

11 June 2020

2190140

Mr Jim Betts
Secretary
Department of Planning, Industry and Environment
12 Darcy Street
PARRAMATTA NSW 2150

Attention: Amy Watson (Team Leader – Key Sites Assessments)

Dear Amy,

SECTION 4.55(1A) MODIFICATION APPLICATION BAYS 5-15, LOCOMOTIVE WORKSHOPS, SOUTH EVELEIGH (SSD 8449)

This application has been prepared by Ethos Urban on behalf of Mirvac Projects Pty Ltd (Mircvac), pursuant to Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to modify Development Consent SSD 8449 relating to Bays 5-15 of the Locomotive Workshop, South Eveleigh (the site).

The modification relates to amendments to the internal design and layout of Bays 5-13 of the Locomotive Workshop. The amendments respond to the requirements of future tenants within the Locomotive Workshop, as well as the discovery of the heritage canteen structure in Bay 5 South.

This application identifies the consent, describes the proposed modifications, and provides an assessment of the relevant matters contained in Section 4.55(1A) of the EP&A Act. This application is accompanied by:

- Amended Architectural Plans prepared by Sissons Architects (**Attachment A**); and
- Heritage Impact Statement prepared by Curio Projects (**Attachment B**).
- Bays 5-8 Full Height Glazing Elevations prepared by Sissons Architects (**Attachment C**).

1.0 Background

Since the approval of SSD 8449, Mirvac has been working with potential tenants to further develop the internal base fitout within Bays 5-13 of the Locomotive Workshop. This has been done to ensure that the tenancies respond to the needs of future tenants.

The discovery of the heritage canteen structure on Level 1 in Bay 5 South has also impacted the layout and configuration of the Locomotive Workshop, as the canteen structure is a historical asset that needs to be exposed and celebrated.

Mircvac and Curio Projects have worked closely with the Heritage Council and the City of Sydney to ensure that the proposed amendments achieve a respectful, functional and aesthetically pleasing result for the Locomotive Workshops.

On 7 February, Mirvac and Curio Projects met with the Heritage Council and the City of Sydney to discuss the proposed installation of full height glazing in the central spine of Bays 5-7 and design amendments to respond to the discovery of the heritage canteen structure in Bay 5 South.

2.0 Consent Proposed to be Modified

Development Consent for SSD 8517 and SSD 8499 was granted by the Independent Planning Commission (IPC) on 22 February 2019 for the adaptive reuse of the existing Locomotive Workshop in the Australian Technology Park (ATP).

SSD 8517 relates to the adaptive reuse of Locomotive Workshop (Bays 1-4a), including:

- a maximum of 11,607m² GFA for uses including retail premises, function centre, educational establishment, information and education facility, artisan food and drink industry, general industrial (retention of the Blacksmith) and recreation facility (indoor);
- a loading dock and travelator;
- associated heritage conservation works; and
- public domain works, external illumination and signage.

SSD 8449, which is the subject of this modification application, relates to the adaptive reuse of Locomotive Workshop (Bays 5-15), including:

- a maximum of 27,458m² GFA for commercial premises including 156m² for retail uses;
- associated heritage conservation works; and
- external illumination and signage.

To date, six (6) modifications to SSD 8449 have been approved since February 2019. There is another modification application currently under assessment. The approved and proposed modification applications are summarised below in **Table 1**.

Table 1 Modifications to SSD 8449

Modification #	Approved	Description
Modification 1	10/09/2019	Modification to Condition B25 (Stormwater and Drainage).
Modification 2	29/05/2019	Deletion of Condition D6.
Modification 3	02/08/2019	Minor amendments to the location and configuration of service pods (containing lift cores and building services) in Bays 5-13.
Modification 4	19/02/2020	Minor amendments to the internal design and layout of commercial tenancies on the Ground Floor and Level 1 of Bays 5-13 of the Locomotive Workshop.
Modification 5	20/11/2019	Installation of additional skylights above Bays 5-15 of the Locomotive Workshop.
Modification 6	05/02/2020	Modification to the Conditions of Consent (Part B and E) to enable staged Occupation Certificates to be issued and the use of frosted replacement glazing in existing heritage arched windows.
Modification 7	Under Assessment	Modification for internal design and layout changes of Bay 15 of the Locomotive Workshop.
Modification 8	Withdrawn	-

3.0 Proposed Modifications to the Consent

3.1 Modifications to the Development

The proposed modifications to Development Consent SSD 8449 comprise alterations and additions to the internal design and layout of Bay 5-13 including:

- Installation of full-height glazing in Bays 5-7 North and South.
- Alterations to the layout and design of Bay 5 South to allow for the in-situ preservation of the heritage canteen structure.
- Additional link bridges in Bay 5 and 7.
- Extension of the slab of Level 1 to accommodate the linear configuration of the northern stairs in Bay 6 North.
- Additional showers within the accessible amenities in Bays 10-11 on Ground Floor and Level 1.
- Additional plant room on Level 1 in Bay 9 South.

The proposed modifications, which are contained wholly within the Locomotive Workshop, have been designed to respond to the requirements of future tenants of the Locomotive Workshop, as well as the discovery of the heritage canteen structure in Bay 5 South.

The proposed modifications are detailed in the amended Architectural Plans prepared by Sissons Architects (**Attachment A**). **Figure 1 – Figure 6** illustrates the approved and proposed configuration of Bays 5-15 of the Locomotive Workshop.

