

ETHOS URBAN

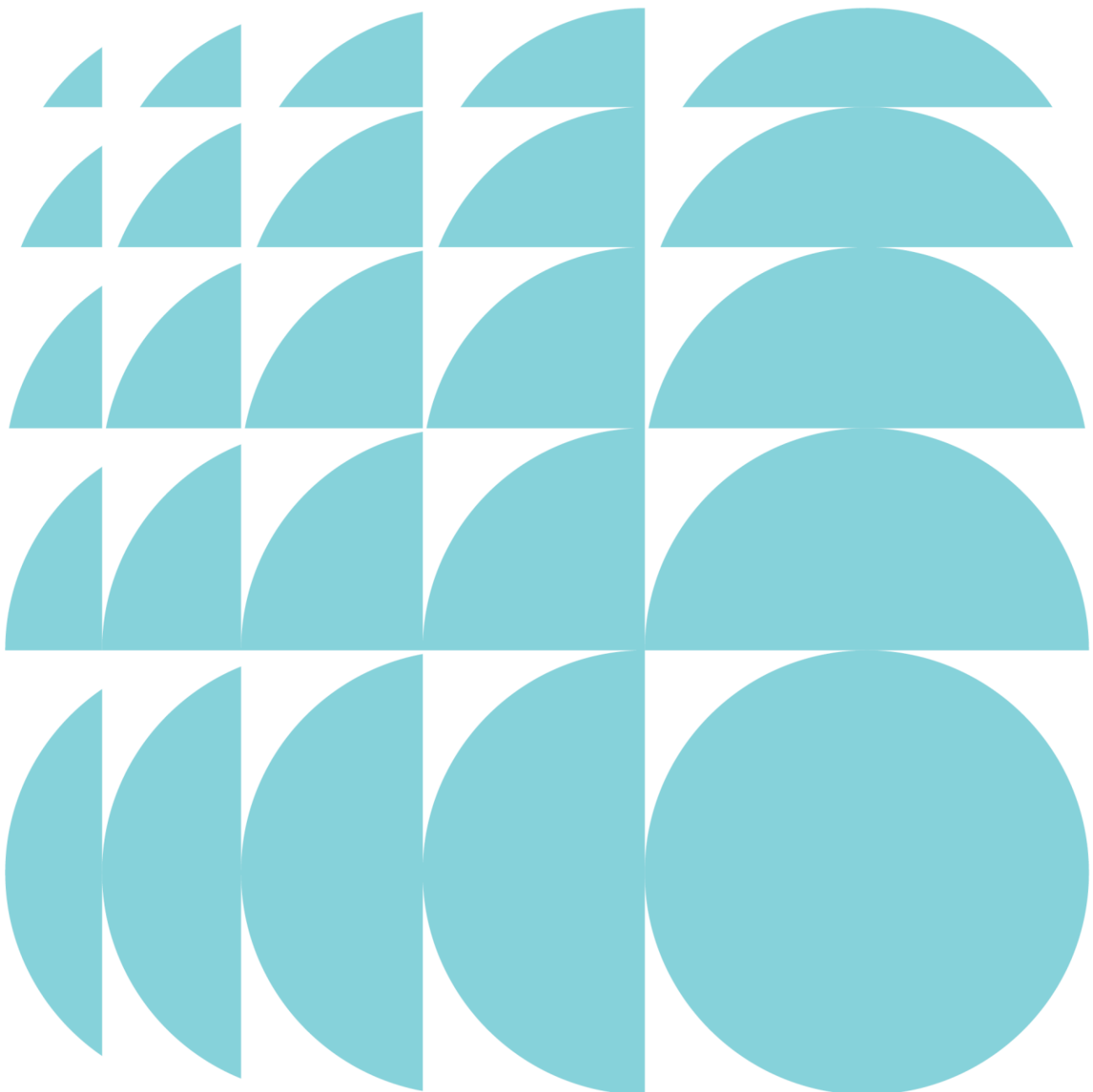
State Significant Development 5824

Wynyard Place
Section 96(1A) Modification 6

Submitted to Department of Planning and
Environment

Prepared for National Australia Bank on behalf of
Sovereign Wynyard Centre Pty Limited

23 February 2018 | 12721-17603



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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 an administrative change to the consent to recognise potential void zones within the former Shell House in order to ensure consistency between the Wynyard Place SSD and any future voids created as part of a separate fitout Development Application.

