



10 September 2019

**State Significant Development applications for the adaptive reuse of  
the Locomotive Workshop, Australian Technology Park  
(Bays 1-4a: SSD 8517 Mod 1 and Bays 5-15: SSD 8449 Mod 1)**

**1. INTRODUCTION**

1. On 26 July 2019, the NSW Independent Planning Commission (**Commission**) received two State Significant Development modification applications for the adaptive reuse development at 2 Locomotive Street, Eveleigh in the Australian Technology Park (**ATP**) (**SSD 8517 Modification 1 and SSD 8449 Modification 1**) from the NSW Department of Planning, Industry and Environment (**Department**).
2. SSD 8517 Modification 1 and SSD 8449 Modification 1 were lodged by Mirvac Projects Pty Ltd (**Applicant**) pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (**EP&A Act**). The modification applications seek consent to reduce the post-development pollutant load reductions required by the respective conditions attached to the consents for SSD 8517 and SSD 8449.
3. The Commission is the consent authority in respect of SSD 8517 Modification 1 and SSD 8449 Modification 1 under section 4.5(a) of the EP&A Act and clause 8A of the *State Environmental Planning Policy (State and Regional Development) 2011* (**SEPP SRD**). This is because the City of Sydney Council (**Council**) made a submission objecting to SSD 8517 Modification 1 and SSD 8449 Modification 1.
4. Professor Mary O'Kane AC, Chair of the Commission, nominated John Hann (Chair) and Professor Chris Fell AM to constitute the Commission determining the modification applications.

**1.1 Site and locality**

5. The subject site is located within the northern portion of the ATP, immediately south of the railway line with its main southern frontage to Locomotive Street. The subject site is legally described as Lot 4000 DP 1194309 at 2 Locomotive Street, Eveleigh in the ATP (**Project site**) (Figure 1).
6. The Project site, comprising Bays 1-4a: (SSD 8517) and Bays 5-15: (SSD 8449), known as the Locomotive Workshop, is listed as a State Heritage Item under the NSW State Heritage Register. The Locomotive Workshop is the most significant heritage building in the ATP. The ATP is also listed on the S170 Heritage and Conservation Register.
7. The Project site comprises a two-storey sandstone brick neoclassical structure which is divided into 16 equal-sized bays oriented north south and characterised by internal hollow cast iron columns, wrought iron trusses and corrugated iron roofing.

**1.2 Background to the Modification Applications**

8. On 22 February 2019, the Commission granted consent for the adaptive reuse of the ATP to reuse the existing Locomotive Workshop for mixed use purposes outlining reasons which included a wide range of positive public benefits (**the Development**):

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

- a maximum of 11,662m<sup>2</sup> gross floor area (**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 interpretation and conservation works; and
- public domain works, external illumination and signage.

SSD 8449 adaptive reuse of the Locomotive Workshop (Bays 5-15) including:

- a maximum of 27,458m<sup>2</sup> GFA for commercial premises including 156m<sup>2</sup> for retail uses;
- associated heritage conservation works; and
- external illumination and signage.

Figure 1: The Modification Applications within the ATP Precinct (Source: IPC SOR)



9. The Development has been modified as follows:

**SSD 8517**

The modifications comprise:

- SSD 8517 Modification 2– Modification to Condition D6 (Construction hours). On 29 May 2019, the Department approved the application under delegation.
- SSD 8517 Modification 3 – Modification to the layout of Bays 3-4a north at the ground floor level within the Locomotive Workshop. This modification application is currently under assessment.

**SSD 8449**

The modifications comprise:

- SSD 8449 Modification 2– Modification to Condition D6 (Construction hours). On 29 May 2019, the Department approved the application under delegation.
- SSD 8449 Modification 3 – Modification to relocate and reconfigure the service pods located at ground floor level and first floor level of Bays 5-13. On 2 August 2019, the Department approved the modification application under delegation.
- SSD 8849 Modification 4 – Modification to internal to the Locomotive Workshop Bays 5 - 15, including new access bridges on Level 1; changes to staircases and lifts; increase

the size of the atrium and provision of new plant room. This modification application is currently under assessment.