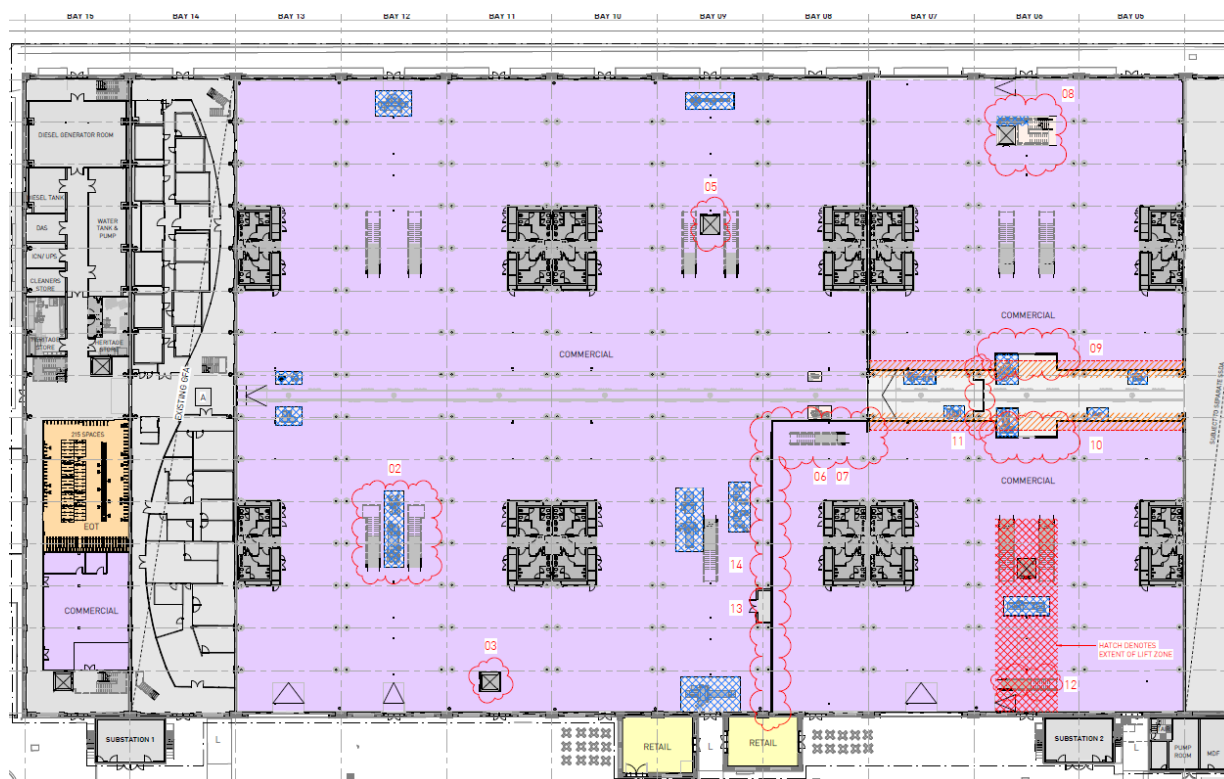


Figure 1 Approved design of Ground Floor of Bay 5-15

Source: Sissons Architects

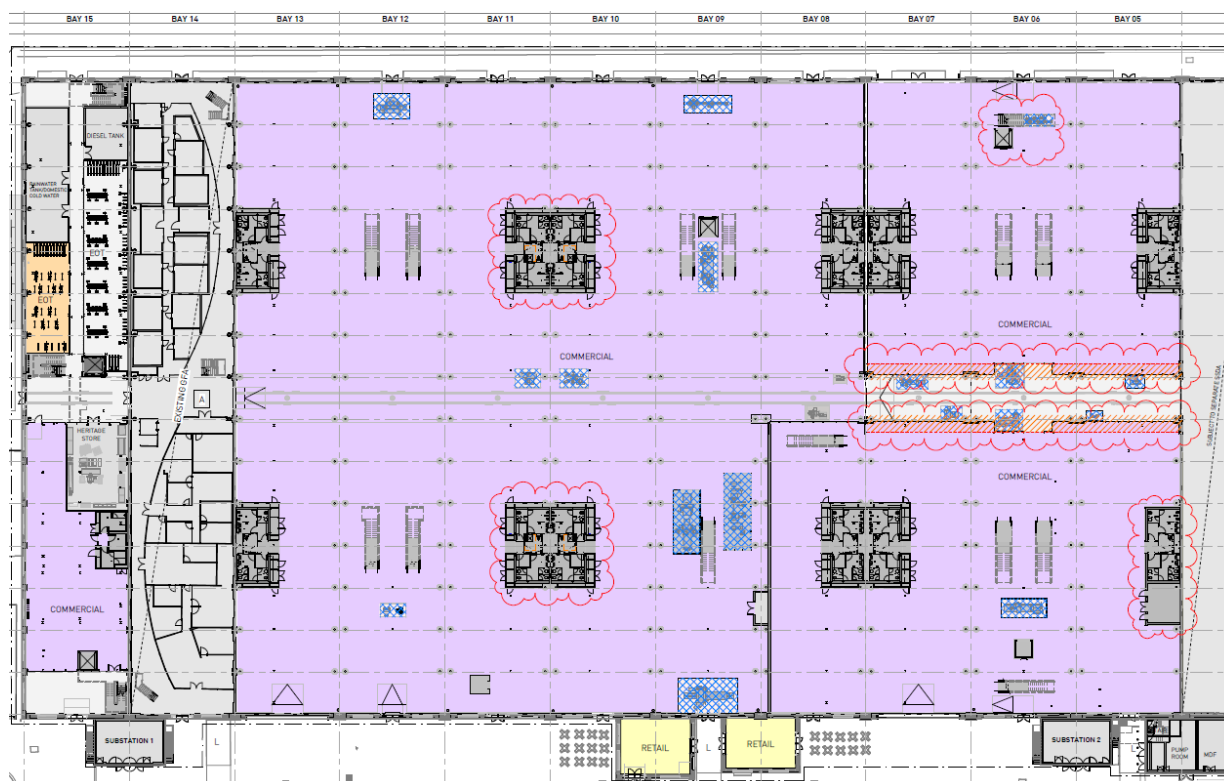


Figure 2 Proposed design of Ground Floor of Bay 5-15

Source: Sissons Architects

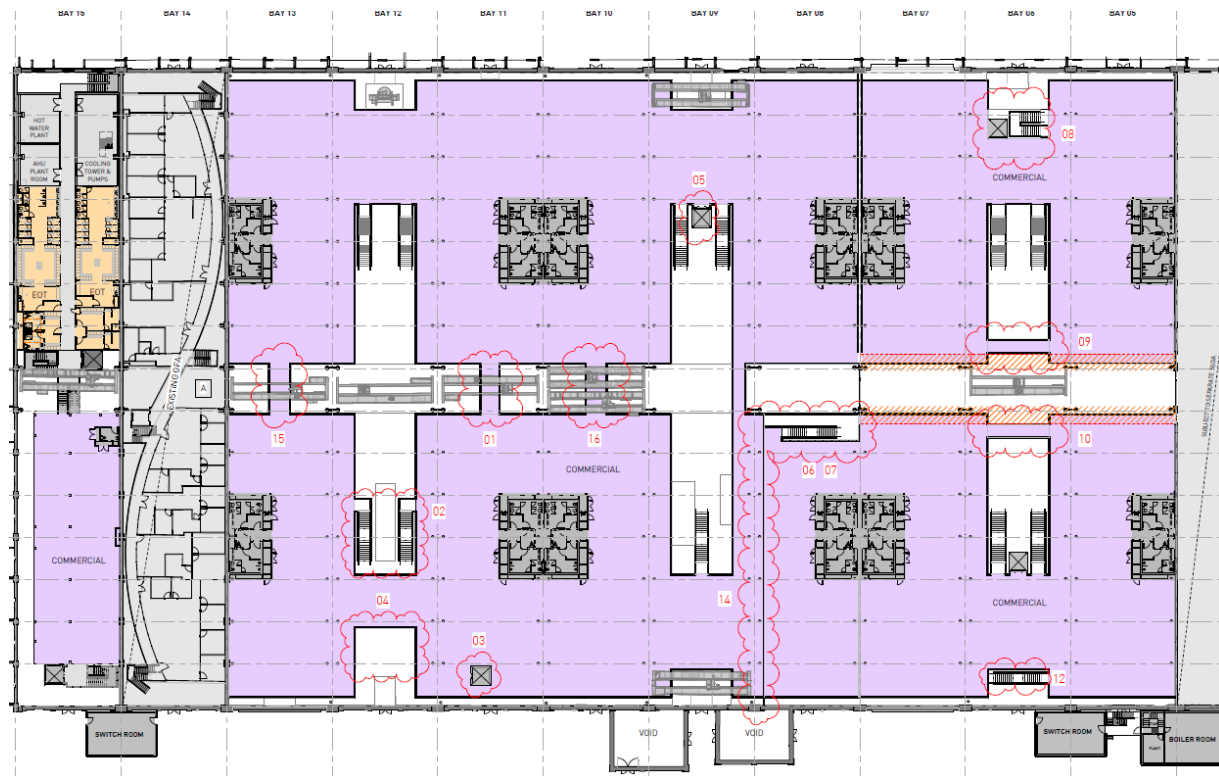


Figure 3 **Approved design of Level 1 of Bay 5-15**

Source: *Sissons Architects*

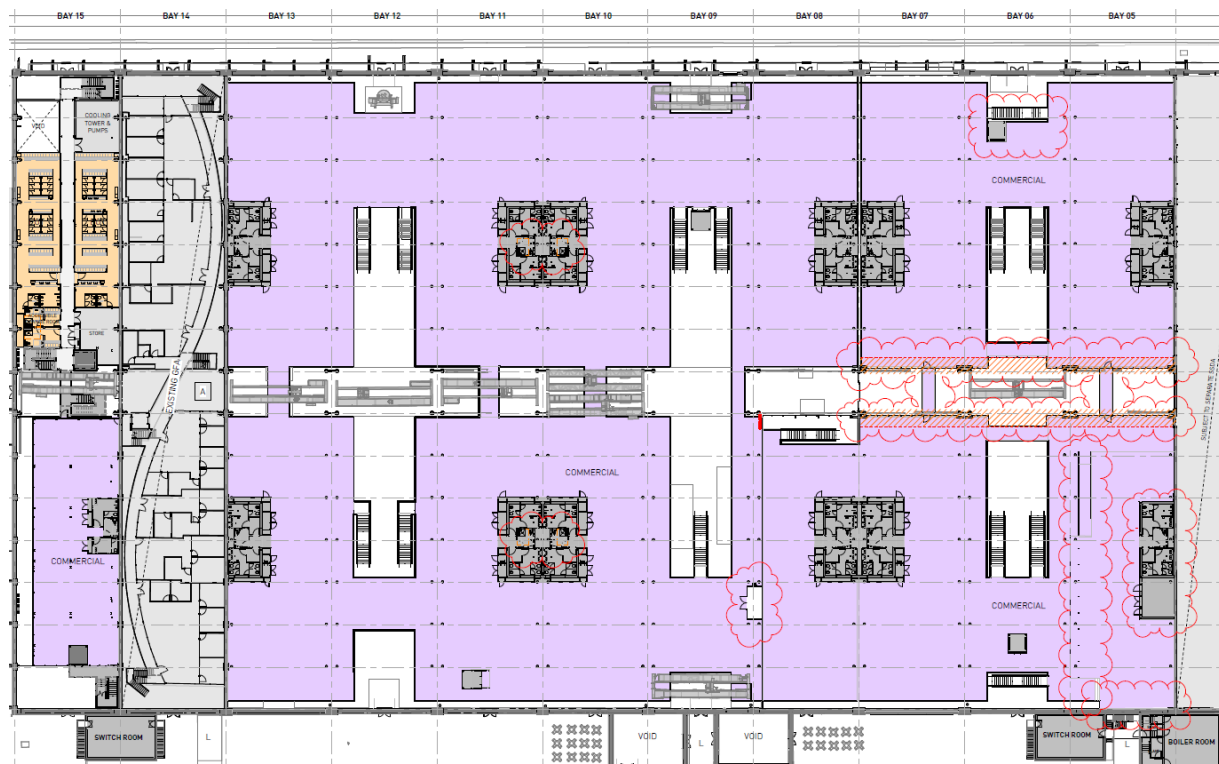


Figure 4 Proposed design of Level 1 of Bay 5-15

Source: *Sissons Architects*

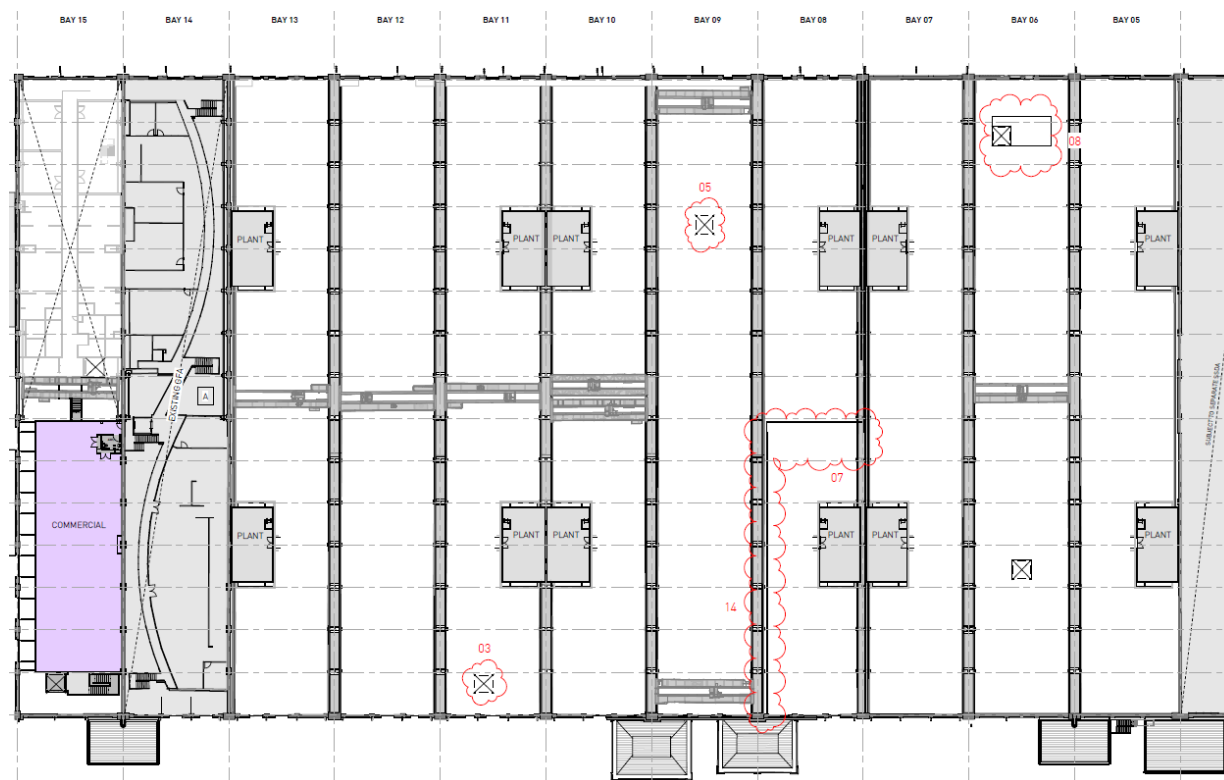


Figure 5 Approved design of Level 2 of Bay 5-15

Source: Sissons Architects

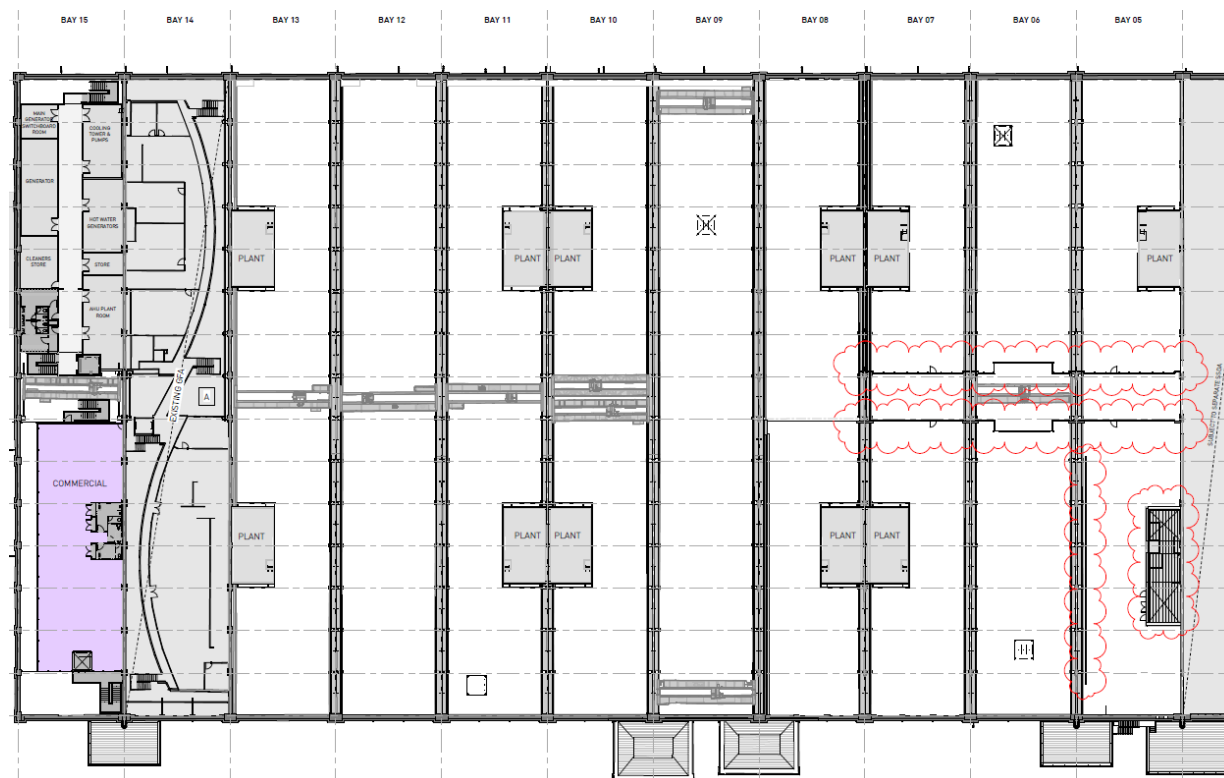


Figure 6 Proposed design of Level 2 of Bay 5-15

Source: Sissons Architects

