



Locomotive Workshop, Bays 1-4a and 5-15

*State Significant
Development
Modification Assessment
(SSD 8517 MOD 1 and SSD
8449 MOD 1)*



July 2019

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

Cover photo: Artistic impression of the southern elevation of Bays 5-15 of the Locomotive Workshop (Source: Applicant provided)

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 1 and SSD 8449 MOD 1). 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 and Environment. More information can be found at: <http://www.planning.nsw.gov.au/Copyright-and-Disclaimer>.



Glossary

| Abbreviation | Definition |
|-----------------|---|
| AHD | Australian Height Datum |
| BCA | Building Code of Australia |
| CIV | Capital Investment Value |
| 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 | Environmental Planning and Assessment Act 1979 |
| EP&A Regulation | Environmental Planning and Assessment Regulation 2000 |
| EPBC Act | Environment Protection and Biodiversity Conservation Act 1999 |
| EPI | Environmental Planning Instrument |
| ESD | Ecologically Sustainable Development |
| LEP | Local Environmental Plan |
| Minister | Minister for Planning |
| NorBE | Neutral or Beneficial Effect |
| 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 | State Environmental Planning Policy (State and Regional Development) 2011 |
| SSD | State Significant Development |
| SQIDs | Stormwater Quality Improvement Devices |



Executive Summary

This report is a concurrent assessment of two applications to modify two State significant development (SSD) consents (SSD 8517 and SSD 8449) for the adaptive reuse of the Locomotive Workshop at the Australian Technology Park (ATP), 2 Locomotive Street, Eveleigh.

The modification applications seek approval to modify the requirements for stormwater quality monitoring in Condition B29 (SSD 8517) and Condition B25 (SSD 8449). The modification applications seek to reduce the post-development pollutant load reductions required by the conditions.

Engagement

The modification applications were made publicly available on the Department's website and the Department notified City of Sydney Council (Council) and Sydney Water.

Council advised they did not support the proposal and recommended the Applicant should consider stormwater quality improvement devices (SQIDs) that will enable the specified targets to be met.

Sydney Water advised they did not need to assess the proposal at this time.

The Applicant submitted a Response to Submissions (RtS), which included further advice from Sydney Water stating they have no objection to the proposed modification. The Applicant provided details of correspondence with Council, to try and resolve Council's concerns, however Council believe the targets in the condition are appropriate for the development and maintain their objection to the proposal.

Assessment

In its assessment of the proposal, the Department has carefully considered the issues raised in submissions and the Applicant's RtS.

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 also been adopted in Council's DCP 2012. The Sydney Water policy applies to anyone proposing to connect or develop a property that connects to Sydney Water owned stormwater assets, however also states that 'you may be exempt from meeting these targets if you are refurbishing an existing building and maintaining the existing drainage system'. The Locomotive Workshop existing stormwater drainage system is to be maintained.

The Department notes achieving the targets in Conditions B29 and B25 would result in additional penetrations to the northern and southern facades of the Locomotive Workshop and substantial excavation in the vicinity of heritage brick footings, posing significant risk to the heritage fabric.

As Sydney Water do not object to the proposal and complying with the conditions requires additional penetrations through heritage fabric of a State listed heritage item, the Department is satisfied the proposed modifications to Conditions B29 and B25 are reasonable in the circumstances.

Summary

The Department considers the proposal will continue to result in reduced stormwater post development pollutant loads. The proposed reduction is supported by Sydney Water and will lead to reduced impacts on the heritage fabric of the Locomotive Workshop.

As Council maintains its objection to the proposed development, the modification applications are being referred to the Independent Planning Commission (Commission) for determination, as delegate of the Minister.

The Department considers the modifications are approvable, subject to conditions of consent. This assessment report is hereby presented to the Commission for determination.