The Section 96 Modification has been prepared by Ethos Urban for National Australia Bank (NAB) on behalf of BSREP Wynyard Place Office Landowner Pty Ltd and BSREP 285 George Landowner Pty Ltd (and its nominee Brookfield), formerly Sovereign Wynyard Centre Pty Limited, and is based on the Architectural Drawings provided by Make (see **Appendix A**), and other supporting technical information appended to the report.

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 prepared and subsequently 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) modified the SSD 5824 consent to allow for stratum subdivision. This was approved on 30 November 2016.

A S96(1A) (Modification No. 3) relating to further demolition within Shell House was approved on 23 February 2017.

A S96(1A) (Modification No. 4) included several design refinements relating to future tenancy agreements and was approved on 31 March 2017.

Modification No.5 was a S96(1) which addressed minor errors within the SSD5824 consent relating to incorrect site references and was approved on 28 October 2016.

This represents the sixth modification to the SSD 5824 consent.

1.2 Background to the Modification

In December 2016, NAB announced it would be moving its Sydney headquarters to Wynyard Place as the new anchor tenant, occupying Levels 1-9 of the development. Whilst commercial office fitouts can typically be undertaken as complying development, because the NAB tenancy is partially located within the heritage listed Shell House a DA for the fit out will be lodged with the City of Sydney shortly. As part of the DA voids and interconnecting stairs are proposed within the Shell House. Whilst the creation of voids and stairs will be the subject of that DA, in order to ensure the base building SSD consent remains consistent with the potential future works, this modification proposes to introduce notes on the plans indicating the location of the potential future zone of the voids.

2.0 Description of Proposed Modification

This application seeks approval for the provision of potential void zones from the Carrington Street Level through to Office Level 01. These zones are proposed to accommodate a stair connection between the Carrington Street Level and Mezzanine Level and an accessible lift between Carrington Street Level and Level 01. The proposed stairwells and the accessible lift are subject to a separate application being prepared for submission to the City of Sydney. No physical works are proposed as part of this modification and its purpose is just to ensure consistency between the Wynyard Place SSD and the future NAB fitout DA.

It should be noted, that the plans submitted with this modification application are in accordance with the approval by the City of Sydney pursuant to Condition B40 (a) and (c) of the SSD 5824 consent in relation to the Ground Floor layout and reflected in the Upper Ground layout.

These modifications do not result in any changes to the approved maximum gross floor area (GFA).

Architectural Plans prepared by Make are included at **Appendix A**.