3.1.1 Installation of Full Height Glazing in Bays 5-7

The proposed amendments include the installation of full-height glazing along the central spine of the Locomotive Workshop in Bays 5-7 North and South.

Currently, Bays 5-7 include full height glazing on the Ground Floor, up to the underside of the slab of Level 1, with a glass balustrade along Level 1. It is proposed to extend the full-height glazing to Level 1, up to the underside of the roof of the Locomotive Workshop, to provide the necessary level of privacy and acoustic separation between the tenancy in Bay 5-7 North and the tenancy in Bay 5-8 South.

It is noted that under Modification 4 to SSD 8449 a full height glazing solution was approved in Bay 8 South. Since then, Curio Projects and Mirvac have worked closely with the Heritage Council and the City of Sydney in regards to utilising the same solution in Bays 5-7 (refer to **Section 1.0**).

The utilisation of the full-height glazing solution in Bays 5-7 will maintain the transparency and visibility between bays, preserving the sense of openness in the space and the significant view lines to and from the central spine of the Locomotive Workshop (refer to **Figure 9** and **Figure 10**). It will also create a uniform and cohesive aesthetic along the central spine, while remaining sympathetic to the industrial character of the Locomotive Workshop.

The full-height glazing will be fixed entirely to the modern fabric, being fully reversible and having no physical impact on the heritage fabric of the Locomotive Workshop.

