to the internal configuration of Shell House.

The core has been relocated further east to provide a clearer lobby space and street entrance (**Figure 6**), greater connectivity between Shell House and tower floor plates, and an offset of the façade to permit full use of the existing openings for ventilation. The lobby floor level is also proposed to be lowered to allow level access from Carrington Street. A void area to accommodate the escalators from the mezzanine level of the tower has been introduced in the southern part of the lobby.

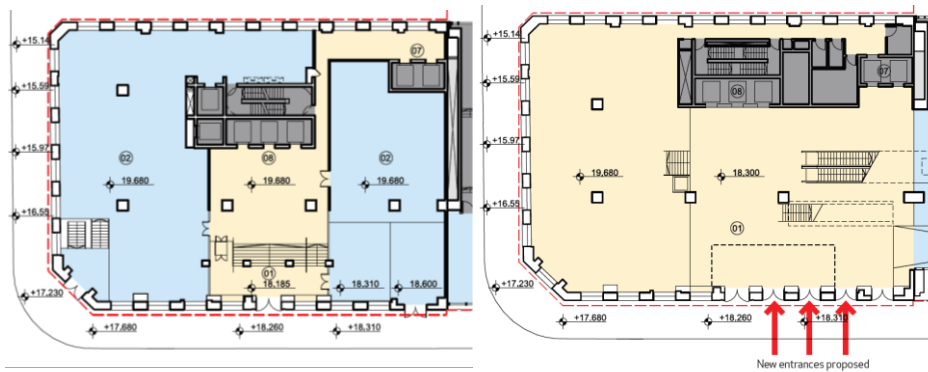


Figure 6 – Extract from the plans showing the approved and proposed Shell House lobby
Source: make Architects

To allow for greater connectivity between Shell House and the tower, the floor levels have been adjusted within Shell House to align more closely with the tower. The new floor levels maintain a consistent relationship with the existing windows. This has resulted in Level 10 of Shell House fully aligning with Level 8 of the tower to form one contiguous floor plate. Connectivity options on other levels include steps or ramps, subject to future tenant leasing arrangements.

Entrances to the building have been relocated to Carrington Street, removing the previously approved corner entrance from Margaret Street. Three new entrances are now proposed. The clock tower columns have been transferred to Level 12 and removed from the typical floor plate (**Figure 7**). Finally, the retail units at Carrington Street have combined with the Shell House lobby to create a vibrancy within the lobby space.

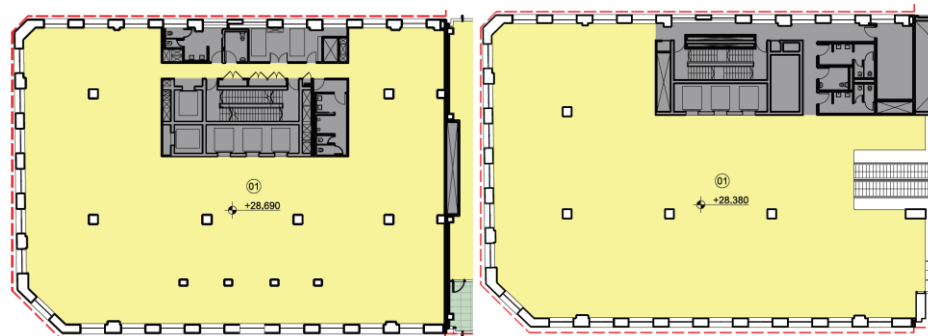


Figure 7 – Extract from the plans showing the approved and proposed Level 2 typical floor plate
Source: make Architects

The roof pavilions proposed on the roof of Shell House are also subject to design refinements, notably due to the repositioning of the core. This allows for the re-

introduction of the roof terrace below the clock tower on Level 12. The two retail shuttle lifts have been moved to the south of the core to allow for choice in entry – from Margaret Street or Wynyard Lane.

One additional car parking space has been provided within the basement of Shell House.

3.1.3 Wynyard Lane

Access to the Shell House roof top is now via a separate lift core with access from Wynyard Lane to the lift lobby. The adjacent retail space now has the potential for two entrances – from Margaret Street and from Wynyard Lane. These changes have resulted in greater activation of Wynyard Lane through an increase in width of activated spaces from 10m to 16m in this location. The total activated façade in Wynyard Lane is now 36.5m, up from 32.5m, an additional 4m.

