



# *Locomotive Workshop, Bays 1-4a*

*State Significant  
Development Modification  
Assessment  
(SSD 8517 MOD 3)*



September 2019

© Crown Copyright, State of NSW through its Department of Planning, Industry and Environment 2019

Cover photo

Aerial artist impression of the Locomotive Workshop (Source: SSD 8517 MOD 3)

Disclaimer

While every reasonable effort has been made to ensure this document is correct at time of printing, the State of NSW, its agents and employees, disclaim any and all liability to any person in respect of anything or the consequences of anything done or omitted to be done in reliance or upon the whole or any part of this document.

Copyright notice

In keeping with the NSW Government's commitment to encourage the availability of information, you are welcome to reproduce the material that appears in Locomotive Workshop Modification Assessment Report (SSD 8517 MOD 3). This material is licensed under the Creative Commons Attribution 4.0 International (CC BY 4.0). You are required to comply with the terms of CC BY 4.0 and the requirements of the Department of Planning, Industry and Environment. More information can be found at: <https://www.dpie.nsw.gov.au/copyright>.



## Glossary

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



# 1. Introduction

This report provides an assessment of an application to modify the State significant development (SSD) consent for the adaptive reuse of Bays 1-4a of Locomotive Workshop in the Australian Technology Park (ATP) at Eveleigh (SSD 8517).

The modification application seeks approval to amend the layout of the ground and first floor levels of Bays 3-4a, insert additional egress stairs from the level 1 to the ground floor level of Bay 3, amend the gross floor area (GFA) and remove the signage zones on the service towers at Bays 4-4a.

The modification application was lodged on 6 June 2019 by Mirvac Projects Pty Limited (the Applicant) pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

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

## 1.1 Background

The site is the Locomotive Workshop, located within the northern portion of the ATP. The ATP is located approximately 5 km south of the Sydney central business district (CBD), 8 km north of Sydney airport and 200 m from Redfern railway station. The Locomotive Workshop, with a site area of 26,984 m<sup>2</sup>, is a two-storey sandstone brick neoclassical building, divided into 16 equal sized bays orientated north south (**Figure 1**).



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

The Locomotive Workshop is listed as a State Heritage Item under the NSW State Heritage Register and the Australian Technology Park S170 Heritage and Conservation Register. The Locomotive Workshop was constructed in 1887 and was used for locomotive manufacturing until 1952 when it became a repair and maintenance facility. Bays 1 to 4a contained machines, tool and assembly areas and continued to include a blacksmiths workshop. The workshop shut in 1988 and converted to commercial office space in the mid-1990s.

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

1.2 Approval History

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

The approval of SSD 8517 includes a maximum of 11,662m<sup>2</sup> GFA for commercial premises for retail uses, function centre, educational establishment, information and education facility, artisan food and drink industry, associated heritage conservation works and external illumination and signage.

The development consent has been modified on one occasion, with one modification currently awaiting determination by the Commission, as outlined in **Table 1**. The subject application is the third modification (MOD 3).

Table 1 | Summary of Modifications to SSD 8517

Mod No.	Summary of Modifications	Approval Authority	Type	Approval Date
MOD 1	Modification to Condition B29 (Stormwater and Drainage) to allow for a reduction post-development stormwater pollutant loads.	Minister (delegated to the Commission)	4.55 (1A)	Recommendation
MOD 2	Modification to Condition D6 (Construction Hours) to allow for rock hammering, pile driving and similar activities during the approved construction hours.	Department	4.55 (1A)	29 May 2019



## 2. Proposed Modification

On 6 June 2019, the Applicant lodged a modification application (SSD 8517 MOD 3) seeking approval, under section 4.55(1A) of the EP&A Act, to amend the layout of the ground floor level and first floor level including (Figure 2 and 3):

- additional egress stairs from the first floor level to the ground floor level of Bay 3 north, to meet access requirement for the first floor level
- amendments to the layout of the ground floor level in Bays 3-4a moving the plant room and including additional storage, to allow for the additional stairs and tenant requirements
- reconfiguration of amenities layout on the ground floor level of Bay 4a north, to provide a wider shopfront zone and more flexibility for the supermarket operator
- removal of a dividing wall on the first floor level of Bay 3, to allow for tenant requirements
- consequential reduction in gross floor area from 11,662 m<sup>2</sup> to 11,607 m<sup>2</sup>
- deletion of signage zones on the service towers above Bays 4-4a as required by Condition B5 of the original development consent.