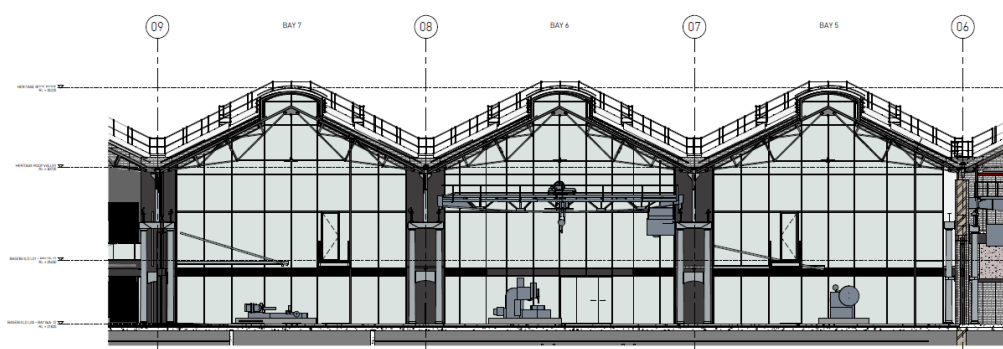


Figure 7 Full Height Glazing Elevation – Bay 5-7 North

Source: *Sissons Architects*

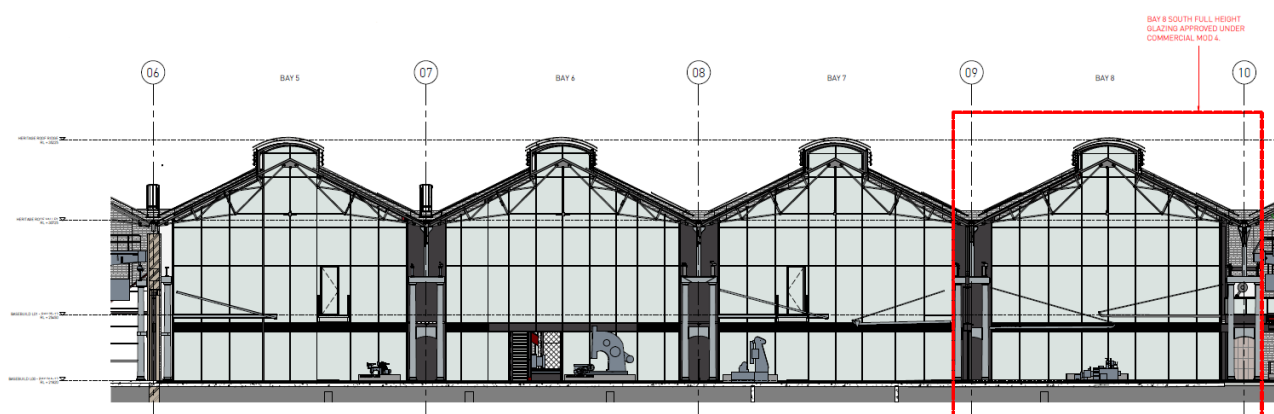


Figure 8 Full Height Glazing Elevation – Bay 5-8 South

Source: *Sissons Architects*



Figure 9 Central Spine of the Locomotive Workshop

Source: Sissons Architects

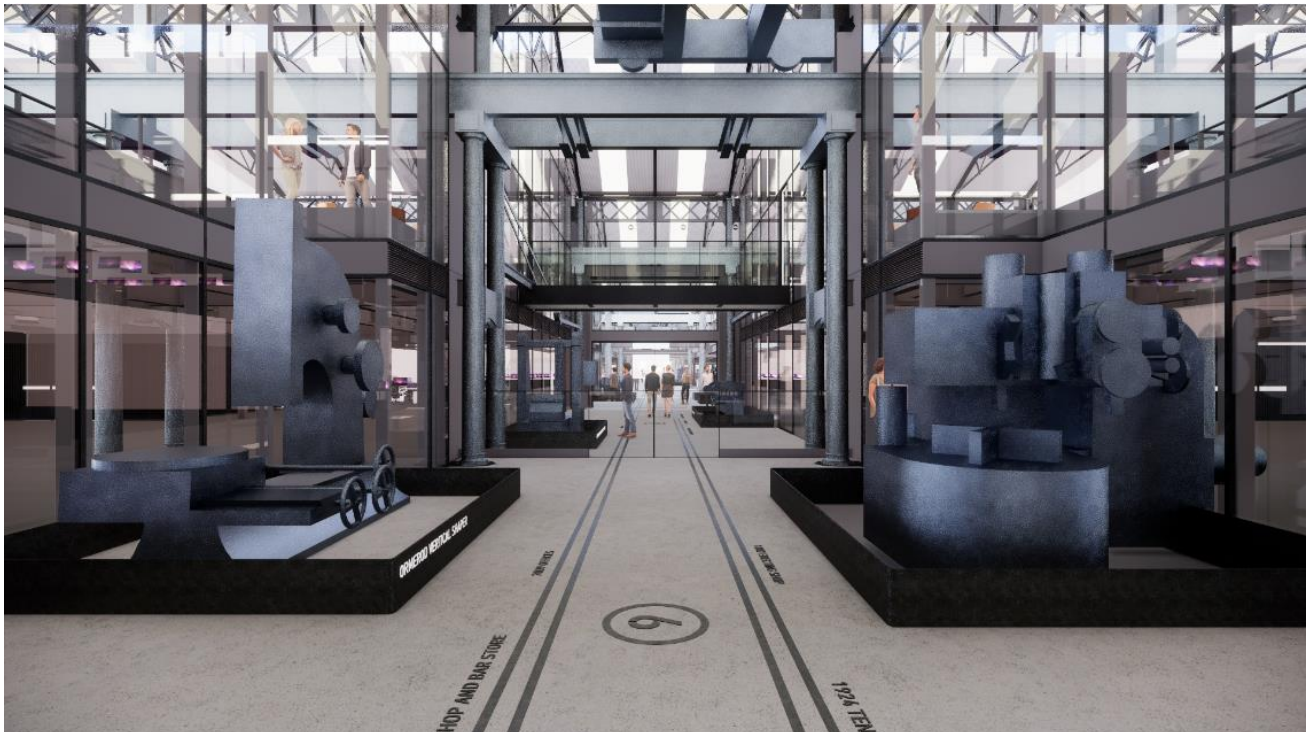


Figure 10 Central Spine of the Locomotive Workshop

Source: Sissons Architects

3.1.2 Addition of Link Bridges in Bays 5-7

It is proposed to install two (2) additional link bridges on Level 1, one in Bay 5 and one in Bay 7. The additional bridges will provide additional leasing flexibility for future tenants, by allowing for the letting of Bays 5-7 North and Bay 5-8 South together or independently. The flexibility provided by the additional link bridges responds to the current uncertainty in the leasing climate.

The bridges will allow different types and sizes of business to occupy the Locomotive Workshop. It is noted that link bridges have been previously approved in Bays 10, 11, 12 and 14 (refer to **Figure 3**). In the situation that the tenancies are leased separately, the bridges will remain unutilised. However, if a larger tenant occupies both tenancies, the bridges will link the floorplates on Level 1.

The proposed bridges have been designed to 'float' above the central spine of the Locomotive Workshop. They are sleek and minimal in design, with a narrower form than the bridges approved for Bays 10-14. The steel bridges, which have a width of 1.5m, will be aligned with the proposed full-height glazed panels. This will ensure they do not require any columns for structural support.

The bridges will be fixed entirely to modern fabric, being fully reversible and having no physical impact on the heritage fabric of the Locomotive Workshop. The glass balustrades enhance the sleek and minimalistic design of the bridges and will help minimise visual interference, ensuring the view lines along the central spine and to the heritage roof remain clear.

The materiality is consistent with those materials utilised throughout the Locomotive Workshop and will reinforce the industrial character of the Locomotive Workshop (refer to **Figure 11** and **Figure 12**).



Figure 11 Full Height Glazing along the Central Spine, with Additional Link Bridges