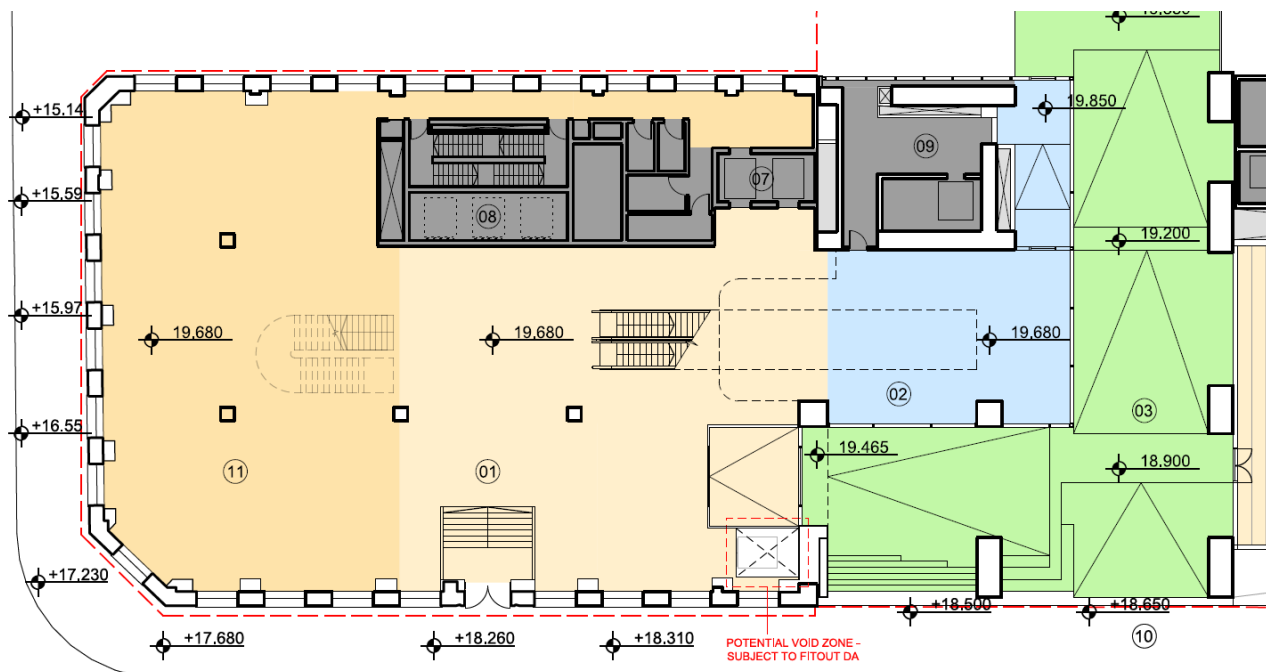


Figure 1 The Carrington Street level showing the amended void zone and Condition B40(a) and (c) layout

Source: Make

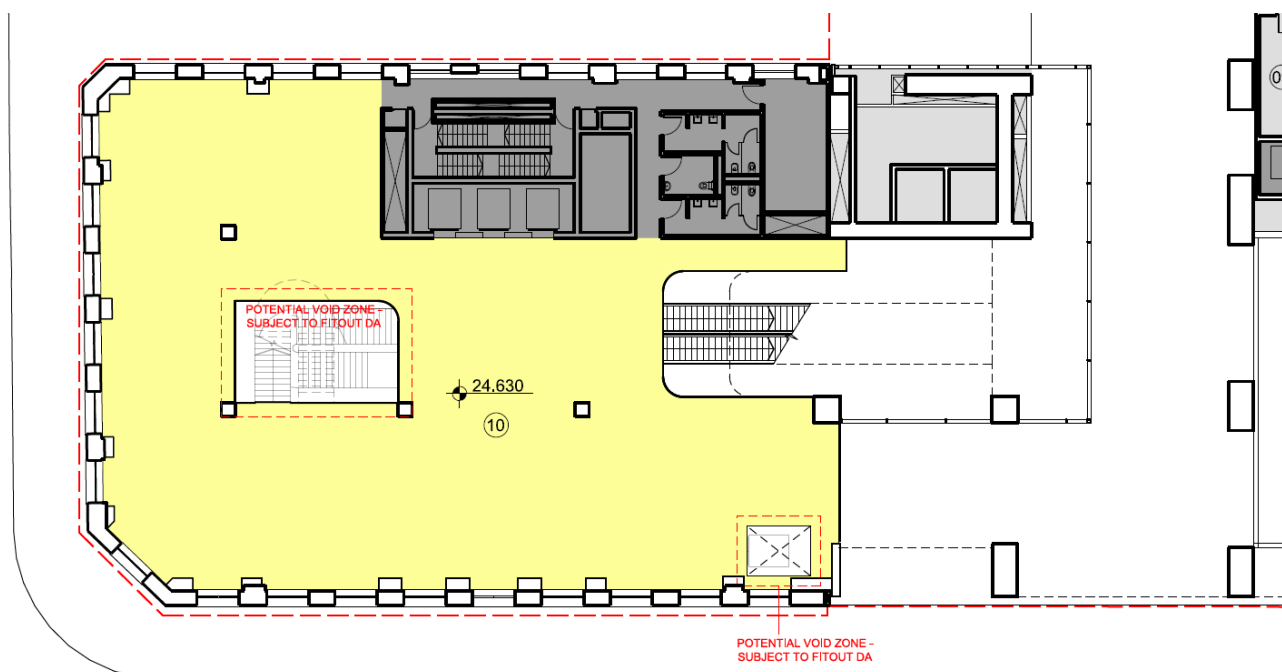


Figure 2 The Upper Ground level amended plan highlighting the potential void zones and as reflecting the Ground Floor Condition B40(a) and (c) layout