A link to the modification application documents is provided in **Appendix A**.

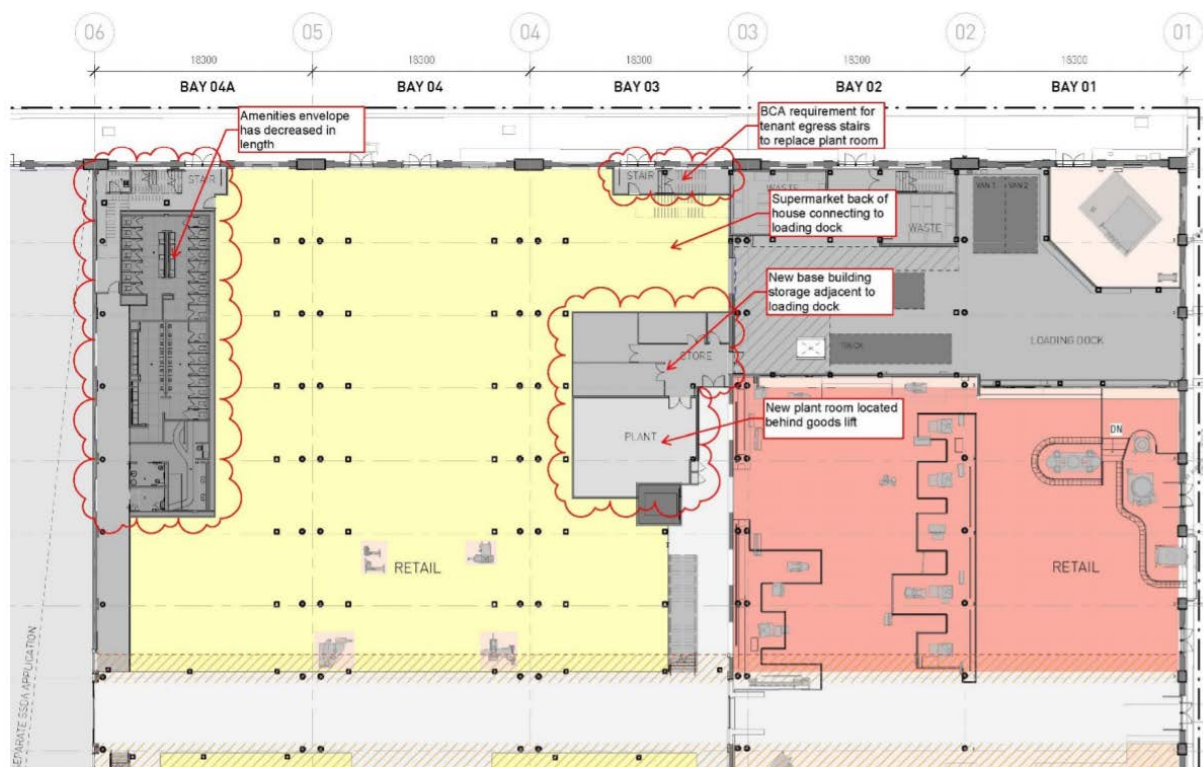
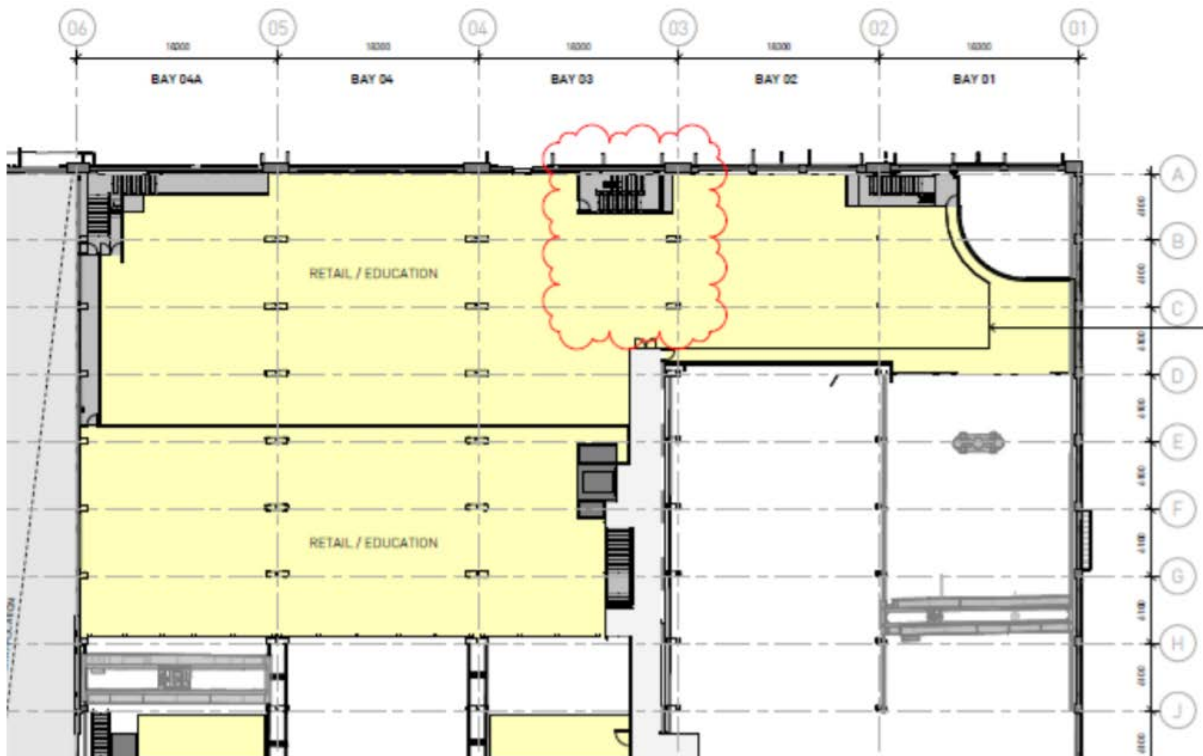