Contents

| | |
|---|------------|
| Glossary | iii |
| Executive Summary | iv |
| 1. Introduction | 1 |
| 1.1 Background | 1 |
| 1.2 Approval History | 3 |
| 2. Proposed Modification | 5 |
| 3. Strategic Context | 6 |
| 3.1 Greater Sydney Region Plan & Eastern City District Plan | 6 |
| 4. Statutory Context | 7 |
| 4.1 Scope of Modifications | 7 |
| 4.2 Consent Authority | 7 |
| 4.3 Environmental Planning Instruments | 8 |
| 4.4 Objects under the EP&A Act | 8 |
| 5. Engagement | 9 |
| 5.1 Department’s Engagement..... | 9 |
| 5.2 Summary of Submissions | 9 |
| 5.3 Key Issues – Government Agency..... | 9 |
| 5.4 Key Issues - Council..... | 9 |
| 5.5 Response to Submissions..... | 9 |
| 6. Assessment | 11 |
| 6.1 Stormwater quality requirements | 12 |
| 7. Evaluation | 17 |
| Appendices | 18 |
| Appendix A – List of Documents..... | 18 |
| Appendix B – Notice of Modification | 18 |
| Appendix C – Consolidated Consent | 18 |



1. Introduction

This report is a concurrent assessment of two applications to modify two State significant development (SSD) consents (SSD 8517 and SSD 8449) for the adaptive reuse of the Locomotive Workshop at the Australian Technology Park (ATP), 2 Locomotive Street, Eveleigh.

The modification applications seek approval to modify the requirements for stormwater quality monitoring in Condition B29 (SSD 8517) and Condition B25 (SSD 8449). The applications seek to reduce the post-development pollutant load reductions required by the conditions.

The applications were lodged on 1 April 2019 by Mirvac Projects Pty Ltd (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 (**Figure 1**).



Figure 1 | The Australian Technology Park

The Locomotive Workshop is immediately south of the railway line and its primary frontage is to Locomotive Street, to the south. The Locomotive Workshop, with a site area of 26,984 m², is a two-storey sandstone brick neoclassical building, divided into 16 equal sized bays orientated north south (**Figure 2**).

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 trades, including blacksmiths and boiler makers, while Bays 5 to 15 contained machines, tool and assembly areas. The workshop shut in 1988 and converted to commercial office space in the mid-1990s.