Source: Make

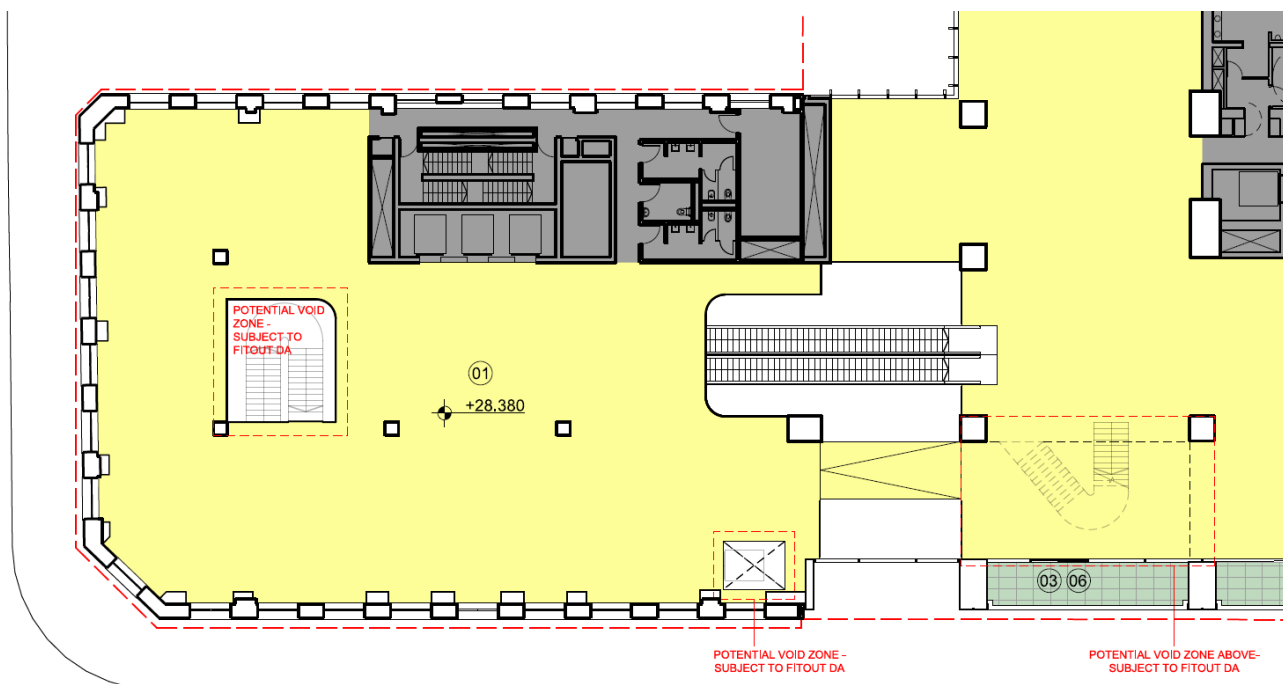


Figure 3 The Mezzanine level showing the potential void zones

Source: Make

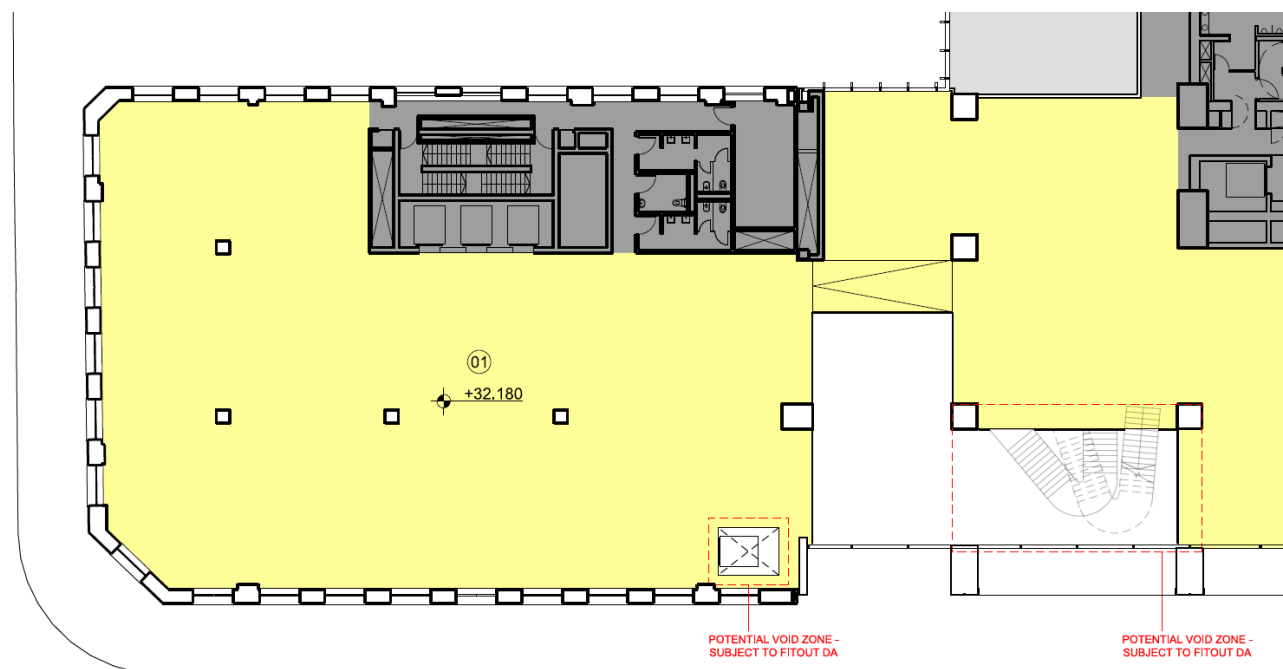


Figure 4 The Office Level 01 plan showing the potential void zones

Source: Make

2.1 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 (SSD 5824 Mod 1) prepared by JBA dated November 2015 and Response to Submissions dated 3 February 2016;
- e) Section 96(1A) modification application (SSD 5824 Mod 2) prepared by JBA dated August 2016 and Response to Submissions dated 27 October 2016, updated on 23 November 2016;
- f) Section 96(1) modification application to Development Consent SSD 5824 (MOD 5) prepared by JBA Urban Planning Consultants Pty Ltd dated 26 September 2016;
- g) Section 96(1A) modification application to Development Consent SSD 5824 (MOD 3) prepared by JBA dated September 2016 and Response to Submissions dated 1 November 2016 and additional information dated 6 February 2017;
- h) Section 96(1A) modification application to Development Consent SSD 5824 (MOD 4) prepared by JBA dated September 2016 and Response to Submissions dated 23 November 2016 and Further Response to Submissions dated 20 February 2016;
- i) Section 96(1A) modification application to Development Consent SSD 5824 (MOD 6) prepared by Ethos Urban dated 23 February 2018.**
- ⇒ **j) The conditions of this consent; and**
- ⇒ **k) 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	04	Demolition Plan – Shell House	20.02.2017
DA007-2	00	Demolition Elevations	
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	03	Proposed Site Plan	9/9/2016
DA2002	03	Lower Basement Level	9/9/2016
DA2003	04	Basement Level	26/9/2016
DA2004	03	Hunter Connection Level	9/9/2016
DA2005	03	Concourse Level	9/9/2016
DA2006	03	George Street Level	9/9/2016
DA2007	04	Wynyard Lane Level	9/9/2016