Source: *Sissons Architects*

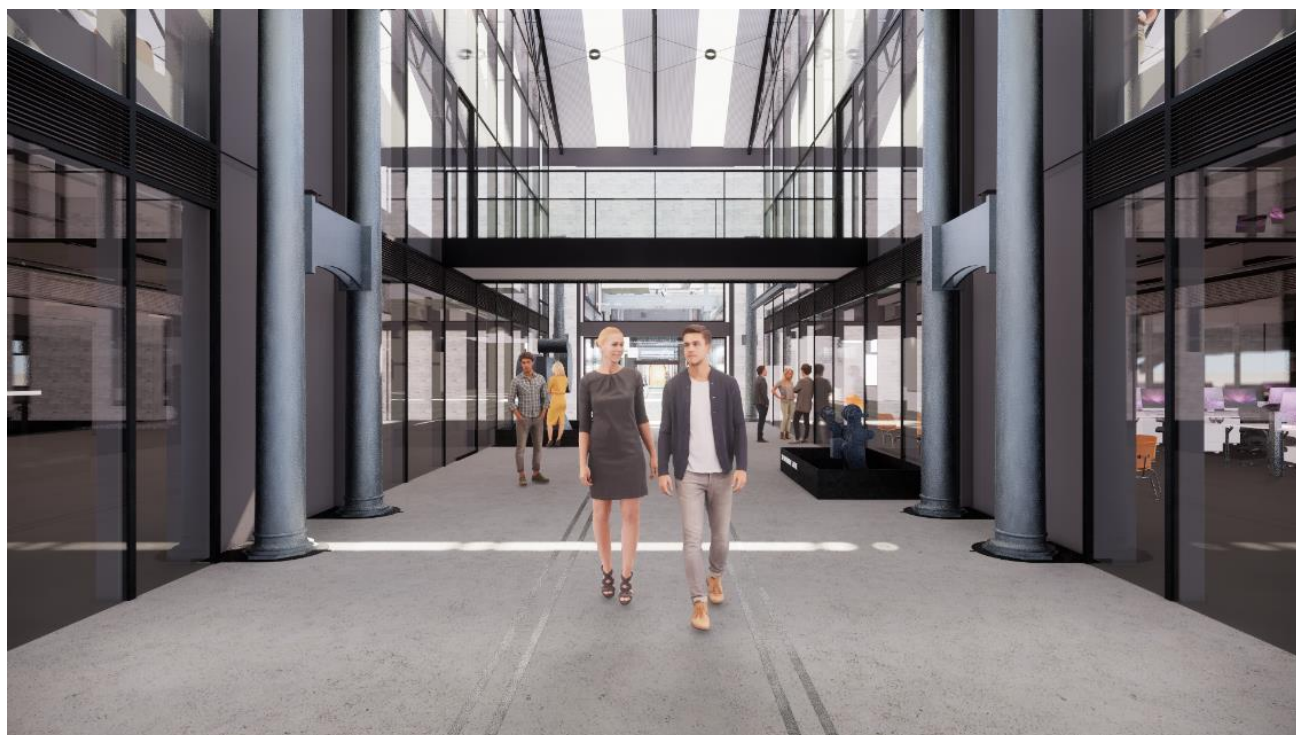


Figure 12 Central Spine of the Locomotive Workshop

Source: *Sissons Architects*

3.1.3 Additional of Plant Room in Bay 9 South

An additional plant room is proposed on Level 1 in Bay 9 South, adjoining the intertenancy wall along Gridline 10. The additional plant room, which occupies just 10m², is required to provide additional cooling to ensure that the tenancy is able to achieve the required temperature bands. It has become necessary as the intertenancy wall along Gridline 10 prevents mechanical ventilation from the service pod in Bay 8 entering Bay 9. The proposed plant room has been designed to interact solely with modern fabric. This ensures that it is fully reversible in the event that the intertenancy wall along Gridline 10 needs to be altered or removed.

3.1.4 Slab Extension in Bay 6 North

Development Application D/2020/106, which sought approval for the fitout and use of Bays 5-7 of the Locomotive Workshop, was approved by the City of Sydney on 2 June 2020. D/2020/106 amended the design of the design of the northern stairs in Bay 6 North from a 'switchback' (as approved under Modification 4 to SSD 8449) to a 'linear' configuration.

To accommodate the revised linear design, the stairs had to be detached from the lift alignment. This has resulted in a void where the stairs were previously located (refer to **Figure 13**). It is proposed to infill this void by extending the slab of Level 1. The extension of the slab will not impact on any heritage fabric or interfere with views to the northern heritage wall.

As shown in **Figure 13**, the amended extent of the slab in Bay 6 North is generally consistent with what was originally approved under SSD 8449.

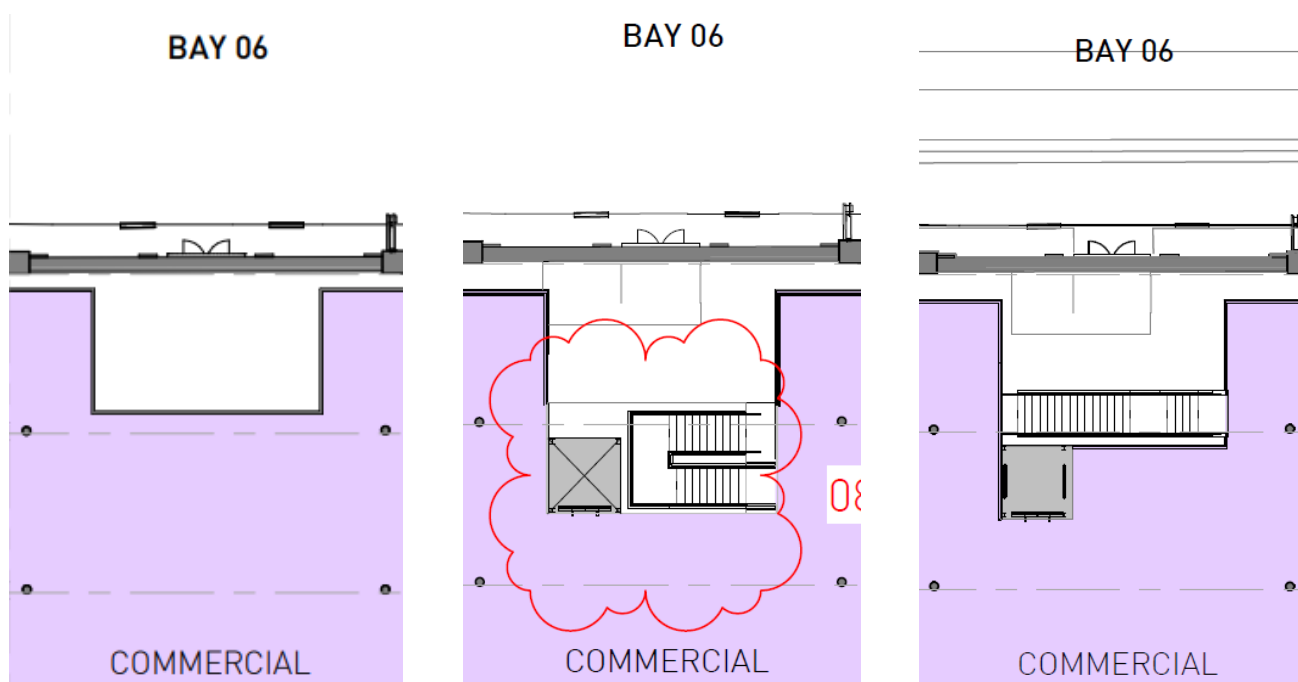


Figure 13 Amendments to Northern Stair of Bay 6 North and associated Slab Infill (Left Image: Approved under original SSD; Centre Image: Approved under Modification 4; Right Image: Proposed)

Source: Sissons Architects

3.1.5 Additional Showers in Bays 10-11

It is proposed to add a shower to each of the accessible amenities within the service pods of Bays 10 and 11 (along Gridline 12), on the Ground Floor and Level 1. Overall, this will be an additional eight (8) showers.

