



Locomotive Workshop (Bays 5- 15) Modification 9

Amendments to the internal design and layout of Bays 5-13
State Significant Development Modification Assessment
(SSD 8449 MOD 9)

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Glossary

Abbreviation	Definition
BCA	Building Code of Australia
CIV	Capital Investment Value
Council	City of Sydney
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	Environmental Planning and Assessment Regulation 2000
EPI	Environmental Planning Instrument
ESD	Ecologically Sustainable Development
Heritage	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
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

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1 Introduction

1.1 Background

This report provides an assessment of an application to modify the State significant development (SSD) consent (SSD 8449) for the adaptive reuse of Bays 5-15 of the Locomotive Workshop at the Australian Technology Park (ATP), 2 Locomotive Street, Eveleigh.

The modification application seeks approval for amendments to the internal design and layout of Bays 5-13, including full height glazing in Bays 5-7 north and south and retention of the heritage canteen structure.

The application has been lodged by Mirvac Project Pty Ltd (the Applicant) pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

1.2 The site

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



Figure 1 | The Australian Technology Park

1.3 Approval history

On 22 February 2019 the Independent Planning Commission granted development consent to two SSD applications for the adaptive reuse of the Locomotive Workshop Bays 1-4a (SSD 8517) and Bays 5-15 (SSD 8449).

This modification relates to SSD 8449, which includes a maximum of 27,458 m² GFA for commercial premises including 156 m² for retail uses, associated heritage conservation works, external illumination and signage.

The development consent has been modified on seven occasions and one modification is under assessment (**Table 1**).

Table 1 | Summary of Modifications

Mod No.	Summary of Modifications	Approval Authority	Type	Approval Date
MOD 1	Modify Condition B25 relating to stormwater and drainage to reduce post development pollutant loads	IPC	4.55(1A)	10 September 2019
MOD 2	Modify Condition D6 (Construction Hours)	Director	4.55(1A)	29 May 2019
MOD 3	Change the location and configuration of service pods, Bays 5-15	Director	4.55(1A)	2 August 2019
MOD 4	Change internal design and layout of Bays 5-13	Director	4.55(1A)	19 February 2020
MOD 5	Additional skylights above Bays 5-15	Director	4.55(1A)	20 November 2019
MOD 6	Changes to conditions to allow the use of tinted glass for heritage windows.	Director	4.55(1A)	5 February 2020
MOD 7	Internal design and layout changes to Bay 15	Director	4.55(1A)	9 June 2020
MOD 8	Install full height glazing along Level 1, Bays 5-7	Withdrawn	4.55(1A)	N/A
MOD 10	Install photovoltaic panels to the roof of the Locomotive Workshop	Director	4.55(1A)	2 September 2020

2 Proposed modification

The modification application (as amended) seeks approval for the following internal amendments to Bays 5-13 (**Figures 2 to 4**):

- install full height glazing in Bays 5-7 north and south (**Figure 2**)
- retain heritage canteen structure in Bay 5 south and associated layout changes comprising (**Figure 3**):
 - construct a ramp and three steps onto the heritage platform, level 1
 - consolidate and relocate a plant room south of the tenancy amenities, ground and level 1
 - elongate and narrow the volume of the plant room and amenities, ground and level 1
- extend the Level 1 slab to accommodate the configuration of the northern stairs in Bay 6 north (**Figure 4**)
- add showers within the accessible amenities in Bays 10-11, ground floor and Level 1
- add a plant room (10m²), Level 1, Bay 9 south.

The Applicant advises the modifications are in response to the requirements of future tenants and the discovery of the heritage canteen structure in Bay 5 south.

