



Locomotive Workshop, Bays 5-15

*State Significant
Development
Modification Assessment
(SSD 8449 MOD 3)*



July 2019

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Cover photo

Artistic impression of the southern elevation of Bays 5-15 of the Locomotive Workshop (Source: Applicant provided)

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Glossary

Provide a clear and succinct list of the terms not commonly used in everyday language (below is a guide only and needs to be customised for the report).

Abbreviation	Definition
ATP	Australian Technology Park
BCA	Building Code of Australia
CIV	Capital Investment Value
Commission	Independent Planning Commission
Consent	Development Consent
Council	City of Sydney Council
Department	Department of Planning, Industry and Environment
EIS	Environmental Impact Statement
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	<i>Environmental Planning and Assessment Regulation 2000</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EPI	Environmental Planning Instrument
ESD	Ecologically Sustainable Development
GSC	Greater Sydney Commission
Heritage	Heritage, Community Engagement Group, Department of Premier and Cabinet (formerly OEH Heritage Division)
LEP	Local Environmental Plan
LGA	Local Government Area
Minister	Minister for Planning and Public Spaces
EESG	The Department's Environment, Energy & Science Group (formerly Office of Environment and Heritage)
RtS	Response to Submissions
SEARs	Secretary's Environmental Assessment Requirements
Secretary	Secretary of the Department of Planning, Industry and Environment
SEPP	State Environmental Planning Policy
SRD SEPP	<i>State Environmental Planning Policy (State and Regional Development) 2011</i>
SSD	State Significant Development



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1. Introduction

This report provides an assessment of an application to modify the State significant development (SSD) consent for the adaptive reuse of Bays 5-15 of Locomotive Workshop in the Australian Technology Park (ATP) at Eveleigh (SSD 8449).

The modification application seeks approval to relocate and change the configuration of service pods on the ground and first floor levels of Bays 5-13.

The modification application was lodged on 11 June 2019 by Mirvac Projects Pty Ltd (the Applicant) pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The site is located within the City of Sydney local government area (LGA).

1.1 Background

The site is the Locomotive Workshop, located within the northern portion of the ATP. The ATP is located approximately 5 km south of the Sydney central business district (CBD), 8 km north of Sydney airport and 200 m from Redfern railway station. The Locomotive Workshop, with a site area of 26,984 m², is a two-storey sandstone brick neoclassical building, divided into 16 equal sized bays orientated north south (**Figure 1**).



Figure 1 | Aerial view of Locomotive Workshop and ATP (Source: NearMap)

The Locomotive Workshop is listed as a State Heritage Item under the NSW State Heritage Register and the Australian Technology Park S170 Heritage and Conservation Register. The Locomotive Workshop was constructed in 1887 and was used for locomotive manufacturing until 1952 when it became a repair and maintenance facility. Bays 5 to 15 contained machines, tool and assembly areas. The workshop shut in 1988 and converted to commercial office space in the mid-1990s.

The ATP currently accommodates a mix of uses, including a business park with a focus on technology and innovation.

1.2 Approval History

On 22 February 2019 the Independent Planning Commission (Commission) approved two SSD applications for the adaptive reuse of the Locomotive Workshop Bays 1-4a (SSD 8517) and Bays 5-15 (SSD 8449). The approval of SSD 8449 includes a maximum of 27,458 m² GFA for commercial premises including 156 m² for retail uses, associated heritage conservation works and external illumination and signage.

In addition to the subject modification application (MOD 3), the development consent has been modified on one occasion and further modification is currently under assessment, as summarised in **Table 1**.

