



Sandstone Precinct Modification 7

Internal and external design changes to the Education
Building
State Significant Development Modification Assessment
(SSD 7484 MOD 7)

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Glossary

Abbreviation	Definition
Applicant	Pontiac Land (Australia) Pty Ltd
AHD	Australian Height Datum
BCA	Building Code of Australia
CIV	Capital Investment Value
Consent	Development Consent
Council	City of Sydney Council
Department	Department of Planning, Industry and Environment
DRP	Design Review Panel
EESG	Environment, Energy and Science Group, DPIE
EIS	Environmental Impact Statement
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPI	Environmental Planning Instrument
GFA	Gross floor area
Heritage NSW	Heritage NSW, Department of Premier and Cabinet
LEP	Local Environmental Plan
Minister	Minister for Planning and Public Spaces
Planning Secretary	Secretary of the Department of Planning, Industry and Environment
RtS	Response to Submissions
SEARs	Planning Secretary's Environmental Assessment Requirements
SEPP	State Environmental Planning Policy
SRD SEPP	State Environmental Planning Policy (State and Regional Development) 2011
SSD	State Significant Development
TfNSW	Transport for NSW

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1 Introduction

1.1 Background

This report is an assessment of an application to modify the State significant development (SSD) consent for the adaptive reuse of the Sandstone Precinct, at 23-33 and 35-39 Bridge Street, for hotel accommodation and ancillary uses (SSD 7484).

The modification application seeks to make internal and external design changes to the Education Building, including:

- reconfigure and reduce the number of hotel rooms from 229 to 192
- relocate a substation from Farrer Place into the south west corner of the Education Building, at the lower ground floor
- reconfigure access arrangements including a new accessible entrance at Loftus Street
- amend the pool structural support columns
- changes to façade elements and finishes
- reduce gross floor area by 1,352 m².

The application has been lodged by Pontiac Land (Australia) Pty Ltd (the Applicant) pursuant to section 4.55(2) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

1.2 The site

The site is the Sandstone Precinct, located at the northern end of the Sydney central business district (CBD) in the City of Sydney local government area. The site comprises two city blocks bound by Bridge Street to the north, Young Street to the east, Bent Street to the south, Gresham Street to the west and bisected centrally by Loftus Street (**Figure 1**).

The site has a total area of 9,370 m² and comprises the:

- Lands Building at 23-33 Bridge Street (with an area of 3,350 m²)
- Education Building at 35-39 Bridge Street (with an area of 2,795 m²)
- adjacent road and public domain areas, being part Loftus Street, Gresham Street and Farrer Place (with an area of 3,220 m²).

The Education and Lands Buildings (**Figure 2**) are listed as items of State and local heritage significance on the State Heritage Register, Sydney Local Environmental Plan 2012 (SLEP 2012) and appear on the Commonwealth Register of the National Estate (non-statutory). The buildings are in an area that contains historic public parks, gardens and buildings, which hold significance to the history of Australia.