3.2 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***.

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 known as Modification 3 to Development Consent SSD 5824 prepared by JBA dated September 2016;*
- f) Section 96(1A) modification application known as Modification 4 to Development Consent SSD 5824 prepared by JBA dated September 2016;***
- ~~*g) The conditions of this consent; and*~~
- ~~*h) 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
DA0002	00	General Notes and Symbols	19.03.2014
DA0006	00	Demolition Plan – Site	17.03.2014
DA0007	03	Demolition Plan – Shell House	21/09/2016
DA0008	00	Demolition Plan – 285 George Street	17/03/2014
DA0009	02	Excavation Plan	25/09/2015
DA1000	00	Existing Site Plan	19.03.2014
DA2000	02 03	Proposed Site Plan	25/09/2015 9/9/2016
DA2002	02 03	Lower Basement Level	25/09/2015 9/9/2016
DA2003	02 04	Basement Level	25/09/2015 26/9/2016
DA2004	02 03	Hunter Connection Level	25/09/2015 9/9/2016
DA2005	02 03	Concourse Level	25/09/2015 9/9/2016
DA2006	02 03	George Street Level	25/09/2015 9/9/2016

DA2007	02 04	Wynyard Lane Level	25/09/2015 9/9/2016
DA2008	02 04	Carrington Street Level	25/09/2015 26/9/2016
DA2009	02 03	Upper Ground Level	25/09/2015 9/9/2016
DA2010	02 04	Mezzanine Level	25/09/2015 26/9/2016
DA2011	02 03	Office Level 01	25/09/2015 9/9/2016
DA2012	02 03	Office Level 02	25/09/2015 9/9/2016
DA2013	02 03	Office Level 03	25/09/2015 9/9/2016
DA2014	02 03	Office Level 04	25/09/2015 9/9/2016
DA2015	02 03	Office Level 05	25/09/2015 9/9/2016
DA2016	02 03	Office Level 06	25/09/2015 9/9/2016
DA2017	02 03	Office Level 07	25/09/2015 9/9/2016
DA2018	02 03	Office Level 08	25/09/2015 9/9/2016
DA2019	02 03	Office Level 09	25/09/2015 9/9/2016
DA2020	02 03	Office Level 10	25/09/2015 9/9/2016
DA2021	02 03	Office Level 11	25/09/2015 9/9/2016
DA2022	02 03	Office Level 12	25/09/2015 9/9/2016
DA2023	02 03	Office Level 13	25/09/2015 9/9/2016
DA2024	02 03	Office Level 14	25/09/2015 9/9/2016
DA2025	02 03	Office Level 15	25/09/2015 9/9/2016
DA2026	02 03	Office Level 16	25/09/2015 9/9/2016
DA2027	02 03	Office Level 17	25/09/2015 9/9/2016
DA2028	02 03	Office Level 18	25/09/2015 9/9/2016
DA2029	02 03	Office Level 19	25/09/2015 9/9/2016
DA2030	02 03	Office Level 20	25/09/2015 9/9/2016
DA2031	02 03	Office Level 21	25/09/2015 9/9/2016
DA2032	02 03	Office Level 22	25/09/2015 9/9/2016
DA2033	02 03	Office Level 23	25/09/2015 9/9/2016
DA2034	02 03	Office Level 24	25/09/2015 9/9/2016
DA2035	02 03	Office Level 25	25/09/2015 9/9/2016
DA2036	02 03	Office Level 26	25/09/2015 9/9/2016
DA2037	02 03	Office Level 27	25/09/2015 9/9/2016
DA2038	02 03	Office Level 28 Plant	25/09/2015 9/9/2016
DA2039	02 03	Office Level 29 Plant	25/09/2015 9/9/2016
DA2040	02 03	Office Level 30 Plant	25/09/2015 9/9/2016
DA2041	02 03	Roof Plan	25/09/2015 9/9/2016
DA2100	02 03	Proposed Elevation A (East)	25/09/2015 9/9/2016
DA2101	02 03	Proposed Elevation B (South)	25/09/2015 9/9/2016
DA2102	02 03	Proposed Elevation C (West)	25/09/2015 9/9/2016
DA2103	02 03	Proposed Elevation D (North)	25/09/2015 9/9/2016
DA2201	02 03	Proposed Section 02	25/09/2015 9/9/2016
DA2202	02 03	Proposed Section 07	25/09/2015 9/9/2016
DA2220	02 03	Proposed Section 1 Carrington to George Street Laneway	25/09/2015 9/9/2016
DA2221	02 03	Proposed Section 2 Concourse Section	25/09/2015 9/9/2016
DA2222	02 03	Proposed Section 3 Office Lobby to George Street	25/09/2015 9/9/2016
DA2223	02 03	Proposed Section 04 Retail on George Street	25/09/2015 9/9/2016
DA2224	02 03	Proposed Section 5 Carrington to George Street Laneway	25/09/2015 9/9/2016
DA2300	02	Proposed Shell House Elevations	25/09/2015 9/9/2016
DA2301	04 02	Proposed 285-287 George Street	25/09/2015 9/9/2016
DA2310	02 03	Concept Plan Envelope Compliance	25/09/2015 12/9/2016
DA5000	02 03	Typical Cladding Detail 1	25/09/2015