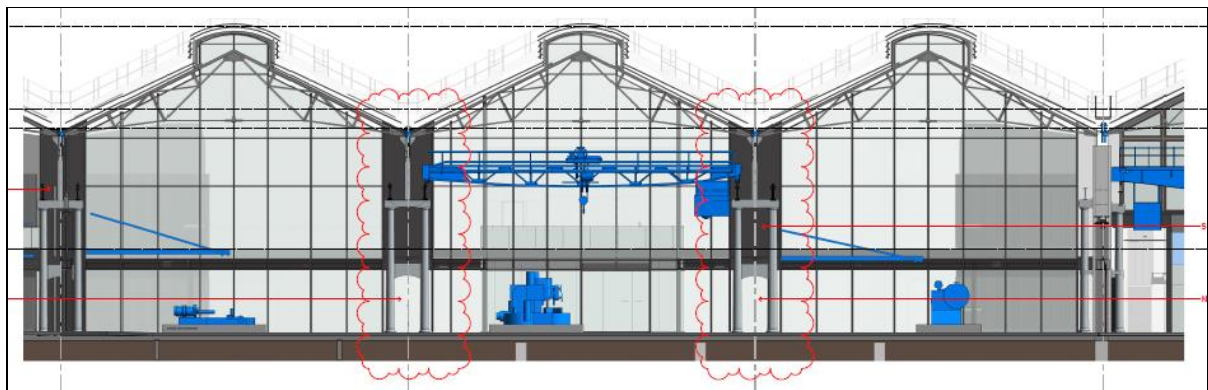


Figure 2 | Proposed full height glazing, Bays 5-7 north (Source: Amended architectural plans)



Figure 3 | Proposed elongated service pod on ground floor with heritage Canteen Structure above (Source: Modification Report)

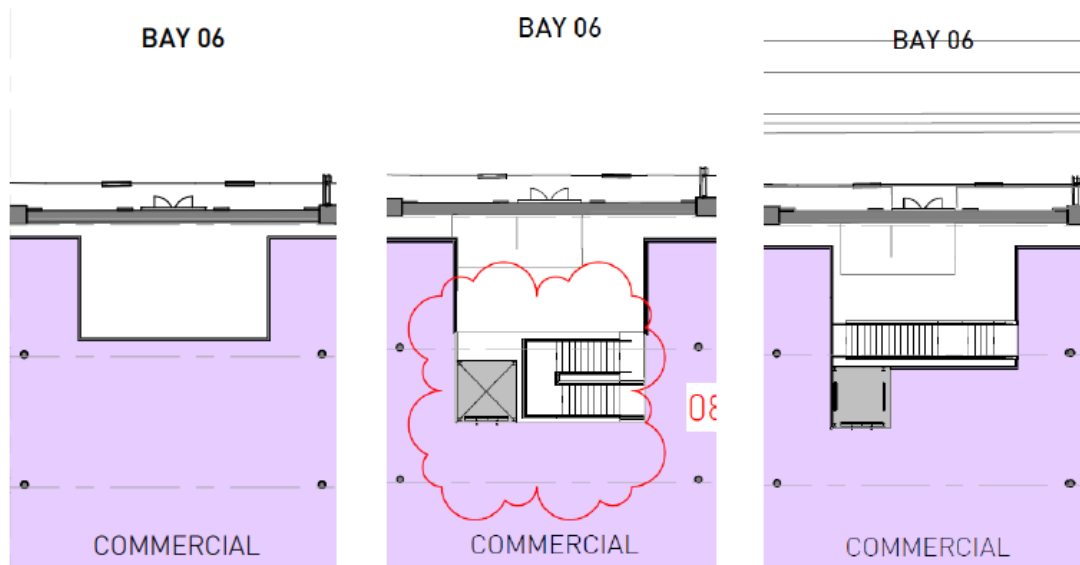


Figure 4 | Proposed slab extension (left: original approved SSD, centre: Mod 4 and right: proposal) (Source: Modification Report)

3 Statutory context

3.1 Scope of modifications

The Department has reviewed the scope of the modification application and considers that the application can be characterised as a modification involving minimal environmental impacts as the proposal:

- would not increase the environmental impacts of the project as approved
- is substantially the same development as originally approved; and
- would not involve any further disturbance outside the already approved disturbance areas for the project.

Therefore, the Department is satisfied the proposed modifications are within the scope of section 4.55(1A) of the EP&A Act and does not constitute a new development application. Accordingly, the Department considers that the applications should be assessed and determined under section 4.55(1A) 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 under delegation as:

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

3.3 Mandatory matters for consideration

The following are relevant mandatory matters for consideration:

- section 4.55(1A) of the EP&A Act, including environmental planning instruments or proposed instruments;
- 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; and
- 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** of this report.