### 1.3 Summary of current Modification Applications

10. SSD 8517 Modification 1 and SSD 8449 Modification 1 seek to modify Condition B29 (SSD 8517) and Condition B25 (SSD 8449) respectively. These conditions seek to reduce the pollutant removal targets. These conditions relate to requirements for water sensitive urban design and other drainage measures to reduce the post-development pollutant loads.
11. The Applicant proposes a stormwater drainage and stormwater treatment system that will achieve a Neutral or Beneficial Effect (NorBE) on pollutant loads. The proposed stormwater drainage system will not achieve the pollutant load reduction targets specified in Condition B28 (SSD 8517) and Condition B25 (SSD 8449).
12. SSD 8517 Modification 1 and SSD 8449 Modification 1 seek to reduce the post-development pollutant removal targets set out in Condition B29 (SSD 8517) and Condition B25 (SSD 8449) as detailed in Table 1.

Table 1: Current and proposed pollutant removal design targets (Source: DPIE Assessment Report)

Pollutant	Current average annual pollutant load reduction target	Proposed average annual pollutant load reduction target
Gross pollutants (>5mm)	90%	≥25%
Total suspended solids	85%	≥30%
Total phosphorus	65%	≥10%
Total nitrogen	45%	≥10%

13. SSD 8517 Modification 1 and SSD 8449 Modification 1 as outlined in the **Statement of Environmental Effects** and Response to Submissions (**RtS**) have been referred to the Commission for determination, as set out in paragraph 3. The Applicant did not make any changes to the modification applications in the RtS. The RtS comprised a response to the submissions from Council and Sydney Water; further justification to support the proposed modifications; and additional advice from Sydney Water.
14. The Commission is satisfied that the development to which consent as modified relates is substantially the same development because there are no changes to the approved uses, it remains the adaptive reuse of the ATP to reuse the existing Locomotive Workshop for mixed use purposes. The only proposed changes are to conditions to modify the requirements for stormwater quality monitoring described below in section 1.3.
15. The Commission has considered the scopes of the SSD 8517 Modification 1 and SSD 8449 Modification 1 and is satisfied that the proposed modifications are of minimal environmental impact and accepts the Department’s assessment that the applications are within the scope of section 4.55 (1A) of the EP&A Act for the reason provided by the Department that the proposed modifications “*will have minimal environmental impacts as stormwater quality will continue to be improved*”.

### 1.4 Stated need for modification applications

16. The Applicant stated in the **Statement of Environmental Effects s4.55(1a) Modification Application** for SSD 8517 and SSD 8449, dated 1 April 2019 and the RtS for SSD 8517 and SSD 8449 dated 4 June 2019 that the modification applications are required as:
  - SSD 8517 and SSD 8449 as approved comprise the adaptive reuse of the buildings and “*the Locomotive’s Workshops’ existing stormwater drainage and downpipe system*”



- *are able to be retained*”;
- the pollutant removal design criteria as set out in Conditions B29 (SSD 8517) and B25 (SSD 8449) is *“only intended to be applied to new buildings and post-development site discharges and do not account for pre-development site conditions or existing buildings”*;
- the pollutant design criteria as set out in Conditions B29 (SSD 8517) and B25 (SSD 8449) should not apply to the development because:
  - the pollutant design criteria are specified in Sydney Water’s ‘Stormwater quality targets’ policy (dated 15 January 2016). *“The policy specifies that development may be exempt from the targets if refurbishment of an existing building is proposed and the existing drainage system is maintained”*;
  - the pollutant design criteria are *“also specified in the City of Sydney DCP 2012”*. DCPs do not apply to State Significant Development Precincts including the Redfern-Waterloo State Significant Precinct in which the site is located; and
  - in an email dated 24 May 2019 Council acknowledge that the pollutant load reduction targets specified in the *“DCP 2012 do not apply to this development”*.
- to achieve the required targets specified in Conditions B29 and B25, a complex system of low-flow by-pass manifolds that connect to Stormwater Quality Improvement Devices (SQUIDs) would be required. The impact of implementing this system *“would require additional penetrations through the northern and southern facades of the Locomotive Workshop” “and potentially compromise the ground conditions due to the substantial excavation in close proximity of the inground heritage structures and footings” “and would therefore present considerable risk to the heritage assets”*
- the proposed stormwater treatment train design will *“achieve a Neutral or Beneficial Effect (NorBE)”* on pollutant loads

