

Walsh Bay Arts Precinct

Modification Application
Mod 7

February 2022

**GTK
CONSULTING**

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1.0 Introduction

This application has been prepared by GTK Consulting on behalf of Infrastructure NSW under section 4.55(1A) of the Environmental Planning and Assessment Act, 1979 (EP&A Act) to modify State Significant Development Consent SSD8671 relating to the construction of the Walsh Bay Arts Precinct.

The modification proposes external and internal amendments to Wharf 4/5 and Shore Shed 4/5 as a result of design development of the project. The amendments include:

- Additional uses and fit-out for Commercial tenancies 2-4;
- Replacement of existing windows with louvres for the Sydney Dance Company tenancy; and
- Installation of new louvres for the Sydney Theatre Company tenancy.

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 (Appendix A);
- Design Statement, TZG Architects (Appendix B);
- Heritage Impact Statement, Tropman and Tropman Architects (Appendix C);
- Noise Impact Assessment, Arup (Appendix D)
- Transport Statement, JMT (Appendix E).

2.0 Previous Approvals

Development consent SSD8671 was issued by the then Minister for Planning on 17 May 2018. The consent permitted:

- Demolition and early construction works;
- Internal and external works to Pier 2/3;
- Internal and external works to Wharf 4/5;
- Internal and external works to Shore Shed 4/5;
- Use of Pier 2/3, Wharf 4/5 and Shore Shed 4/5 for arts and cultural uses and ancillary uses, functions and events;
- Use of Pier 2/3, Wharf 4/5 and Shore Shed 4/5 and wharf aprons for Biennale and Sydney Writer's Festival events; and
- Public domain works.

A total of four modifications to the consent have been lodged since approval:

- **Modification 1** sought to amend Conditions B29 and B30 relating to the timing of lodgement of fire safety strategies. This modification was approved on 28 March 2019.
- **Modification 2** sought an extension to construction hours. This application has been put on hold following the issue of an order by the Minister for Planning and Public Spaces on 31 March 2020 authorising extended construction hours statewide during the COVID-19 pandemic.
- **Modification 3** sought internal and external design amendments to Pier 2/3, Wharf 4/5 and associated shore sheds, including installation of external pedestrian barriers, additional windows and changes to the rooftop mechanical plant. This modification was approved on 10 September 2020.
- **Modification 4** sought to amend condition E36 of the consent in relation to outdoor seating. This modification was approved on 23 December 2020.
- **Modification 5** sought approval for the modifications to the Pier 2/3 roof including louvres and plant and adjustment of the location of lift 3. Modification 5 is currently under assessment.
- **Modification 6** sought approval for the installation of glass balustrades on the eastern external stairs to Pier 2/3 as well as modifications to the loading dock access. This modification was approved on 2 December 2021.

3.0 Proposed Modifications

3.1 Modifications to the Development

The following design amendments are proposed to the development:

- Additional uses and fit-out for Commercial tenancies 2-4;
- Replacement of existing windows with louvres for the Sydney Dance Company tenancy; and
- Installation of new louvres for the Sydney Theatre Company tenancy.

3.2 Commercial tenancies 2-4

Commercial tenancies 2-4 are approved for use as shops, restaurants, cafes or small bars (condition E4). This modification seeks to extend the use of these spaces to allow additional use for teaching, rehearsals, and office functions for arts and cultural uses.

The additional uses proposed are in line with approved uses under the original consent for remaining tenancies within the precinct. The purpose of the additional uses is to allow activation of all spaces within the precinct. Whilst future use of commercial tenancies 2-4 may include food and beverage, until such time as suitable tenants can be found for these spaces, additional use of the space by arts tenants will ensure the spaces are activated.

To enable use of commercial tenancies 2-4 for arts and cultural purposes, minor fit out works are proposed. Approval for the fit out is sought as part of this modification and includes:

3.2.1 Commercial tenancy 2

Commercial tenancy 2 works will be minor in nature and enable the space to be utilised for predominately office functions. Works include:

- Leveling of existing floor and installation of a new vinyl floor.
- Installing a new lightweight (steel framed) wall with insulation, plasterboard lining and paint finish to the north wall.
- Repair and seal existing facade weatherboards.

The installation of new flooring and internal wall to the north is considered to be a minor intervention. These works will enable the space to be utilised for a range of office functions to support the broader arts and cultural uses within the precinct.

3.2.2 Commercial tenancy 3

Commercial tenancy 3 works will be minor in nature and enable the space to be utilised for a mixture of office, teaching and rehearsal functions associated with arts and culture tenants. Works include:

- Installing new timber flooring.
- Installing a new lightweight (steel framed) walls with insulation, plasterboard lining and paint finish to the north, west and south walls.
- Installing kitchenette joinery along the western wall, reusing existing services.

The installation of new flooring, internal walls and kitchenette is considered to be a minor intervention. These works will enable the space to be utilised for a range of office, rehearsal and teaching functions to support the broader arts and cultural uses within the precinct.

3.2.3 Commercial tenancy 4

Commercial tenancy 4 works will be minor in nature and enable the space to be utilised for a mixture of office, teaching and rehearsal functions associated with arts and culture tenants. Works include:

- Installing new sprung floor with vinyl finish.
- Installing a new lightweight (steel framed) walls with insulation, plasterboard lining and paint finish to the north and east walls.
- Installing kitchenette joinery along the western wall, reusing existing services.
- Make-good southern brick wall.

The installation of new flooring, internal walls and kitchenette is considered to be a minor intervention. These works will enable the space to be utilised for a range of office, rehearsal and teaching functions to support the broader arts and cultural uses within the precinct.

3.3 Sydney Dance Company

The Sydney Dance Company tenancy is located on the ground floor of the southern end of Wharf 4/5. The tenancy includes 5 studios, 4 of which are located along the western edge of the tenancy. These 4 studios do not include air conditioning and it has been deemed not possible to install air conditioning due to limitations of power supply to the precinct.

To maintain thermal comfort for occupants of the studios it is proposed to install louvres above existing windows along the western façade. These louvres will assist in exhausting warm air from the studios.

The following pages outline the proposed louvres.

Sydney Dance Company Louvres

Approved

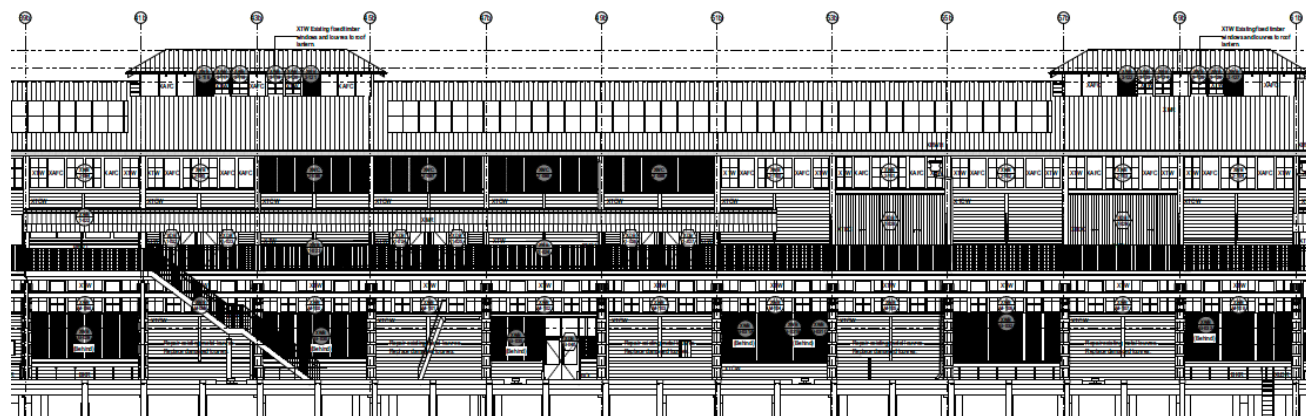


Figure 1: approved eastern façade (Plan A-222, 07/07/20)

Proposed

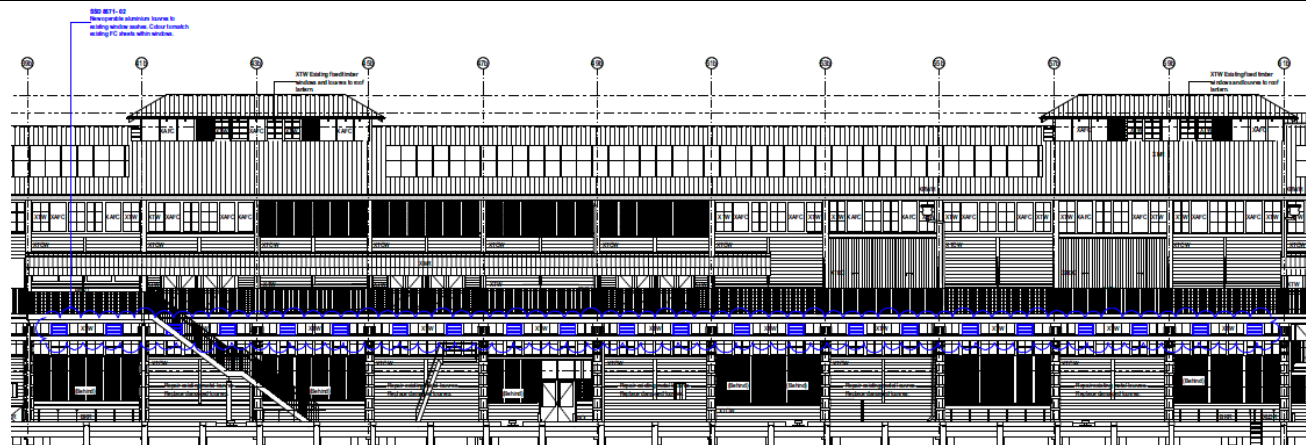


Figure 2: proposed eastern façade (Plan A-222, 24/01/22)

Explanation and justification:

The proposed louvres will assist with natural ventilation of Studios 1-4 and in maintaining occupant comfort. The 22 louvres will replace existing fibre cement (non-heritage) sheeting that is located on the upper sash of every 2nd and 5th window along the façade. The louvres will be aluminium and be painted to match the colour of the existing fibre cement sheeting.

3.4 Sydney Theatre Company

The Sydney Theatre Company tenancy is located on levels 2 and 3 floor of Wharf 4/5. The tenancy includes a mix of performance and office spaces. Louvres are located along the western façade to assist with smoke exhaust. The installation of these louvres was approved as part of SSD8671, however their performance is not adequate as the design permits the ingress of rainwater.

In order to ensure weather proofing of the Sydney Theatre Company tenancy, it is proposed to replace the louvres with new 'two-stage' louvres that will prevent the ingress of water. Due to the design of the two stage louvres, additional venting will be required which is proposed to be via the installation of an additional 10 louvres to replace existing fibre cement sheeting.

The following pages outline the proposed louvres.

Sydney Theatre Company Louvres

Approved

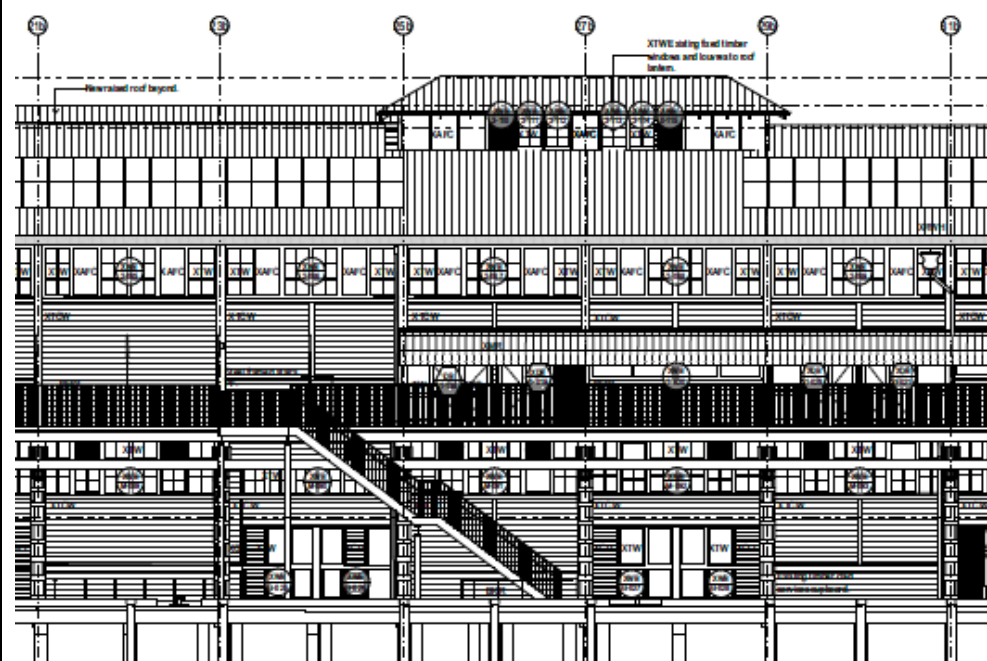


Figure 1: approved eastern façade (Plan A-222, 07/07/20)

Proposed

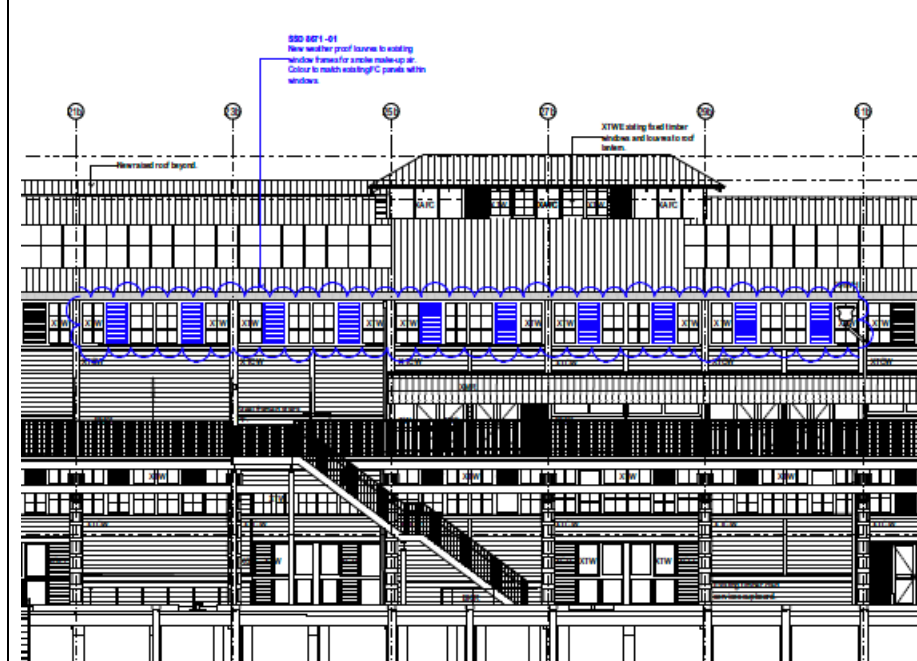


Figure 2: proposed eastern façade (Plan A-222, 24/01/22)

Explanation and justification:

The proposed louvres will assist with weather protection of the space whilst maintaining requirements for smoke exhaust. The 10 louvres will replace existing fibre cement (non-heritage) sheeting currently fitted to window frames along the façade. The louvres will be aluminium and be painted to match the colour of the existing fibre cement sheeting.

3.5 Modifications to Conditions

The proposed modifications described above necessitate amendments to the consent conditions as shown below. Words proposed to be deleted are shown in bold strikethrough and words to be inserted are shown in bold italics.

Terms of Consent

A3. The development may only be carried out:

- a) in compliance with the conditions of this consent;
- b) in accordance with all written directions of the Secretary;
- c) generally in accordance with the EIS and RTS; and
- d) in accordance with the approved plans in the table below;

Architectural Drawings prepared by Tonkin Zulaikha Greer Architects			
Drawing No.	Revision	Name of Plan	Date
A-000	A	Cover Sheet and Drawing List	25.09.2017
A-001	A	Legend	25.09.2017
A-002	A	Site Analysis Plan	25.09.2017
A-050	A	Ground Floor Demolition Plan	25.09.2017
A-051	A	Mezzanine Demolition Plan	25.09.2017
A-052	A	Level 1 Demolition Plan	25.09.2017
A-053	A	Level 2 Demolition Plan	25.09.2017
A-054	A	Level 3 Demolition Plan	25.09.2017
A-055	A	Roof Demolition Plan	25.09.2017
A-060	A	Pier 2/3 – Cross Sections – Demolition and Conservation	25.09.2017
A-061	A	Pier 2/3 – Long Section Grid H – Demolition and Conservation	25.09.2017
A-062	A	Wharf 4/5 – Cross Sections – Demolition and Conservation	25.09.2017
A-063	A	Wharf 4/5 – Long Section – Demolition and Conservation	25.09.2017
A-064	A	Shore Sheds – Sections – Demolition and Conservation	25.09.2017
A-070	A	Pier 2/3 – East Elevation – Demolition	25.09.2017
A-071	A	Pier 2/3 – West Elevation – Demolition	25.09.2017
A-072	A	Wharf 4/5 – East Elevation – Demolition	25.09.2017
A-073	A	Wharf 4/5 – West Elevation – Demolition	25.09.2017
A-074	A	Pier 2/3 and Wharf 4/5 – North and South Elevations -Demolition	25.09.2017
A-075	A	Shore Sheds – South Elevation (Hickson Road) - Demolition	25.09.2017
A-076	A	Shore Sheds – North Elevation - Demolition	25.09.2017
A-100	A	Ground Floor Plan	25.09.2017
A-101	A	Mezzanine Plan	25.09.2017
A-102	A	Level 1 Plan	25.09.2017
A-103	A	Level 2 Plan	25.09.2017
A-104	A	Level 4 Plan	25.09.2017
A-105	A	Roof Plan	13.07.2021

A-122	A	Wharf 4/5 South – Ground Floor Plan	26.06.2020
A-128	A	Wharf 4/5 North – Ground Floor Plan	26.06.2020
A-133	A	Wharf 4/5 North – Roof Plan	26.06.2020
~~A-134~~	~~A~~	~~Shore Sheds – Ground Floor Plan~~	~~26.06.2020~~
A-134	B	Shore Sheds – Ground Floor Plan	24.01.22
A-135	B	Shore Sheds – Mezzanine Floor Plan	24.01.22
A-138	A	Shore Sheds – Roof Plan	26.06.2020
A-140	A	Pier 2/3 South – Ground Floor Plan	07.07.2020
A-141	A	Pier 2/3 North – Ground Floor Plan	24.09.2021
A-200	A	Pier 2/3 - Cross Sections - Proposed	25.09.2017
A-201	A	Pier 2/3 - Long Section - Proposed	25.09.2017
A-202	A	Wharf 4/5 - Cross Sections - Proposed	25.09.2017
A-203	A	Wharf 4/5 - Long Section - Proposed	25.09.2017
A-204	A	Shore Sheds - Sections - Proposed	25.09.2017
A-220	A	Shore Sheds – North Elevation – Proposed	07.07.2020
A-221	A	Wharf 4/5 – East Elevation – Proposed	07.07.2020
~~A-222~~	~~A~~	~~Wharf 4/5 – West Elevation – Proposed~~	~~07.07.2020~~
A-222	B	Wharf 4/5 – West Elevation – Proposed	24.01.2020
A-223	A	Pier 2/3 + Wharf 4/5 – North + South Elevations – Proposed	13.07.2021
A-224	A	Shore Sheds – South Elevation + Breezeway – Proposed	07.07.2020
A-225	A	Pier 2/3 – West Elevation – Proposed	13.07.2021
A-226	A	Pier 2/3 – East Elevation - Proposed	24.09.2021
A-305	A	Shore Sheds – North Elevation - Proposed	25.09.2017
A-401	A	Shadow Diagram Summer Solstice	25.09.2017

A7. This consent in no way implies or grants approval for the following:

- a) events held in the public domain, excluding the Sydney Writer's Festival and the Biennale;
- b) construction a waterfront square; and
- c) the fit-out and use of commercial tenancies/spaces 2 to 4 **for use as shops, cafes, restaurants and small bars.**

Separate development application(s) must be lodged and consent obtained from the relevant consent authority for the above works and uses (except where exempt and complying development applies).