The amendments to the layout of the accessible amenities are limited to the addition of shower head fittings and associated rails. The fittings have been fixed entirely to the modern fabric of the services pod and will not be visible from the surrounding bays of the Locomotive Workshop.

The additional showers respond to the requirements of the future anchor tenant. Specifically, they are needed to cater for the demand associated with everyday activities of staff, as well as the running of fitness sessions for staff, which has created higher demand for showers.

3.1.6 Retention of the Heritage Canteen Structure

In accordance with Condition D20 of SSD 8449, the discovery of the heritage canteen structure in Bay 5 South was reported to the Heritage Council. Since then, Mirvac and Curio Projects have worked closely with the Heritage Council and City of Sydney to reconfigure the design of Bay 5 South to accommodate the heritage discovery. Accordingly, the proposed modifications, which are relatively minor, aim to amend the previous layout and configuration of Bay 5 South to preserve and retain the heritage canteen structure in-situ.

On Level 1, this involves the introduction of a ramp and three steps onto the heritage platform (refer to **Figure 15**). On the Ground Floor and Level 1, this involves consolidating and relocating the plant room to the south of the tenancy amenities (refer to **Figure 14**), elongating and narrowing the volume of the plant room and amenities. This will minimise the impact of the plant room and amenities on the heritage canteen structure, both spatially and visually, as shown in **Figure 16**.

The existing heritage canteen structure extends up to the southern wall of the Locomotive Workshop. The in-situ retention of the heritage canteen structure will therefore mean that the slab of Level 1 is no longer entirely offset from the southern wall of the Locomotive Workshop in Bay 5 South. This is shown in **Figure 15** below.

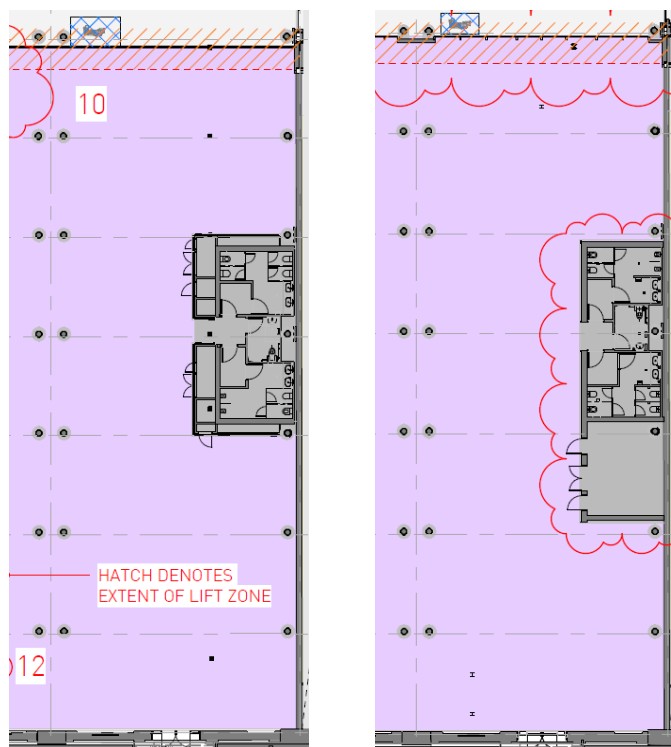


Figure 14 Bay 5 South, Ground Floor (Left Image: Approved; Right Image: Proposed)

Source: *Sissons Architects*

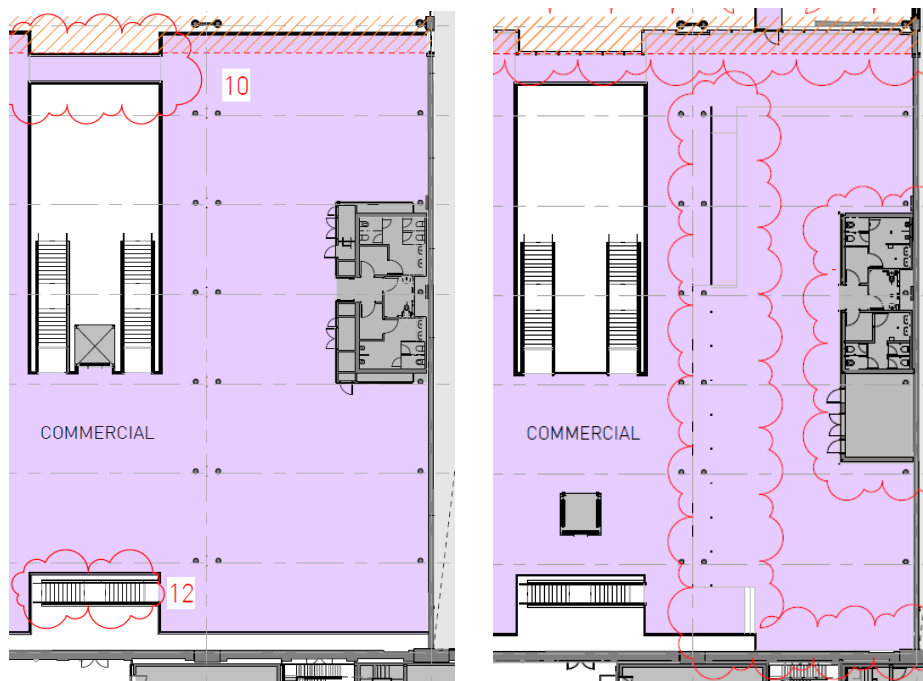


Figure 15 Bay 5 South, Level 1 (Left Image: Approved; Right Image: Proposed)

Source: *Sissons Architects*



Figure 16 Proposed elongated Service Pod on Ground Floor, with Heritage Canteen Structure above

Source: Sissons Architects

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***.

SCHEDULE 2

A2 Terms of Consent

Drawing No.	Rev	Name of Plan	Date
SA-AR-DWG-BB-B4-0230	CC <i>GG</i>	Proposed Plan – Ground Floor	12/07/19 <i>29/04/20</i>
SA-AR-DWG-BB-B4-0231	Y <i>DD</i>	Proposed Plan – First Floor	12/07/19 <i>29/04/20</i>
SA-AR-DWG-BB-B4-0232	P <i>V</i>	Proposed Plan – Second Floor	16/07/19 <i>29/04/20</i>
SA-AR-DWG-BB-B4-0250	T <i>Y</i>	GFA Plans Bays 5-15	16/07/19 <i>29/04/20</i>

4.0 Substantially the Same Development

Section 4.55(1A) 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 the 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, given that the proposed modifications:

- will not substantially alter the approved use, external structure or heritage fabric, with the proposed modifications limited to the internal design and layout of Bays 5-13 of the Locomotive Workshop;
- will not alter the approved gross floor area of the development;
- will not alter the key benefits of the adaptive reuse of the Locomotive Workshop, namely the creation of employment opportunities near the CBD and public transport, provision of heritage interpretation experiences, improved public access to a state listed heritage building and an enhanced public domain;
- do not alter the approved development’s compliance with the applicable environmental planning instruments and policies; and
- do not result in any additional environmental impacts beyond those considered and determined to be acceptable by granting Development Consent to SSD 8449, as discussed further in **Section 5.3** below.