Figure 5.2: Proposed Modifications Ground Floor Supermarket layout in Bays 3-4a. Modification locations indicated in red. (Source: Sissons 2019)

**Figure 2** | Proposed Modifications to Ground Floor Level in Bays 3-4a. Modification locations indicated in red  
(Source: Heritage Impact Statement)



**Figure 3** | Proposed Modifications to First Floor Level in Bays 3-4a. Modification locations indicated in red  
(Source: Heritage Impact Statement)



## 3. *Strategic Context*

### 3.1 Greater Sydney Region Plan & Eastern City District Plan

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

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

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



## 4. Statutory Context

### 4.1 Scope of Modifications

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

**Table 2** | Section 4.55 (1A) Evaluation

Section 4.55(1A) Evaluation	Consideration
a) that the proposed modification is of minimal environmental impact, and	<p><b>Section 6</b> of this report provides an assessment of the impacts associated with the modification application.</p> <p>The Department considers the proposed changes to the layout of the ground floor level and first floor level of Bays 3-4a are minor and notes there are no changes to approved land uses. As the modified proposal remains largely unchanged no additional significant impacts have been identified.</p>
b) that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and	<p>The modification application does not change the nature of the development being the adaptive reuse of the building for commercial and retail usage but seeks specifically to amend the layout of the ground floor level and first floor level of Bays 3-4a. The proposal is considered to result in development that is substantially the same as the originally approved development.</p>
c) the application has been notified in accordance with the regulations, and	<p>The modification application has been notified in accordance with the Environmental Planning and Assessment Regulation 2000 (EP&amp;A Regulation). Details of the notification are provided in <b>Section 5.1</b> of this report.</p>
d) any submission made concerning the proposed modification has been considered.	<p>The Department received a response from City of Sydney Council (Council) and Heritage, Community Engagement Group, Department of Premier and Cabinet (formerly OEH Heritage Division) (Heritage). The comments made in submissions have been considered in <b>Sections 5</b> and <b>6</b> of this report.</p>

### 4.2 Consent Authority

The Minister for Planning and Public Spaces (Minister) is the consent authority for the application under section 4.55(1A) of the EP&A Act. However, under the Minister's delegation dated 11 October 2017, the Director, Key Sites Assessment, may determine the application as:

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

### 4.3 Environmental Planning Instruments

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

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

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

### 4.4 Objects under the EP&A Act

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



## 5. Engagement

### 5.1 Department's Engagement

Clause 117(3B) of the EP&A Regulations specifies that the notification requirements of the EP&A Regulations do not apply to SSD. Accordingly, the modification application was not exhibited. However, it was made publicly available on the Department's website on 26 June 2019 and was referred to Council and Heritage, with a request for comments by 11 July 2019 (15 days).

### 5.2 Summary of Submissions

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

Council advised it had no comments on the proposal.

Heritage advised it has no objections to the proposal and provided the following comments in relation to the changes to Bay 3:

- the relocated plant room and storage rooms will increase the bulk in this location, however the rooms align with the back-of-house areas and will not obstruct views to the significant perimeter walls and the architectural features of Bays 3-4a and is therefore supported.

### 5.3 Response to Submissions

Following exhibition, the Department placed copies of all submissions received on its website and forwarded these to the Applicant for consideration.

The Applicant noted they had reviewed the submissions and had no comments. The Applicant's response was made publicly available on the Department's website.



## 6. Assessment

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

### 6.1 Heritage Impacts

The Applicant provided a Heritage Impact Statement (HIS) confirming the proposed modifications to the internal layout to Bays 3-4a are not likely to result in any adverse heritage impacts within the site. A BCA statement was also provided confirming the requirement for including the additional egress stairs from the first floor level to the ground floor level.

Heritage has reviewed the Applicant's HIS and notes that while the relocated plant and additional storage will increase bulk in this area, the rooms will not obstruct views to the significant perimeter walls and the architectural features of Bays 3-4a. Heritage therefore considers the rooms are appropriately located and are acceptable.

The Department has carefully considered the proposal and notes the revised layout and additions:

- will improve the use of tenancy space and meet tenant needs
- meet the requirements of the BCA with the inclusion of the additional egress stairs
- retains the same level of amenities for future building occupants.