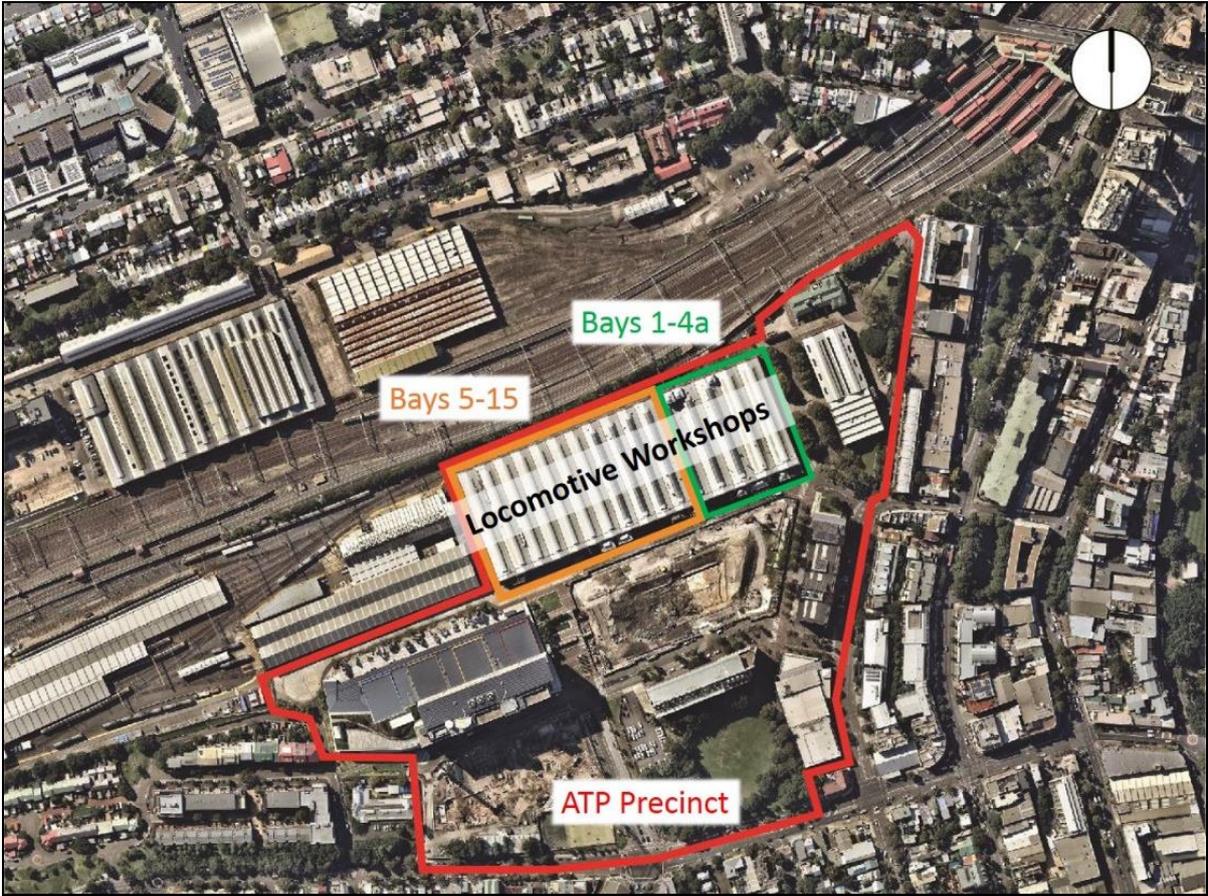


Figure 2 | Aerial view of Locomotive Workshop and ATP

The ATP currently accommodates a mix of uses, including a business park with a focus on technology and innovation. A private tertiary education centre is also located within ATP, on the south side of Central Avenue. Adjacent to the site, on the south side of Locomotive Street, is 'Building 2', a seven-storey commercial building currently under construction (approved under SSD 7317).

1.2 Approval History

On 22 February 2019 the Independent Planning 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 includes:

- Bays 1-4a (SSD 8517):
 - a maximum of 11,662 m² 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 traveller
 - associated heritage conservation works
 - public domain works, external illumination and signage.
- Bays 5-15 (SSD 8449):
 - a maximum of 27,458 m² GFA for commercial premises including 156 m² for retail uses
 - associated heritage conservation works
 - external illumination and signage.

The development consents included the following conditions relevant to the application:

Stormwater and Drainage - Condition B29 (SSD 8517) and Condition B25 (SSD 8449)

Prior to a Construction Certificate being issued for any excavation, civil construction, drainage or building work (whichever is earlier), but excluding approved preparatory or demolition work, a stormwater quality assessment must be undertaken and must be approved by the PCA.

The stormwater quality assessment must:

- a) be prepared by a suitably qualified drainage engineer with experience in Water Sensitive Urban Design;
- b) use modelling from an industry-standard water quality model; and
- c) demonstrate what water sensitive urban design and other drainage measures will be used to ensure that the development will achieve the following post-development pollutant loads:
 - (i) reduce the baseline annual pollutant load for litter and vegetation larger than 5mm by 90%;
 - (ii) reduce the baseline annual pollutant load for total suspended solids by 85%;
 - (iii) reduce the baseline annual pollutant load for total phosphorous by 65%;
 - (iv) reduce the baseline annual pollutant load for total nitrogen by 45%.

In addition to the subject application (MOD 1), the development consents have been modified on one occasion and two modifications are currently under assessment, as summarised in **Table 1**.

Table 1 | Summary of Modifications to SSD 8517 and SSD 8449

| Mod No. | Summary of Modifications | Determined by | Type | Approval Date |
|--------------------|---|---------------|-----------|---------------|
| SSD 8517 /SSD 8449 | Modification to Condition D6 (Construction Hours) | Director | 4.55 (1A) | 29 May 2019 |

MOD 2

| | | | | |
|-------------------|--|-----|-----------|---------------------|
| SSD 8517 MOD 3 | Change the layout of the ground floor of Bays 3-4a | TBC | 4.55 (1A) | Under assessment |
| SSD 8449 MOD 3 | Change the location and configuration of service pods, Bays 5-15 | TBC | 4.55 (1A) | Under assessment |



2. Proposed Modification

On 1 April 2019, the Applicant lodged two modification applications (SSD 8517 MOD 1 and SSD 8449 MOD 1) seeking approval, under section 4.55(1A) of the EP&A Act, to modify Condition B29 (SSD 8517) and Condition B25 (SSD 8449). These conditions relate to the requirement for water sensitive urban design and other drainage measures to reduce the post-development pollutant load. A link to the modification application documents is provided in **Appendix A**.