Table 1 | Summary of Modifications to SSD 8449

Mod No.	Summary of Modifications	Approval Authority	Type	Approval Date
MOD 1	Modification to Condition B25 (Stormwater and Drainage) in development consent SSD 8449	Minister (delegated to the Commission)	4.55(1A)	Under assessment
MOD 2	Modification to Condition D6 (Construction Hours) in development consent SSD 8449	Minister (delegated to the Director, Key Sites Assessment)	4.55 (1A)	29 May 2019



2. Proposed Modification

On 11 June 2019, the Applicant lodged a modification application (SSD 8449 MOD 3) seeking approval, under section 4.55(1A) of the EP&A Act, to relocate and change the configuration of service pods located on the ground and first floor levels of Bays 5-13. The Applicant seeks to locate the service pods towards the centre of the floor plate and minor reconfiguration of the design including (**Figure 2 and 3**):

- internal reconfiguration of female bathroom amenities
- consolidation of plant service areas resulting in minor changes to overall dimensions, including an overall decrease in north-south length and increase in overall east-west width. (**Figure 4 and 5**).

The Applicant seeks to amend the location and configuration of the service pods to allow for better tenancy fit-out opportunities.



Figure 2 | Proposed and approved (shown in red) location of service pods – Ground Floor (Source: Applicant)

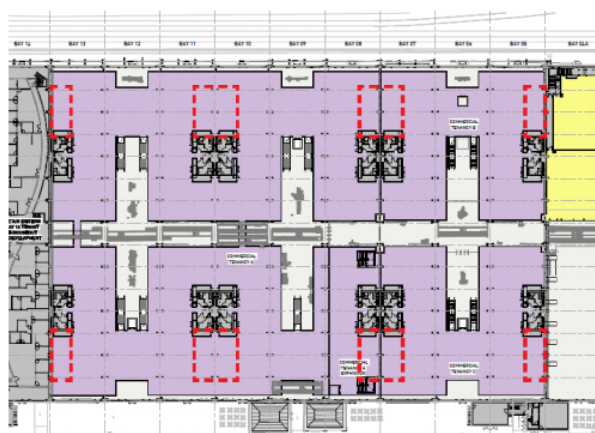


Figure 3 | Proposed and approved (shown in red) location of service pods – First Floor (Source: Applicant)

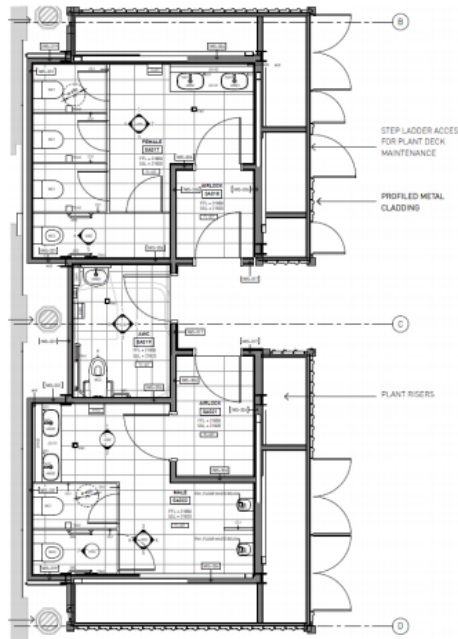


Figure 4 | Approved typical service pod details (Source: Applicant)

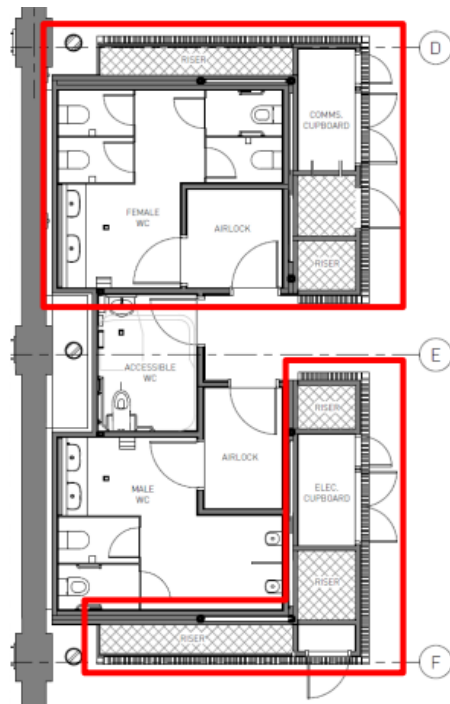


Figure 5 | Proposed typical service pod details – modified elements indicated in red (Source: Applicant)



3. *Strategic Context*

3.1 Greater Sydney Region Plan & Eastern City District Plan

The Greater Sydney Commission (GSC) has prepared the Greater Sydney Region Plan to provide a 40-year vision for a metropolis of three cities, the Eastern Harbour City, the Western Parkland City and the Central River City, that will rebalance growth and deliver its benefits more equally and equitably to residents across Greater Sydney.