## **2. THE DEPARTMENT’S CONSIDERATION OF THE MODIFICATION APPLICATIONS**

### **2.1 Key steps in Department’s consideration of the Modification Applications**

17. On 1 April 2019, the Applicant submitted SSD 8517 Modification 1 and SSD 8449 Modification 1 to the Department for assessment.
18. The Department did not exhibit SSD 8517 Modification 1 and SSD 8449 Modification 1 however they were made publicly available on the Department’s website on 4 April 2019. The Department referred SSD 8517 Modification 1 and SSD 8449 Modification 1 to Council and Sydney Water with a request for comments by 23 April 2019 (19 days). The Department received a total of 2 submissions, from Council and Sydney Water. No public submissions were received.
19. Council advised in its submission that it did not support SSD 8517 Modification 1 and SSD 8449 Modification 1 and made the following comments:
  - the standards specified in the conditions replicate the standards in Section 3.7.3 of Sydney DCP 2012 and are generally applied to all developments over 1,000m<sup>2</sup>;
  - the wording of the conditions should remain unchanged; and
  - the Applicant should consider a stormwater treatment system incorporating new Gross Pollutant Traps and similar stormwater quality improvement devices that will enable the specified targets to be met.
20. Sydney Water advised that it has no objection to the stormwater quality assessment proposed in SSD 8517 Modification 1 and SSD 8449 Modification 1.
21. On 30 May 2019, the Applicant provided a RtS for SSD 8517 Modification 1 and SSD 8449 Modification 1 to address matters raised in the Council’s submission. The RtS provided further justification to address key concerns raised during the referral process and included:
  - additional correspondence from Sydney Water, advising it has no objection to the proposed modification to the stormwater quality criteria; and

- correspondence between the Applicant and Council. Council declined to meet with the Applicant as it considered its position to be clear; it does not support proposed Conditions B29 and B25 and notes the conditions do not require Council consultation or approval and are under the authority of the appointed private certifying authority.
22. On 26 July 2019, the Department finalised its assessment of *State Significant Development Modification Assessment (SSD 8517 Mod 1 and SSD 8449 Mod 1)* (the **Department's assessment report**) and referred it to the Commission.
- 2.2 The Department's assessment report**
23. The Department's assessment report (dated July 2019) identified stormwater quality requirements as the key impact associated with SSD 8517 Modification 1 and SSD 8449 Modification 1.
24. The Department's assessment report considered the scope of SSD 8517 Modification 1 and SSD 8449 Modification 1 with regard to the requirements of Section 4.55(1A) of the EP&A Act. The Department stated it was satisfied that:
- *"the impacts of proposal are acceptable and can be appropriately mitigated through the implementation of recommended conditions"*.
25. The Department's assessment report considered that Conditions B29 and B25 can be modified because:
- *"Sydney Water, as the governing authority for stormwater discharge, are satisfied with the modified conditions"*
  - *Council has not considered how the requirements of Conditions B29 and B25 will impact the heritage fabric of the Locomotive Workshop*
  - *the modified conditions will result in the avoidance of significant impacts on the heritage impacts to the heritage fabric of the Locomotive Workshop*
  - *the development will continue to result in improved stormwater quality discharge"*.
26. The Department's assessment report concludes that SSD 8517 Modification 1 and SSD 8449 Modification 1 are appropriate as they:
- *"result in the avoidance of significant impacts on the heritage impacts to the heritage fabric of the Locomotive Workshop"*
  - *comply with the relevant statutory provisions and the proposal remains consistent with relevant EPIs and the strategic planning context*
  - *are substantially the same development as originally approved, and do not result in adverse stormwater quality impacts*
  - *allow for the adaptive reuse of the Locomotive Workshop"*.

### 3. THE COMMISSION'S CONSIDERATION

#### 3.1 Material considered by the Commission

27. In making its determination, the Commission has carefully considered the following material (**material**):
- Development Consent SSD 8517 dated 22 February 2019;
  - SSD 8517 Modification 2– Modification to Condition D6 (Construction hours). On 29 May 2019, the Department approved the development.
  - SSD 8517 Modification 3 – Modification to the layout of Bays 3-4a north at the ground floor level within the Locomotive Workshop. This modification application is under assessment.
  - Development Consent SSD 8449 dated 22 February 2019;
  - SSD 8449 Modification 2– Modification to Condition D6 (Construction hours). On 29 May 2019, the Department approved the development.
  - SSD 8449 Modification 3 – Modification to relocate and reconfigure the service pods located at ground floor level and first floor level of Bays 5-13. On 2 August 2019, the Department approved the development;