DA2008	05	Carrington Street Level Shell House Carrington Street 285 George Street Level 01	14/02/2017
	08		21/02/2018
DA2009	03	Upper Ground Level	9/9/2016
	05		21/02/2018
DA2010	05	Mezzanine Level	28/9/2016

Architectural (or Design) Drawings prepared by Make + Architectus			
	07		21/02/2018
DA2011	04 06	Office Level 01	28/9/2016 21/02/2018
DA2012	03	Office Level 02	9/9/2016
DA2013	03	Office Level 03	9/9/2016
DA2014	03	Office Level 04	9/9/2016
DA2015	03	Office Level 05	9/9/2016
DA2016	03	Office Level 06	9/9/2016
DA2017	03	Office Level 07	9/9/2016
DA2018	03	Office Level 08	9/9/2016
DA2019	04	Office Level 09	28/9/2016
DA2020	04	Office Level 10	28/9/2016
DA2021	03	Office Level 11	9/9/2016
DA2022	03	Office Level 12	9/9/2016
DA2023	03	Office Level 13	9/9/2016
DA2024	03	Office Level 14	9/9/2016
DA2025	03	Office Level 15	9/9/2016
DA2026	03	Office Level 16	9/9/2016
DA2027	03	Office Level 17	9/9/2016
DA2028	03	Office Level 18	9/9/2016
DA2029	03	Office Level 19	9/9/2016
DA2030	03	Office Level 20	9/9/2016
DA2031	03	Office Level 21	9/9/2016
DA2032	03	Office Level 22	9/9/2016
DA2033	03	Office Level 23	9/9/2016
DA2034	03	Office Level 24	9/9/2016
DA2035	03	Office Level 25	9/9/2016
DA2036	03	Office Level 26	9/9/2016
DA2037	03	Office Level 27	9/9/2016
DA2038	03	Office Level 28 Plant	9/9/2016
DA2039	03	Office Level 29 Plant	9/9/2016
DA2040	03	Office Level 30 Plant	9/9/2016
DA2041	03	Roof Plan	9/9/2016
DA2100	03	Proposed Elevation A (East)	9/9/2016
DA2101	03	Proposed Elevation B (South)	9/9/2016
DA2102	03	Proposed Elevation C (West)	9/9/2016
DA2103	03	Proposed Elevation D (North)	9/9/2016
DA2201	04	Proposed Section 02	28/9/2016
DA2202	04	Proposed Section 07	28/09/2016
DA2220	04	Proposed Section 1 Carrington to George Street Laneway	28/09/2016
DA2221	04	Proposed Section 2 Concourse Section	28/09/2016

