

Our Ref: 2190140
Council Ref: SSD 8517

6 June 2019

2190140

Jim Betts
Secretary
Department of Planning, Industry & Environment
GPO Box 39
SYDNEY NSW 2000

Attention: Emily Dickson

Dear Emily

SECTION 4.55(1A) MODIFICATION APPLICATION - MOD 3 BAYS 3-4A, LOCOMOTIVE WORKSHOPS, SOUTH EVELEIGH

This application has been prepared by Ethos Urban on behalf of Mirvac Projects Pty Ltd pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to modify Development Consent SSD 8517 which relates to Bays 1-4a, Locomotive Workshops, South Eveleigh.

The purpose of this modification request is to seek approval to make minor amendments to the base build layout of the ground floor level of Bays 3-4a.

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:

- Architectural Drawings, prepared by Sissons Architects (**Attachment A**);
- BCA Statement, prepared by Philip Chun Building Code Consulting (**Attachment B**); and
- Heritage Impact Statement, prepared by Curio Projects (**Attachment C**).

1.0 Background

Two State Significant Development Applications (SSDs 8517 and 8449) relating to the Locomotive Workshops were submitted to the Department of Planning, Industry & Environment (the Department) on 13th November 2017.

SSD 8517 related to the eastern portion of the Locomotive Workshop being Bays 1-4a and sought approval for:

- The adaptive reuse of the Locomotive Workshops (Bays 1-4a) including:
 - a maximum of 11,662m² GFA for uses including retail premises, function centre, educational establishment, information and education facility, artisan food and drink industry, general industrial (retention of the Blacksmith) and recreation facility (indoor);
 - a loading dock and travelator;
 - associated heritage conservation works; and
 - public domain works, external illumination and signage.

SSD 8449 related to the western portion of the Locomotive Workshops being Bays 5-15 and sought approval for:

- The adaptive reuse of the Locomotive Workshops (Bays 5-15) including:
 - A maximum of 27,458m² GFA for commercial premises including 156m² for retail uses;
 - Associated heritage conservation works;
 - External illumination and signage.

Development consent for both SSD applications was granted by the Independent Planning Commission (IPC) on 22 February 2019.

1.1 Consent to be modified

The consent that is to be modified in this application is SSD 8517, which relates to Bays 1-4a within the Locomotive Workshop, South Eveleigh.

1.2 Previous modification applications

There are two other modification applications that relate to SSD 8517. These comprise:

- Modification 1 – which seeks amendments to Condition B29 and was submitted on 1st April 2019 and is currently being assessed by the Department; and
- Modification 2 – which sought to delete Condition D6 and was approved on 29th May 2019.

2.0 Proposed modifications to the consent

The proposed modifications to the development consent comprise:

- amendments to the layout of the ground floor level of Bays 3-4a
- insertion of an additional egress stair leading from Level 1 to the Ground Floor in Bay 3;
- amendment to the gross floor area (GFA);
- Removal of the signage zones on the Services Towers at Bays 4 and 4a; and
- associated amendments to the Description of Development and Condition A2 of SSD 8517.

The proposed modifications are described in more detail below.

2.1 Modifications to the development

In conjunction with the fit-out design for the proposed supermarket and a necessity to comply with the Building Code of Australia, the design of the base build layout of the northern portion of Bays 3-4a at the ground floor level within the Locomotive Workshop has been further developed and evolved. Accordingly, Mirvac seeks approval for minor design changes to the approved layout and a resulting change to the maximum GFA.

The proposed modifications to SSD 8517 are illustrated in the revised Architectural Drawings prepared by Sissons Architecture (**Attachment A**) and in Figure 1. **Table 1** provides an overview summary of the proposed changes, along with details of the drivers for the change.