E3. The hours of operation for commercial spaces 2 to 4 in Shore Sheds 4/5 shall be restricted as outlined in the table below.

Land Use	Hours of Operation
Cafés, restaurants and small bars*	6 am to 12 midnight (indoor areas) 6 am to 10 pm (outdoor areas)
Shops*	10 am to 10 pm (indoor and outdoor areas)
Deliveries	6 am to 12 midnight
Offices	24 hours
Teaching, rehearsals	6am to 12 midnight (indoor areas)

E4. Commercial spaces 2 to 4 approved under this consent may only be used for the purposes of **offices, teaching and rehearsals relating to arts and cultural uses or as** shops, restaurants, cafés or small bars as defined in the *Standard Instrument - Principal Local Environmental Plan*.

Note: Nothing in this consent prevents any uses not listed above being established or changed under *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*, or that are the subject of a separate development application.

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 for which the consent was originally granted in that:

- the proposed modified development retains the approved uses (albeit with additional but analogous uses for Commercial spaces 2-4) and does not change the overall objectives of the approved development as an arts and cultural precinct;
- the modification involves only minor design changes and the fundamental design philosophy and intent remain unchanged;
- the proposed modification will have minimal impact on the heritage fabric of the buildings; and
- the changes proposed will not result in any significant environmental impacts.

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.'* Section 4.55(3) of the EP&A Act requires a consent authority to take into consideration the matters referred to in section 4.15(1) that are of relevance to the development the subject of the application and the reasons given by the consent authority for the grant of the original consent. The EIS submitted with the original SSD DA addressed the likely impacts of the development, including:

- Built form and urban design;
- Environmental amenity;
- Transport and accessibility;
- Noise and vibration;
- Construction management;
- Built Heritage;
- Ecologically sustainable development;
- Waste management;
- Biodiversity;
- Environmental risks;
- Ground contamination;
- Site suitability; and
- Public interest.

The proposed modification to the approved development does not give rise to any material alteration to the assessment of the potential impacts that were considered and determined to be acceptable in the granting of Development Consent SSD 9671.

5.1 Compliance with statutory plans

Legislation	Comment
Biodiversity Conservation Act 2017	The proposed modification does not give rise to any further environmental impacts beyond those already addressed in the Biodiversity Development Assessment Report provided with the original application.
Environmental Planning Instrument	Comment
SEPP No55- Remediation	The proposed modification does not alter the approved development's consistency with this instrument as outlined in the EIS.
SEPP (Infrastructure)	The proposed modification does not alter the approved development's consistency with this instrument as outlined in the EIS.
SEPP (State and Regional Development)	The proposed modification does not alter the approved development's consistency with this instrument as outlined in the EIS.
SREP (Sydney Harbour Catchment)	The proposed modification does not alter the approved development's consistency with this instrument as outlined in the EIS.
SREP No16- Walsh Bay	Clause 13 of the Walsh Bay REP requires that the consent authority may not approve any works in the Walsh Bay Conservation Zone unless it has taken into consideration the extent by which the carrying out of the proposed development would affect the heritage significance of the Walsh Bay Conservation Zone. As outlined in the Section 3.6 and in the Statement of Heritage Impact at Attachment C, any impact on the heritage significance or fabric of the Walsh Bay Conservation Zone is minor.

5.2 Environmental Impacts

The proposed modifications relate to design development of the Walsh Bay Arts Precinct project. The design amendments are minor in nature and consistent with the original design intention of the approved project. The additional uses for Commercial spaces 2-4 are consistent with other approved uses within the precinct. The modifications will not result in any adverse impacts on the environment as outlined in the sections below.

5.2.1 Heritage

A Heritage Impact Statement has been prepared by Tropman and Tropman Architects (Appendix C). The Statement provides an assessment of the heritage impact of each of the proposed design amendments. A summary of the Statement findings is as follows:

Design Amendment	Heritage Assessment
Commercial tenancies 2-4	The use and fit out of commercial tenancies 2-4 for office, teaching and rehearsal uses associated with arts and cultural uses is considered to have a minor heritage impact. Reusing existing service connection points and restoring weatherboards on commercial tenancy 2 and restoration of brickwork in commercial tenancies 3 and 4 will ensure preservation of important heritage features.
Sydney Dance Company louvres	The installation of louvres is assessed as having a moderate additional heritage impact. The painting of the louvres to colour match the existing fibre cement sheeting will reduce the visual impact of the modification. The proposed design is considered to be the most sympathetic solution for maintaining occupant comfort.
Sydney Theatre Company louvres	The installation of louvres is assessed as having a moderate additional heritage impact. The painting of the louvres to colour match the existing fibre cement sheeting will reduce the visual impact of the modification. The proposed design is considered to be the most sympathetic solution for maintaining smoke exhaust requirements whilst ensuring weather protection.

The Heritage Impact Statement concludes:

The proposed design modifications (Modification 7) to the approved SSD are considered reasonable and acceptable with regards to heritage impact. The proposed modifications were discussed along with appropriate heritage recommendations to mitigate any further impacts to heritage fabrics and the overall heritage significance of the wharf and precinct.

The changes are considered essential for improved reasonable amenity, waterproofing and fire safety and the occupancy use of the building.

The proposed modifications will have some positive impacts and minimal adverse impacts on significant heritage fabrics, views, the precinct and the immediate surroundings.

5.2.2 Visual Impact

The proposed design amendments will not result in significant visual or view changes to or from surrounding properties or public places. The amendments will result in minor changes to the visual impacts of the precinct as assessed as part of the original EIS.

The inclusion of aluminium louvres along the western facade will result in minor visual impacts from limited areas of the public domain surrounding the precinct. Painting the louvres to match the existing fibre cement sheeting will assist in mitigating this impact.

Importantly no views to landmarks will be impacted as a result of the proposal. It is considered that the inclusion of the proposed louvres, as designed, is necessary in order to ensure suitable adaptive reuse of Wharf 4/5.

5.2.3 Noise

Arup has undertaken a Noise Impact Assessment of the proposed changed uses of commercial tenancies 2-4. The assessment concludes that the overall impact of such change of use will be a slight decrease in assessed noise levels at surrounding receivers. This is due to the original assessment accounting for the use of outdoor spaces adjacent to the commercial tenancies for food and beverage uses. The use of these spaces for rehearsal, teaching and office uses associated with arts and cultural uses will be contained wholly within the internal spaces.

The installation of louvres along the western façade of Wharf 4/5 is expected to result in a minor noise increase (less than 1 dB) to surrounding noise receivers. The noise emitted from the spaces where louvres will be installed is entirely dependent on the noise generated within those spaces. As such Arup propose that post-installation testing be undertaken. The noise limits for general operation (condition E6) will be retained by calibrating the operation of internal noise generating activities (i.e. sound systems) following installation of the louvres. It is considered that condition E10 adequately covers the testing requirements post installation of the louvres and if required will ensure the Operational Noise and Vibration Management Plan (condition D12) is updated accordingly.

5.3 Suitability of the Site

The site remains suitable for the approved development as proposed to be modified for the reasons outlined in the EIS lodged with the original State Significant Development Application.

5.4 The Public Interest

The redevelopment of the Walsh Bay Arts and Cultural Precinct is a priority infrastructure project for the NSW Government. The redevelopment will create a public arts and cultural hub on Sydney's famous waterfront, while preserving its iconic heritage. The proposed modifications ensure the project is delivered in line with the intended use with minimal environmental impact. As such, the proposed modification is in the public interest.

6.0 Conclusion

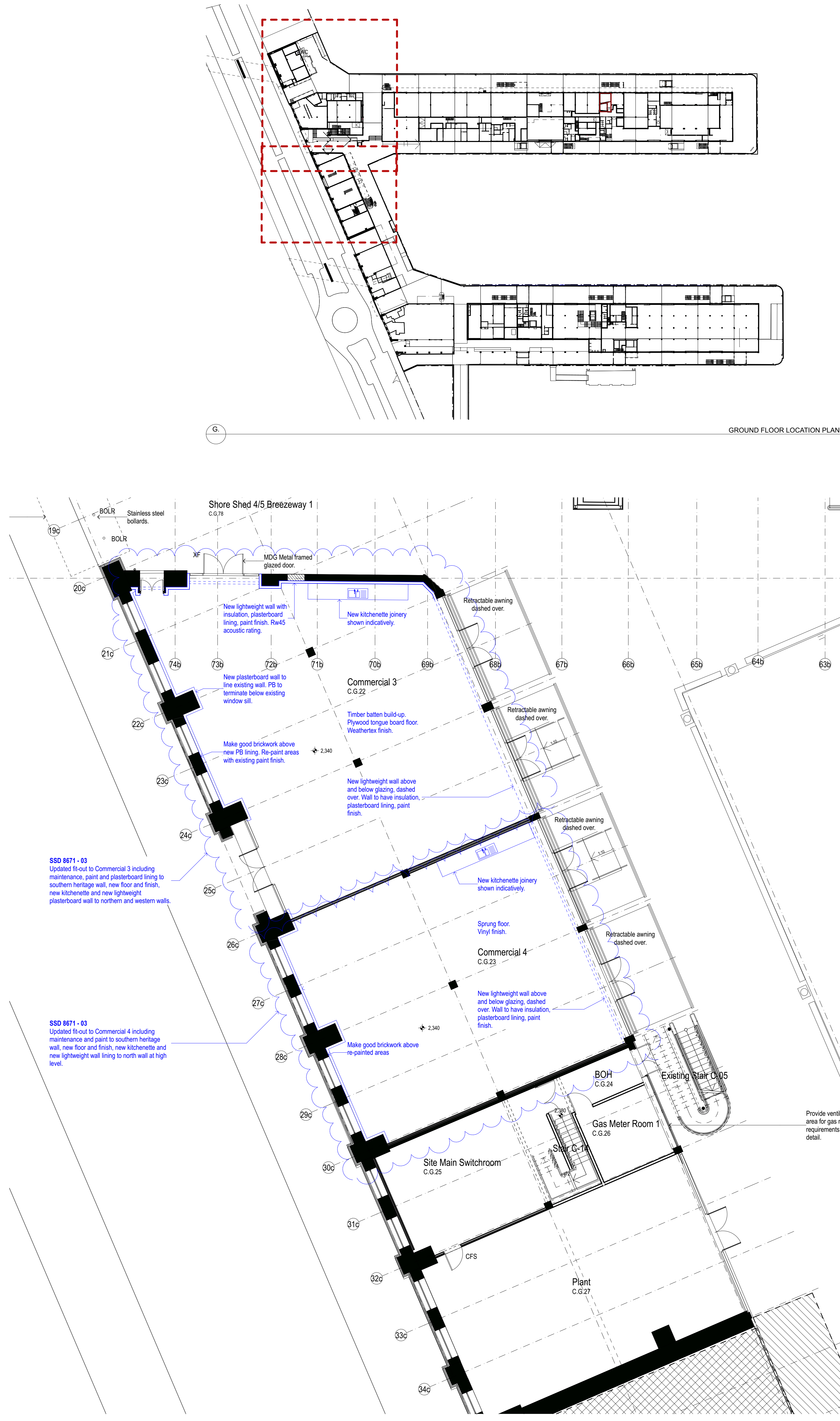
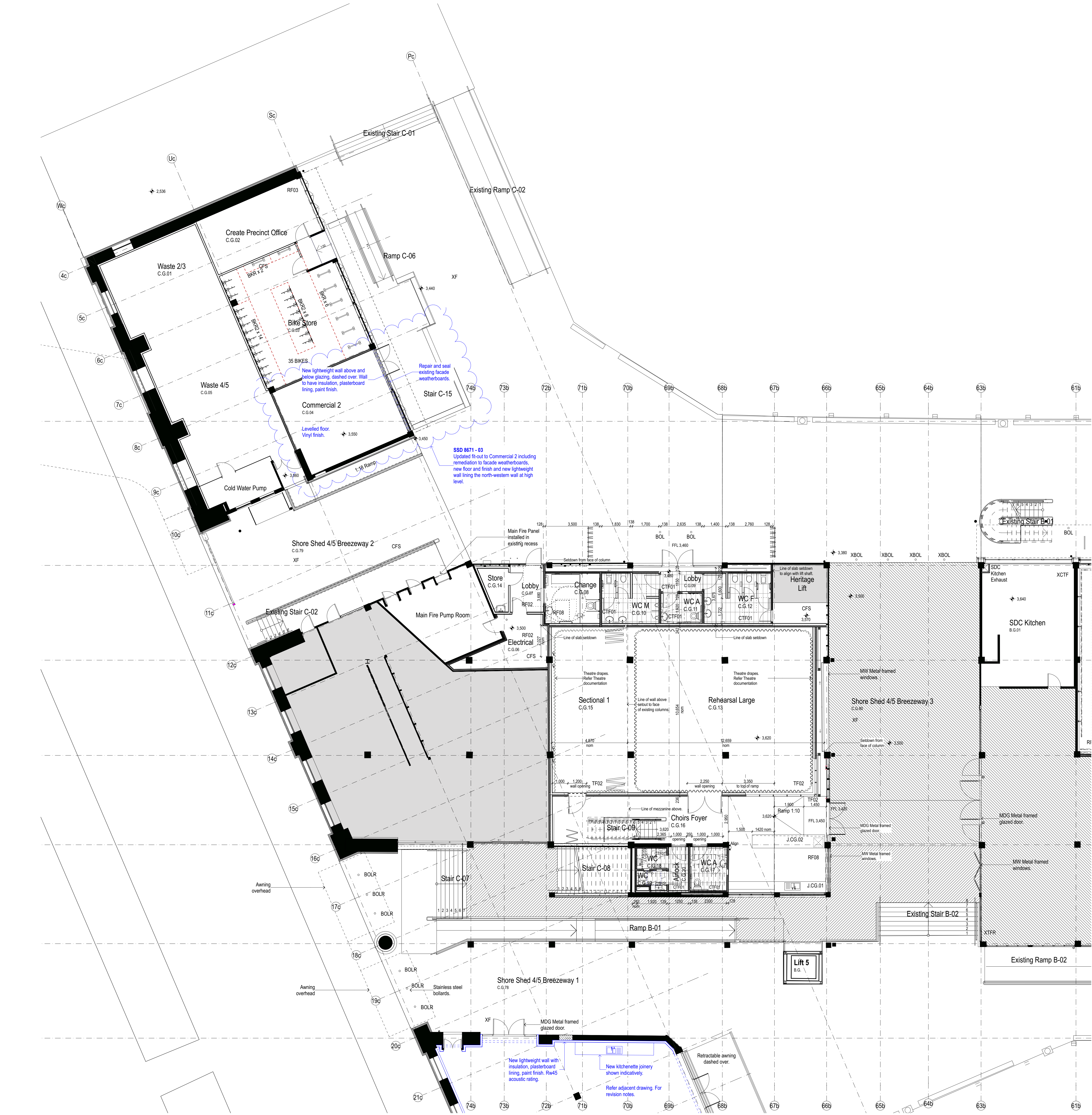
The proposed modifications seek the following amendments:

- Additional uses and fit-out for Commercial tenancies 2-4;
- Replacement of existing windows with louvres for the Sydney Dance Company tenancy; and
- Installation of new louvres for the Sydney Theatre Company tenancy.

In accordance with section 4.55(1A) of the EP&A Act, the consent authority may modify the consent as the proposed modification is:

- of minimal environmental impact;
- substantially the same development as development for which the consent was granted; and
- in the public interest.

Appendix A- Amended Architectural Plans



DATE	ISSUE	NOTES
24 JAN 2022	B	\$4.55 SUBMISSION MODIFICATION 7 - PROPOSED UPDATES CLOUDED
07 JUL 2020	A	\$4.55 SUBMISSION - PROPOSED UPDATES CLOUDED

NOTES:
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LEGEND
STC50 Internal tenancy works. Refer drawings by Others.