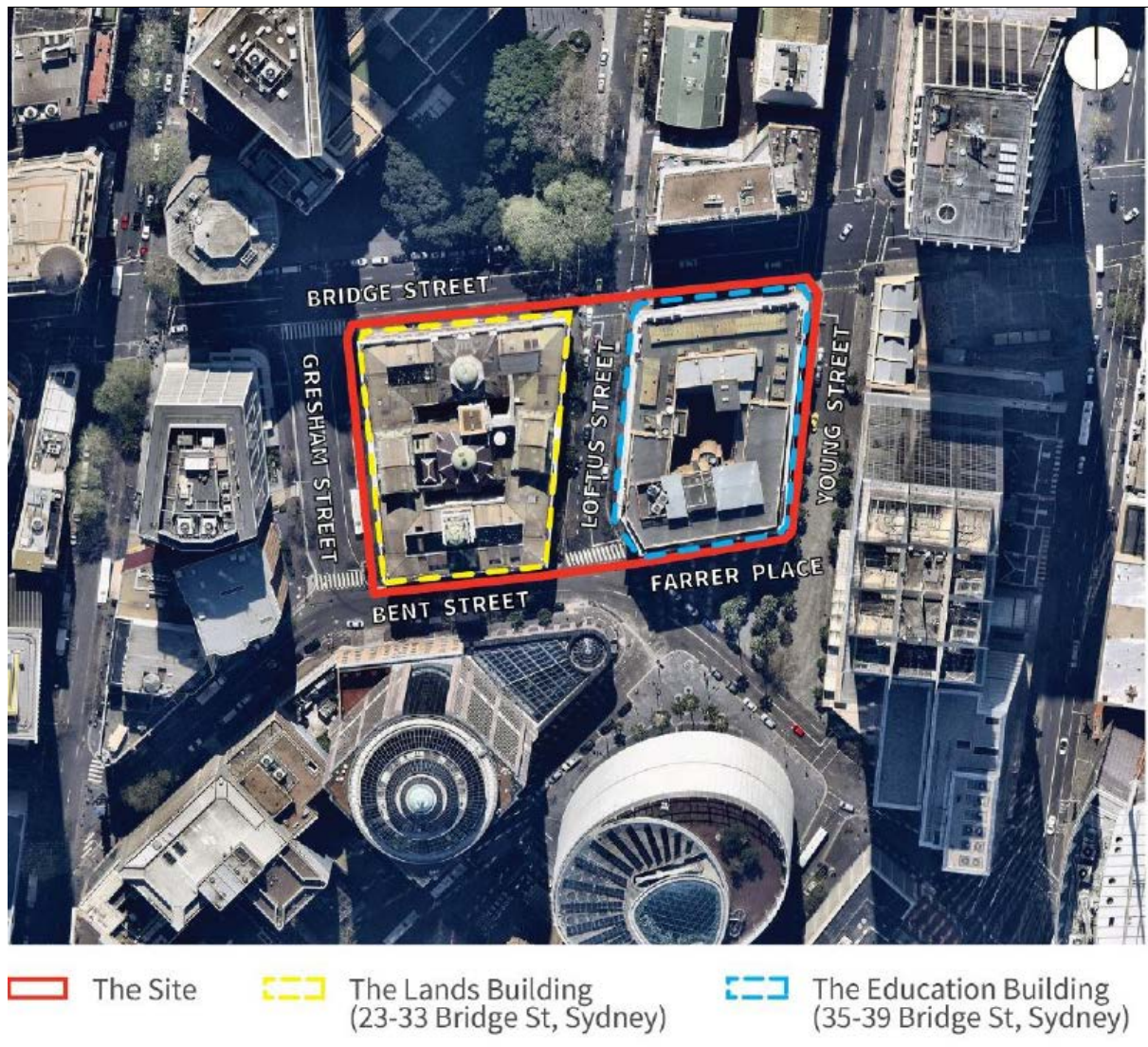


Figure 1 | Aerial view of the Sandstone Precinct (in red) (Source: SSD 7484)



Figure 2 | View north-west to the Lands Building (left) and view north-east to the Education Building (Source: SSD 7484)

1.3 Approval history

Concept Approval (SSD 6751)

On 25 August 2015, the Acting Executive Director, Infrastructure and Industry Assessments (as delegate of the Minister) granted development consent for the concept proposal (SSD 6751) for the adaptive reuse of the Sandstone Precinct for tourist and visitor accommodation. The consent has been modified once and one modification has been withdrawn (**Table 1**).

Table 1 | Summary of Modifications (SSD 6751)

Ref	Summary of Modifications	Determined by	Type	Status
MOD 1	Modification to amend Condition B2 pertaining to the Design Review Panel	NA	96(1A)	Withdrawn
MOD 2	Modification to amend the height of the building envelope above the Education Building and introduce a building envelope above the Lands Building	Department	4.55(2)	Approved 24 Apr 18

SSD Application (SSD 7484)

On 24 April 2018, the Executive Director, Key Sites and Industry Assessments (as delegate of the Minister), granted development consent (SSD 7484) for the adaptive reuse of the Sandstone Precinct for tourist and visitor accommodation, including:

- demolition of existing improvements and alterations to the Lands and Education Buildings
- maximum gross floor area (GFA) of 31,633 m², with 10,918 m² in the Lands Building and 20,715 m² in the Education Building
- maximum of 253 hotel rooms, with 61 in the Lands Building and 192 in the Education Building
- fit out of ancillary guest and visitor facilities
- improvements and construction of a roof extension to the Lands Building, with a maximum height of RL 38.00
- construction of a roof extension to the Education Building, with a maximum height of RL 60.03
- excavation and construction of three basement levels and a subterranean link beneath Loftus Street, provision of loading bay facilities and 60 bicycle parking spaces.

The development consent has been modified on six occasions and one modification is currently under assessment, as summarised in **Table 2**.

Table 2 | Summary of Modifications (SSD 7484)

Ref	Summary of Modifications	Determined by	Type	Status
MOD 1	Modification to correct a drafting error in Condition A3 and Condition B37	Department	4.55(1)	Approved 8 May 18
MOD 2	Modification to amend the extent of internal demolition and excavation and relocate the interconnecting tunnel under Loftus Street.	Department	4.55(1A)	Approved 29 Nov 18

Ref	Summary of Modifications	Determined by	Type	Status
MOD 3	Design changes to Lands and Education Building including to the internal layout, reduced basement excavation, provide 229 hotel rooms in the Education Building and design changes to rooftop extension of the Education Building.	Department	4.55(2)	Approved on 8 May 2019
MOD 4	Design and operational changes to the Lands Building, including the deletion of 61 hotel rooms, changing the internal layout, providing additional hotel amenities, removing the approved diagrid roof extension, retaining the existing roof and use of the northern roof terraces for functions and events.	Department	4.55(2)	Approved on 18 December 2019
MOD 5	Reduce basement excavation, change location of interconnecting tunnel under Loftus Street and amend basement floor plans for relocated tunnel.	Department	4.55(1A)	Approved on 5 Sept 19
MOD 6	Modification to delete Condition B27 (natural ventilation strategy for the roof extension).	Department	4.55(1A)	17 April 2020
MOD 8	Additional internal slab demolition at the ground floor south western corner of the Education Building	TBC	4.55(1A)	Under assessment

City of Sydney Council development consent (D/2016/1641)

On 28 March 2018, the City of Sydney Council (Council) approved a development application (D/2016/1641) for external works to upgrade Farrer Place and the pavements on Young Street, Gresham Street, Loftus Street and Bridge Street, along with the provision of a new vehicular pick-up/drop-off area on Bent Street. This consent includes a below ground substation in Farrer Place.

On 19 December 2019 a modification application (s4.55(2)) was lodged with Council to remove the underground substation from Farrer Place and changes to the public domain landscaping. This application is currently under assessment.

2 Proposed modification

The modification application (SSD 7484 MOD 7) seeks to make internal and external design changes to the Education Building. A link to the modification application documents is provided in **Appendix A**.

The proposal specifically seeks approval for the following:

- reconfigure and reduce the number of hotel rooms from 229 to 192
- relocate a substation from Farrer Place into the south west corner of the Education Building at the lower ground floor
- reconfigure access arrangements including new accessible entrance at Loftus Street
- amend the pool structural support and alterations to the gym layout
- adjust the massing of cooling towers and amendments to the courtyard facades
- reduce gross floor area by 1,352 m²

There are no changes to the Lands Building.