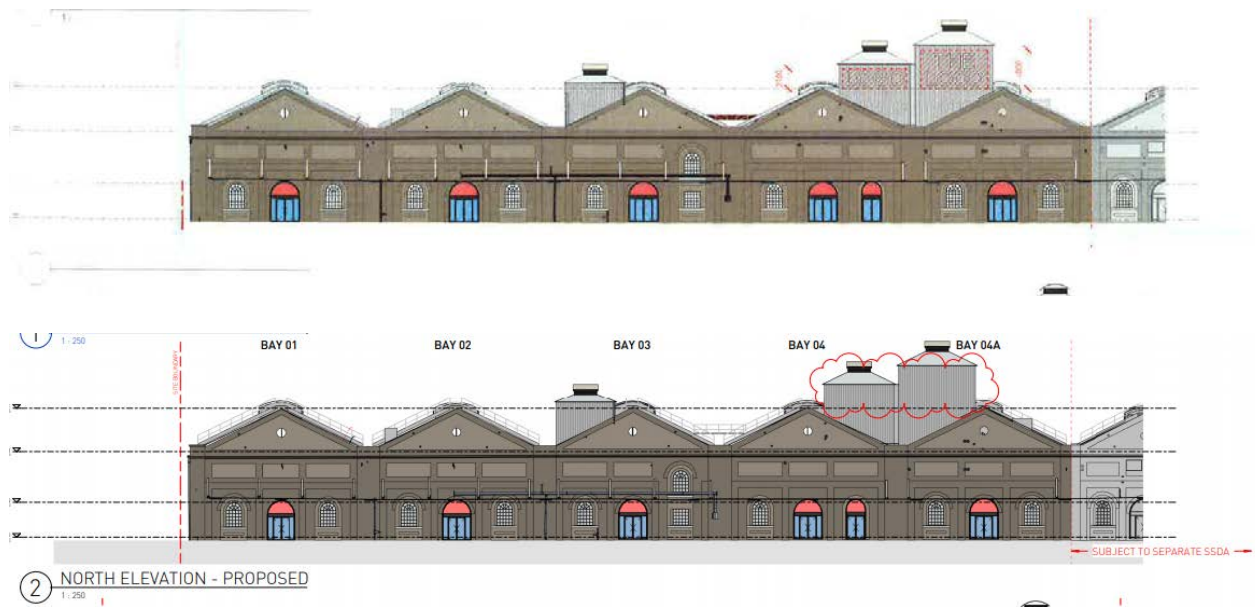
The Department has considered the conclusions of the Applicant's HIS and the advice provided by Heritage. The Department is satisfied the modification will have minimal impact to the heritage significance of the site and will continue to enhance the use and appreciation of the northern part of the space, while maintaining visibility to the original fabric of the building.

The Department therefore supports the proposal to modify the ground floor level and first floor level layout of Bays 3-4a and accordingly modify the approved plans within Condition A2.

### 6.2 Other

The Applicant has submitted revised signage elevations which show the removal of two signage zones on the service towers above Bays 4-4a (**Figure 4**). This is in response to Conditions A19(f) and B5 of the development consent which requires amended plans deleting the signage zones in this location.

The Department recommends that Conditions A19(f) and B5 is deleted, as the revised signage elevations will be incorporated into the approved plans listed in Condition A2.



**Figure 4** Removal of signage zones (shown clouded red)

(Source: Applicant's EIS and Modification Report)



## 7. *Evaluation*

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

- it complies with relevant statutory provisions and the proposal remains consistent with relevant EPIs and the strategic planning context
- it is substantially the same development as originally approved and does not result in any adverse environmental impacts
- it does not result in any adverse heritage impacts or reduced visual access to significant heritage fabric and structure.

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



## 8. Recommendation

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

- **considers** the findings and recommendations of this report
- **determines** that the modification application SSD 8517 MOD 3 falls within the scope of section 4.55(1A) of the EP&A Act
- **accepts and adopts** all of the findings and recommendations in this report as the reasons for making the decision to grant approval to the application
- **modifies** the consent SSD 8517
- **signs** the attached Modification of Development Consent (**Appendix B**).

Recommended by:

**Amy Watson**

Team Leader

Key Sites Assessments



## 9. *Determination*

The recommendation is: **Adopted by:**

6 September 2019

**David McNamara**

Director

Key Sites Assessments



# Appendices

## Appendix A – List of Documents

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

1. Environmental Impact Statement  
<https://www.planningportal.nsw.gov.au/major-projects/project/12711>
2. Submissions  
<https://www.planningportal.nsw.gov.au/major-projects/project/12711>

## Appendix B – Modification of Development Consent

<https://www.planningportal.nsw.gov.au/major-projects/project/12711>

## Appendix C – Consolidated Consent

<https://www.planningportal.nsw.gov.au/major-projects/project/12711>