DA5001	02 03	Typical Cladding Detail 2	25/09/2015
DA5002	02	Typical Cladding Detail 3	25/09/2015
DA6000	00 02	GFA Schedule	4/4/2016 23/09/2016
Landscape and Public Domain Drawings prepared by Oculus			
Drawing No.	Revision	Name of Plan	Date
L-M-010	F G	MEZZANINE TERRACE	13.11.2015 23.09.2016
L-04-010	F G	285 GEORGE ST LEVEL 04 TERRACE	13.11.2015 23.09.2016
L-09-010	F G	LEVEL 09/10 TERRACES	13.11.2015 23.09.2016
L-10-010	F G	LEVEL 12 RESTAURANT TERRACE	13.11.2015 23.09.2016
L-27-010	F G	LEVEL 27 OFFICE TERRACE	13.11.2015 23.09.2016
L-00-200	F G	TERRACE SECTIONS	13.11.2015 23.09.2016
L-00-300	F G	PLANTING PALETTE	13.11.2015 23.09.2016
L-100	F H	PUBLIC DOMAIN CONCEPT PLAN	22.01.2016 23.09.2016
L-110	F H	PUBLIC DOMAIN MATERIALS	22.01.2016 23.09.2016

Condition B9

A total of ~~82~~ 83 tenant car parking spaces are permitted within the basement levels of the site.

3.3 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;
- has a negligible change to the tower massing and built form;
- still results in upgrades to the eastern access ways to Wynyard Station including provision of a new Transit Hall and through site link; and
- continues to provide for the adaptive reuse of Shell House and 285 George Street.

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.

4.0 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 following environmental impacts:

- statutory and strategic context;
- consistency with the approved Concept Plan, Terms of Approval and Modifications;
- built form and design excellence;
- public domain;
- ecologically sustainable development;
- amenity;
- noise and vibration;
- transport, rail infrastructure and accessibility;
- heritage and archaeology;
- utilities;
- staging;
- water quality and drainage;
- air quality;
- construction impacts;
- fire safety;
- structural engineering;
- electrolysis;
- crime prevention;
- hazardous materials;
- geotechnical and ground water;
- access; and
- site suitability and public interest.

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

4.1 Statutory and Strategic Context

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

4.2 Consistency with Approved Concept Plan

The Concept Plan Approval and Concept Plan Modification (MP 9_0076 Mod 2) (see **Appendix D**) establishes the vision and planning framework to assess the detailed design of the future development on the site. The Concept Plan Approval (and modified approval under MP 09_0076 Mod 2) contains:

- Terms of Approval and Modifications;
- Future Environmental Assessment Requirements; and
- Statement of Commitments.

This Section addresses the proposed development's consistency with these schedules of the Concept Approval, with the exception of the Future Environmental Assessment Requirements which are found in Section 1.7.