4 Engagement

4.1 Department's engagement

The application was made publicly available on the Department's website on 18 June 2020 and was referred to Council and Heritage NSW for comment.

4.2 Summary of submissions

The Department received submissions from Council and Heritage NSW. No submissions were received from the public. A link to the submissions is provided in **Appendix A**.

4.3 Key issues raised in submissions

The key issues raised in submissions are summarised in **Table 2**.

The Department has considered the issues raised in submissions in its assessment of the proposal (refer to **Section 5** of this report).

Table 2 | Key issues raised in submissions

Heritage NSW	Comment
Modification report	Heritage NSW reviewed the application and advised most of the proposed modifications, including the revised layout in Bay 5 south, extension of slab in Bay 6 north, additional showers and plant room, are minor and will not substantially alter the approved design. However, it recommended: - the solid parts of the full height glazing be deleted as they limit views into the Bays and are inconsistent with the Commercial Tenancy Design and Style Guidelines (May 2019) - the two link bridges be deleted as they limit significant and important site lines along the central spine.
RTS	Heritage NSW reviewed the RtS and re-iterated its previous comments about not supporting the solid wall elements of the full height glazing and preference for no additional link bridges along the central spine. Heritage NSW requested further design development to be undertaken in consultation with the heritage consultant and Heritage NSW.
RRFI	Heritage NSW reviewed the additional information and advise the revised design of the tenancy walls along the central spine satisfactorily addresses their concerns regarding visual access into the Bays.
Council	
Modification report	- Council reviewed the application raised no objections - Council recommends only one central link bridge is provided, to reduce visual clutter along the central spine.

RTS	• Council advised it supports the deletion of the link bridge to Bay 5 and raises no objection to the RtS documentation and amended plans.
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4.4 Response to submissions

The Department placed copies of all submissions received on its website and requested the Applicant provide a response to the issues raised.

On 17 July 2020, the Applicant provided its Response to Submissions (RtS), which was updated on 19 August 2020 with a Response to Request for Further Information (RRFI). The RtS and RRFI included additional information and amendments to the proposal in response to the issues raised in submissions including:

- replacing the solid panel zones on the ground floor with full height glazing
- deletion of the two previously proposed link bridges in Bays 5 and 7.

5 Assessment

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

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

The Department considers the key assessment issue relates to the proposed installation of full height glazing. Other issues are addressed in **Section 5.2**.

5.1 Full height glazing

The development consent provides for internal alterations to the Locomotive Workshop including intertenancy walls to support the future use of the building. The approved plans provide full height glazing on the ground floor up to underside of level 1 slab, with a glass balustrade at level 1, within Bays 5-7.

The Applicant seeks to install additional glazing in Bays 5-7 to the roof of the Locomotive Workshop, to provide privacy and acoustic separation between Bay 7 north and Bay 5-8 south tenancies.

Council has reviewed the proposal and raised no objections.

Heritage NSW initially raised concerns about the previously proposed solid wall elements (**Figure 5**), which the Applicant has replaced with glazed elements at the ground level (**Figure 6**). Heritage NSW support the amended proposal.