Exclusive use area for SP73989. Not part of site.
Not part of scope or site area

Existing
S4.55 Changes

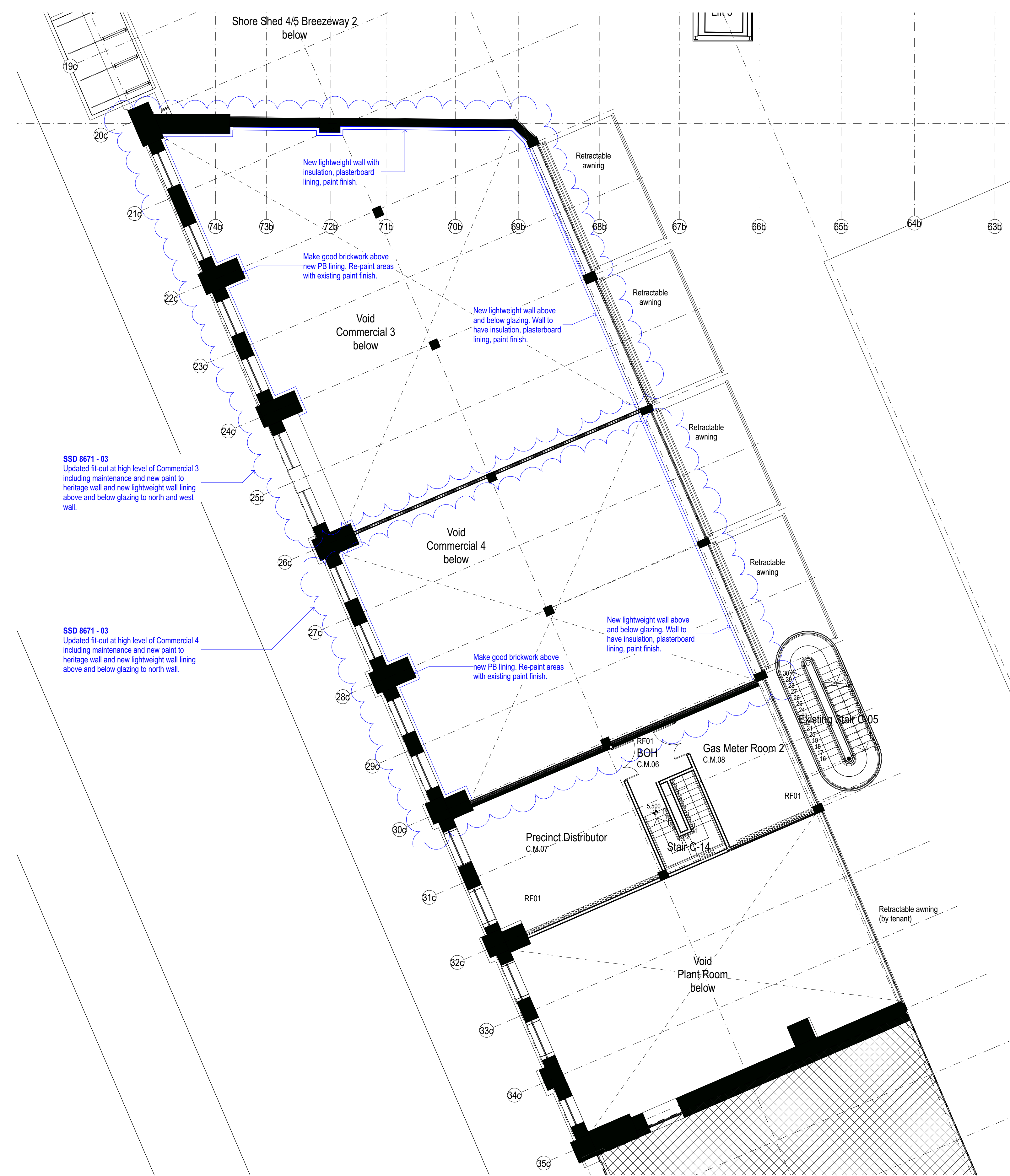
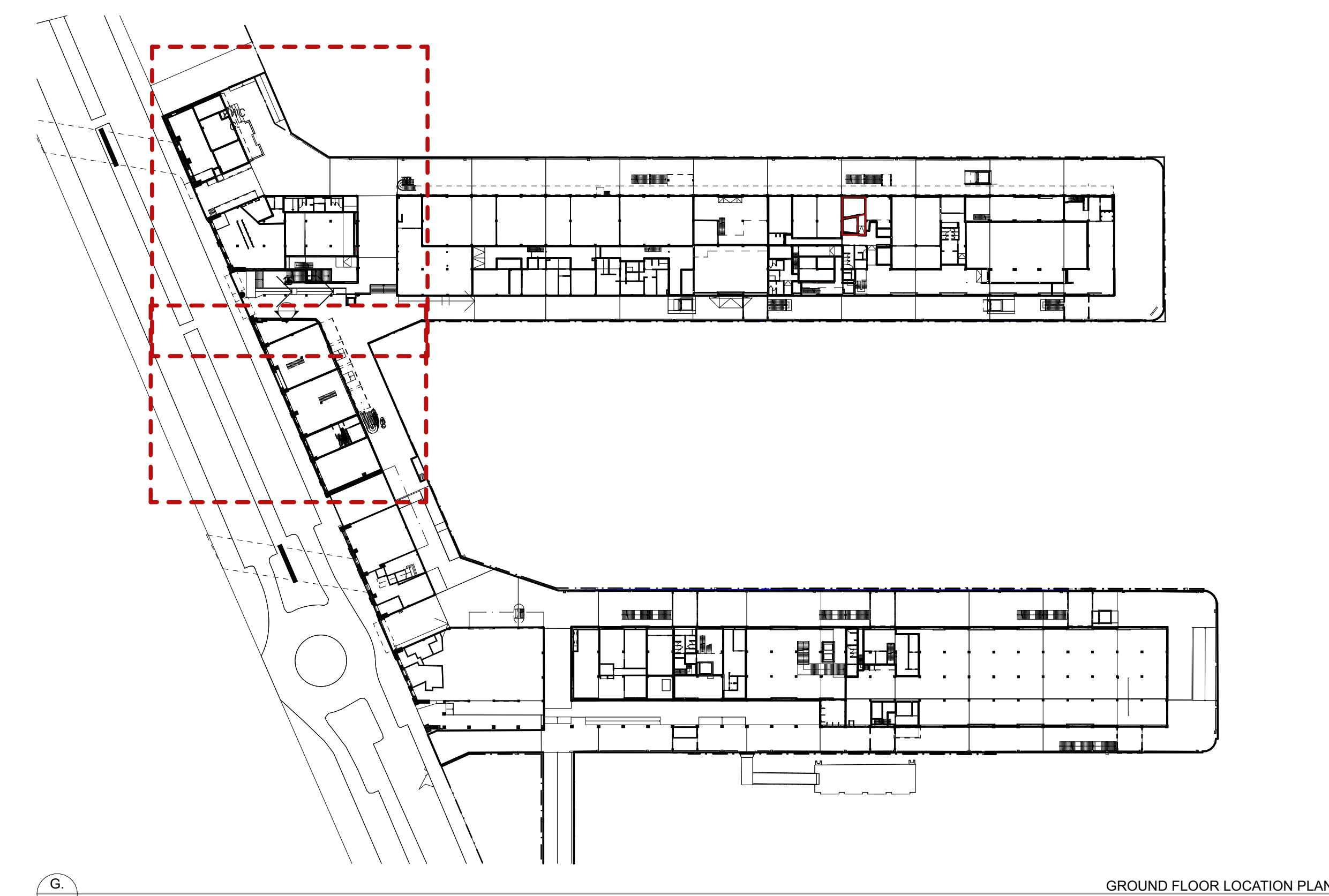
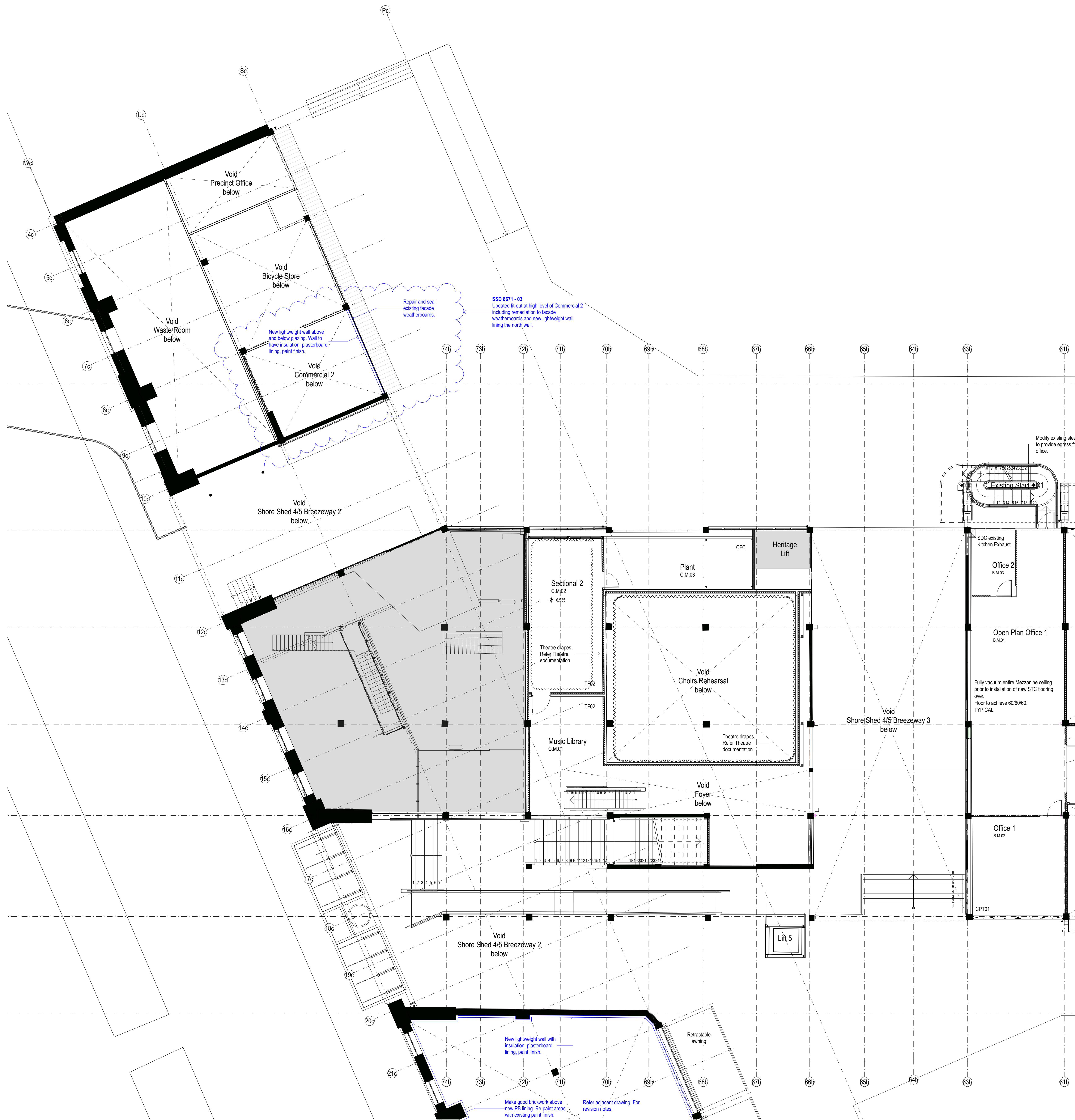
CLIENT:
Create NSW
NSW Arts, Screen & Culture
DELIVERY AGENCY:
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PROJECT:
WALSH BAY ARTS PRECINCT
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DRAWING TITLE:
SHORE SHEDS - GROUND FLOOR
PLAN
SCALES:
1:100 @A0
PHASE:
FOR APPROVAL
DRAWING NO:
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SECTION 4.55 SUBMISSION

DATE	ISSUE	NOTES:	NOTES:	ACCESS CONSULTANT	ACOUSTIC ENGINEER	BCA CONSULTANT	PROGRAMME MANAGEMENT	ELECTRICAL ENGINEER	ESD CONSULTANT	WASTE CONSULTANT	MARINE ECOLOGIST	CLIENT:	PROJECT:	ARCHITECT	DRAWING TITLE	DRAWN BY
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Appendix B- Design Statement

24 January 2022

Walsh Bay Arts Precinct – SSD8671 Modification 7

S4.55 Design Report

Introduction

This report outlines the design changes proposed as part of the current modification for the Walsh Bay Arts Precinct, SSD8671 Mod 7.

The changes proposed are a result of design development and have been discussed with the project's Heritage Consultant, Tropman & Tropman Architects.

Proposed Design Changes

1. High level louvres added to Level 1 on the western façade of Sydney Theatre Company's tenancy in Wharf 4/5.

- *Explain what is proposed.*

10 fixed open, two stage, aluminium louvres are proposed along the western façade of Wharf 4/5 at high level. They will be located where fibre cement sheets are currently fitted to existing window frames. The louvres will be sized to fit within the existing frames and will be painted to match the colour of the fibre cement panels they are replacing.

- *Explain why the change has been undertaken.*

The proposed louvres are required for the smoke exhaust strategy for Sydney Theatre Company's performance space. The current louvres are allowing rain into the space due to the exposed nature of the building. The proposed two stage louvres will provide a weatherproof solution for the smoke exhaust strategy but offer less free area, hence more (10) louvres are necessary to achieve the smoke make-up area requirement.

- *Explain how the design is sympathetic to heritage fabric.*

The existing western façade of Wharf 4/5 comprises repeating bays of 6 window frames at high level. Within each bay the second and fifth frames are fitted with fibre cement sheets in lieu of glazing. The proposed louvres have been designed to fit within the existing second and fifth window frames and colour match the fibre cement sheets to maintain the aesthetic articulation of the existing façade.

2. High level louvres added to Ground Floor on the western façade of Sydney Dance Company's tenancy in Wharf 4/5.

- *Explain what is proposed.*

22 operable, aluminium louvres are proposed along the western façade of Wharf 4/5 at high level on the ground floor. The louvres will be located where fibre cement sheets are currently fitted to the upper sash of every second and fifth window frame. The proposed operable louvres will be painted to match the colour of the fibre cement sheets they are replacing.

- *Explain why the change has been undertaken.*

The proposed additional louvres are required to provide natural ventilation to the Sydney Dance Company's studios on ground floor. Dancers use these spaces for rehearsing and require ample ventilation for comfort.

- *Explain how the design is sympathetic to heritage fabric.*

The existing western façade of Wharf 4/5 comprises repeating bays of 6 window frames at high level on the ground floor. Within each bay the second and fifth frames are fitted with fibre cement sheets in upper sash. The proposed louvres have been designed to fit within the upper sash of the second and fifth window frame in each bay. The louvres will colour match the existing fibre cement sheets to maintain the aesthetic articulation of the existing façade.

3. Updated fit-out to Commercial 2, 3 and 4 within the Shore Sheds.

- *Explain what is proposed.*

The proposed updated fit-out to Commercial 2 involves the following:

- Level the existing floor and providing a new vinyl floor finish.
- Provide a new lightweight wall with insulation, plasterboard lining and paint finish to the north wall. The new wall will sit hard up against the existing wall and maintain openings where existing glazing is present.
- Repair and seal existing façade weatherboards.

The proposed updated fit-out to Commercial 3 involves the following:

- Provide a new timber batten floor build up with a plywood tongue board floor and a painted Weathertex finish.
- Provide new lightweight walls with insulation, plasterboard lining and paint finish to the north and west walls. The new walls will sit hard up against existing walls and maintain openings where existing glazing is present. The new wall will achieve an acoustic rating of Rw45.
- Provide kitchenette joinery along the western wall of the space.
- Provide new lightweight wall with plasterboard lining and paint finish to the southern wall. New wall to sit hard up against existing wall and to terminate 3 brick courses below the existing windowsill. Make good brickwork above new wall and re-paint areas with existing paint finish.

The proposed updated fit-out to Commercial 4 involves the following:

- Provide a new sprung floor with vinyl finish.
- Provide a new lightweight wall with insulation, plasterboard lining and a paint finish to the north wall. The new wall will sit hard up against the existing wall and maintain openings where existing glazing is present.
- Provide kitchenette joinery along the western wall of the space.

- Provide new lightweight wall with plasterboard lining and paint finish to the southern wall. New wall to sit hard up against existing wall and to terminate 3 brick courses below the existing windowsill. Make good brickwork above new wall and re-paint areas with existing paint finish.

- *Explain why the change has been undertaken.*

The Commercial spaces were initially intended to be let for retail or office use but are now intended to be let for cultural uses such as singing and dancing. The proposed alterations are a result of this change of use. Performers require a controlled thermal environment which will be better maintained in a sealed space – the proposed perimeter walls will achieve this. Dancers require a specific floor surface for comfort and optimal performance which is captured in the proposal. Kitchenettes are proposed to two of the spaces for convenience and amenity.

- *Explain how the design is sympathetic to heritage fabric.*

The proposal involves a change of use of the Commercial spaces with minimal intervention. New internal walls will sit hard up against the existing walls and will not be visible from the wharf apron or breezeway. The proposal involves the removal of previously proposed stairs and a mezzanine level to both Commercial 3 and Commercial 4, this reduced scope of construction will have a positive heritage impact.

Conclusion

The proposed modifications to the external façade are to address waterproofing and maintain essential life safety systems along with ensure building occupants have adequate amenity and thermal comfort. The proposed modifications to the Commercial spaces in the Shore Sheds are the result of the change in intended use of these spaces and to ensure they will be fit for purpose. It is our belief that the modifications do not change the original design intent of the proposal and have been designed to minimise impacts on the heritage significance of Wharf 4/5 and the associated Shore Sheds.

Appendix C- Heritage Impact Statement

WALSH BAY ARTS & CULTURAL PRECINCT

Hickson Road, Dawes Point

HERITAGE IMPACT STATEMENT

SSD 8671

Modification 7



Prepared for Richard Crookes Construction
to accompany the Modification 7, Section 4.55 Application for SSD 8671

January 2022

REF: 1836:HIS:S455:Mod7

Issue 02

Tropman & Tropman Architects

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Report Register

The following table is a report register tracking the issues of the *Walsh Bay Arts & Cultural Precinct – Heritage Impact Statement SSD8671 Modification 7* prepared by Tropman & Tropman Architects. Tropman & Tropman Architects operate under a quality management system, and this register is in compliance with this system.

Project Ref No.	Issue No.	Description	Issue Date	Issued To
1836:HIS:S455:Mod7	DRAFT 01	<i>WBAP SSD8671 Modification 7, Heritage Impact Statement</i>	25.01.2022	Richard Crookes Constructions
1836:HIS:S455:Mod7	02	<i>WBAP SSD8671 Modification 7, Heritage Impact Statement</i>	27.01.2022	Richard Crookes Constructions

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1.0 INTRODUCTION

1.1 BRIEF

This report has been prepared to accompany a Section 4.55 Application of the original SSD 8671 for design changes to the proposed works to Walsh Bay Arts & Cultural Precinct – Wharf 4/5 and Shore Shed 4/5. The aim of this report is to review the proposal and prepare a Statement of Heritage Impact relating to heritage issues for the existing building. This impact statement has been prepared in accordance with Heritage NSW guidelines.

The Subject Site consists of two finger wharves Pier 2/3, Wharf 4/5 and Shore Shed 4/5. The Subject Site was assessed and approved as two State Significant Development applications. This submission only concentrates on the changes pertaining to Wharf 4/5 and Shore Shed 4/5 only.