A detailed description of the proposed changes to the Education Building is provided in **Table 3** and **Figures 3** to **5**.

Table 3 | Overview of proposed application

Level	Proposed modification
Basement 3	• back of house layout changes.
Basement 2	• redesign of staff dining space.
Basement 1	• no changes.
Lower ground floor	• add five hotel rooms to replace function rooms in the north west corner • new substation to replace destination bar in south west corner • new retail tenancy to replace function rooms in the north east corner • new accessible pedestrian entrance via Loftus Street laneway • new columns in northern part of building to support the pool structure.
Ground floor	• remove approved sesame stairs at the Farrer Place entrance • fill courtyard void area and additional courtyard seating • updates to back of house, kitchen, Capella living room, front office and back of house areas • add substation exhaust in south west corner • new columns in northern part of building to support the pool structure.
Level 1	• reduce hotel rooms by four and room layout changes • reconfigure and relocate stair, door and window • new columns in northern part of building to support the pool structure.
Level 2	• reduce hotel rooms by four and room layout changes • reconfigure courtyard roof to match hotel room locations • new columns in northern part of building to support the pool structure.

Level	Proposed modification
Level 3	- reduce hotel rooms by four and room layout changes - new columns in northern part of building to support the pool structure.
Level 4	- reduce hotel rooms by four and room layout changes - new columns in northern part of building to support the pool structure.
Level 5	- reduce hotel rooms by one and room layout changes - gym and pool area changes including new steps between gym, pool and the remaining floor area, new lift in pool area, an accessible sauna and gym floor level raised - modify and relocate existing gym heritage door.
Level 6	reduce hotel rooms by eight and room layout changes.
Level 7	reduce hotel rooms by six and room layout changes.
Level 8	reduce hotel rooms by eight and room layout changes.
Level 9	- reduce hotel rooms by three and room layout changes - reconfigure cooling tower room to extend further south, to align with the courtyard façade - new balustrade on the western, southern and eastern elevations to allow for safe maintenance of landscaped green roof.
Roof	- update cooling tower roof design to reflect mechanical services and maintenance requirements - update east and west tower roof design - reinstate two flagpoles on the south elevation (3.9 m high)
Other	- change materials on the courtyard façade and lift core cladding - relocate green wall in courtyard to align with cladding - add architectural louvre to the eastern tower at levels 6 to 9 with air intake louvre behind.

The Applicant considers the proposed changes will provide a high-quality layout within the Education Building with the support and ancillary guest and visitor facilities located in the Lands Building (as approved under MOD 4). The modification is also sought to meet Ausgrid design requirements for the substation, improve activation of the building at the ground plane and the additional service demands generated due to the increase in ancillary uses within the Lands Building.



Figure 3 | Proposed changes to the lower ground level, approved (left) and proposed (right) (Source: MOD 7 Design Report)



Figure 4 | Proposed changes to level one, approved (left) and proposed (right) (Source: MOD 7 Design Report)



Figure 5 | Proposed changes to level five, approved (left) and proposed (right) (Source: MOD 7 Design Report)

3 Statutory context

3.1 Scope of modifications

The Department has reviewed the scope of the application and considers the application can be characterised as a modification as the proposal is substantially the same development as originally approved and would not increase the environmental impacts of the project as approved.

The Department is satisfied the proposed modification is within the scope of section 4.55(2) of the EP&A Act. An assessment of the proposed modification application against the requirements of section 4.55(2) of the EP&A Act is provided in **Appendix B**.

Accordingly, the Department considers that the application should be assessed and determined under section 4.55 (2) of the EP&A Act rather than requiring a new development application to be lodged.

3.2 Consent authority

The Minister for Planning and Public Spaces is the consent authority for the application under section 4.5(a) of the EP&A Act. However, the Director, Key Sites Assessments, may determine the application as:

- a political disclosure statement has not been made
- there are 10 or less public submissions in the nature of objection.

3.3 Mandatory matters for consideration

The following are mandatory matters for consideration:

- environmental planning instruments or proposed instruments
- any planning agreements
- EP&A regulation
- likely impacts of the modification application, including environmental impacts on both the natural and built environments, and social and economic impacts
- suitability of the site
- any submissions
- the public interest
- the reasons for granting approval for the original application.

The Department has considered all of these matters in its assessment of the proposal. The Department has also given consideration to the relevant matters in **Section 5** and **Appendix B**.

3.4 Consistency with Concept Approval

The Department has considered the proposed modification and is of the opinion it remains consistent with the building envelope provisions of the Stage 1 Concept Approval as the original SSD 7484 was assessed to be consistent with the concept approval. The proposed modification is substantially the same as the original approval and as such the modification is consistent with the terms of the concept approval.

4 Engagement

4.1 Department's engagement

The Department exhibited the application from 12 February to 10 March (28 days) on the Department's website, at Service NSW and at the City of Sydney Council office.

The modification application was advertised in the Sydney Morning Herald and the Daily Telegraph on Wednesday 12 February 2020 and letters were sent to surrounding landowners.

The modification application was referred to City of Sydney Council (Council), Heritage NSW, Transport for NSW (TfNSW and Ausgrid. The Department also sought advice from the Government Architect (GA) NSW.

4.2 Summary of submissions

The Department received submissions from Council, TfNSW, Heritage NSW and Ausgrid. No public submissions were received.