Table 1 Schedule of design changes

Location	Proposed change	Driver for change
Egress Stairs - Bay 3 north	New egress stairs are to be located in the northern most corner of Bay 3.	Egress stairs are required to be inserted into the northern corner of Bay 3, due to the need to provide an additional egress from Level 1. As confirmed in the Statement provided by Philip Chun Building Code Consulting (Attachment B), Top Education, an educational establishment is proposed to occupy the northern tenancy in Bays 1-4a at Level 1. Accordingly, under the BCA requirements, the stair is required to accommodate the proposed number of people anticipated to occupy the Top Education tenancy at any one time.
Plant room – Bay 3 north	The plant room is to be relocated from the northern corner of Bay 3 to a more central location within Bay 3.	The relocation of the plant room results from the requirement for the insertion of an additional egress stairway in Bay 3. The justification for the location of the plant room is provided below.
Base building store room – Bay 3 north	Additional storage rooms for use by tenants other than the supermarket are proposed to be included within Bay 3 north.	Store rooms that will be utilised for handling deliveries and materials by the tenants (other than the supermarket) in Bays 1,2, 3, 4 and 4a at ground floor of the Locomotive Workshop are required to be provided as an operational requirement. It is proposed that stock and materials will be unloaded from trucks within the Loading Dock, but will then be temporarily stored in the proposed new store rooms before being transported to the respective tenanted spaces. Further justification is provided below.
Public amenities – Bay 4a north	Reconfiguration of amenities layout comprising a reduction in the length but minor increase in the width	To consolidate the amenities towards the back of Bays 3-4a, provide a wider shopfront zone and more flexibility for the supermarket operator. In addition, the reconfiguration will also provide a larger display area and more open view leading from the central spine into the supermarket.
Service Tower – Bays 4 and 4a	Removal of signage zones on the Service Zones	As required under condition B5, the signage zones on the Service Towers are proposed to be removed.

Gross Floor Area

The amendments to the layout of Bays 3-4a and in particular the insertion of an additional egress stair and a larger plant room, necessitates an amendment to the maximum GFA. Accordingly, as illustrated on the revised Architectural Plans included at **Attachment A**, the maximum GFA for the development is to decrease from 11,662m² to 11,607m².

Location of the Plant Room

A new egress stair is required to be positioned in the northern corner of Bay 3 in place of the plant room, as justified above and in the BCA Statement at **Attachment B**. However, the proposed new location of the plant room provides a better outcome as it is in close proximity to the loading dock, which enables the reticulation of services to be provided via a dedicated riser that will be attached to the lift core in Bay 3 as well as enabling the ongoing maintenance of the plant from the loading dock. Furthermore, the new centralised location of the plant room provides a better outcome as it reduces the visual impact of running services in the 'front of house' areas.

Store Rooms

Mirvac are encouraging artisan retailers to occupy the tenancies within Bays 1-4a, whereby they will manufacture, produce and sell goods on site. In order to facilitate and encourage the tenants to showcase the 'theatre' of their manufacturing and production in the front of house areas, the prospective tenants in Bays 1,2 3 and 4a at ground level (excluding the Supermarket) require additional storage to support their operations. The proposed additional back of house storage rooms will temporarily store stock and materials after they have been unloaded from trucks in the loading dock and before being transported to the tenancy. The location of the storage rooms is centralised with the retail bays and adjacent to the loading dock to facilitate easy transportation of the goods and materials through the use of pallet jacks, from the loading dock to the proposed tenancies in Bays 1,2,3 and 4a at ground floor level.

As per the original waste management strategy, other tenancies within the commercial side of the Locomotive Workshop will utilise the northern laneway that runs between the northern façade and the site boundary to transport goods and waste between the tenancy and the loading dock.

2.2 Modifications to conditions

The proposed modifications described above necessitate amendments to the Description of Development and Condition A2 of development consent SSD 8517, which are identified below. Words proposed to be deleted are shown in ~~bold strike through~~ and words to be inserted are shown in ***bold italics***.

Description of Development

Adaptive reuse of the Locomotive Workshop (Bays 1-4a) including:

- a maximum of ~~11,662m²~~ ***11,607m²*** GFA for uses including retail premises, function centre, educational establishment, information and education facility, artisan food and drink industry, general industrial (retention of the Blacksmith) and recreation facility (indoor);
- a loading dock and travelator;
- associated heritage conservation works; and
- public domain works, external illumination and signage.

Justification

The changes to the development as detailed in **Section 2.1** have necessitated the changes to the description of the development and in particular the quantum of GFA within the proposed development.