The proposal seeks to reduce the post-development pollutant removal design criteria set out in condition B29 (SSD 8517) and condition B25 (SSD 8449). The current and proposed pollutant removal design targets are set out in **Table 2**.

Table 2 | Current and proposed pollutant removal design targets

| 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% |

The Applicant considers the current targets in Conditions B29 and B25 should only be applied to new buildings and post development site discharges and are difficult to achieve without adversely impacting the heritage fabric of the Locomotive Workshop, a State Heritage listed item.



3. Strategic Context

3.1 Greater Sydney Region Plan & Eastern City District Plan

The Greater Sydney Commission's (GSC) role is to coordinate and align planning to shape the future of Metropolitan Sydney. The GSC has prepared the Greater Sydney Region Plan to provide a 40-year vision for a metropolis of three cities, 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 Plan aims to integrate land use, transport links and infrastructure across the three cities, with more people having access within 30 minutes to jobs, schools, hospitals and services.

The GSC has also prepared District Plans to implement the Regional Plan through local planning and influence state agency decisions. District plans connect local planning with the longer-term metropolitan planning for Greater Sydney.

The site is located in the Eastern City District Plan.

The Department considered the original proposals were consistent within the strategic planning context for the site. The Department has considered the proposed changes and is satisfied the proposals remain 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 3**.

Table 3 | Section 4.55(1A) Modification involving minimal environmental impact

| Section 4.55(1A) Evaluation | Consideration |
|--|---|
| a) that the proposed modification is of minimal environmental impact, and | Section 6 of this report provides an assessment that 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. |
| b) that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all), and | The modification 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. |
| c) the application has been notified in accordance with the regulations, and | The modification application has been notified in accordance with the EP&A Regulations. Details of the notification are provided in Section 5.1 of this report. |
| d) any submission made concerning the proposed modification has been considered. | The Department received a submission from Council and Sydney Water. The issues raised in submissions have been considered in Section 5 and 6 of this report. |

4.2 Consent Authority

In accordance with clause 8A of the State and Regional Development (SRD) SEPP and section 4.5 of the EP&A Act, the Commission is the declared consent authority if Council objects to the development within the mandatory community participation period specified in Schedule 1 of the EP&A Act.

Clause 117(3B) of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation) specifies that the notification requirements of the EP&A Regulation do not apply to s4.55(1A) SSD applications. As such

the Council objection was received outside of any mandatory community participation period and the Minister is the consent authority.

On 14 September 2011, the Minister for Planning and Public Spaces delegated the functions to determine SSD applications to the Commission, where:

- the relevant Council has made an objection
- a political disclosure statement has been made
- there are more than 25 public submissions in the nature of objection.

Under the Ministerial Delegation, the Commission must determine the application as Council has objected to the development.

4.3 Environmental Planning Instruments

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

- State Environmental Planning Policy (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
- Draft State Environmental Planning Policy - Remediation of Land
- State Environmental Planning Policy No. 64 – Advertising and Signage.

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 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 Environmental Planning and Assessment Regulation 2000 (EP&A Regulation) specifies that the notification requirements of the EP&A Regulation do not apply to s4.55(1A) SSD application. Accordingly, the modification application was not exhibited. However, it was made publicly available on the Department's website on 4 April 2019 and was referred to Council and Sydney Water, with a request for comments by 23 April 2019 (19 days).

5.2 Summary of Submissions

The Department received submissions from Council and Sydney Water.

No public submissions were received.

A link to the submissions is provided in **Appendix A**.

5.3 Key Issues – Government Agency

Sydney Water provided comments advising the modification application does not require assessment by Sydney Water at this stage.

5.4 Key Issues - Council

Council provided a response advising they do not support the proposed modification, with the following comments:

- consider the wording of the condition should remain unchanged
- the Applicant should consider a storm water treatment system incorporating new Gross Pollutant Traps and similar SQIDs that will enable the specified targets to be met
- the standards specified in the condition replicate the standards in section 3.7.3 of Sydney DCP 2012 which are generally applied to all developments over 1000 m².

5.5 Response to Submissions

Following notification of the application, the Department placed copies of all submissions received on its website and requested the Applicant provide a response to the issues raised in the submissions.