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

4.3 Key Issues – Government Agencies

Table 4 | Summary of Agency Submissions

TfNSW

TfNSW reviewed the application and provided comments including:

- the Construction Pedestrian and Traffic Management Plan condition be updated to incorporate the construction works of the modification
- a condition requiring the Applicant demonstrate to the Sydney Coordination Office that the loading dock and DDA access through the Loftus Street laneway is managed to ensure freight and servicing vehicles do not impact traffic movements on Loftus Street.

Heritage NSW

Heritage is satisfied the design changes are consistent with the approved development and have an acceptable impact in the context of the approved adaptive reuse. Heritage note that some exceptionally significant fabric will be adversely impacted to accommodate the substation required by Ausgrid and recommends:

- the required modifications to the sandstone façade and selection of new materials and colours to accommodate the substation must be appropriately detailed and implemented in consultation with, and to the satisfaction of, the project Heritage Consultant
- any original sandstone fabric and steel window grilles required to be removed shall be salvaged and retained on site for future use.

Ausgrid

Ausgrid did not object to the application and recommended the Applicant make a connection application as soon as practicable.

4.4 Key issues – Council

Council reviewed the application and raise no objection. The following comments were provided:

- the works with negative heritage impacts (new substation doors and pool support columns) have been designed to minimise impacts and are acceptable
- it assumes the new balustrade to the top of the southern section is to ensure safe maintenance of the landscaped green roof, rather than for outdoor space for guests.

4.5 Government Architect NSW (GA NSW) advice

The GA NSW supports the recommendations made by the Design Review Panel. The GA NSW recommended that the substation relocation:

- minimise heritage impacts to the external facades
- avoid a strictly functional outcome.

4.6 Response to submissions

Following exhibition, the Department placed copies of all submissions received on its website and requested the Applicant provide a response to the issues raised and a request for further information from the Department.

On 6 May 2020 the Applicant provided a Response to Submissions (RtS) (**Appendix A**) which comprised:

- amended architectural plans identifying flagpoles, balustrade for safe maintenance of the landscaped green roof, updated materials table and GFA schedule
- copy of correspondence with Ausgrid regarding the location of the substation.

No design amendments were made in the RtS.

The RtS was made publicly available on the Department's website.

5 Assessment

In assessing the merits of the proposal, the Department has considered:

- the modification application and associated documents
- the Environmental Impact Statement and conditions of approval for the original application (as modified)
- all submissions received on the proposal and the Applicant's RtS
- relevant environmental planning instruments, policies and guidelines
- the requirements of the EP&A Act.

The Department considers the key assessment issues associated with the proposal are:

- heritage impacts
- Loftus Street laneway access.

These issues are discussed in the following sections of this report. Other issues relating to the application considered during the assessment of the application are addressed in **Section 5.3** of this report.

5.1 Heritage impacts

The Applicant provided an addendum Heritage Impact Statement (HIS), which assesses the heritage impacts of the proposed changes, having regard to the Burra Charter, the NSW Heritage Manual and the endorsed Conservation Management Plan (CMP) for the Education Building. The HIS concludes the proposal will have an acceptable impact in the context of the major adaptive reuse of the Education Building.

The application has been reviewed by Heritage NSW, Council and the Design Review Panel (DRP) who are all supportive of the proposed modifications.

The Department has assessed the heritage impact of:

- the relocated substation
- other internal modifications.

Relocated substation

The adaptive re-use of the Sandstone Precinct requires a new substation. As outlined in **Section 1.3**, the development consent issued by Council for public domain works in Farrer Place included a below ground substation reusing the space of an existing decommissioned substation (**Figure 6**).

The Applicant notes significant above ground ventilation stacks and access would be required in Farrer Place to satisfy Ausgrid requirements. The Applicant also notes the above ground elements were inconsistent with its intent for Farrer Place to be a high-quality space at the hotel's front door. In addition, Council advised it would not support any above ground substation related infrastructure in Farrer Place.

The proposal therefore seeks to relocate the substation from Farrer Place to the south west corner of the Education Building at the lower ground floor, replacing a bar approved in this location (**Figure 7**).