A2 Terms of Consent

Drawing No.	Rev	Name of Plan	Date
SA-AR-DWG-BB-B4-0304	M	Site Retail Plan	17/09/18
SA-AR-DWG-BB-B4-0304	N	Site Retail Plan	22/03/19
SA-AR-DWG-BB-B4-0330	S	Proposed Plan – Ground Floor	17/09/18
SA-AR-DWG-BB-B4-0330	T	Proposed Plan – Ground Floor	22/03/19
SA-AR-DWG-BB-B4-0331	S	Proposed Plan – First Floor	17/09/18
SA-AR-DWG-BB-B4-0331	Y	Proposed Plan – First Floor	03/06/19
SA-AR-DWG-BB-B4-0350	N	GFA Plans	17/09/18
SA-AR-DWG-BB-B4-0350	T	GFA Plans	03/06/19
SA-AR-DWG-BB-B4-0361	M	Signage Elevations	17/09/18
SA-AR-DWG-BB-B4-0361	R	Signage Elevations	03/06/19
SA-AR-DWG-BB-B4-0390	H	Proposed permanent land uses plan – ground floor	17/09/18
SA-AR-DWG-BB-B4-0390	I	Proposed permanent land uses plan – ground floor	22/03/19
SA-AR-DWG-BB-B4-0391	H	Proposed permanent land uses plan – first floor	17/09/18
SA-AR-DWG-BB-B4-0391	J	Proposed permanent land uses plan – first floor	05/06/19
SA-AR-DWG-BB-B4-0392	D	Proposed temporary land uses plan – ground floor	17/09/18
SA-AR-DWG-BB-B4-0392	E	Proposed temporary land uses plan – ground floor	22/03/19
SA-AR-DWG-BB-B4-0393	E	Proposed temporary land uses plan – first floor	17/09/18
SA-AR-DWG-BB-B4-0393	F	Proposed temporary land uses plan – first floor	05/06/19

Justification

The changes to the development as detailed in **Section 2.1** have necessitated the changes to the plans.

3.0 Substantially the same development

Section 4.55(1A) of the EP&A Act states that a consent authority may modify a development consent if “it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all)”.

The development, as proposed to be modified, is substantially the same development as that originally approved in that it:

- The proposed amendments do not seek to amend the approved uses, the external structures or heritage fabric;
- The approved GFA is being decreased by 55m², which is a minor change;

- The modified development generally retains the same design and development parameters as approved;
- The amendments relate to the internal configuration of the Bays 3-4a and will not have any significant visual impacts of the appreciation of the space;
- The environmental impacts of the modified development remain substantially the same as the approved development; and
- The proposed modifications do not give rise to any new matters/ areas of non-compliance and are of minimal environmental impact.

4.0 Environmental assessment

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

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

4.1 Heritage Impact

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

The Locomotive Workshops Building is also listed individually on the ATP S170 Register.

Accordingly, Curio Projects have prepared a detailed Heritage Impact Statement (**Attachment C**), to assess and identify any potential heritage impacts that may be generated by the proposed modifications on the overall heritage values and significance of the Locomotive Workshops and the wider significance of the former Eveleigh Railway Workshops State Heritage Item.

Having considered each of the amendments in detail, Curio Projects confirm that the alterations to the base build layout within Bays 3-4a north are minor in nature and relate only to the slight modification of modern supermarket elements of the public amenities and plant/ storage room. Further, it is considered that the proposed modifications will not introduce any physical impact to the heritage fabric and will have a neutral visual impact, retaining views of the significant architectural form and features of the Locomotive Workshops building in the north of Bays 3-4a.

Given the fact that the storerooms and plant are new additions to the modern elements and will not impact the heritage fabric they will entirely be reversible.

In particular, Curio note that that reduction in the length of the amenities block will be a positive visual heritage impact, improving the experience of the central open space of the Locomotive Workshops from the central spine, that facilitates the sense of ‘expansiveness’ appreciated from the central spine/ fronting the supermarket shopfront.

Overall, Curio confirm that the proposed modifications will continue to preserve, accentuate and emphasise the exceptional cultural and aesthetic values of the Locomotive Workshops, its collections, stories and spaces within an operational framework that will secure the long-term economic viability and activation of the site.

4.2 Visual Impact

The proposed modifications, and in particular the relocation of the plantroom, addition of the storage rooms and reconfiguration of the public amenities has the potential to impact upon the visual sightlines from the central spine towards the rear wall of Bays 3-4a.

In consideration of this, illustrative images of the supermarket fit-out design (**Figures 1-3**) have been prepared by Loop Creative, that demonstrate how the positioning of the new store rooms and plant integrate with the proposed fit out for the Supermarket and that the heritage fabric of Bays 3-4a will still be able to be seen and a sense of space and expansiveness will still be able to be achieved.