- **SSD 8671** (Walsh Bay Arts and Cultural Precinct) was lodged by Infrastructure NSW (the Applicant) and proposed early construction works, internal and external works to Pier 2/3, Wharf 4/5 (ground floor and mezzanine) and the Shore Sheds 4/5 for arts and cultural uses, functions and events, three new commercial spaces in Shore Sheds 4/5 and public domain works. This submission only includes changes to Wharf 4/5 and Shore Shed 4/5.

This Heritage Impact Statement assesses the proposed changes to Wharf 4/5 and Shore Shed 4/5 and is submitted as part of the Section 4.55 of SSD 8671.

1.2 STUDY AREA

1.2.1 Site Location

For the purpose of this report the place, as defined in the Burra Charter is to be known as the subject site or study area. Refer to Figure 1.

The site generally comprises Pier 2/3, Wharf 4/5, and Shore Shed 4/5. The site has a street frontage to Hickson Road as shown in Figure 1. The site is part of the Walsh Bay precinct, which is located adjacent to Sydney Harbour within the suburb of Dawes Point.

1.2.2 Site Description

The subject site is currently owned by the New South Wales Government and is part of the Walsh Bay Precinct, located on Sydney Harbour between Dawes Point and Millers Point, and was constructed between 1906-1922, by the Sydney Harbour Trust. The complex consists of a group of sympathetically designed port structures, wharves with linking sheds, bond stores and warehouses. It also incorporates a design of lower (Hickson Road) and upper (Windmill and Lower Fort Streets) access roads with overpass bridges and stairs connecting Dawes Point, Millers Point and Walsh Bay areas and taking full advantage of the local steep topography. The entire Walsh Bay Precinct constitutes a key visual element in the Sydney Harbour foreshore, generally characterized by a strong sense of unity, a strong industrial maritime scale, character and detail.

The subject site has recently become known as the 'Walsh Bay Arts & Cultural Precinct (WBACP)'. This term was applied during the SSD Application process only. It should be noted that the subject site is located within the broader 'Walsh Bay Precinct'. The 'Walsh Bay Precinct' refers to the whole of the Walsh Bay wharves complex and includes Pier 1, Shore Shed 2/3 Pier Apartments 6/7, Shore Apartments 6/7, Pier 8/9, Shore Apartments 8/9 and numerous adapted bond stores and new buildings.



Figure 1: Walsh Bay Arts & Cultural Precinct (WBACP) marked red.

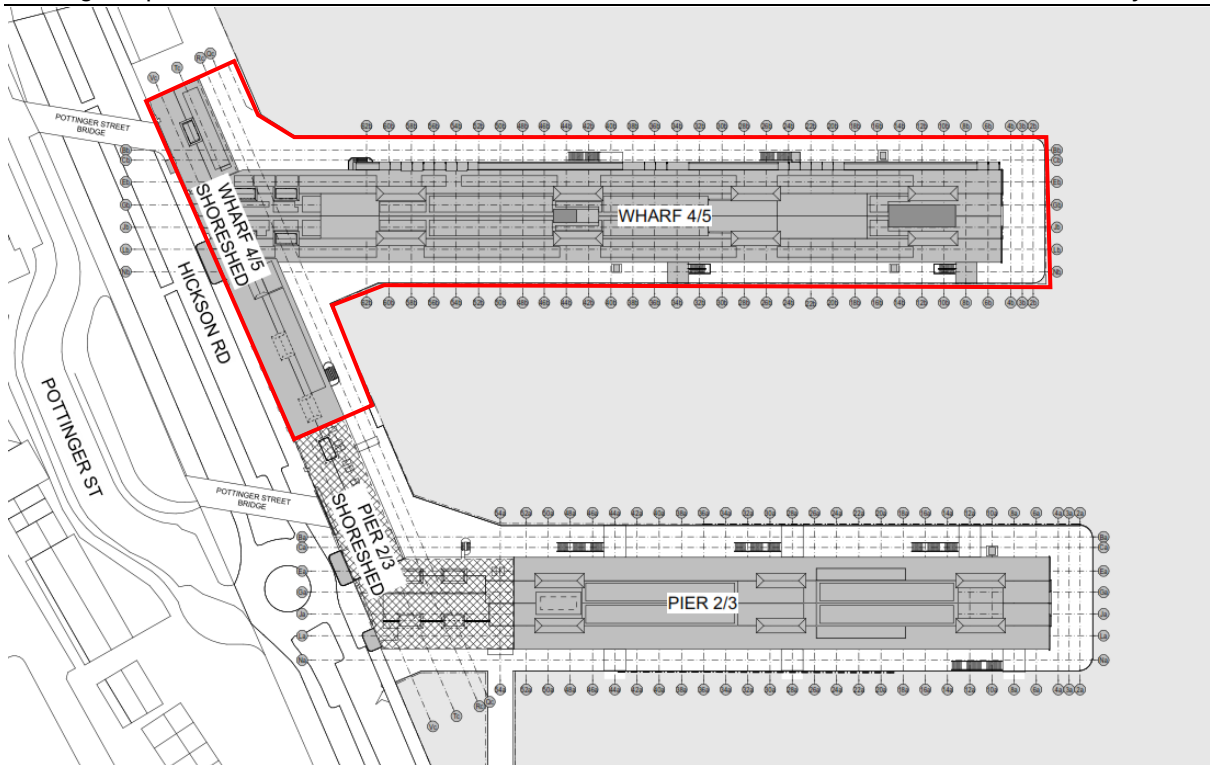


Figure 2: Wharf 4/5 and Shore Shed 4/5.

1.3 METHODOLOGY

The method for the Heritage Impact Statement follows that set out in the "NSW Heritage Manual" Update August 2000 produced by the Heritage NSW. The method is outlined below:

Heritage Impact Statement

The statement of heritage impact should identify what impact the proposed works will have on the significance of the item/site, what measures are proposed to mitigate negative impacts and why more sympathetic solutions are not viable. Recommendations are developed in order to maintain the heritage significance of the site.

1.4 LIMITATIONS

No intervention to fabric was undertaken by author. Existing historical information was utilised and no further historical research was undertaken through the course of this report.

1.5 AUTHOR IDENTIFICATION

This report has been prepared by:

John Tropman Director, Heritage Conservation Architect

Krystal Pua Heritage Conservation Architect

Unless otherwise stated, all images are by Tropman & Tropman Architects and were taken during the course of this study.

1.6 ABBREVIATIONS

TTA:	Tropman & Tropman Architects
TME:	To match existing
HIS:	Heritage Impact Statement
WBAP:	Walsh Bay Arts Precinct
DA:	Development Application
LEP:	Local Environmental Plan
DCP:	Development Control Plan
CMP:	Conservation Management Plan
TZG:	Tonkin Zulaikha Greer
HNSW:	Heritage NSW
S60:	Heritage NSW Section 60 application
RCC:	Richard Crookes Construction
FC:	Fibre cement sheeting

1.7 REFERENCE DOCUMENTS

- NSW Government Department of Planning & Environment, State Significant Development Assessment Report: Sydney Theatre Company (SSD 7561) and the Walsh Bay Arts and Cultural Precinct (SSD 8671), May 2018.
- WBACP Heritage Impact Statement, by Tropman & Tropman Architects, dated October 2017
- Walsh Bay Precinct Conservation Management Plan, Vol A, B, C and D., 1999 by Clive Lucas, Stapleton & Partners Pty Ltd,
- Walsh Bay Precinct: Heritage Technology Conservation Management Plan, November, 1999 by Tropman & Tropman Architects
- Pier 2/3 Conservation Management Plan, November 2000, by Tropman & Tropman Architects
- Conservation Management Plan, Wharf 4/5, March 2007, by Graham Brooks & Associates,
- Australia ICOMOS 2000, Australia ICOMOS Charter for the Conservation of Cultural Significance (The Burra Charter) and Guidelines to the Burra Charter: Cultural Significance, Conservation Policy, and Undertaking Studies and Reports, Australia ICOMOS, ACT.
- Assessing Heritage Significance, Heritage Office, Sydney, 2001 by NSW Heritage Office
- Statements of Heritage Impact Guideline, Heritage Office, Sydney by NSW Heritage Office
- Conservation Management Plan Pier 2/3, Wharf 4/5 and Shore Shed 4/5 Walsh Bay Arts Precinct (WBAP) Walsh Bay Wharves Precinct NSW, Issue 09, by Tropman & Tropman Architects, dated December 2021
- Tenancy Guidelines Walsh Bay Arts Precinct, Issue 7, by Tropman & Tropman Architects

1.8 COPYRIGHT

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2.0 DESIGN MODIFICATIONS

2.1 GENERAL

This section discusses the proposed design modifications to Wharf 4/5 and Shore Shed 4/5.

2.2 PROPOSED MODIFICATIONS

Generally, the proposed modifications are a result of the detailed design to improve current amenity and upgrade to existing fitout.

Below is a breakdown of the proposed modifications. The table below is to be read in conjunction with the Modification 7 S4.55 Architectural Drawings and S4.55 Design Statement by TZG, and all associated documents for this submission.

The proposed design modification can be summarised as below:

- SSD8671-01 – High level louvres added to Level 1 on the western façade of Wharf 4/5 (Figure 3)
- SSD8671-02 – High level louvres added to Ground Floor on the western façade of Wharf 4/5 (Figure 4)
- SSD8671-03 - Updated fit-out to Commercial 2, 3 and 4 within Shore Shed 4/5 (Figures 5 and 6)

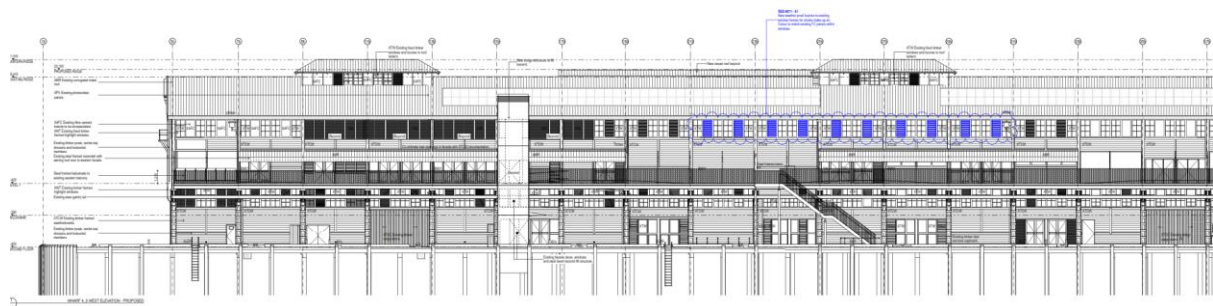


Figure 3: West elevation of Wharf 4/5 – Replacement of existing FC panels with louvres to Level 1.

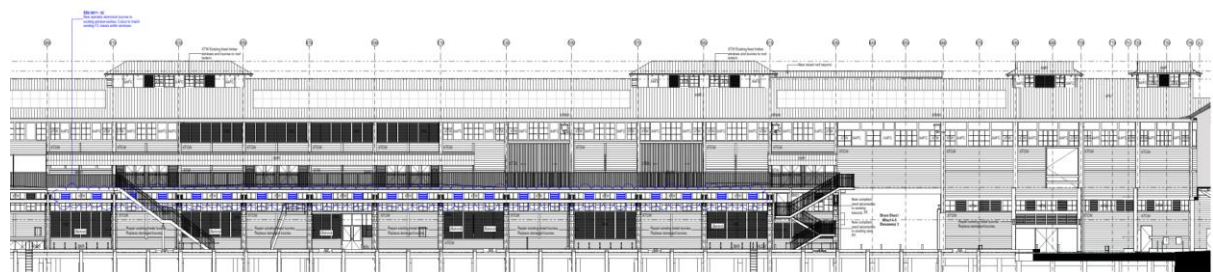


Figure 4: West elevation of Wharf 4/5 – Replacement of existing FC panels with louvres to Ground Floor.

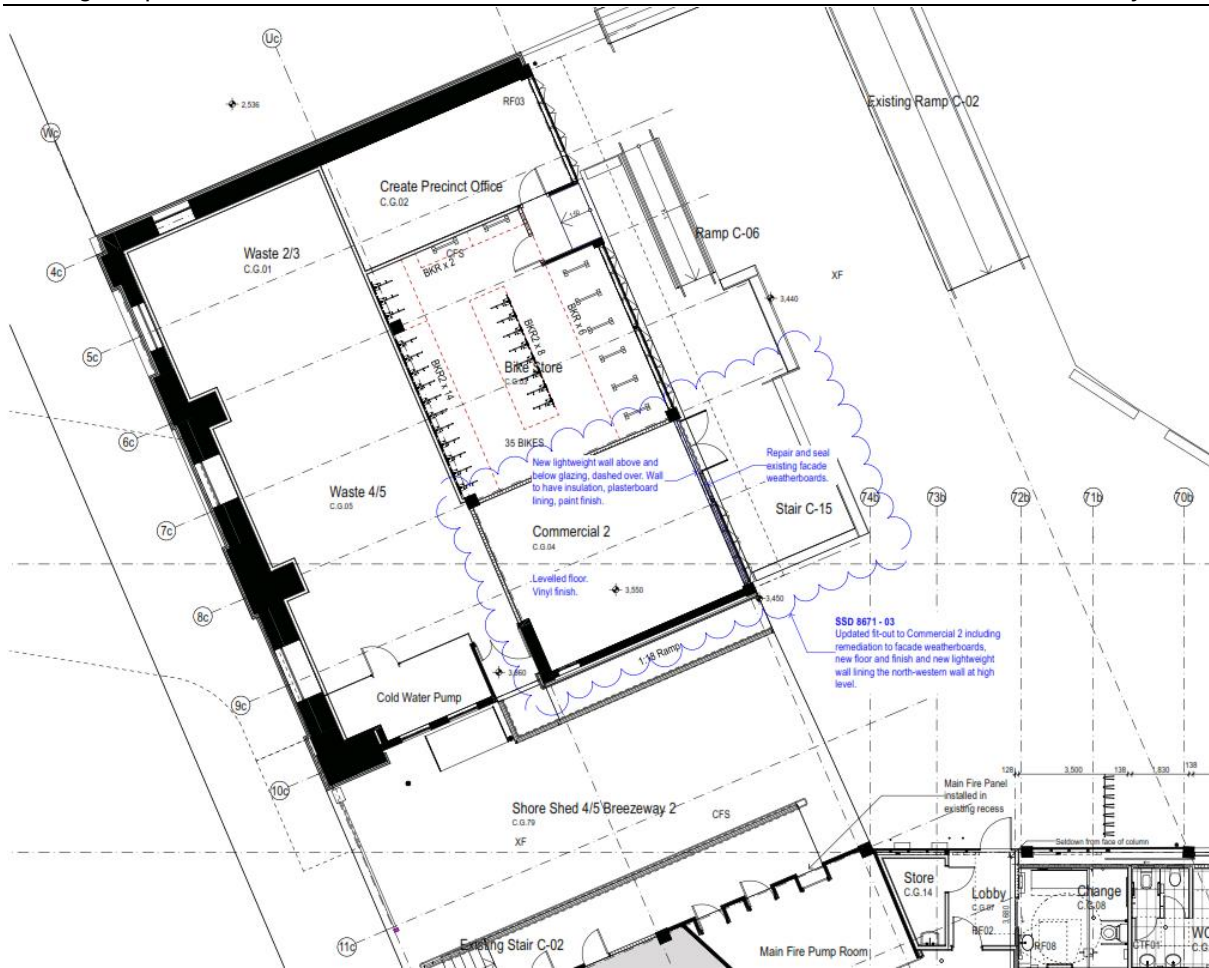


Figure 5: Ground Floor plan of Shore Shed 4/5 (west) showing proposed upgrades to Commercial 2.

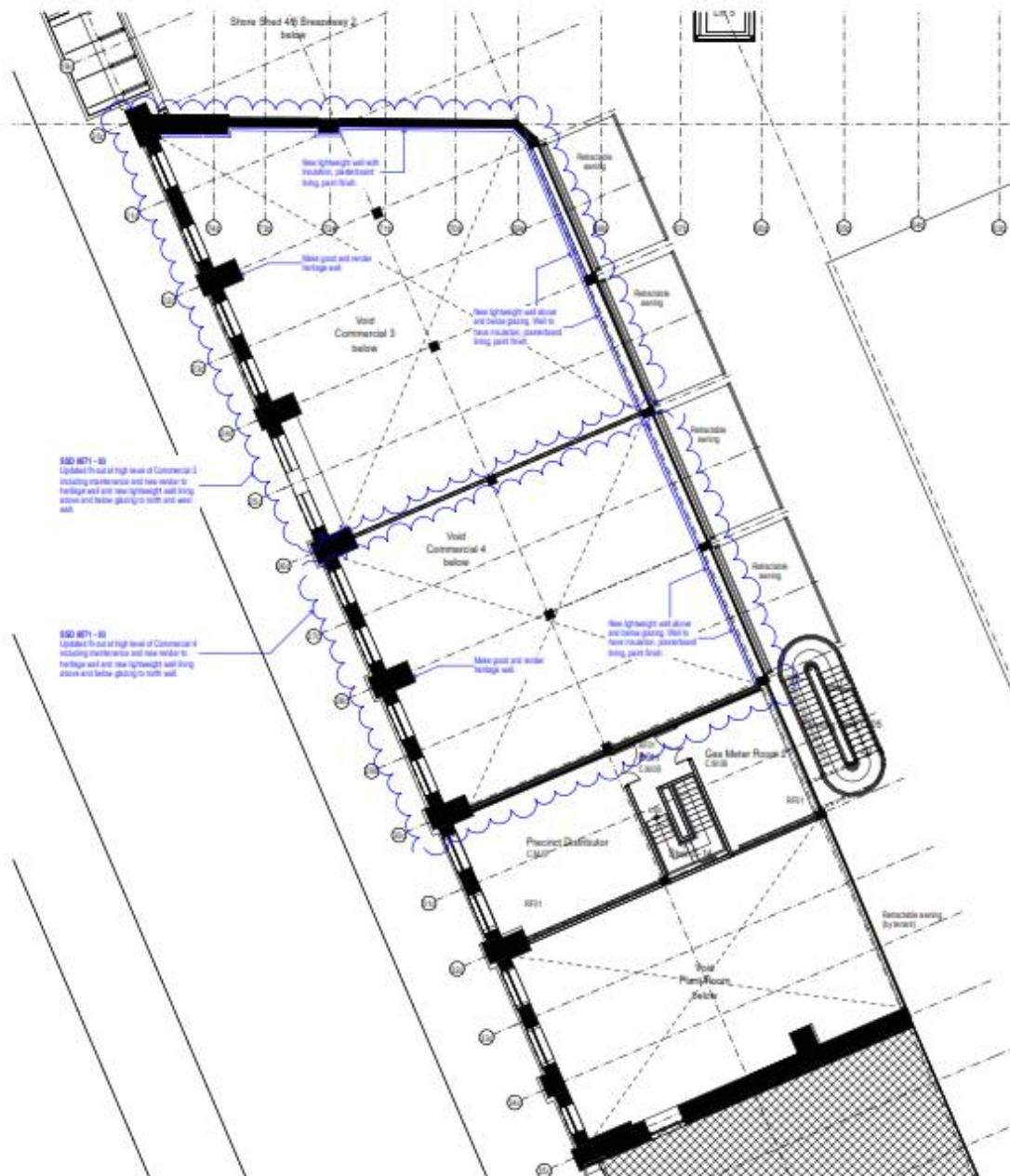


Figure 6: Ground Floor Plan of Shore Shed 4/5 (east) showing proposed upgrades to Commercial 3 and 4.