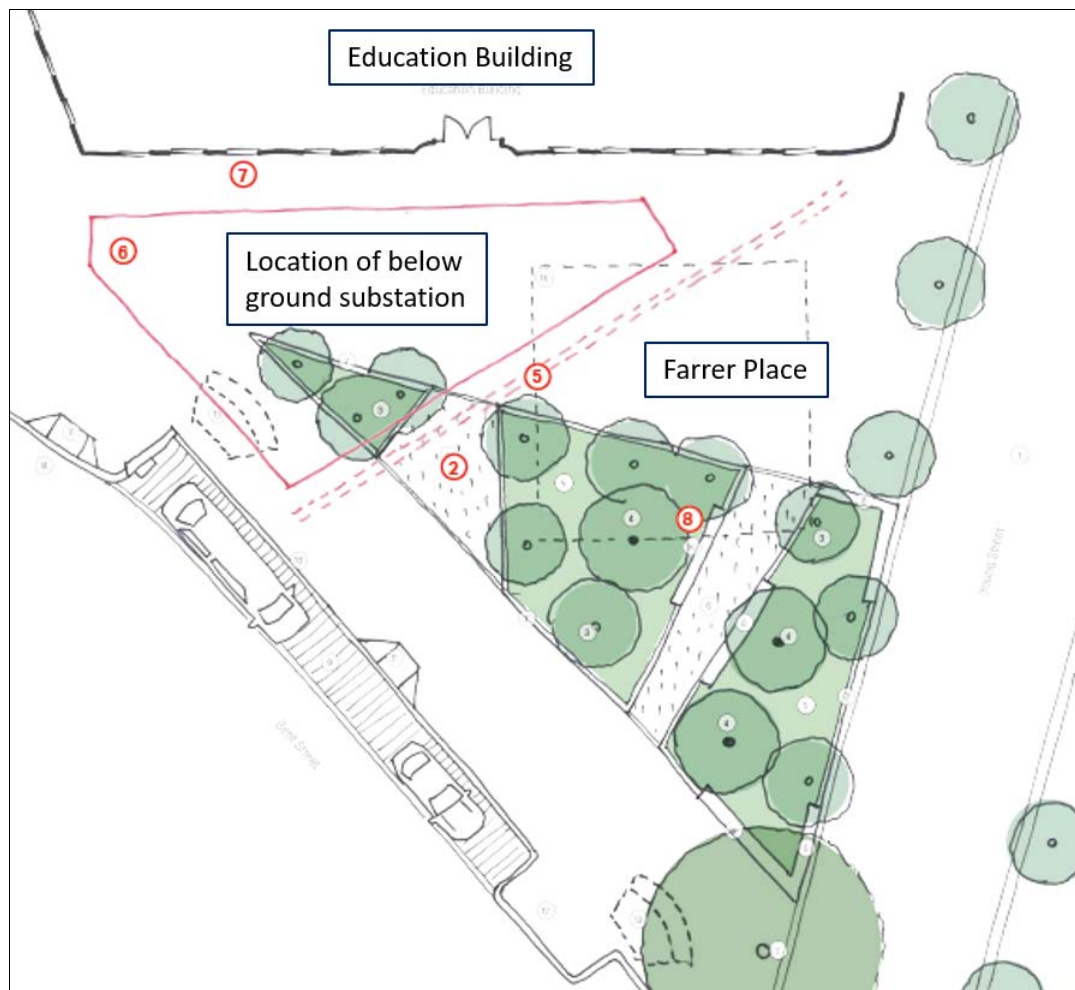


Figure 6 | Approved location of substation chamber in Farrer Place (Source: D/206/1641)

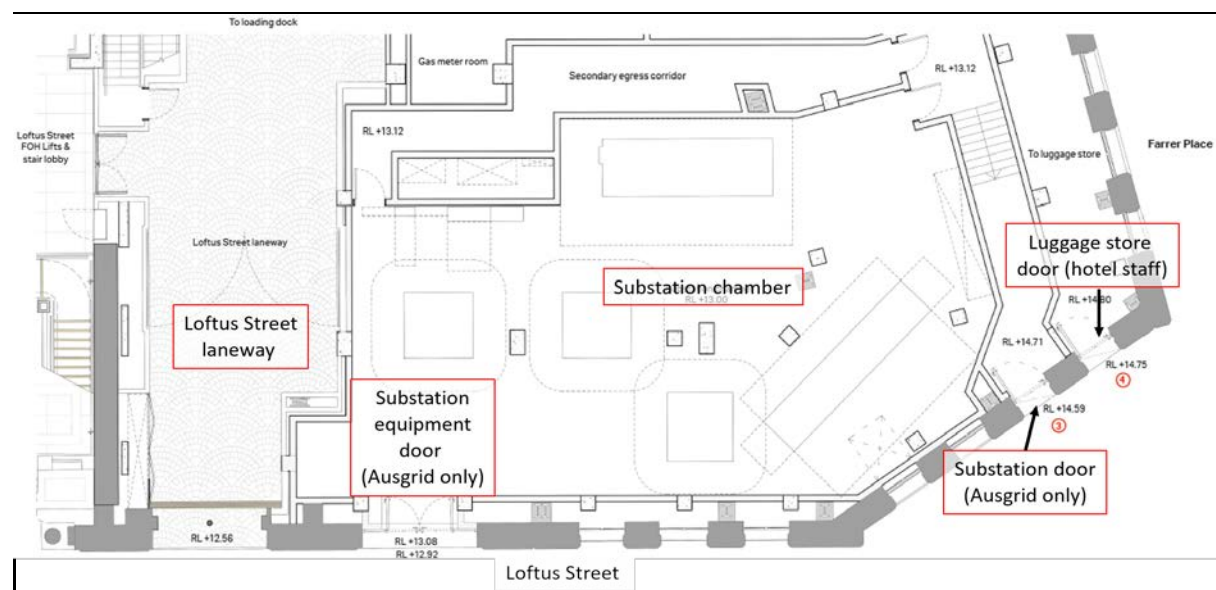


Figure 7 | Proposed substation chamber, lower ground level (Source: MOD 7 Design Report)

The substation relocation requires modifying existing openings in the Education Building (**Figure 8**) including:

- a substation equipment door within an existing arched window on the western elevation of the building, with the existing sandstone façade below the window to be removed
- a substation entry door in place of an existing window on Bent Street
- air intake louvre/s located in an existing ground floor window and the existing Loftus Street laneway entry.



Figure 8 | Bent Street elevation, existing and proposed (Source: MOD 7 Design Report)

The relocation of the substation into the building requires modifications to exceptionally significant heritage fabric in the south-west corner of the building, however the Department is satisfied the impacts are acceptable as:

- the proposal is consistent with the CMP, which permits work to exceptionally significant fabric where it is necessary for the effective reuse and function of the building
- impacts to the heritage fabric have been minimised as much as possible by utilising existing openings in the building and limiting work to heritage fabric

- the changes to the Bent Street and Loftus Street building elevations will not significantly alter the external appearance of these facades as:
 - o the new access doors will be finished to match existing heritage windows and doors on the building
 - o the air intake louvres are in an existing ground floor heritage window and the existing Loftus Street laneway entry and concealed with a decorative screen to mitigate views
 - o a film to the windows will reduce views from the street into the substation chamber and existing decorative grilles are retained to maintain the window appearance.
- it provides an improved public domain outcome, by contrast to integration of ventilation and substation access into the public domain design, which would significantly compromise the quality of the new upgraded public domain within Farrer Place
- the integration of the substation at the lower ground level is consistent with other developments in the CBD and does not have significant adverse impacts on the Bent or Loftus streetscapes.
- the recommended conditions provided by Heritage NSW will ensure the works are undertaken in consultation with the project heritage consultant and original fabric removed is salvaged and retained on site for future use.