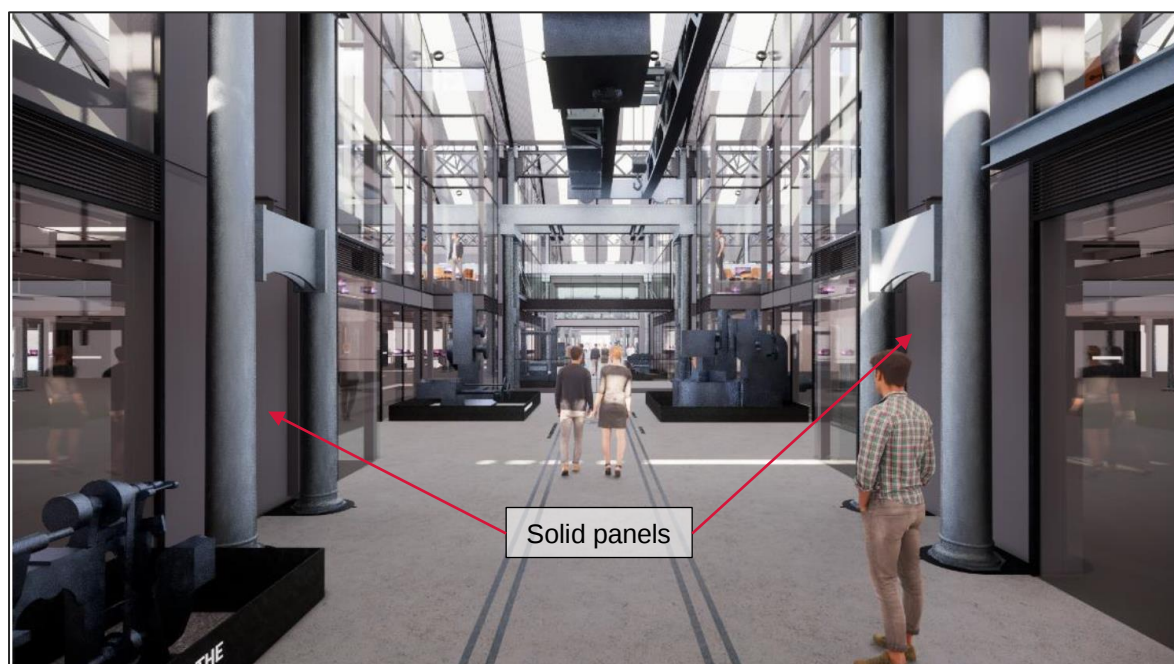


Figure 5 | Originally proposed full height glazing, with solid elements at ground floor and level 1 (Source: Modification Report)

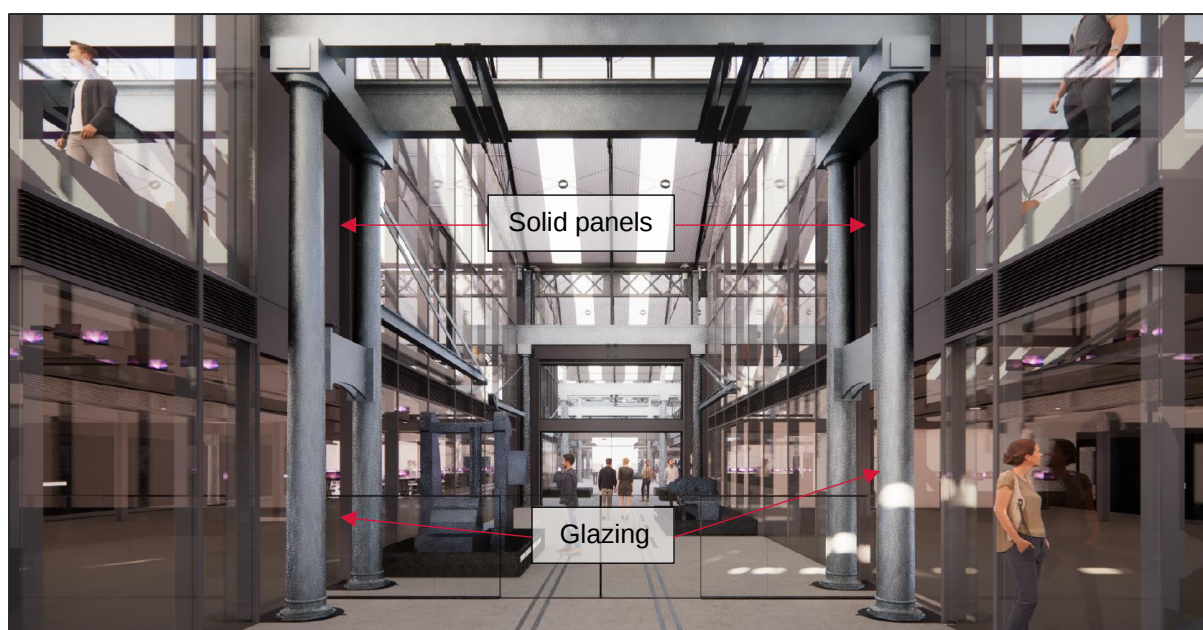


Figure 6 | Proposed full height glazing, with solid elements removed at ground floor (Source: Applicant's RRFI)

The Department has considered the proposed full height glazing in Bays 5-7 and supports the proposal as:

- it will have no physical impact on the heritage fabric of the Locomotive Workshop, as the glazing will be fixed entirely to modern fabric and is fully reversible
- building constraints require the use of solid panels at Level 1, as structures (heritage beams and floor plates) pass through the glass
- the significant view lines along the central spine of the Locomotive Workshop are maintained
- the full height glazing provides transparency and visibility between bays and is sympathetic to the industrial character of the Locomotive Workshop
- it is consistent with the approved Commercial Tenancy Design and Style Guidelines.