2.2.1 SSD8671-01 – High level louvres to Level 1 on the western façade of Wharf 4/5

The projection of the wharf into the harbour has exposed the building to extreme weather, in particular rain and wind. Rainwater has been blown into the building through the existing glazed louvres along the western corridor on Level 1 (Figure 7). These existing glazed louvred openings (previously approved SSD8671) that facilitate smoke relief will be shut to prevent rainwater from entering the building.

Due to the reduction of the overall smoke relief area, RCC have informed that additional louvred openings will be necessary to meet the required area for smoke relief.

The proposal involves replacing 10 existing FC (asbestos) panels at high level with new fixed open, two stage aluminium powdercoated louvres (Figures 8 and 9).

The proposal has been discussed with City of Sydney heritage specialist. Based on their advice, the proposed louvres must be painted to match the colour of the existing FC panels. This is to mitigate any visual impact and maintain the consistency of the overall appearance and regular façade pattern of the wharf.



Existing glazed louvred opening to be shut to prevent rain water from entering the building.

Figure 7: Level 1 western corridor.

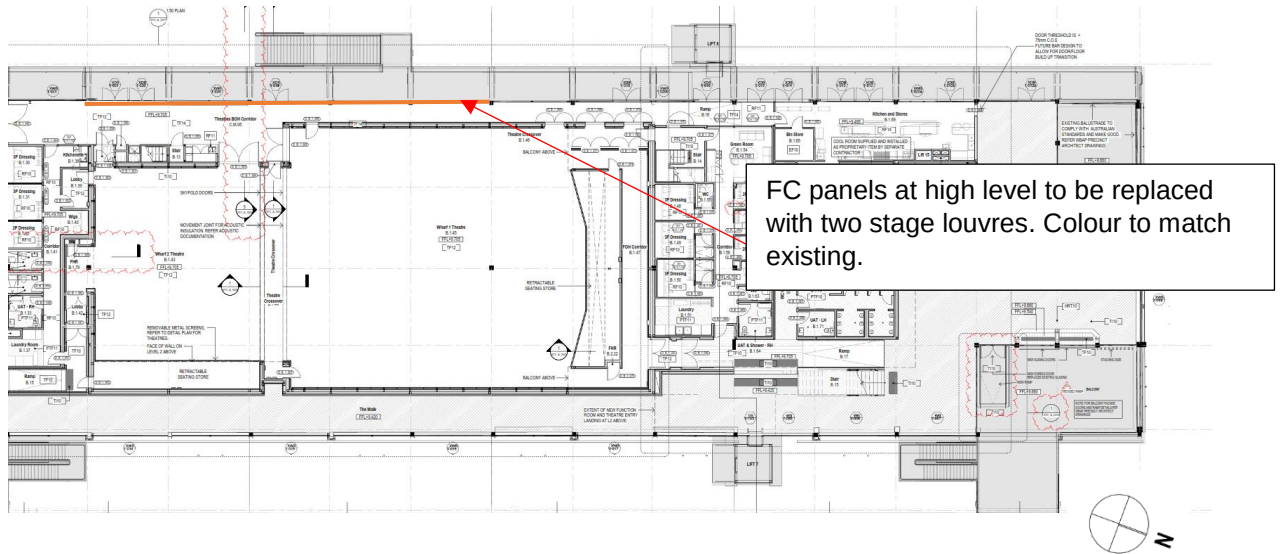


Figure 8: Level 1 floor plan showing location of proposed high level louvres to western façade.

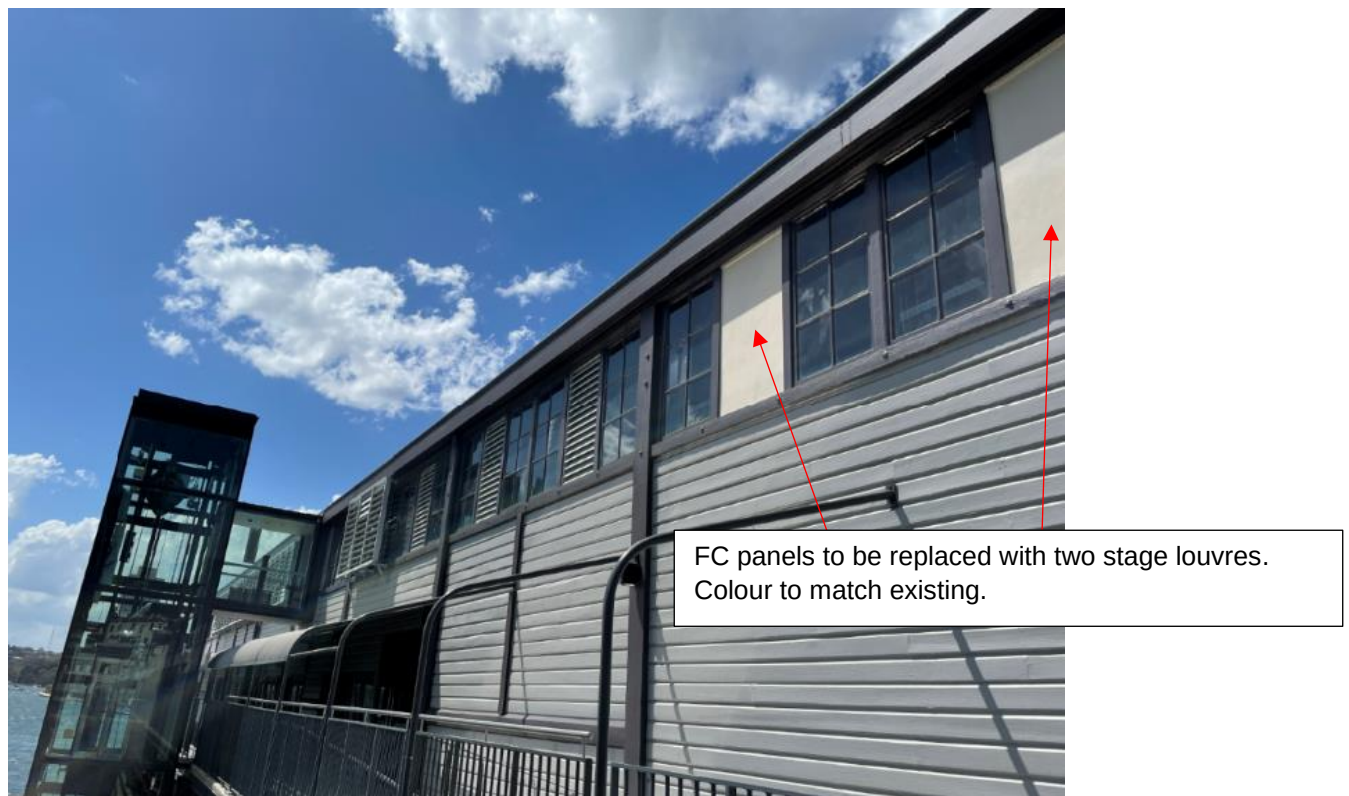


Figure 9: Upper level of western façade of Wharf 4/5.

2.2.2 SSD8671-02 – High level louvres to Ground Floor on the western façade of Wharf 4/5

The proposed louvres are located at high level to the dance studios on the Ground Floor, at the western façade of Wharf 4/5.

The current dance studios are not air conditioned and they rely generally on good natural ventilation with the help of fans and louvres. Occupants of the dance studios have expressed discomfort during warm to hot external conditions that caused the temperatures within the studios to increase beyond acceptable. Options were investigated by the mechanical consultant and included the introduction of air conditioning, and the increase of passive cooling and ventilation within the space.

The introduction of air conditioning to the dance studios was deemed not feasible as it will require additional power which exceeded the current electrical demand of the site. The only reasonable alternative will be to vent the hot air out from the spaces through increased fan speed and additional louvres.

The proposed modification includes increasing the number of louvred openings to the façade to allow more hot air to be naturally vented out via increased fan speed and evaporative cooling.

The proposal involves replacing 22 existing FC (asbestos) panels with new operable aluminium powder coated louvres and frame.

The proposal has been discussed with City of Sydney heritage specialist. Based on their advice, the proposed louvres must be painted to match the colour of the existing FC panels. This is to mitigate any visual impact and maintain the consistency of the overall appearance and regular façade pattern of the wharf.

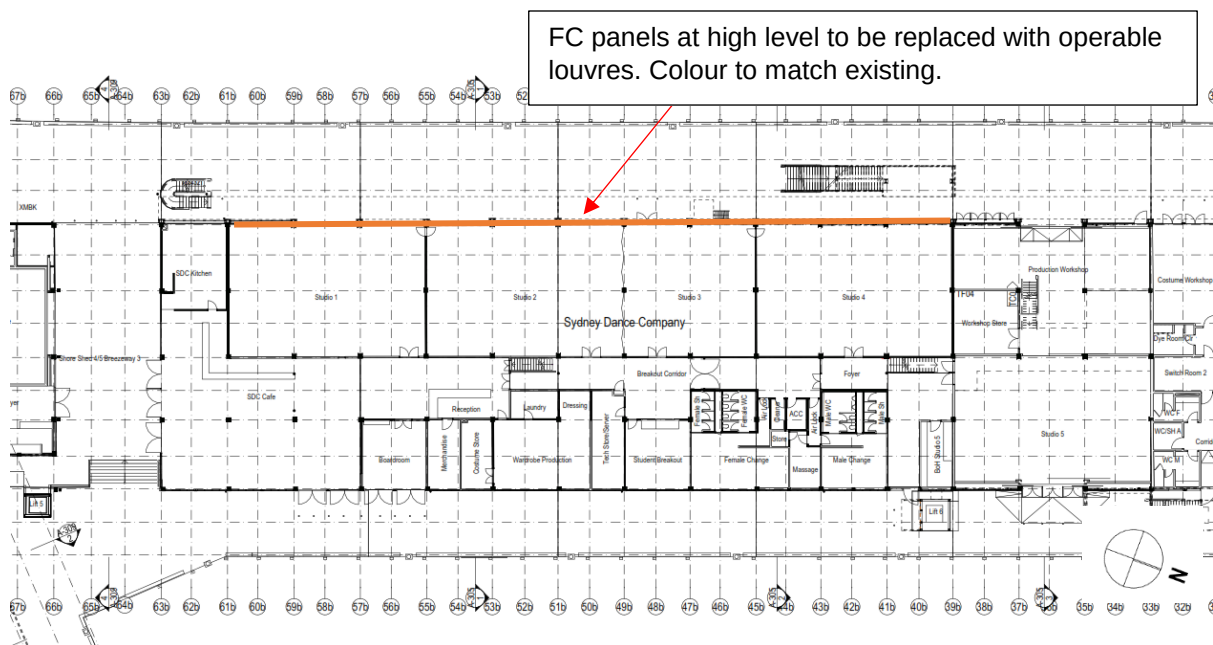


Figure 10: Ground floor plan showing location of proposed high level louvres to western façade (Dance Studios).



Figure 11: Ground floor high level FC panels to western façade. Right: Example of proposed operable louvres to be painted to match colour of existing FC panels. Extracted from ARUP report Wharf 4&5 – Dance Studio Ventilation dated 28 May 2021.



Figure 12: Existing FC panels from dance studios.

2.2.3 SSD8671-03 - Updated fit-out to Commercial 2, 3 and 4 within Shore Shed 4/5

Commercial 2, 3 and 4 were initially intended to be leased for commercial retail use.

The current proposed use is for Commercial 2 (Shore Shed 4/5 West) to be an extension of the precinct office, and Commercial 3 and 4 (Shore Shed 4/5 East) for dance rehearsal studios.

Commercial 2

Commercial 2 is located on the western section of Shore Shed 4/5. It was used as the customs office according to the early 1922 drawing (Figure 13). Prior to the Walsh Bay Arts Precinct development in 2018, the space was also used as the precinct office (Figure 15).

The proposed fitout is for Commercial 2 to be used as the precinct office, which is considered to be in keeping with its previous and early use as an office space.

The majority of the repair work to Commercial 2 has been carried out under the original approved SSD. The current proposed upgrade works are minimal and will include repair and seal the external façade, level existing floor install new vinyl floor finish, and install of new thermal insulated lightweight plasterboard wall with paint finish to the northern wall.

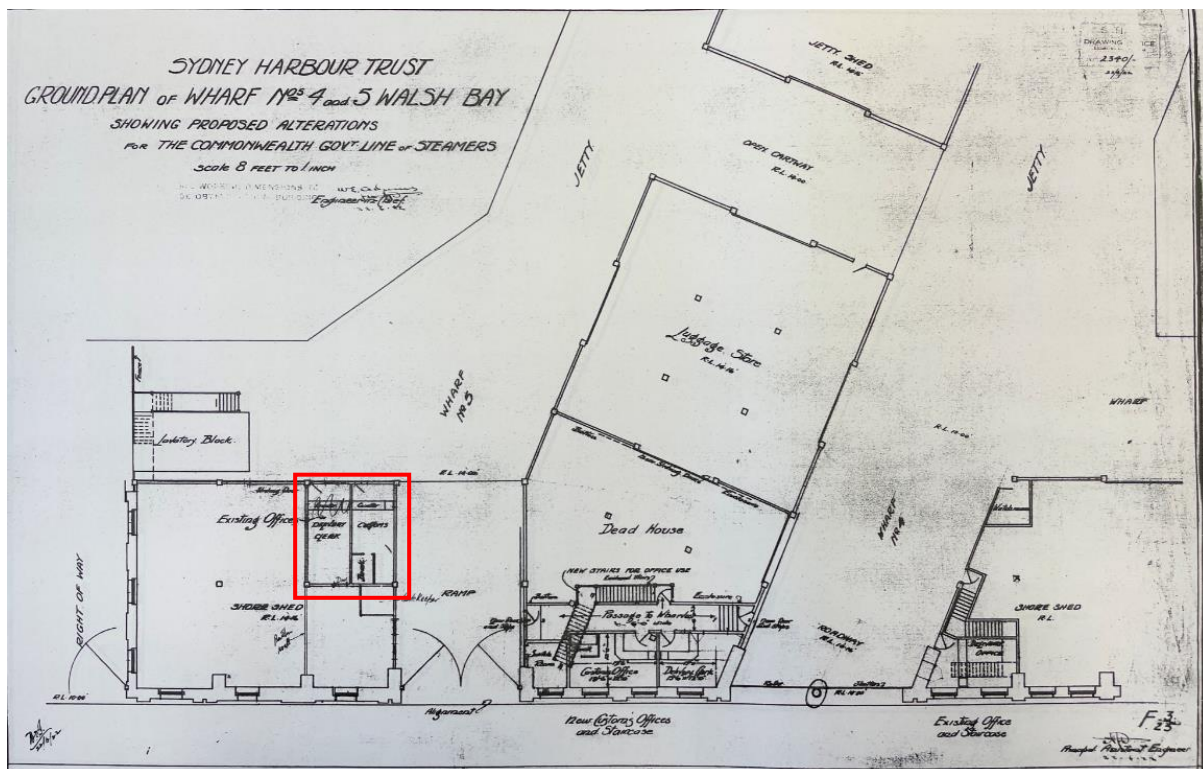


Figure 13: Early 1922 Ground Floor Plan of Shore Shed 4/5. Current Commercial 2 indicated in red, shown as Customs Office.

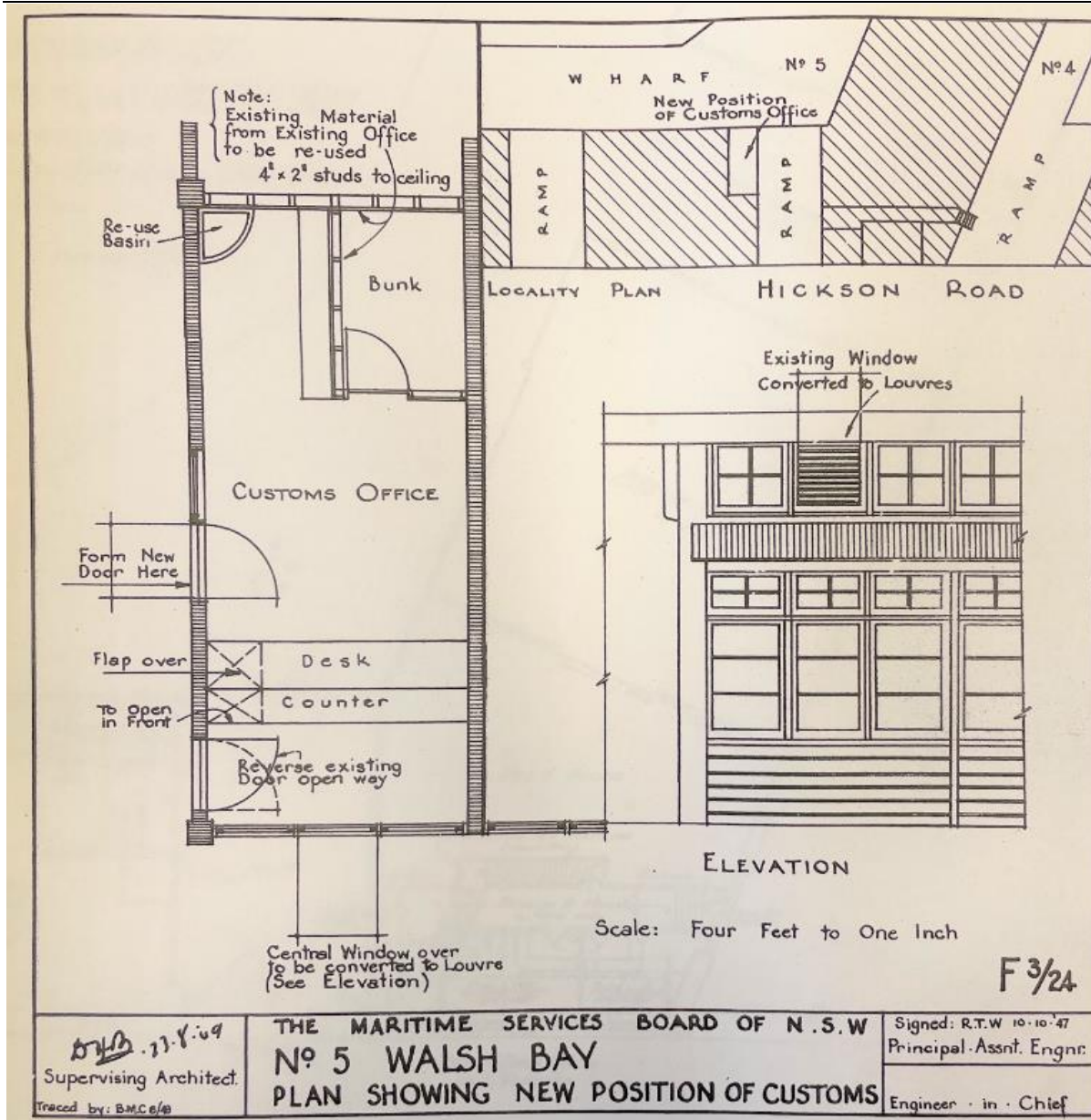


Figure 14: 1969 drawing of upgrade/refurbishment to Customs Office.