Architectural (or Design) Drawings prepared by Make + Architectus			
DA2222	04	Proposed Section 3 Office Lobby to George Street	28/09/2016
DA2223	03	Proposed Section 04 Retail on George Street	9/9/2016
DA2224	03	Proposed Section 5 Carrington to George Street Laneway	9/9/2016
DA2300	03	Proposed Shell House Elevations	20/02/2017
DA2301	02	Proposed 285-287 George Street	9/9/2016
DA2310	03	Concept Plan Envelope Compliance	12/9/2016
DA5000	03	Typical Cladding Detail 1	25/09/2015
DA5001	03	Typical Cladding Detail 2	25/09/2015
DA5002	02	Typical Cladding Detail 3	25/09/2015
DA6000	02	GFA Schedule	23/09/2016
Landscape and Public Domain Drawings prepared by Oculus			
Drawing No.	Revision	Name of Plan	Date
L-M-010	G	MEZZANINE TERRACE	23.09.2016
L-04-010	G	285 GEORGE ST LEVEL 04 TERRACE	23.09.2016
L-09-010	G	LEVEL 09/10 TERRACES	23.09.2016
L-10-010	G	LEVEL 12 RESTAURANT TERRACE	23.09.2016
L-27-010	G	LEVEL 27 OFFICE TERRACE	23.09.2016
L-00-200	G	TERRACE SECTIONS	23.09.2016
L-00-300	G	PLANTING PALETTE	23.09.2016
L-100	H	PUBLIC DOMAIN CONCEPT PLAN	23.09.2016
L-110	H	PUBLIC DOMAIN MATERIALS	23.09.2016

These changes are a result of design development refinements and are proposed to be updated to accurately reflect the modified plans.

2.2 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, 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;
- does not result in any changes to the maximum approved GFA under the Concept Plan;
- continues to provide for the adaptive reuse of Shell House and 285 George Street; and
- has no impact on the heritage listing of the former 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.

3.0 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;
- utilities;
- staging;
- water quality and drainage;
- air quality;
- construction impacts;
- fire safety;
- 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.

3.1 Heritage

Whilst the creation of the voids will be the subject of the NAB fitout DA, a Heritage Impact Statement has been prepared by Godden Mackay Logan (GML) and is included at **Appendix B**. The Heritage Statement confirms that the potential void zones (subject to a separate application) are located entirely within the new floor structures approved under the previous Modification 4.

Additionally, as the proposed modification is relatively minor in nature, the potential void zones will not impact on original or significant fabric of the heritage listed Shell House. The potential void zones are located in the centre of the building interior and will not impact on the significant external facades or be significantly visible from the exterior. As such, the proposed potential void zones (and the future stairwell and accessible lift which will be subject to separate assessment in an application to the City of Sydney) will have a negligible impact on the heritage significance of Shell House. Refer to the Heritage Impact Statement at **Appendix B**.

3.2 Structural Assessment

Robert Bird Group have prepared a Structural Statement confirming that the proposed amendments to the Shell House structure to incorporate the potential void zones is structurally feasible, noting that no works are proposed as part of this modification and the works will be completed via a separate application to the City of Sydney. As stated in the Structural Statement the amendments to Shell House will comply with the following Codes of Practice:

- AS1170.0/2002 Structural Design Actions;
- AS1170.1/2002 Permanent Imposed & Other Actions;
- AS3600/2009 Concrete Structures; and
- AS4100/1998 Steel Structures.

The Structural Statement is included at **Appendix C**.

4.0 Conclusion

The proposed modification involves an administrative change to the consent to recognise potential void zones within the former Shell House in order to ensure consistency between the Wynyard Place SSD and any future voids created as part of a separate fitout Development Application.

The proposed change will have no 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.