The consent authority may therefore be satisfied that the development consent, as proposed to be modified, will remain substantially the same as the original development consent, with the proposed modifications representing only a minor addition to the scope of the already approved development. The proposed modification of Development Consent SSD 8449 may therefore be lawfully approved under Section 4.55(1A) of the EP&A Act.

5.0 Environmental Assessment

Section 4.55(1A) of the EP&A Act states that a consent authority may modify a development consent if “*it is satisfied that the proposed modification is of minimal environmental impact*”. Under Section 4.55(3) the consent Authority must also take into consideration the relevant matters to the application referred to in Section 4.15(1) of the EP&A Act and the reasons given by the consent authority for the grant of the original consent.

The following assessment considers the relevant matters under Section 4.15(1) and demonstrates that the development, as proposed to be modified, will be of minimal environmental impact.

5.1 Reasons Given for Granting Consent

The Statement of Reasons for Decision issued by the IPC noted that “*the impacts of the development are acceptable and can be appropriately mitigated through the implementation of the recommended conditions of consent*”. The Commission also recognised that the approved development was in the public interest, as they will result in a range of public benefits, including:

- employment opportunities near the CBD and public transport;
- improved public access to a state listed heritage building;
- heritage interpretations experiences; and
- an improved public domain which will benefit workers, visitors and the local community.

The proposed modifications will not alter the public benefits identified by the IPC in granting Development Consent to SSD 8449. The proposed modifications will support employment opportunities by responding to the leasing requirements of tenants. They will also improve the heritage interpretation experience of the Locomotive Workshop, by allowing the design of Bays 5-7 to respond to the discovery of the heritage canteen structure in Bay 5 South.

5.2 Compliance with Environmental Planning Policy

5.2.1 State Environmental Planning Policy (State Significant Precincts) 2005

The Australian Technology Park is located within the Redfern-Waterloo Authority ‘specified site’ and therefore *State Environmental Planning Policy (State Significant Precincts) 2005* (SEPP SSP 2005) is the principal planning instrument that applies to the ATP.

The proposed modifications will not result in an increase in the maximum approved gross floor area under SSD 8449. The proposed modifications will result in a total GFA across Bays 5-15 of the Locomotive Workshop of 27,372m², which remains below the maximum GFA approved under SSD 8449 (27,458m²).

As detailed in the Heritage Impact Statement prepared by Curio Projects (**Attachment B**), the proposed modifications will not detrimentally impact the internal heritage fabric or external structure of the Locomotive Workshop.

Therefore, the proposed modifications will not alter the original assessment of the SSD 8449, which will remain consistent with the objectives of the Business Zone – Business Park Zone.

5.3 Environmental Impacts

The EIS submitted with the original State Significant Development Application (SSDA) addressed the likely impacts of the development, including:

- Built form;
- Design excellence;
- Heritage impacts;
- Traffic, parking and access;

- Waste management;
- Contamination;
- Noise and vibration;
- Accessibility;
- Building Code of Australia;
- Services and utilities;
- Water cycle management;
- Railway infrastructure;
- Social and economic benefits;
- Construction management;
- Ecologically sustainable development
- Development contributions;
- Site suitability; and
- Public interest

The proposed modifications to the approved development do not give rise to any material change to the assessment of impacts that were considered and determined to be acceptable in the granting of Development Consent SSD 8449.

Supplementary technical assessment has been undertaken in relation to issues relevant to the proposed amendments to SSD 8449, which are discussed in further detail below.

The assessment confirms that considering the nature of the proposed modification, it is considered the conclusions of the original assessment remain generally valid and that the development, as proposed to be modified, will be of minimal environmental impact.

5.3.1 Heritage

The Locomotive Workshops Building falls within the Eveleigh Railway Workshops boundary and contains many of the items within the Eveleigh Railway Workshops Machinery collection. Both the Eveleigh Railway Workshops and the Eveleigh Railway Workshops Machinery are listed on the NSW State Heritage Register as well as the ATP S170 Heritage Conservation Register (ATP S170 Register).

Curio Projects has prepared a Heritage Impact Statement (**Attachment B**) to assess and identify any potential heritage impacts that could arise as a result of the proposed modifications, both in relation to the overall heritage values and significance of the Locomotive Workshop and the wider significance of the former Eveleigh Railway Workshops State Heritage Item.

Having considered the proposed modifications to the internal design and layout of Bays 5-13 of the Locomotive Workshop, Curio Projects confirms that the amendments will improve the condition and configuration of the tenancies, while remaining sensitive to the heritage context and significance of the Locomotive Workshop. Importantly, the proposed modifications will highlight and adapt the layout of the tenancies to respond to the discovery of the heritage canteen platform in Bay 5 South.

Mirvac and Curio Projects have worked closely with the Heritage Council and the City of Sydney to ensure the proposed alterations provide a respectful and aesthetically pleasing outcome for the Locomotive Workshop. Curio Project concludes that the proposed modifications will have neutral impact on the heritage values of the Locomotive Workshop, with no physical impact to significant heritage fabric. The modifications will have a neutral to positive visual impact on the Locomotive Workshop.

On this basis, the proposed amendments are supported on heritage grounds by Curio Projects.

5.4 Suitability of the Site

Under SSD 8449, Bays 5-13 of the Locomotive Workshop has already been approved for a combination of commercial uses, end of trip facilities and building services. The proposed modifications will not alter the suitability of Bays 5-13, or the broader Locomotive Workshop, for these uses. They will also support the future operation of Bays 5-13 by responding to the leasing and design requirements of future commercial tenants.

5.5 Public Interest

The proposed modifications to the approved development are in the public interest, given that they will:

- Facilitate the commercial occupation of the Locomotive Workshop, adding to the overall activation of the ATP;
- Enable the in-situ retention of the heritage canteen structure through the reconfiguration of the design and layout of Bay 5 South; and
- Enhance the internal amenity of Bays 5-13 by providing additional amenities and improved acoustic privacy, while remaining sensitive to the heritage context and significance of the Locomotive Workshop.

6.0 Conclusion

This Modification Application relates to amendments to the internal design and layout of Bay 5-13. The amendments respond to the requirements of future tenants within the Locomotive Workshop, as well as the discovery of the heritage canteen structure in Bay 5 South. They will ensure that Bays 5-13 respond to the needs of future tenants and allow the in-situ retention of the heritage canteen structure through the reconfiguration of the design and layout of Bay 5 South.

In accordance with Section 4.55(1A) of the EP&A Act, the Department may modify the consent as:

- the proposed modification is of minimal environmental impact; and
- substantially the same development as development for which the consent was granted.

We trust that this information is sufficient to enable a prompt assessment of the proposed modification request.

Sincerely,



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