Figure 15: Pre Walsh Bay Arts Precinct fitout. The space was previously used as precinct office.



Figure 16: Commercial 2 taken in 2020. Current proposed upgrade includes lightweight wall to areas marked red.

Commercial 3

Early drawings dated 1922 and 1947 show Commercial 3 was used as offices and workshop area (Figures 17 and 18). Prior to the Walsh Bay Arts Precinct development in 2018, the space was occupied by Sydney Philharmonia Choirs. The recent fitout was demolished under the current SSD (Figure 19).

The current upgrade is for this space to be used as ancillary rehearsal space for the arts tenants. This will involve minor fitout works to make the space fit for purpose.

The proposed upgrade work include:

- New painted plywood floor on built up timber batten floor
- New lightweight steel framed walls with acoustic insulation, plasterboard lining and paint finish to north and west walls
- New plasterboard to southern wall below existing windows. Repair exposed brick wall above and paint to previous paint line
- New kitchenette along western wall, reusing existing service points
- Repair existing security bars to southern window

Note: The proposed plasterboard lining will be fixed to a new steel stud frame to the southern brick wall. This is where the previous toilet services were chased into the brick wall and wall tiles fixed to the brickwork. The new plasterboard wall is considered a less intrusive approach to cover previous unsightly damage where services and tiles have been removed and where poor cement mortar patchwork has been carried out (Figures 22 and 23). The plasterboard sheeting is necessary to create a safe wall surface and avoid further damage to the early significant brick wall.

Further, this proposed design modification to Commercial 3 can be considered less intrusive compared to the previous SSD approval which included a staircase and mezzanine level (Figure 20). Refer Section 3.0 and Section 4.0 for heritage impact assessment and heritage recommendations.

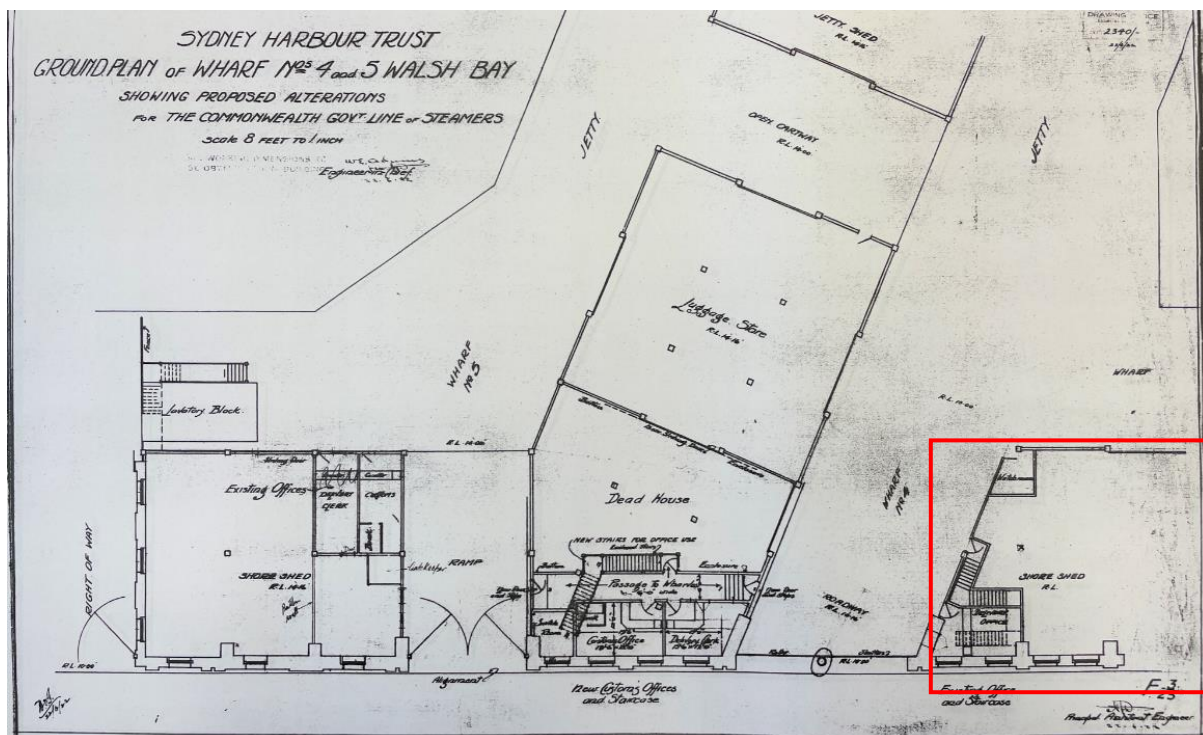


Figure 17: Early 1922 drawing of Ground Floor Plan of Shore Shed 4/5. Area of current Commercial 3 is outlined in red.

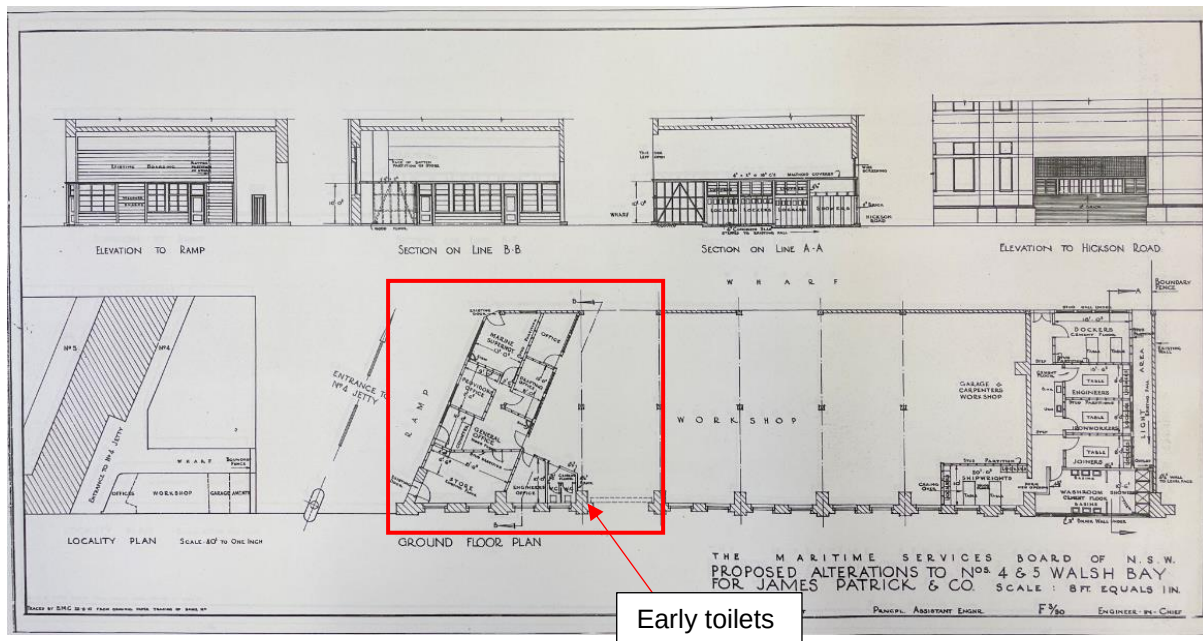


Figure 18: Early 1947 drawing of Ground Floor Plan of Shore Shed 4/5. Area of the current Commercial 3 is outlined in red.

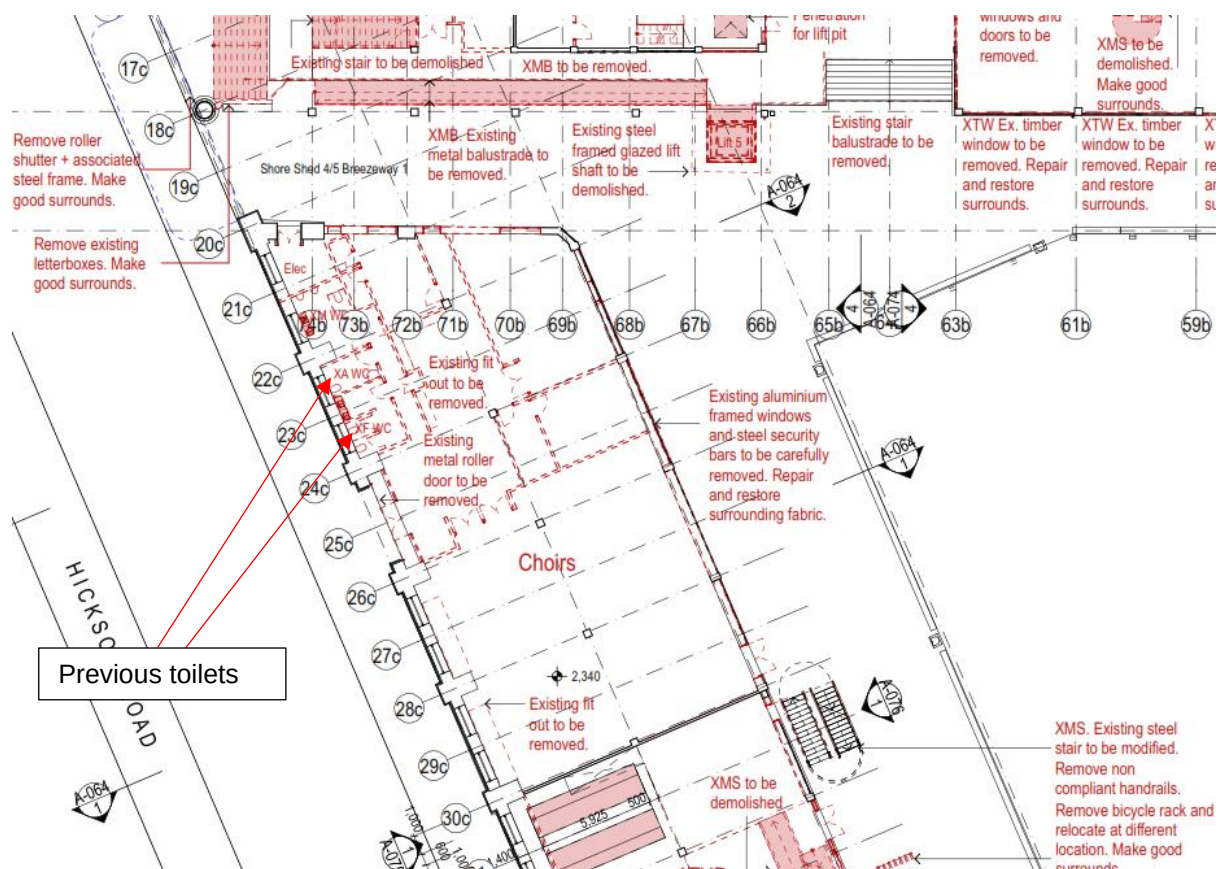


Figure 19: Pre Walsh Bay Arts Precinct fitout to Sydney Philharmonia Choirs.

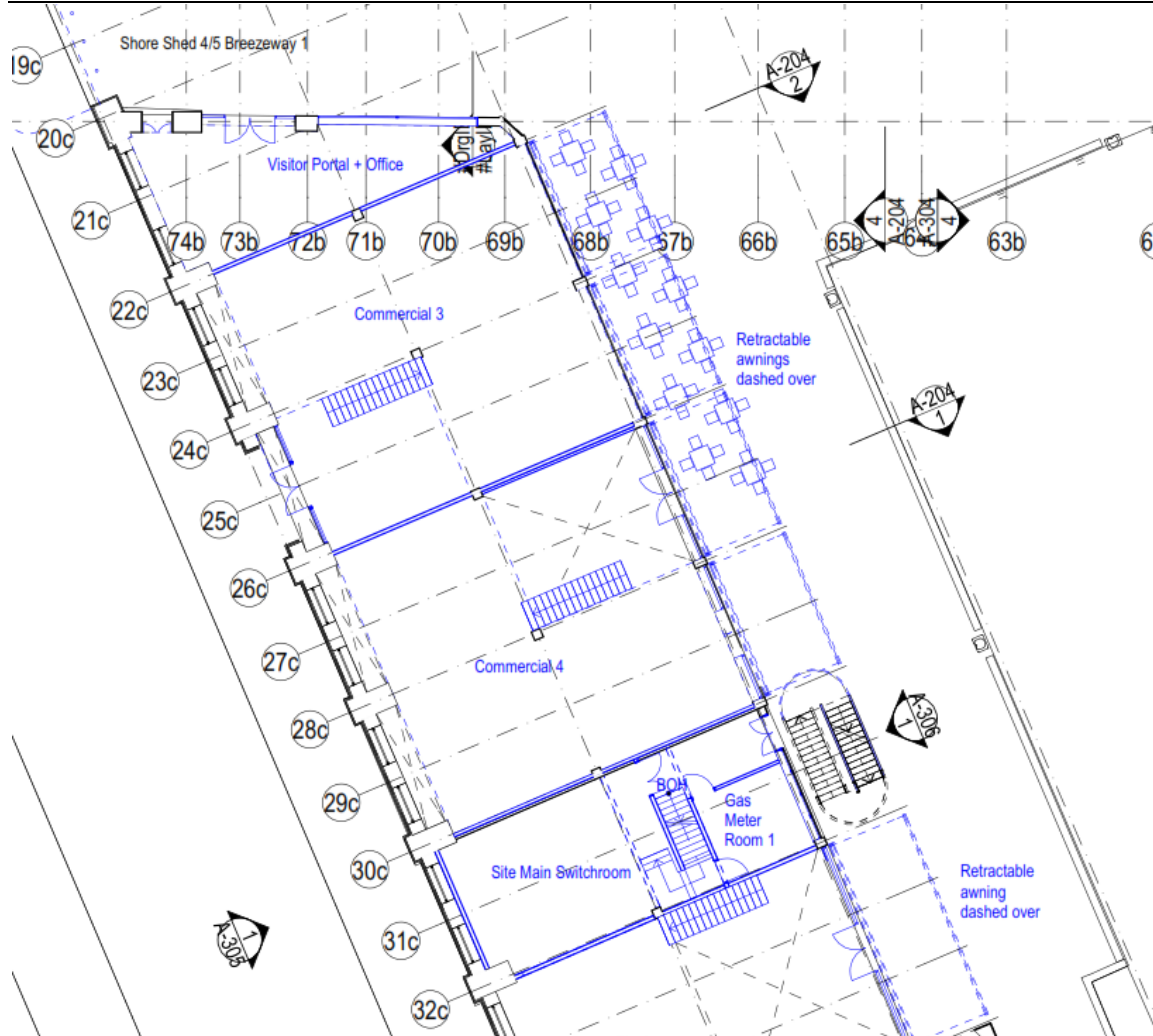


Figure 20: Previously approved proposal for Commercial 3 and 4.

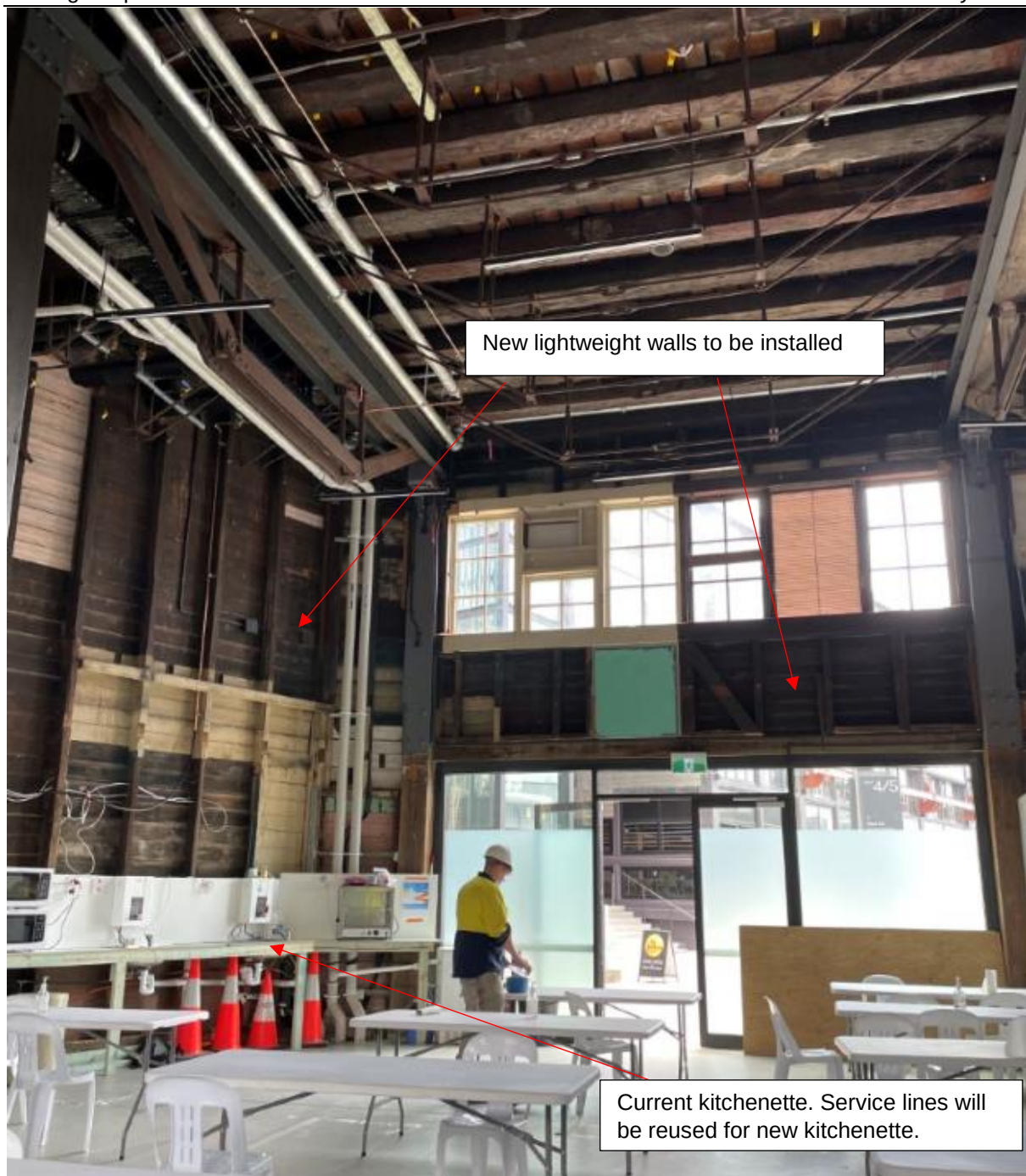


Figure 21: Northern and western timber weatherboard walls to Commercial 3.