5.2 Other issues

The Department's consideration of other issues is discussed in **Table 3**.

Table 3 | Other issues

Issue	Findings	Recommendations
Retain heritage canteen structure	• The application seeks to alter the Bay 5 south layout in order to retain and preserve the heritage canteen structure, discovered during works. • This change includes the addition of a ramp and three steps onto the platform at level 1, Bay 5, and relocation of the existing plant south of the amenities pod. • Heritage NSW and Council raised no objections to these changes. • The Department supports the retention of the heritage canteen structure and associated	The Department considers no additional conditions or amendments are necessary.

modifications in response to the important heritage fabric.

Other internal design changes	• The application includes other internal design changes relating to the Level 1 slab, addition of showers in the amenities pod and a new plant room. • Heritage NSW and Council raised no objections to these changes. • The Department supports the proposed changes as they all relate to modern fabric, support the commercial use of the building and will not have any physical or visual impact on heritage fabric.	The Department considers no additional conditions or amendments are necessary.
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6 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 proposal is appropriate as:

- the proposed full height glazing will have no physical impact on the Locomotive Workshop heritage fabric and maintains significant views along the central spine and into the Bays
- the internal layout changes protect the heritage canteen structure, do not have any adverse impacts on heritage fabric and support the adaptive re-use for commercial purposes
- it complies with relevant statutory provisions and the proposal remains consistent with relevant EPIs and the strategic planning context
- it is substantially the same development as originally approved and does not result in any adverse environmental impacts.

Consequently, the Department concludes the proposal 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 8449 MOD 9 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 approve the modification
- **modifies** the consent SSD 8449
- **signs** the attached approval of the modification (**Appendix C**).

Recommended by:



Emily Dickson

Senior Environmental Assessment Officer
Key Sites Assessments

Recommended by:



Amy Watson

Team Leader
Key Sites Assessments

8 Determination

The recommendation is **Adopted** / ~~Not adopted~~ by:



2/9/2020

Anthony Witherdin

Director

Key Sites Assessments

as delegate of the Minister for Planning and Public Spaces

Appendices

Appendix A – List of referenced 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. Modification application
2. Submissions
3. Response to Submissions
4. Response to Request for Further Information

<https://www.planningportal.nsw.gov.au/major-projects/project/35046>

Appendix B – Statutory considerations

To satisfy the requirements 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(1A) of the EP&A Act
- the matters listed under section 4.15(1) of the EP&A Act, including applicable EPIs and regulation.

The Department has considered these matters in its assessment of the proposal in **Table 4** and **Table 5**.

Table 4 | Consideration of Section 4.55(1A) of the EP&A Act

Section 4.55(1A) Evaluation	The Department's assessment
(a) that the proposed modification is of minimal environmental impact, and	Section 5 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 internal design and layout changes will not adversely impact the heritage significance of the building.
(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 involves installation of full height glazing in Bays 5-7, preservation of the heritage canteen structure, extension of the slab at Level 1, additional showers and a plant room. There is no change to the approved adaptive reuse for commercial uses. The development is considered 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 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 submissions on the proposal from the City of Sydney Council (Council) and Heritage NSW, summarised in Section 4 and the issues raised in submissions have been considered in Section 5 of this report.

Table 5 | 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 on 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

The following environmental planning instruments (EPIs) are relevant to the application:

- 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. 55 – Remediation of Land
- Draft State Environmental Planning Policy – Remediation of Land

The Department undertook a comprehensive assessment of the proposal against relevant EPIs in its original assessment. Due to the minor nature of the modification application, the Department is satisfied the application remains consistent with EPIs.

Appendix C – Notice of modification

<https://www.planningportal.nsw.gov.au/major-projects/project/35046>

Appendix D – Consolidated consent

<https://www.planningportal.nsw.gov.au/major-projects/project/35046>