On 30 May 2019 the Applicant lodged its Response to Submissions (RtS) (**Appendix A**), which responded to the issues raised. The RTS included additional correspondence from Sydney Water, advising as the development is for the adaptive reuse of the Locomotive Workshop, they have no objection to the proposed modification to the stormwater quality assessment. The RtS also included details of correspondence between the Applicant and Council. Council declined to meet with the Applicant as Council advised, its position is clear, it does not

support the modifications to conditions B29 and B25, notes the conditions do not require Council consultation or approval and are under the authority of the appointed private certifying authority.

The RtS was made publicly available on the Department's website. The RTS was not re-notified as no significant changes were made to the proposal.



6. Assessment

Under section 4.55(3) of the EP&A Act, the consent authority must consider the matters referred to in section 4.15(1) of relevance to the development. **Table 4** identifies the matters for consideration under section 4.15 of the EP&A Act that apply to the proposed modification. The table represents a summary for which additional information and consideration is provided for in other sections of this report, as referenced in the table.

Table 4 | Section 4.55(1A) Modification involving minimal environmental impact

| Section 4.15(1) Matters for consideration | Department's assessment |
|---|---|
| (a)(i) any environmental planning instrument | The modified proposals comply with the relevant legislation as addressed in Section 4.3 of this report. |
| (a)(ii) any proposed instrument | The modified proposals comply with the relevant legislation as addressed in Section 4.3 of this report. |
| (a)(iii) any development control plan | Under clause 11 of the SRD SEPP, Development Control Plans (DCPs) do not apply to SSD. |
| (a)(iii) any planning agreement | Not applicable. |
| (a)(iv) the regulations | The application meets the relevant requirements of the Environmental Planning and Assessment Regulation 2000, including the procedures relating to applications (Part 6), the requirements for notification (Part 6, Division 6) and fees (Part 15, Division 1AA) (refer to Section 5). |
| (b) the likely impacts of that development including environmental impacts on both the natural and built environments, and social and economic impacts in the locality. | Section 6 of this report considers the potential impacts arising from the proposals. The Department considers the proposed stormwater treatment design will ensure stormwater discharge quality from the Locomotive Workshop will be improved without impacting the heritage significant fabric of the Locomotive Workshop. The Department therefore considers the modifications to the stormwater design can be suitably managed by conditions of consent and the proposed pollutant removal design system. |
| (c) the suitability of the site for the development | The site is suitable for the development as addressed in Sections 4 and 6 . |
| (d) any submissions | The Department received submissions from Council and Sydney Water during the exhibition period. No public |

submissions were received (refer to **Section 5**).

(e) the public interest

The Department considers the modified proposal to be in the public interest as it would facilitate the orderly development and sensitive reuse of a State heritage listed item with satisfactory management of stormwater discharge.

The Department has considered the proposal, the issues raised in submissions and the Applicant's RtS in its assessment of the application. The Department considers the stormwater quality requirements to be the key issue associated with the proposal.

6.1 Stormwater quality requirements

The proposal seeks to change the stormwater quality requirements contained within Condition B29 (SSD 8517) and Condition B25 (SSD 8449). The conditions set water quality post-development pollutant load standards for the development.

The Applicant contends the pollutant removal targets are only intended to be applied to new buildings and post development site discharges and seeks to modify the conditions, reducing the stormwater quality targets (**Table 2**).

The Applicant proposes a stormwater treatment design that utilises OceanGuard technology and StormFilter devices to remove gross pollutants, target pollutants (fine solids, soluble heavy metals, oils and soluble nutrients), total suspended solids and attached pollutants. This treatment design will achieve a neutral or beneficial effect (NorBE), meaning post development pollutant loads will reduce from the present (pre-development) baseline loads. The Applicant contends using a NorBE assessment is a suitable method to assess pre and post development stormwater discharge pollution rates.

Council reviewed the modification applications and advised they do not support the modifications. Council note the standards in the conditions are replicated in Section 3.7.3 of Sydney DCP 2012, which are generally applied to all developments over 1000 m². Council recommend the Applicant consider a stormwater treatment system incorporating new Gross Pollutant Traps and stormwater quality improvements to enable specified targets to be met.