Figure 22: Southern brickwall to Commercial 3. Note lower section previously chased for services and damaged brick face where previous tiles removed



Figure 23: Previous chasing for services and poor cement mortar patching to southern brick wall.

Commercial 4

Similar to Commercial 3, the space to Commercial 4 was used as a workshop as indicated in the early drawings (Figure 24).

The current upgrade is for this space to be used as ancillary rehearsal space for the arts tenants. This will involve minor fitout works to make the space fit for purpose.

The proposed upgrade work include:

- New sprung floor with vinyl finish
- New lightweight steel framed walls with acoustic insulation, plasterboard lining and paint finish to north wall
- New plasterboard to southern wall below existing windows. Repair exposed brick wall above and paint to previously paint line
- New kitchenette along western wall, reusing existing service points
- Make good southern wall

This proposed design modification to Commercial 4 can be considered less intrusive compared to the previous SSD approval which included a staircase and mezzanine level. Refer Section 3.0 and Section 4.0 for heritage impact assessment and heritage recommendations.

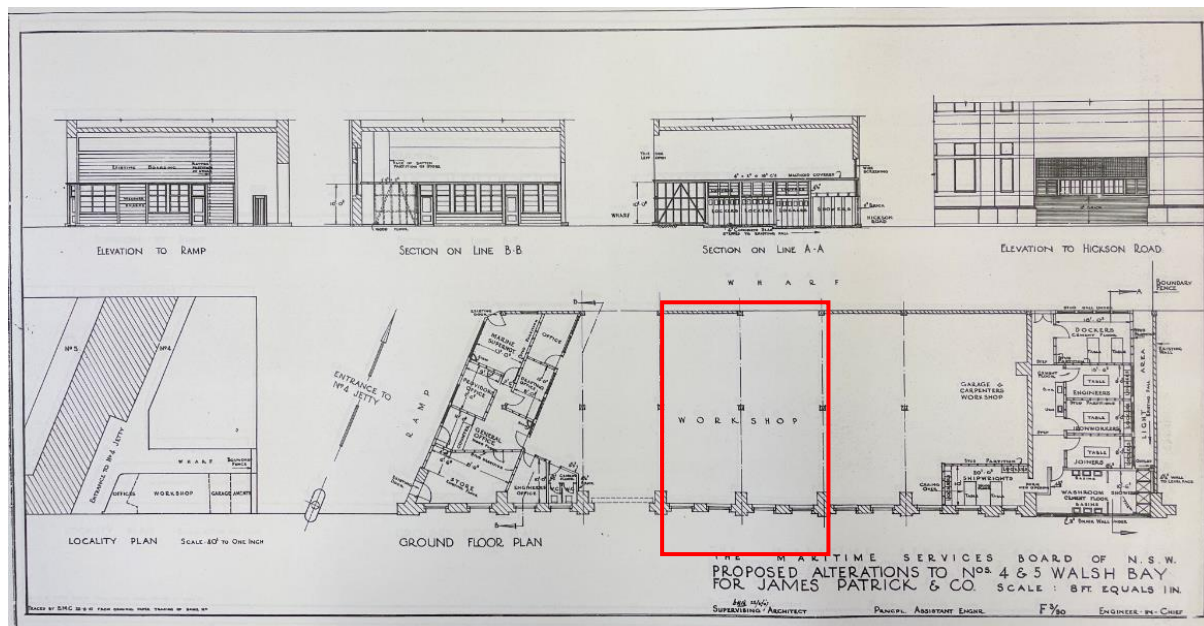


Figure 24: Early 1947 drawing of Ground Floor Plan of Shored Shed 4/5. Area of the current Commercial 4 is outlined red.



Figure 25: Southern brick wall to Commercial 4 in good condition.

3.0 HERITAGE IMPACT ASSESSMENT

3.1 General

This section assesses the impacts of the proposed modifications against the relevant heritage guidelines and planning instruments.

3.2 Heritage NSW Heritage Impact Assessment

The following table is extracted from Some Question to be Answered in a Statement of Heritage Impact and Supporting Information Required, guideline document for Statement of Heritage Impact prepared by Heritage NSW.

Note: the following table should be read in conjunction with the drawings and design statement by TZG.

Proposed Change to Heritage Item	Some Questions to be Answered in a Statement of Heritage Impact	Comments & Assessment
Demolition of a building or structure	- Have all options for retention and adaptive re-use been explored? - Can all of the significant elements of the heritage item be kept and any new development be located elsewhere on the site? - Is demolition essential at this time or can it be postponed in case future circumstances make its retention and conservation more feasible? - Has the advice of a heritage consultant been sought? Have the consultant's recommendations been implemented? If not, why not?	N/A
Minor partial demolition (including internal elements)	- Is the demolition essential for the heritage item to function? - Are important features of the item affected by the demolition (e.g. fireplaces in buildings)? - Is the resolution to partially demolish sympathetic to the heritage significance of the item? - If the partial demolition is a result of the condition of the fabric, is it certain that the fabric cannot be repaired?	Comments: The replacement of FC (asbestos) panels with louvres to the western façade of Wharf 4/5 are necessary for improved reasonable amenity, waterproofing and fire safety within the building whilst minimising impact to heritage fabric. Assessment: Moderate additional heritage impact.
Major partial demolition (including internal elements)	- Is the demolition essential for the heritage item to function? - Are particular features of the item affected by the demolition (e.g. fireplaces in buildings)? - Is the detailing of the partial demolition sympathetic to the heritage significance of the item (e.g. creating large square openings in internal walls rather than removing the wall altogether)? - If the partial demolition is a result of the condition of the fabric, is it certain that the fabric cannot be repaired?	N/A

Change of use	• Has the advice of a heritage consultant or structural engineer been sought? Has the consultant's advice been implemented? If not, why not? • Does the existing use contribute to the significance of the heritage item? • Why does the use need to be changed? • What changes to the fabric are required as a result of the change of use? • What changes to the site are required as a result of the change of use?	Comments: Commercial 2 will be used as precinct office, which is in keeping with the early and previous use of the space. Commercial 3 and 4 will be used as ancillary rehearsal spaces for the arts tenants. Assessment: Minor additional heritage impact.
Minor additions (see also minor partial demolition)	• How is the impact of the addition on the heritage significance of the item to be minimised? • Can the additional area be located within an existing structure? If no, why not? • Will the additions visually dominate the heritage item? • Is the addition sited on any known, or potentially significant archaeological deposits? If so, have alternative positions for the additions been considered? • Are the additions sympathetic to the heritage item? In what way (e.g. form, proportions, design)?	Comments: The replacement of FC panels with fixed two stage louvres on the upper level (Level 1) of the western façade of Wharf 4/5 is necessary to comply with the required smoke exhaust requirement. The replacement of FC panels with operable louvres to the Ground Floor dance studios is to increase passive cooling by venting hot air out from the spaces. Upgrade of fitout to Commercial 2, 3 and 4 are minor and will not significantly impact on existing heritage fabric. Major timber structure (storey posts and beams) will be exposed for interpretation. Assessment: Moderate additional heritage impact.

Major additions (see also major partial demolition)	• How is the impact of the addition on the heritage significance of the item to be minimised? • Can the additional area be located within an existing structure? If not, why not? • Will the additions tend to visually dominate the heritage item? • Are the additions sited on any known, or potentially significant archaeological deposits? If so, have alternative positions for the additions been considered? • Are the additions sympathetic to the heritage item? In what way (e.g. form, proportions, design)?	N/A
New development adjacent to a heritage item (including additional buildings and dual occupancies) Note: Most planning instruments (such as local and regional environmental plans) require the approval authority to take into account the impact of new development on adjacent heritage items or conservation areas.	• How is the impact of the new development on the heritage significance of the item or area to be minimised? • Why is the new development required to be adjacent to a heritage item? • How does the curtilage allowed around the heritage item contribute to the retention of its heritage significance? • How does the new development affect views to, and from, the heritage item? What has been done to minimise negative effects? • Is the development sited on any known, or potentially significant archaeological deposits? If so, have alternative sites been considered? Why were they rejected? • Is the new development sympathetic to the heritage item? In what way (e.g. form, siting, proportions, design)? • Will the additions visually dominate the heritage item? How has this been minimised? • Will the public, and users of the item, still be able to view and appreciate its significance?	N/A

Subdivision Note: Impacts on heritage values related to new subdivision can often be minimised through development control plans (DCPs). Refer to the Best Practice Guideline on preparing DCPs published by the Department of Planning	• How is the proposed curtilage allowed around the heritage item appropriate? • Could future development that results from this subdivision compromise the significance of the heritage item? How has this been minimised? • Could future development that results from this subdivision affect views to, and from, the heritage item? How are negative impacts to be minimised?	N/A
Repainting using new colour schemes	• Have previous (including original) colour schemes been investigated? Are previous schemes being reinstated? • Will the repainting effect the conservation of the fabric of the heritage item?	N/A
Re-roofing/re-cladding	• Have previous (including original) roofing/cladding materials been investigated (through archival and physical research)? • Is a previous material being reinstated? • Will the re-cladding effect the conservation of the fabric of the heritage item? • Are all details in keeping with the heritage significance of the item (e.g. guttering, cladding profiles)? • Has the advice of a heritage consultant or skilled tradesperson (e.g. slate roofer) been sought?	N/A

New services (e.g. air conditioning, plumbing)	• How has the impact of the new services on the heritage significance of the item been minimised? • Are any of the existing services of heritage significance? In what way? Are they affected by the new work? • Has the advice of a conservation consultant (e.g. architect) been sought? Has the consultant's advice been implemented? • Are any known or potential archaeological deposits (underground and under floor) affected by the proposed new services?	Comments: Proposed kitchenette to Commercial 3 and 4 will reuse previous service points. No new services points are proposed. Assessment: No heritage impact.
Fire upgrading	• How has the impact of the upgrading on the heritage significance of the item been minimised? • Are any of the existing services of heritage significance? In what way? Are they affected by the new work? • Has the advice of a conservation consultant (e.g. architect) been sought? Has their advice been implemented? • Are any known or potential archaeological deposits (underground or under floor) affected by the proposed new services? • Has the advice of a fire consultant been sought to look for options that would have less impact on the heritage item? Will this advice be implemented? How?	Comments: The replacement of FC panels with fixed two stage louvres on the upper level (Level 1) of the western façade of Wharf 4/5 is necessary to comply with the required smoke exhaust requirement whilst ensuring the building is waterproof. Assessment: Moderate additional heritage impact.
New landscape works and features (including carparks and fences)	• How has the impact of the new work on the heritage significance of the existing landscape been minimised? • Has evidence (archival and physical) of previous landscape work been investigated? Are previous works being reinstated? • Has the advice of a consultant skilled in the conservation of heritage landscapes been sought? If so, have their recommendations been implemented? • Are any known or potential archaeological deposits affected by the landscape works? If so, what alternatives have been considered? How does the work impact on views to, and from, adjacent heritage items?	N/A

Tree removal or replacement Note: Always check the tree preservation provisions of your local council when proposing removal of trees	• Does the tree contribute to the heritage significance of the item or landscape? • Why is the tree being removed? • Has the advice of a tree surgeon or horticultural specialist been obtained? • Is the tree being replaced? Why? With the same or a different species?	N/A
New signage	• How has the impact of the new signage on the heritage significance of the item been minimised? • Have alternative signage forms been considered (e.g. free standing or shingle signs). Why were they rejected? • Is the signage in accordance with section 6, 'Areas of Heritage Significance', in Outdoor Advertising: An Urban Design-Based Approach?(1) How? • Will the signage visually dominate the heritage item/heritage conservation area or heritage streetscape? • Can the sign be remotely illuminated rather than internally illuminated?	N/A

3.3 Conservation Management Plan

The following table sets out the assessment of the design proposal with the relevant policies contained in the following endorsed CMP:

- Conservation Management Plan Pier 2/3, Wharf 4/5 and Shore Shed 4/5, Walsh Bay Arts Precinct (WBAP), Issue 9 dated December 2021 prepared by Tropman and Tropman Architects.

Policy	Assessment
Policy 6.3.9 <i>Ensure that heritage significance is considered for heritage items, development within heritage conservation areas, and development affecting archaeological sites and places of Aboriginal heritage significance.</i>	The proposed modifications have been reviewed and heritage advice provided with respect to heritage significance of the building and its elements. The proposal complies.
Policy 6.5.1 Conserve the strong sense of unity of the site as part of the Walsh Bay Wharf Precinct complex, including industrial maritime spatial character, scale, general building form, construction technology, building fabric and treatment of facades & roof envelope and colour scheme, throughout.	The proposed modifications are considered minor and will not significantly impact upon the character, scale and building form. The proposed external louvres to the western façade of Wharf 4/5 will be painted to match existing FC panels, which will reduce visual impact and maintain visual consistency. The proposal complies.
Policy 6.5.3 Conserve the maximum amount of patina to fabric consistent with the preservation of the element and in relation to the relative significance of the element. Replacements, no matter how accurate, should be considered of far less heritage value than the original fabric.	Repair and conservation work to the existing heritage fabric (brick wall, storey posts, timber beams and brackets) within the commercial spaces are carried out where necessary to preserve and prevent further damage to significant heritage fabric. The proposal complies.
Policy 6.5.4 Conserve the large and significant external building forms and internal industrial spaces associated with the Maritime Phase where possible.	Existing building form is maintained. No significant external changes are proposed. Commercial 2, 3 and 4 will maintain early spatial configuration. The proposal complies.
Policy 6.5.7 The surface patina of significant fabric, both internal and external, should be retained, consistent with the preservation of the element and in relation to the relative significance of the element. Maintenance and cleaning activities must not involve the removal of or damage to significant fabric. Surface patina important to the item's heritage significance must be preserved during maintenance and cleaning.	Repair and conservation work to the existing heritage fabric (brick wall, storey posts, timber beams and brackets) within the commercial spaces are carried out where necessary to preserve as much existing surface patina and prevent further damage to significant heritage fabric. The proposal complies.

Policy 6.5.13 New or repaired elements should generally adopt the visual characteristics of the surrounding context in order to minimise visual interruption to the original context.	The proposed external louvres to the western façade of Wharf 4/5 will be painted to match existing FC panels, which will reduce visual impact and maintain consistency of the overall appearance of the wharf. Brick wall repairs to Commercial 3 and 4 are aimed at keeping the existing appearance and preserving the significance of the wall. The proposal complies.
Policy 6.5.35 The existing storey post layout above the apron level for Pier 2/3, Wharf 4/5 and Shore Shed 4/5 should be conserved. Removal of storey posts is not permitted, unless for repair or replacement.	No storey posts will be removed. The proposal complies.
Policy 6.5.45 Significant Maritime Phase external fabric, including surface patina, should be retained in-situ and conserved. This includes but is not limited to the following: Pier2/3 and Wharf 4/5 Buildings: • external walls protective frame, • timber jetty shed kerbing, • timber storey posts, girders, mid rails & posts, timber weatherboards, cargo doors, including sliding doors, cargo door protective frame (internal), sheet metal sleeves fitted over door leaves to protect the edge, door rollers, hardware ie. hasps, staples, locks, etc • fenestration, including, timber joinery - framed multi-paned windows, glazing, asbestos-containing sheet infill panels, metal louvres, timber framed cargo doors. • flag pole and balcony platform used for raising flags (north facade), • associated signage to external walls ie. painted numbers & letters, attached metal signs & interpretation panels. • early metal fixtures & fittings • mooring bollards Refer to Appendix B: Conservation Action Plans, • Action Plan 2: Salvage & Storage of Timber Cladding & Joinery During Demolition • Action Plan 11: Repair of Wharf Superstructure including Structural Timbers, Metalwork, Cladding & Roof. Shore Shed 4/5 Building: • face brickwork, including terracotta vents • face stonework including: copings; cornices; window sills & heads, lead coping flashings • timber storey posts, girders, mid rails & posts, timber weatherboards, • fenestration, including timber joinery - framed multi-paned windows, glazing, asbestos-	Generally, the proposal complies, except for the replacement of some of the FC (asbestos) infill panels to the western façade of Wharf 4/5 with powdercoated aluminium framed solid louvres. The proposed replacement of ten FC infill panels at high level to Level 1 with fixed two staged powdercoated aluminium framed solid louvres are necessary for fire safety due to the reduction in the total smoke relief area. This reduction has been caused by the need to prevent rainwater ingress by shutting the existing glazed louvres. RCC have indicated that the additional high level louvred openings will meet the required area for smoke relief. As discussed in Section 2.2.1. The proposed replacement of twenty two FC infill panels at high level to the Ground Floor with operable powder coated aluminium framed solid louvres are necessary for improved ventilation. This is due to the extreme ambient temperatures within the dance studios, particularly in the afternoon. RCC have indicated that the additional high level louvred openings will facilitate the necessary improved amenity. As discussed in Section 2.2.1. The proposed changes to both locations will be with solid infill louvres painted to match the existing FC infill panels. This will reduce the visual impact and maintain consistency of the overall appearance of the wharf. Further, heritage recommendations are provided in Section 4.0 to mitigate heritage impact and ensure the proposal can be reversed to the early solid panel configuration. TTA believes that the proposed modification to replace the FC (asbestos) infill panels to the western façade of Wharf 4/5 with powdercoated aluminium framed solid louvres are acceptable

containing sheet infill panels, metal louvres, timber doors • rendered steel lintels, metal roller doors, metal window grills, metal flag posts, • associated signage to external walls ie. painted numbers & letters (bay identification) attached metal signs & interpretation panels, • early metal fixtures & fittings Refer to Appendix B: Conservation Action Plans, • Action Plan 9: Underpinning of Hickson Road Façade • Action Plan 12: Repair of Masonry Walls.	for necessary fire safety, weatherproofing and improved reasonable amenity.
Policy 6.5.51 Significant internal fabric and surface patina associated with the Maritime Phase should be retained in-situ and conserved. This includes but is not limited to the following: Interior • Heavy Framing (Raised Floor Area) • Deck - Timber Planks (Deck) & Sheathing (Floor Boards) • Riveted Web Plates • Steel Bar Joist Strongbacks • External Wall Cladding (Timber weatherboards) & Cargo Door Protective Frames • Timber Cargo Door Leaves • Cargo Door Hardware • Metal Bottom Guide Rail • Metal Top Guide Rail • Cargo Door Hasp and Staple (some with locks) • Timber Stairs and Kerbing • Storey Posts • Storey Post Signage • Timber battened Partition Wall with Sliding Doors • Timber Floor Hatches • Light Shades • Early Conduit and Switch Boxes • Metal Numbered Truss Signage • Early Concrete Walling with Coke Breeze Concrete Infill • Large Timber Cross-bracing • Wool Bale Drop • Wool Drop Remnants • Timber Battens • Timber Batten-Framed Deadhouse • Bracing Brackets / fixing plates • Riveted Strongbacks • Steel Bar Joist Strongbacks • Beams • Girders • Heavy Timber Floor Bracing • Timber Roof Trusses • Timber Purlins • Ironmongery • Mooring Bollards	Existing early heritage fabric within the commercial spaces are retained. The proposal complies.