- SSD 8849 Modification 4 – Modification to internal to the Locomotive Workshop Bays 5 - 15, including new access bridges on Level 1; changes to staircases and lifts; increase the size of the atrium and provision of new plant room. This modification application is under assessment;
- *Statement of Environmental Effects s4.55(1a) Modification Application* for SSD 8517 and SSD 8449 (**Statement of Environmental Effects**), dated 1 April 2019 and the accompanying appendices, prepared by Ethos Urban;
- the RtS, dated 4 June 2019, prepared by Ethos Urban, and its accompanying appendices; and
- the Department's assessment report and its accompanying appendices.

### 3.2 Mandatory considerations

28. In determining SSD 8517 Modification 1 and SSD 8449 Modification 1, the Commission has taken into consideration the following relevant mandatory considerations, as provided in s 4.15(1) of the EP&A Act (**mandatory considerations**):

- the provisions of all:
  - environmental planning instruments; and
  - proposed instruments that are or have been the subject of public consultation under the EP&A Act and that have been notified to the Commission (unless the Secretary has notified the Commission that the making of the proposed instrument has been deferred indefinitely or has not been approved); and
  - development control plans; and
  - the *Environmental Planning and Assessment Regulations 2000 (Regulations)* to the extent that they prescribe matters for the purposes of s 4.55(1A) of the EP&A Act; that apply to the land to which the modification applications relate;
- the likely impacts of the development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality;
- the suitability of the site for development;
- submissions made in accordance with the EP&A Act and Regulations; and
- the public interest.

### 3.3 Relevant Environmental Planning Instruments

29. The Department identified the following Environmental Planning Instruments (**EPIs**) as relevant to SSD 8517 Modification 1 and SSD 8449 Modification 1:

- *State Environmental Planning Policy (SEPP) (State and Regional Development) 2011 (SRD SEPP)*;
- *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. 1 – Development Standards*;
- *State Environmental Planning Policy No. 55 – Remediation of Land*; and
- *State Environmental Planning Policy No. 64 – Advertising and Signage*.

30. The Department considered the modification applications in relation to the EPIs identified in paragraph 29 as considered in the original assessment of the Development. The Department's assessment report stated that the modification applications:

- *“comply with relevant statutory provisions and the proposal remains consistent with the relevant EPIs and the strategic planning context*;
- *are substantially the same development as originally approved, and do not result in adverse stormwater quality impacts*;
- *allows for the adaptive reuse of the Locomotive Workshop”*.

31. The Commission accepts the findings of the Department's consideration of relevant instruments as set out in paragraphs 30 and 31, and finds that SSD 8517 Modification 1 and SSD 8449 Modification 1 are consistent with the requirements of relevant EPIs

because the modification applications are substantially the same development as originally approved and will not result in adverse stormwater quality impacts. The Commission accepts that the SSD 8517 Modification 1 and SSD 8449 Modification 1 allow for the approved adaptive reuse of the Locomotive Workshop.

### 3.4 Relevant Development Control Plan

32. The Department's assessment report states that: *"under clause 11 of the SRD SEPP, Development Control Plans (DCPs) do not apply to SSD.*
33. The Commission accepts the finding of the Department, as set out in paragraph 33, that DCPs do not apply to State Significant Developments.

### 3.5 Likely impacts of the development on built environments

34. The Commission agrees with the Department's assessment that the stormwater quality requirements are the key issue relevant to the assessment and determination of the modification applications.

#### 3.6.1 Stormwater quality requirements

##### *Council's Submission*

35. As detailed in paragraph 19, Council does not support the modification applications.

##### *Applicant's consideration*

36. In response to Council's submission, the Applicant provided a response in the RtS advising that:
  - Council acknowledge the controls in Section 3.7.3 of Sydney DCP 2012 do not apply to the development;
  - Council confirms that Conditions B29 and B25 do not require Council consultation or approval and are a matter for the appointed private certifying authority;
  - the stormwater quality targets required under Conditions B29 and B25 should only be applied to new buildings;
  - the stormwater treatment system required to achieve the stormwater targets under Conditions B29 and B25 would require additional penetrations through the northern and southern facades of the Locomotive Workshop and potentially compromise the ground conditions due to the substantial excavation in close proximity of the inground heritage structure and footings; and
  - the proposed stormwater treatment system does not achieve the targets as required by Conditions B29 and B25, however it achieves a Neutral or Beneficial Effect (**NorBE**) on Water Quality: Assessment Guidelines, Sydney Catchment Authority 2015 and will avoid potential risk to the heritage assets.