The GSC also prepared District Plans to implement the Regional Plan through local planning and influence state agency decisions. The site is located in the Eastern City District Plan.

The Department considered the original application was consistent within the strategic planning context for the site. The Department has considered the proposed changes and is satisfied the proposal remains consistent with the strategic planning context.



4. Statutory Context

4.1 Scope of Modifications

Section 4.55(1A) of the EP&A Act outlines the matters that a consent authority must take into consideration when determining an application that seeks to modify an SSD application. The matters for consideration under section 4.55(1A) of the EP&A Act that apply have been considered in **Table 2**.

Table 2 | Section 4.55 (1A) Evaluation

Section 4.55(1A) Evaluation	Consideration
a) that the proposed modification is of minimal environmental impact, and	Section 6 of this report provides an assessment of the impacts associated with the modification application. The Department is satisfied that the proposed modification will have minimal environmental impacts as the changes proposed to the location and layout of the service pods are minor and there are no changes to approved land uses. As the modified proposal remains largely unchanged no additional significant impacts have been identified.
b) that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and	The modification application seeks to change the service pod locations and configuration. The proposals do not change the scope of the development and the modification applications are considered to result in development that is substantially the same as the originally approved development.
c) the application has been notified in accordance with the regulations, and	The modification application has been notified in accordance with the EP&A Regulations. Details of the notification are provided in Section 5.1 of this report.
d) any submission made concerning the proposed modification has been considered.	The Department received a response from City of Sydney Council (Council) and Heritage, Community Engagement Group, Department of Premier and Cabinet (formerly OEH Heritage Division) (Heritage). The comments made in submissions have been considered in Section 5 and 6 of this report.

4.2 Consent Authority

The Minister for Planning and Public Spaces (Minister) is the consent authority for the application under section 4.5(a) of the EP&A Act. However, under the Minister's delegation dated 11 October 2017, the Director, Key Sites Assessment, may determine the application as:

- the relevant local council has not made an objection

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

4.3 Environmental Planning Instruments

The following Environmental Planning Instruments (EPIs) are relevant to the applications:

- State Environmental Planning Policy (State and Regional Development) 2011
- State Environmental Planning Policy (State Significant Precincts) 2005
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy (Urban Renewal) 2010
- State Environmental Planning Policy No.1 – Development Standards
- State Environmental Planning Policy No. 55 – Remediation of Land
- Draft State Environmental Planning Policy - Remediation of Land
- State Environmental Planning Policy No. 64 – Advertising and Signage.

The Department undertook a comprehensive assessment of the proposal against relevant EPIs in its original assessment. The Department has considered the above EPIs and is satisfied the modification application has adequately addressed the relevant provisions and remains consistent with these EPIs.

4.4 Objects under the EP&A Act

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



5. Engagement

5.1 Department's Engagement

Clause 117(3B) of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation) specifies that the notification requirements of the EP&A Regulation do not apply to State significant development. Accordingly, the modification application was not exhibited. However, it was made publicly available on the Department's website on 13 June 2019 and was referred to Council and Heritage, with a request to comment by 27 June 2019 (14 days).

5.2 Summary of Submissions

The Department received submissions from Council and Heritage.

Council advised they have no comments on the application.

Heritage advised they have no objections and provided the following comments:

- the proposed relocation and reconfiguration of the service pods is considered minor
- relocation of the service pods away from the perimeter walls will improve visual access to the significant fabric and structure
- the modification provides the opportunity to reconsider the placement of the lifts within Bays 8,11 and 13, potentially relocating them to within the service pods
- some minor internal reconfigurations have been made to the floor plan for Bay 15, which were not identified as part of this modification.