• Bolts & fixings • Metal Louvres	
Policy 6.7.9 Modifications or additional mechanical and electrical services must be designed with consideration to the existing heritage significant fabric including minimising damage to fabric during installation.	No additional mechanical and electrical services are proposed that will interfere with existing heritage significant fabric. The proposal complies.
Policy 6.7.12 Retain unconditioned natural ventilation through openings in the façade to all internal spaces were possible.	The replacement of FC panels with louvres to the Ground Floor western façade of wharf 4/5 (Dance Studios) are necessary to improve natural ventilation and provide improved reasonable amenity to occupants. The new louvres will be painted to match existing FC panels to reduce visual impact and maintain consistency of the overall appearance of the wharf. The proposal complies.

3.4 Walsh Bay Arts Precinct Architectural Code

The proposal must correspond to the character of the precinct, colours and materials as outlined in the Walsh Bay Precinct Architectural Code.

Assessment:

The proposed modifications will have some additional impact to the existing heritage fabric, texture and pattern of the building.

3.5 Walsh Bay Arts Precinct Tenancy Fitout Guidelines

The proposal must take into consideration the guidelines recommended in the document and seek formal approval from the relevant authorities.

Assessment:

The proposed modifications conform to the policies and guidelines outlined in the Tenancy Fitout Guideline.

3.6 Sydney Regional Environmental Plan No 16 (SREP 16)– Walsh Bay

In reviewing the proposed design it is important to understand the planning context and the SREP 16 illustrates the intent of this zone. It is a special area which has a number of key controls and planning objectives.

Below is a list of objectives relating to Zone 1 – Walsh Bay Conservation Zone

- (a) to allow an appropriate range of uses to encourage the adaptive re-use of existing structures while not required for commercial port uses,
- (b) to ensure that development is consistent with the heritage significance, the scale, the built form and the materials of existing structures in the zone and adjoining areas,
- (c) to ensure that development is compatible with and does not detract from the financial, commercial and retail functions of the existing city central business district and the Sydney Cove Redevelopment Area, and
- (d) to ensure that development is compatible with and does not adversely impact on the residential amenity and function of the adjoining areas.

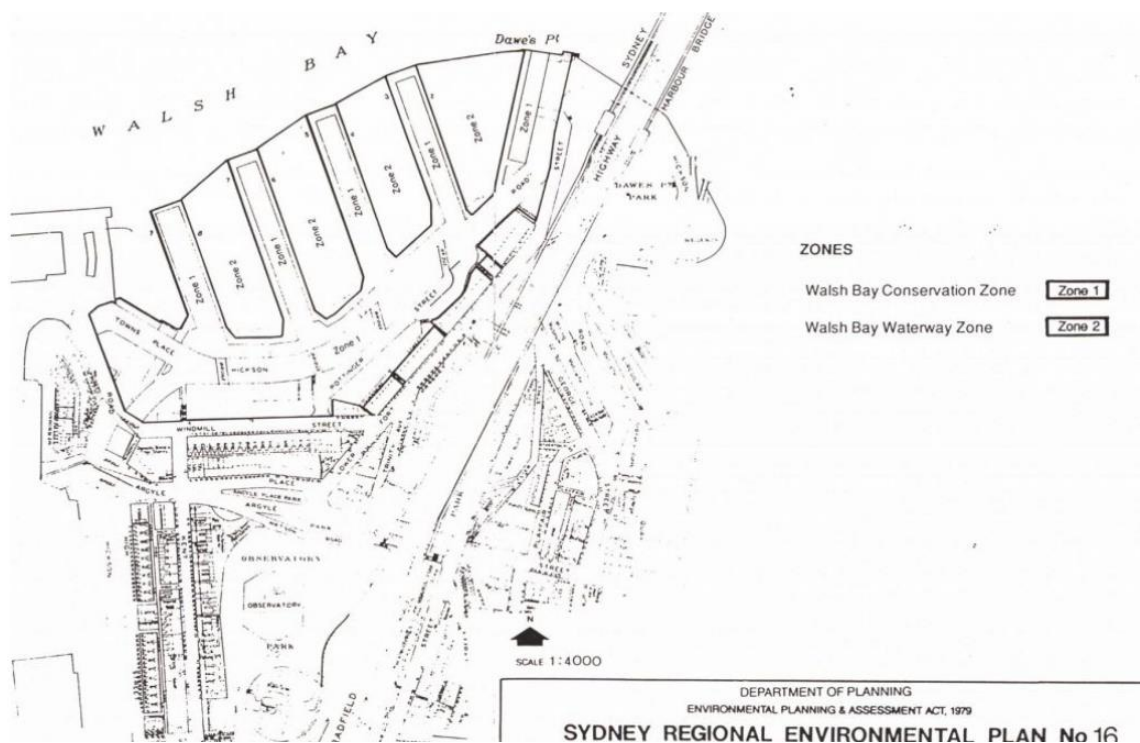


Figure 26: SREP 16 – Zone 1 Walsh Bay Conservation Zone.

Assessment:

The proposed modifications conform to the policies and guidelines as per the approved SSDA. The proposed modifications are considered acceptable and have been carefully considered to ensure the development is consistent and respectful of the heritage significance, bulk and scale of the existing buildings, precinct and the immediate surroundings.

4.0 RECOMMENDATIONS

4.1 General Recommendations

- All new works should be the most sustainable solution for the present and foreseeable future demands for the building and in particular for the designated site.
- All existing heritage fabric should be appropriately protected during construction and subsequently maintained.
- All work shall be carried out by suitably qualified tradespersons with practical experience in conservation and restoration of similar heritage structures, materials and construction methods.
- Heritage Consultant must be consulted for advice on any further details regarding the proposed works.

4.2 Recommendations for Proposed Louvres to Western Façade of Wharf 4/5

- New solid louvres must match colour of existing FC panels.
- Removal of existing FC panel must be carried out with care to minimise impact to adjacent heritage fabric.
- Installation of new louvres must be carried out with care with no/minimal heritage fabric intervention.
- Mechanism for operable louvres must be rationalised and avoid fixing into existing heritage fabric.
- If any fixings are required into heritage fabric, they must be minimised to allow reversibility. Heritage Consultant must be notified.

4.3 Recommendations for Proposed Fitout Upgrade to Commercial 2, 3 and 4

- Sealing and painting of existing weatherboard façade must be carefully carried out. Application of sealant must be neat and consistent. This is to limit further impacts to heritage fabric and maintain a weatherproof and consistent appearance.
- Carefully clean brick surface in order to remove dirt, debris and harmful substances.
NOTE: No harsh chemicals are to be used.
- Where repointing or making good to existing face work are necessary, match sound original brickwork and joints as determined by examination and matching of adjacent areas.
- No new chasing to brick wall is permitted.
- Any new fixings must be to mortar joints.

- New plasterboard lined wall to be set below window sill by approximately 3 bricks to allow interpretation of window sill and max exposure of undamaged brickwork. This will also interpret previous wall tiling to wet area.
- New steel framing is to be fixed to existing timber framing with minimal screw fixings at maximum centres. This is to minimise any damage to existing timber fabric, and allow reversibility.
- Existing storey posts must be kept exposed. Painting of timber storey posts is not permitted unless previously painted.
- Wherever possible, expose timber structural members (beams and bracing) and retain natural finish.
- New kitchenettes are to reuse existing service points.
- New service points in particular new plumbing to other areas are not permitted.

5.0 CONCLUSION

The proposed design modifications (Modification 7) to SSD8671 Wharf 4/5 and Shore Shed 4/5 are considered reasonable and acceptable with regards to heritage impact. The proposed modifications have been reviewed and discussed along with appropriate heritage recommendations to mitigate any further impacts to heritage fabric and the overall heritage significance of the wharf and precinct.

The proposed replacement of the FC infill panels with solid louvres to the western façade of Wharf 4/5 are essential for fire safety and waterproofing to Level 1; and providing improved reasonable amenity to the Ground Floor dance studios.

The proposed upgrade to Commercial 2, 3 and 4 are for ongoing occupancy and use of the building.

The proposed modifications will have some positive impacts and minimal adverse impacts on significant heritage fabric, views, the precinct and the immediate surroundings.

We recommend the works described in this application to be approved providing the recommendations as set out previously are adhered to.

Appendix D- Noise Impact Assessment

Infrastructure NSW

Walsh Bay Arts Precinct

Section 4.55 Modification 7 Noise
Impact Assessment

Issue 3 | 27 January 2022

This report takes into account the particular instructions and requirements of our client.

It is not intended for and should not be relied upon by any third party and no responsibility is undertaken to any third party.

Job number

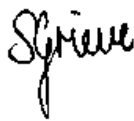
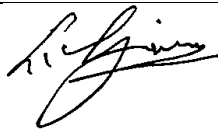
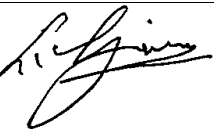
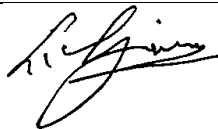
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Document verification

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			Prepared by	Checked by	Approved by
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References

- [1] Environment Protection Authority, “Industrial Noise Policy,” Environment Protection Authority, Sydney, 2000.
- [2] Arup, “WBACP - SSDA - Noise and Vibration Impact Assessment,” Arup, Sydney, 2017.
- [3] Arup, “274902-AC01-v5-WBAP Noise Management Plan,” Arup, Sydney, 2020.

1 Introduction

This Noise Impact Assessment (NIA) has been prepared by Arup on behalf of Infrastructure NSW (INSW) for Walsh Bay Arts Precinct (WBAP) (SSD 8671), to support a Section 4.55 SSDA modification.

The WBAP (SSD 8671) was approved by the Minister for Planning 17 May 2018.

A modification to SSD 8671 is sought to allow

- Additional uses of Commercial spaces 2, 3 and 4
- The installation of additional louvres within the Sydney Dance Company (SDC) tenancy
- The installation of additional louvres within the Sydney Theatre Company (STC) tenancy

It is noted, external façade works for STC are covered by SSD 8671. No changes to internal fitout and refurbishment works are proposed, therefore no modification to SSD 7561 is sought.

2 Site description

2.1 WBAP and surrounds

The WBAP comprises of Pier 2/3, Wharf 4/5, and Wharf 4/5 Shore Sheds. The site has a street frontage to Hickson Road as shown in Figure 1.

The site is part of the Walsh Bay area, which is located adjacent to Sydney Harbour within the suburb of Dawes Point.



Figure 1: WBAP site including STC and surrounds

2.2 Noise sensitive receivers

The most potentially affected receivers are residential premises identified in Figure 2 and listed in Table 1. These are in accordance with receivers identified in SSD 8671 Condition E6.



Figure 2: Site location, noise sensitive receivers

Table 1: Residential receivers

Receiver	No. of floors
Shore 6/7 apartments Level 1, 2, 3, 4 & 5	6
1-23 Lower Fort Street (North Terraces)	3
25-79 Lower Fort Street (South Terraces)	3
2-34 Pottinger Street Terraces	3
Pier 6/7 apartments	7

3 Noise emission assessment

3.1 Additional uses of Commercial spaces

Noise emissions from the operations of Commercial spaces 2, 3 and 4 (shown in Figure 3) as food and beverage retailers have been assessed and deemed to comply provisions are outlined in the WBAP Noise Management Plan [3]. The deemed to comply scenario conservatively assumes overall internal noise levels due to patrons and staff of 75 dBA, and also includes 10 outdoor patrons for Commercial 2 and 64 for Commercial 3 and 4. Noise emissions from the deemed to comply scenario are predicted to meet noise criteria.

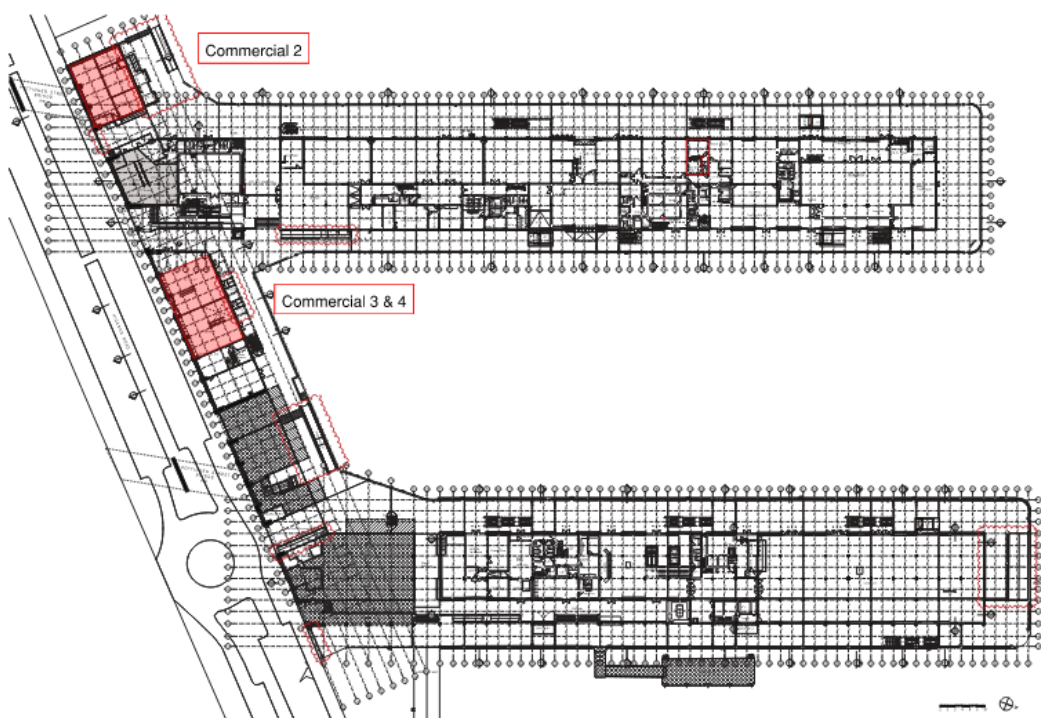


Figure 3: Commercial 2, 3 and 4

The proposed additional use of these Commercial spaces as cultural uses, i.e. hosting singing and dancing rehearsals internally, is predicted to marginally reduce overall noise impact by approximately 1 dB at surrounding receivers, including worst affected residences at Pier 6/7 apartments.

Although the internal noise levels from singing and dancing activities are anticipated to be louder than from patrons dining, the removal of patrons dining outdoors has offset the internal noise increase, resulting in an overall reduction in noise emissions from the venues.

No exceedances or adverse acoustic impacts as a result of these additional uses are anticipated.

3.2 Installation of additional louvres in STC and SDC

A small section of louvres is proposed to be added to the already partly louvred facades of STC and SDC facades. The increase in anticipated noise impacts is likely to be minor, i.e. less than 1dB, due to the proportionally small increase in louvred façade compared to existing.

The accuracy of predicting increases in noise impacts due to additional louvres to STC and SDC facades would, however, be limited due to:

- the inconsistent existing façade of these venues to be replaced by louvres; and
- the different speaker locations within various studios in STC and SDC.

A more reliable means of determining and maintaining compliance with noise emission criteria is considered to be the direct measurement of noise emissions from both venues once the louvres are installed, and the potential reduction of noise limiter settings within the venues to meet compliance with external noise criteria.

Following the installation of louvres at STC and SDC, noise emissions will be assessed to determine compliance with external noise criteria using the following methods:

- Following the installation of louvres, attend site early morning or late evening to minimise extraneous noise influence.
- Conduct a background noise measurement at Pier 6/7 apartments, the worst affected residences by SDC and STC studios.
- Play pink noise through the in-house sound system in SDC and STC studios where additional louvres are to be installed. All studios shall play noise concurrently such that each studio internal noise level is equal where possible.
- Increase pink noise equally across each studio till contributions at Pier 6/7 are 10dB above background. Measure noise levels in SDC & STC studios and at residences to determine the transfer function between studios and locations.
- Determine the internal noise limit corresponding to noise criteria at Pier 6/7.

4 Conclusion

Noise impacts due to proposed modifications at WBAP have been assessed, with the following outcomes:

Additional use of Commercial spaces

The use of Commercial space 2, 3 and 4 as cultural use for rehearsal spaces is anticipated to be lower than the currently approved use of food and beverage retail. No adverse acoustic impacts are anticipated.

Installation additional louvres in STC and SDC

The potential adjustment of sound system noise limiters within SDC and STC following the installation of additional louvres to the facades shall be conducted based on noise measurements. Limiter settings shall be reduced as required to maintain compliance with noise emission criteria at worst affected receivers.