4.2.1 Consistency with the Terms of Approval and Modifications

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. Importantly the development continues to provide for the upgrade of the eastern access ways to Wynyard, a mixed use development between George and Carrington Streets, and adaptive reuse of the former Shell House and 285 George Street.

Table 2 demonstrates the proposal continues to be consistent with the key numeric standards in the Concept Plan.

Condition A5 requires development to be in accordance with the plans and documentation of the Concept Plan.

Table 2 – Consistency with key components of the Concept Plan including Modification 4

Component	Concept Plan	Proposed Development	Generally Consistent
A5. A. Maximum GFA (East of Carrington Street)	84,621m ²	82,765m ²	✓
FEAR 3. Maximum Car Parking Provision	89 spaces	83 spaces	✓

It is noted that the indicative scheme that supported the approved Concept Plan included revising the floor levels within Shell House and providing for level connections between the heritage building and the new development at One Carrington Street as proposed as part of this Modification.

4.2.2 Consistency with the Statement of Commitments

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

4.3 Heritage and Archaeology

A Heritage Impact Assessment addendum has been prepared by Godden Mackay Logan (GML) and is included at **Appendix G**. A summary of the findings of the assessment follows.

4.3.1 Shell House

Heritage impacts on Shell House associated with this modification are largely consistent with the current approval.

Three original steel framed windows dating from 1938 are to be removed to allow for the at grade access to the lobby from Carrington Street. The removal of these windows will have some adverse impacts on the heritage significant of Shell House, however the window on the corner of Margaret and Carrington Streets (originally proposed to be removed) will now be retained.

The three windows to be removed are grouped to the south of the original main entry to Shell House with the remaining 11 windows being retained in a continuous line. These factors mitigate the adverse heritage impact to an acceptable level, due to clearly being identifiable as a conscious design statement.

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. The proposed new floors, while not replicating the original floor levels of Shell House, still maintain a consistent relationship with the existing window openings. The windows will therefore remain functioning for the future tenants.

The removal of the entry doorway at the corner of Carrington and Margaret Streets is considered to be acceptable. The reinstatement of the original main entry on Carrington Street and removal of the aluminium retail entrance door and canopy from the façade are considered positive changes in regards to the heritage significant of the building.

The create of the large lobby at the ground floor, relocating the roof terrace to below the clock tower and supporting the clock tower with a transfer beam system are not deemed to have heritage impacts. The relocated of the main core in the building to the east results in a positive heritage outcome as it replaces the previously proposed toilets and plant rooms along Wynyard Lane with an access corridor, allowing for greater activation at these windows.

4.3.2 Other Heritage Impacts and Archaeology

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

The existing conditions in place will ensure that any archaeology identified during excavation is appropriately managed.

4.4 Accessibility

The modifications proposed as part of this modification application include further amendments to tower massing, office layout, Wynyard Lane and Shell House. These changes have been assessed by Morris Goding Accessibility Consulting and are considered to be consistent with the findings within the original Accessibility Report as prepared for the Modification No.1 application (refer to **Appendix H**).

The proposed access provisions will be further developed during detailed design and can achieve compliance with the *Disability Discrimination Act 1992* Access to Premises Standards 2010, the Building Code of Australia and AS1428.1-2009 in accordance with the current conditions of consent.

4.5 Car Parking

The additional car space provided within Shell House has traffic or parking implications, noting it is still less than the total number of spaces originally approved within the development and is less than the maximum 89 spaces approved under the Concept Plan.

4.6 Public Domain and Landscaping

The Public Domain Concept prepared by Oculus at **Appendix E** has been amended to reflect the minor building changes the subject of this modification. The general objectives and key elements of the proposed Public Domain and Landscaping design have not changed.

4.7 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.

5.0 Conclusion

The proposed modification comprises a range of minor design development changes to refine the architectural resolution and respond to tenant requirements for the One Carrington development.

The proposed changes will have a minimal environmental impact outside of those already assessed and approved in the original SSD 5824 application.

The modified development remains consistent with the approved Concept Plan and relevant statutory and strategic plans and policies that apply to the site.

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 stemming from the overall development, it is requested that the application be approved.