##### *Department's consideration*

37. The Department's assessment report states that the Applicant proposes a stormwater treatment design comprising OceanGuard technology and StormFilter devices to remove gross pollutants, total suspended solids and attached pollutants. The Department's assessment report states that the system will achieve a NorBE, meaning that *"post development pollutant loads will reduce from present (pre-development) baseline loads"*.
38. The Department's assessment report notes that Sydney Water advised SSD 8517 Modification 1 and SSD 8449 Modification 1 do not require assessment by Sydney Water at this stage.
39. The Department's assessment report states that: *"the Applicant met with Sydney Water, who advised they have no objection to the modification to the stormwater quality assessment proposed by the Applicant, given the development is for the adaptive reuse of the Locomotive Workshop"*.

40. The Department's assessment report notes that the Applicant provided details of correspondence with Council, outlining that:
- *“the targets in the conditions are the appropriate targets for this scale of development*
  - *acknowledge the controls in Section 3.7.3 of Sydney DCP 2012 do not apply to the development*
  - *note the conditions do not require Council consultation or approval and are a matter for the appointed private certifying authority*
  - *declined to meet with the Applicant to discuss their concerns”.*
41. The Department's assessment report notes that:
- the stormwater pipes within the ATP (including stormwater discharge from the Locomotive Workshop), are currently privately owned and controlled by Mirvac;
  - the Mirvac owned stormwater pipes are an isolated system that drain into Sydney Water infrastructure;
  - Sydney Water is the governing authority for stormwater discharge from the Locomotive Workshop;
  - the pollutant removal targets in Conditions B29 and B25 are drawn from Sydney Water's Stormwater Quality Targets policy dated 15 January 2016 and have been adopted by Council in Sydney DCP 2012;
  - the Sydney Water Policy applies when development proposes to connect into Sydney Water's system. The Policy includes an exemption from meeting the targets where the Applicant seeks to refurbish an existing building and maintains the existing drainage system; and
  - *“...the Locomotive Workshop approved adaptive reuse does not alter the buildings existing footprint and maintains the existing drainage system, consistent with the criteria for an exemption under the Sydney Water policy”.*
42. The Department's assessment report notes that the Applicant advises that: *“they have undertaken extensive modelling and conceptual design to understand how to achieve the pollution reduction targets in Conditions B29 and B25. The Applicant advises implementing the stormwater system would require:*
- *additional penetrations through the northern and southern facades of the Locomotive Workshop, impacting significant heritage fabric, due to the size and required positioning of stormwater improvement devices*
  - *substantial excavation for stormwater devices located between the northern façade of the Locomotive Workshop and rail corridor (to capture the northern half of the roof catchment), which would be close to heritage brick footings supporting the northern façade”.*
43. The Department's assessment report considered the proposed implications of the current conditions and stated that the: *“works required to implement the stormwater system as required by Conditions B29 and B25 could result in considerable risk to the heritage fabric and introduce unnecessary penetrations through the heritage significant walls of the Locomotive Workshop. As the Locomotive Workshop is a State heritage listed item, any additional penetrations or unnecessary excavation are not desired. It is noted the approved adaptive reuse includes only minor external alterations to reduce impacts to significant heritage fabric”.*
44. The Department's assessment report notes that SSD 8517 and SSD 8449 detailed in paragraph 10 did not seek to change the existing stormwater system (as there are no changes to the building footprint) and in the original assessment, no concerns were raised with this approach by the Department or Council.
45. The Department's assessment report states that the NorBE approach is an industry stormwater assessment approach and the Department notes using the approach will result in reduced pollutant reduction targets.