No submissions were received from the public.



6. Assessment

The Department has considered the modification application and the comments from Council and Heritage in its assessment. The Department considers heritage impacts to be the key assessment issue.

6.1 Heritage Impacts

The modification application seeks to relocate and change the configuration of service pods on the ground floor and first floor level of Bays 5-13 (**Figure 3** and **Figure 4**).

The Applicant notes the relocation of the pods will allow for better tenancy fit-out opportunities for future tenant needs. The reconfiguration of the pods also results in symmetry of the female and male bathroom amenities but does not reduce the number of cubicles or washbasins. The reconfiguration also allows for a consolidation of building plant services, with a minor overall decrease in the north-south length, and a commensurate increase in overall east-west width of the pods.

The Applicant provided a Heritage Impact Assessment (HIA) confirming the proposal is not likely to result in any adverse heritage impacts within the site.

The Department considers the modification will have minimal impact to the heritage significance of the site and will result in better use and appreciation of the northern part of the space, while improving visibility to the original fabric of the building. The Department notes that Heritage raised no objection to the proposal and noted the modification will improve visual access to significant fabric and structure.

The Department has carefully considered the proposal and supports the proposed relocation of the service pods as:

- it will provide greater opportunity to view the original internal facades, fabrics and walls of the Locomotive Workshop
- it will improve the use of tenancy space and meet tenant needs
- the reconfiguration of the bathroom layout retains the same level of amenities for future building occupants.

The Department is satisfied the characteristics and minimal nature of the proposed modification would ensure the heritage aspects of the site are not impacted and improved amenity outcomes might result for future tenants. The Department therefore supports the proposal to modify the location and configuration of service pods and accordingly modify the approved plans within Condition A2.

6.2 Other issues

Heritage identified some additional minor internal reconfigurations to the floor plan for Bay 15. These reconfigurations were not identified as part of this modification within the application.

In response, the Applicant submitted amended architectural drawings to correct minor drafting errors identified by Heritage and the Department and to clarify the changes noted by Heritage. The additional change is limited to a new type of hoist over the central spine, within the same location. The Department is satisfied the hoist location remains consistent with the approved architectural plans and will not result in any adverse heritage impacts.



7. *Evaluation*

The Department has reviewed the proposed modification and supporting information in accordance with the relevant requirements of the EP&A Act. The Department's assessment concludes that the proposed modification is appropriate as:

- it complies with relevant statutory provisions and the proposal remains consistent with relevant EPIs and the strategic planning context
- it will improve visual access to significant heritage fabric and structure
- it is substantially the same development as originally approved and does not result in adverse environmental impacts
- no objections to the proposed modification have been raised by Council or Heritage
- it will contribute to the sensitive adaptive reuse of the Locomotive Workshop.

Consequently, the Department concludes the proposal is in the public interest and should be approved, subject to conditions (**Appendix B**).



8. Recommendation

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

- **considers** the findings and recommendations of this report
- **determines** that the modification application SSD 8449 MOD 3 falls within the scope of section 4.55(1A) of the EP&A Act
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to grant approval to the application
- **modifies** the consent SSD 8449
- **signs** the attached modification of the Development Consent (**Appendix B**).

Recommended by:

Adrien Lalchere

Planning Officer

Key Sites Assessment

Recommended by:

Amy Watson

Team Leader

Key Sites Assessment



9. *Determination*

The recommendation is: **Adopted by:**

David McNamara

Director

Key Sites Assessments



Appendices

Appendix A – List of Documents

The following supporting documents and supporting information to this assessment report can be found on the Department of Planning, Industry and Environment's website as follows:

1. Environmental Impact Statement

<https://www.planningportal.nsw.gov.au/major-projects/project/13846>

2. Submissions

<https://www.planningportal.nsw.gov.au/major-projects/project/13846>

Appendix B – Modification of Development Consent

<https://www.planningportal.nsw.gov.au/major-projects/project/13846>

Appendix B – Consolidated Consent

<https://www.planningportal.nsw.gov.au/major-projects/project/13846>