Other internal modifications

The Department is satisfied the internal modifications to the Education Building (as outlined in **Section 2**) are consistent with the endorsed CMP and minimise adverse heritage impacts as:

- the modifications to the internal layout generally result in less intervention to heritage fabric than originally approved. In particular
 - o no works are required to the existing marble clad stairs at the Farrer Place entrance as the previously approved sesame stair at this entrance is deleted
 - o less interventions into the building are required due to the overall reduction in hotel rooms (from 229 to 192), with larger rooms able to retain more original internal building fabric
 - o no works are required to existing marble clad columns (in the Bridge St lobby), as the pool support columns are located within the existing walls and avoid exceptionally significant fabric
 - o an original timber heritage door impacted by floor level changes will now be reused in a more prominent position as the main gym entrance door
- there is a negligible heritage impact from:
 - o new work relating to the changes to the interior, courtyard façade and cooling tower
 - o the relocation of the external tenancy as it delivers circulation and access benefits through use of the existing entrance door on Young Street
 - o works to an impacted cornice in the south wall of the gymnasium as it will be reconstructed
- there is no heritage impact from the basement reconfiguration.

The Department also considers the proposed internal works can be appropriately managed by existing conditions of consent including:

- the requirement for the DRP to be involved in the design development (Condition B2)
- detailed design drawings to be submitted to the Heritage Council NSW or its delegate throughout the construction (Condition B9)

- conservation works are to be progressively inspected by Council's heritage specialist and delegates of the NSW Heritage Council (Condition B44)
- appointment of an experienced heritage consultant throughout the construction stages of the development (Condition B45).

Conclusion

The Department is satisfied the relocation of the substation from under Farrer Place to within the Education Building results in an improved public domain outcome for Farrer Place and the heritage impacts have been appropriately minimised by utilising existing openings, minor external changes to the building and screening the substation from public view.

The Department has carefully considered all other proposed changes to the Education Building and concludes the heritage impacts arising from the proposed modifications are acceptable and consistent with the CMP for the Education Building.

The Department is satisfied the works can be managed through existing and additional conditions of consent to minimise adverse heritage impacts to the Education Building.

5.2 Loftus Street laneway access

The Education Building currently has two guest entrances, the primary entrance from Farrer Place (ground floor) and a second entrance from Bridge Street (lower ground floor). Both these entrances include stairs and do not meet accessibility requirements without modification.

The approval provides a sesame stair (accessible lift) at the Farrer Place entrance, however due to issues with supply, maintenance and certification of the proposed sesame stair, the Applicant seeks to remove this access and retain the existing marble stairs.

The Applicant proposes a new accessible access through the Loftus Street laneway, shared with the existing service vehicle/ loading dock access.

To support the proposed change, the Applicant provided:

- an updated Accessibility Statement which confirms the modified design can comply with the relevant accessibility requirements (BCA, DDA Access Code 2010 and AS1428.1(2009))
- advice provided by the independent DRP supporting the use of Loftus Street laneway as a public entry, accessible entry and service vehicle entry and the proposed high-quality finishes.

The Department considers the provision of a new accessible pedestrian entrance within the Loftus Street laneway acceptable as it:

- improves overall guest access to the building by providing three separate pedestrian entrances and facilitates more direct access between the Lands Building
- provides equitable access to the Education Building for all guests as (**Figure 10**):
 - o guests arriving at the vehicular pick-up/drop-off area on Bent Street, adjacent to Farrer Place, have the choice to use the Farrer Place or Loftus Street laneway entrance depending on accessibility needs

- o the distance between the Loftus Street laneway entrance and the Bent Street vehicular drop off/ pick-up area is approximately 40 m
- o there is an accessible route from the Farrer Place entrance and Bridge Street entrance to the Loftus Street laneway entrance
- o the distance from the Bridge Street entrance to an accessible entrance is reduced by moving the accessible entrance to the Loftus Street laneway
- o the accessible entrance is required to be clearly identified with signage in accordance with AS1428.1
- has been designed to read as a principal pedestrian entrance for guests, featuring a high-quality design using timber and dark bronze metal to relate to the heritage finishes of the other building entrances and have the same design quality as the Farrer Place entrance (Figure 9).



Figure 9 | Proposed Loftus Street laneway pedestrian, accessible and service vehicle entrance (Source: MOD 7 Design Report)



Figure 10 | Access to the Education Building from the Bent Street drop off/pick up area (Base Image Source: MOD 7 Design Report and D/206/1641)

As the Loftus Street laneway entrance is a shared entrance with service vehicles, the Applicant has proposed management measures to ensure safe and efficient operation. The Department is satisfied the shared access can operate safely as:

- pedestrians will always have right of way and a removable bollard is provided at the entrance to create a safe area for staff and guests
- the entrance/ exit will be managed by staff at all times to be safe and clutter free
- pedestrian and vehicle paths of travel will be identified by using different flooring finishes in the laneway
- a Plan of Management for guest movements will be developed, including direct ushering of guests to the accessible entrance, from the entrance to their location in the building and when booking guests can communicate accessibility needs in advance
- the Loading Dock Plan of Management will address hours of entry and exit for vehicles, a low speed limit, right of way for pedestrians and direct supervision of vehicle movements by staff.