46. The Department's assessment report stated that: *"the Department considers Conditions B29 and B25 can be modified as:*
- *Sydney Water, as the governing authority for stormwater discharge, are satisfied with the modified conditions*
  - *Council has not considered how the requirements of Conditions B29 and B25 will impact the heritage fabric of the Locomotive Workshop*
  - *the development will continue to result in improved stormwater quality discharge".*
47. The Department's assessment report finds it: *"is satisfied the proposed stormwater treatment design will ensure stormwater discharge quality from the Locomotive Workshop can be improved without adversely impacting the heritage significant fabric of the Locomotive Workshop. The Department therefore supports the proposal to modify Condition B29 and Condition B25 and recommends the conditions be amended accordingly".*
48. The Department's Assessment report finds that SSD 8517 Modification 1 and SSD 8449 Modification 1 are consistent with Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* because:
- *...“the changes proposed to the stormwater quality requirements will not result in any additional or new impacts. The Department is satisfied that the proposed modifications will have minimal environmental impacts as stormwater quality will continue to be improved”...*
  - *...“the modification applications only seek to change the stormwater quality requirements for the development. There is no proposed change to the approved uses and the modification applications are considered to result in development that is substantially the same as the originally approved development...”*
49. The Department's assessment concludes that SSD 8517 Modification 1 and SSD 8449 Modification 1 are appropriate as they:
- *“comply with relevant statutory provisions and the proposal remains consistent with relevant EPIs and the strategic planning context;*
  - *are substantially the same development as originally approved, and do not result in adverse stormwater quality impacts;*
  - *allow for the adaptive reuse of the Locomotive Workshop”.*

#### *Commission's consideration*

50. The Commission notes that Sydney Water advised that they are satisfied with the NorBE approach as detailed in SSD 8517 Modification 1 and SSD 8449 Modification 1, outlined in paragraph 39.
51. The Commission accepts the findings and conclusions of the Department's assessment report of SSD 8517 Modification 1 and SSD 8449 Modification 1. As outlined in paragraphs 37 to 49, it finds that SSD 8517 Modification 1 and SSD 8449 Modification 1:
- is of minimal environmental impact because it will ensure stormwater quality from the Locomotive Workshop is consistent with the industry stormwater assessment approach;
  - will avoid adversely impacting the heritage significant fabric of the Locomotive Workshop; and
  - is substantially the same as the originally approved development because change is only sought to the stormwater quality requirements.

### **3.7 The public interest**

52. The Commission considers that the benefit of SSD 8517 Modification 1 and SSD 8449 Modification 1 includes the continued adaptive reuse, protection of the heritage fabric and NorBE approach which will result in a reduction in pollutant loads for the Locomotive Workshop.

53. The Commission finds that SSD 8517 Modification 1 and SSD 8449 Modification 1 are in the public interest because the NorBE approach:
- is an accepted industry stormwater assessment standard, and
  - will result in the pollutant loads being reduced and will not adversely impact the heritage significant fabric of the Locomotive Workshop.
- 4. HOW THE COMMISSION TOOK COMMUNITY VIEWS INTO ACCOUNT IN MAKING DECISION**
54. No community submissions were received by the Commission in response to SSD 8517 Modification 1 and SSD 8449 Modification 1.
- 5. CONCLUSION: THE COMMISSION'S FINDINGS AND DETERMINATION**
55. The Commission has carefully considered the Material before it.
56. The Commission finds that consent for SSD 8517 Modification 1 and SSD 5449 Modification 1 as outlined in the Statement of Environmental Effects and RtS should be granted subject to conditions as:
- Sydney Water are satisfied with the NorBE approach;
  - it is satisfied the proposed stormwater treatment design will achieve a NorBE without adversely impacting the heritage significant fabric of the Locomotive Workshop; and
  - they are consistent with industry stormwater assessment approach.
57. The Commission finds that SSD 8517 Modification 1 and SSD 8449 Modification 1 and the RtS are acceptable as they:
- will not result in unacceptable impacts to the heritage significant fabric of the Locomotive Workshop; and
  - will result in NorBE outcome which will result in reduced pollutant loads for the Locomotive Workshop.
58. The Commission is satisfied that SSD 8517 Modification 1 and SSD 8849 Modification:
- are of minimal environmental impact; and
  - are substantially the same development as the development for which the consent was originally granted.
59. As noted above at paragraphs 56 to 58, the Commission has determined that consent for the modification applications should be granted subject to conditions. These conditions are designed to:
- prevent and minimise adverse environmental impacts; and
  - set and update standards and performance measures for acceptable environmental performance.



**John Hann (Chair)**  
Member of the Commission



**Prof Chris Fell AM**  
Member of the Commission