OVERALL FLOOR PLAN

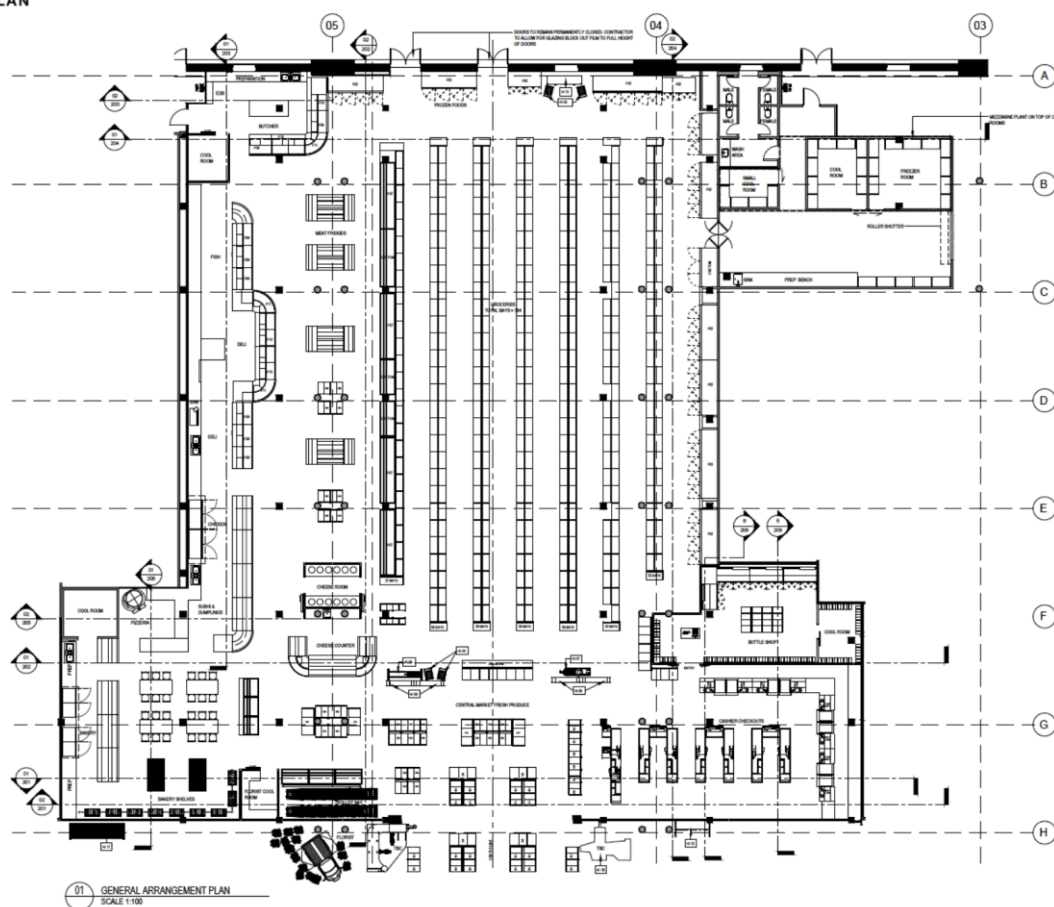


Figure 1 Proposed supermarket fit out design

Source: Loopcreative

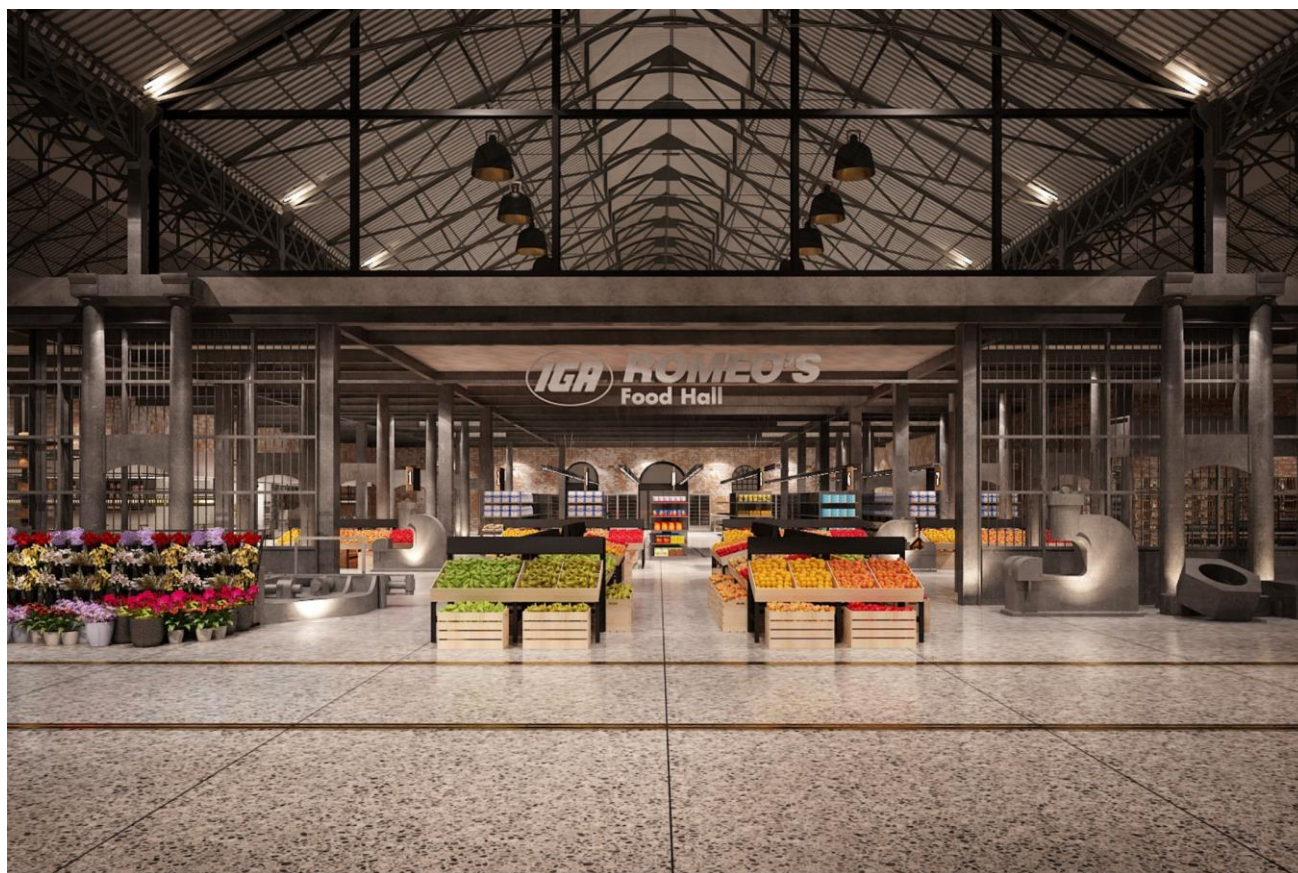


Figure 2 Illustrative Image of the proposed supermarket from Bay 4

Source: Loopcreative



Figure 3 Illustrative Image of the proposed supermarket, from the side of Bay 4

Source: Loopcreative

4.3 Reasons given for granting consent

The Statement of Reasons for Decision issued by the IPC noted that the key environmental impacts relevant to the SSD applications include:

- Heritage conservation management;
 - Loading dock;
 - Travelator;
 - Demolition and internal works;
 - Blacksmith operation
- Traffic and Access
 - Access to the loading dock
- Public Domain
 - Tree removal
- Other
 - Signage zones
 - Ecologically sustainable development
 - Construction management

- Positive Covenant.

The following statement is particularly noted:

“In order for the proposed retail function of the development to operate successfully, the Commission acknowledges that there must be a strong operational nexus between the loading dock and the proposed retail uses. The Commission notes the loading dock is located within close proximity to the retail and supermarket spaces, permitting the efficient operation of these future uses, which are critical to the future activation of the building.”

In consideration of the IPS comment, the addition of back of house store rooms adjacent to the loading dock is a necessity that will facilitate and encourage the tenants to showcase the ‘theatre’ of their manufacturing and production in the front of house areas and contribution to the efficient operation of the retail space in Bays 1-4a.

5.0 Conclusion

The modification application seeks approval for minor amendments to the internal layout of Bays 3-4a north and the associated amendments to the quantum of GFA, description of development and Condition A2.

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

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

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

Yours sincerely,



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