The Department also notes Council and Heritage NSW did not raise any concerns about the proposed modifications to the Loftus Street laneway or with the shared access arrangement. TfNSW recommended a condition requiring the Applicant demonstrate to the Sydney Coordination Office that the loading dock and DDA access through the Loftus Street laneway is managed to ensure freight and servicing vehicles do not impact traffic movements on Loftus Street. The Department agrees with TfNSW comments and recommends an updated condition.

The Department concludes the accessible Loftus Street laneway will provide fair, safe and direct access to the Education Building with a high design quality. The Department recommends conditions including updating of requirements for the Loading Dock Management Plan and preparation of a Plan of Management for guest movements.

5.3 Other issues

The Department's consideration of other issues is provided in **Table 5**.

Table 5 | Summary of other issues

Issue	Findings	Recommendations
External building changes	• The modification includes minor changes to the external façade including: - o an integrated architectural louvre on the east tower - o adjusting the massing of the cooling towers at roof level, to provide more plant capacity due to changes to the Lands Building approved in MOD 4 • Heritage NSW, the DRP and Council raised no objections to these external changes. • The Department notes the: - o architectural louvre is a minor change and will not significantly change the view or visual	No additional conditions or amendments to existing conditions considered necessary.

	- appearance of the building from the public domain - o change to the cooling towers massing is located within the centre of the roof and will not be readily visible in the public domain • The Department concludes these external design changes respect the heritage fabric of the building, maintain the visual appearance of the building and are of a high-quality design. The Department therefore supports the proposed external changes.	
Internal courtyard changes	• The application includes design development of the courtyard facade to provide full height reflective glazing, an altered courtyard roof and new lift core cladding following the reconfiguration of the hotel rooms. • Heritage NSW, the DRP and Council raised no objections to these changes. • The design changes will allow natural light to be reflected down through the courtyard and the courtyard roof design corresponds to the revised glazing layout. The Department therefore supports the proposed changes to the internal courtyard.	No additional conditions or amendments to existing conditions considered necessary
Balustrade	• A balustrade is proposed on level 9 of the west, south and east elevations • Council recommended the balustrade be shown on the architectural plans and the Applicant clarify its purpose. • The Applicant has provided updated plans showing a section of the proposed balustrade and confirmed its purpose is to allow for safe access when maintaining the landscaped roof garden. • The Department is satisfied with the additional information provided and supports the proposed balustrade to enable safe maintenance of the landscaped roof garden.	No additional conditions or amendments to existing conditions considered necessary.
Gross floor area (GFA)	• As a result of the internal changes, including locating the substation in the building, the Education Building GFA is reduced by 1,352 m² (from 19,864 m² to 18,512 m²), and the overall Sandstone Precinct GFA from 30,329 m² to 28,977 m². • The numerical change to the GFA does not alter the bulk, scale or mass of the building or alter the intensity of the use. The Department supports the proposed change.	The Department recommends the development description and Condition F7 be updated to reflect the reduced GFA.
Reduction in hotel rooms	• The proposal seeks to reduce number of hotel rooms reduced (from 229 to 192) to create larger rooms	The Department recommends the development description be updated

	consistent with a luxury hotel and the removal of function spaces now located in the Lands Building. The Department notes the proposed 192 hotel rooms are the same as the number of hotel rooms originally approved for the Education Building and will require less interventions into the internal heritage fabric of the building which is a positive outcome as discussed in Section 5.1. The Department therefore supports the proposed reduction in hotel rooms.	to reflect the reduced hotel rooms.
Acoustic	- The Applicant's acoustic assessment of the proposal recommended acoustic treatments for the lower ground floor hotel rooms as they will be affected by traffic noise. These treatments include: - secondary glazing to achieve minimum Rw44 rating - glazing to be sealed at all times - The Department is satisfied these measures will satisfactorily address noise impacts to these hotel rooms and the proposal can achieve compliance with relevant acoustic requirements. - The Department supports the proposed measure and recommends amendments to Conditions B29 and F22 accordingly.	The Department recommends amending Condition B29 (noise mitigation measures) and F22 (acoustic compliance) to include the recommended acoustic treatments and to ensure they are implemented.
Waste Management	- A separate Waste Management Plan (WMP) for the Education Building has been prepared to reflect it providing the core accommodation facilities. The Department notes a separate waste management plan for the Lands Building was approved as part of MOD 4. - The Education Building waste rooms remains located on the lower ground floor (approved location), adjacent to the loading dock, with sufficient space for waste equipment, circulation and bulky waste storage. - The Education Building is the main waste collection point and, as already approved, waste from the Lands Building will be moved via a subterranean link to the Education Building prior to collection. No changes are proposed to this. - The Department is satisfied the Education Building WMP will ensure waste facilities proposed will respond to the waste generated by the use and recommends the conditions be updated to reflect this WMP.	The Department recommends updating Conditions B22, B23 and G6 to reference the Education Building WMP.
Construction management	- TfNSW recommend an updated Construction Pedestrian and Traffic Management Plan (CPTMP) be submitted to the Sydney Coordination Office to reflect the proposed modification. - The Applicant notes these comments and advises the CPTMP will be amended as required.	Condition C7 is recommended to be amended to require the CPTMP be updated to reflect the modified proposal and submission to the

- The Department recommends amending condition C7 to require the CPTMP be updated to reflect the modified proposal.
- Coordinator General,
Transport Coordination
for endorsement.
-

6 Evaluation

The Department has assessed the proposed modification in accordance with the relevant requirements of the EP&A Act. The Department's assessment concludes the internal and external design changes to the Education Building are acceptable for the following reasons:

- the modifications support the revitalisation of the Sandstone Precinct, increase public access to the heritage buildings, provide for new hotel accommodation and employment opportunities
- the proposed changes will have an acceptable heritage impact in the context of the major adaptive reuse of the Education Building, are consistent with the endorsed CMP and minimise adverse heritage impacts
- impacts to exceptionally significant fabric have been minimised as much as possible to facilitate the relocation of the substation into the Education Building
- the Loftus Street laneway entrance provides a safe and equitable accessible pedestrian entrance for guests, subject to preparation of a LDMP to ensure Plan of Management to give priority to guest movements
- the internal and external design changes are a result of design development, maintain the visual appearance of the building and are of a high-quality design
- the proposed modification is consistent with the terms of the concept approval and substantially the same as the original approval.

The Department concludes the impacts of the proposal are acceptable and can be appropriately mitigated through the implementation of the recommended conditions of consent. Consequently, the Department considers the development is in the public interest and should be approved, subject to conditions (**Appendix C**).

7 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 7484 MOD 7 falls within the scope of section 4.55(2) 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 approve the modification
- **modifies** the consent SSD 7484
- **signs** the attached approval of the modification (**Appendix C**).

Recommended by:



Emily Dickson
A/ Principal Planner
Key Sites Assessment

Recommended by:



Amy Watson
Team Leader
Key Sites Assessment

8 Determination

The recommendation is **Adopted** by:



4 June 2020

Anthony Witherdin

Director

Key Sites Assessments

as delegate of the Minister for Planning and Public Spaces

Appendices

Appendix A – List of referenced documents

- SSD 7484, being the development consent for the adaptive reuse of the Sandstone Precinct, granted by the Executive Director, Key Sites and Industry Assessments, on 24 April 2018, together with submissions, Applicant's response to submissions and the Departments assessment report
- Associated modifications (SSD 7484 MOD 1, MOD 2, MOD 3, MOD 4, MOD 5, MOD 6 and MOD 8)
- Environmental Impact Statement, prepared by Ethos Urban, dated 28 January 2020
- Submissions
- Response to Submissions, prepared by Ethos Urban, dated 6 May 2020

Appendix B – Statutory Considerations

To satisfy the requirements of section 4.15 of the EP&A Act, the Department's assessment of the proposal has given detailed assessment to a number of statutory requirements. These include:

- the requirements of section 4.55(2) of the EP&A Act
- the matters listed under Section 4.15(1) of the EP&A Act, including applicable EPIs and regulations.

The Department has considered these matters in its assessment of the proposal in **Table 6** and **Table 7**.

Table 6 | Consideration of section 4.55(2) of the EP&A Act

Section 4.55(2) Evaluation	Consideration
a) 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)	Section 5 of this report provides an assessment of the potential impacts associated with the modification application. The internal and external design changes to the Education Building remain consistent with the approved land use of tourist and visitor accommodation. The proposal does not alter the approved maximum building height and results in a reduced GFA. The proposed modifications will also have a reduced heritage impact, in the context of the approved adaptive reuse. The Department is satisfied that the proposed modification is substantially the same development as the key components of the development remain, being the adaptive reuse of the Sandstone Precinct for tourist and visitor accommodation.
b) that it has consulted with the relevant Minister, public authority or approval body) in respect of a condition imposed by the Minister, public authority or approval body, and	Not applicable.
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 (clause 10 of schedule 1 to the EP&A Act and clause 118 of the EP&A Regulation). Details of the notification are provided in Section 4.1 of this report.
d) any submission made concerning the proposed modification has been considered.	The Department received a submission from Council, TfNSW, Heritage and Ausgrid. The issues raised in submissions have been considered in Sections 4 and 5 of this report.

Table 7 | Consideration of the matters listed under Section 4.15(1) of the EP&A Act

Section 4.15(1) Matters for consideration	The Department's assessment
(a)(i) any environmental planning instrument	The proposed modification is consistent with the relevant Environmental Planning Instruments (EPIs) as addressed below in this report.
(a)(ii) any proposed instrument	Not applicable.
(a)(iii) any development control plan	Under clause 11 of the SRD SEPP, Development Control Plans (DCPs) do not apply to SSD.
(a)(iia) any planning agreement	Not applicable.
(a)(iv) the regulations	The application satisfactorily meets the relevant requirements of the <i>Environmental Planning and Assessment Regulation 2000</i> , 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 4).
(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 proposed modification acceptable and have been appropriately addressed (refer to Section 5 of this report).
(c) the suitability of the site for the development	The site is suitable for the development as addressed in Section 5 .
(d) any submissions	The Department has considered the submissions received (refer to Section 4 and 5 of this report).
(e) the public interest	The Department considers the proposed modification to be in the public interest.
Reasons given by the consent authority for the grant of the consent that is sought to be modified	The Department has considered the reasons given by the consent authority for the grant of the consent in its assessment in Section 5 .

Environmental Planning Instruments

To satisfy the requirements of section 4.15(1)(a)(i) of the EP&A Act, the following EPIs, were considered as part of the assessment of this proposal:

- 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 Regional Environmental Plan (Sydney Harbour Catchment) 2005
- Draft Remediation of Land State Environmental Planning Policy

- Draft Environment State Environmental Planning Policy.

The Department undertook a comprehensive assessment of the redevelopment against the above-mentioned EPIs in its original assessment. The Department has considered the above EPIs and is satisfied the modification does not result in any inconsistency with these EPIs.

Appendix C – Notice of modification

<https://www.planningportal.nsw.gov.au/major-projects/project/26951>