Sydney Water provided comments advising they do not need to assess the development at this time.

In the RtS, 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.

The Applicant has provided details of correspondence with Council, outlining that Council:

- believe 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.

The Department notes the stormwater pipes within the Australian Technology Park, and discharging from the Locomotive Workshop, are currently privately owned and controlled by Mirvac. These pipes will be handed to Council by 2046. The Mirvac owned stormwater pipes (in green in **Figure 3**) are an isolated system that all drain into Sydney Water infrastructure (in blue in **Figure 3**).

The Department notes 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 DCP 2012. The Sydney Water policy applies to anyone proposing to connect or develop a property that connects to Sydney Water owned stormwater assets, for approval by Sydney Water before construction begins. The policy also states that 'you may be exempt from meeting these targets if you are refurbishing an existing building and maintaining the existing drainage system'.

- 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 facade 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.

The Department considers 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 is not desired. It is noted the approved adaptive reuse includes only minor external alterations to reduce impacts to significant fabric.

The Department notes the approved applications did not seek any change to the existing stormwater system, as there are no changes to the building footprint of the Locomotive Workshop, and in the original assessment no concerns were raised with this approach by the Department or Council.

While NorBE is referenced within SEPP (Drinking Water Catchment) 2011 and endorsed by the Water NSW, the SEPP does not apply to the development. However, the NorBE approach is an industry stormwater assessment approach and the Department notes utilising the approach will result in reduced pollutant reduction targets.

The Department further notes that while the stormwater quality targets from Sydney Water are also contained within Sydney DCP 2012, Council acknowledge the DCP does not apply to the development (as per clause 11 of the SRD SEPP). Despite this Council continues to maintain these targets should apply to the development and do not support the proposed modifications. The Department notes Council advises its position is clear and has declined to meet with the Applicant to discuss the issue further. The Department considers Council has not taken into account the State heritage listing of the Locomotive Workshop and how implementing the stormwater system as required by Conditions B29 and B25 could adversely impact the heritage fabric.

As such, 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 modified conditions will result in the avoidance of significant impacts to the heritage fabric of the Locomotive Workshop
- the development will continue to result in improved stormwater quality discharge.

The Department 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.



7. Evaluation

The Department has reviewed the Modification Report, RtS and assessed the merits of the proposal, taking into consideration comments from Council and Sydney Water, in accordance with the relevant requirements of the EP&A Act.

The proposed development remains consistent with the objects of the EP&A Act and the State's strategic planning objectives for the site, as set out in the Greater Sydney Region Plan and Eastern City District Plan.

The proposed changes to the post development pollutant load criteria are sought to minimise impacts to the heritage significant fabric of the Locomotive Workshop. Complying with the current requirements of Conditions B29 and B25 would result in additional penetrations through the northern and southern facades of the Locomotive Workshop and substantial excavation close to heritage brick footings.

The Department notes the changes to the targets are in accordance with exemptions permitted by Sydney Water and Sydney Water have advised they are satisfied with the proposed approach.

The Department supports the proposal after considering the nature of the development, being an adaptive reuse of a State listed heritage item, and the stormwater discharging into Sydney Water controlled assets.

The Department's assessment concludes the proposed modifications 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.

The Department concludes the impacts of the proposal are acceptable and can be appropriately mitigated through the implementation of recommended conditions of consent.

The Department considers the proposed development is approvable, subject to the recommended conditions of consent (**Appendix B**). This assessment is hereby presented to the Commission for determination.

David McNamara

Director

Key Sites Assessments

Anthea Sargeant

Executive Director

Key Sites and Industry 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 and Environment’s website as follows:

- Environmental Impact Statement
<https://www.planningportal.nsw.gov.au/major-projects/project/10836>
<https://www.planningportal.nsw.gov.au/major-projects/project/10831>
- Submissions
<https://www.planningportal.nsw.gov.au/major-projects/project/10836>
<https://www.planningportal.nsw.gov.au/major-projects/project/10831>
- Applicant’s Response to Submissions
<https://www.planningportal.nsw.gov.au/major-projects/project/10836>
<https://www.planningportal.nsw.gov.au/major-projects/project/10831>

Appendix B – Notice of Modification

- <https://www.planningportal.nsw.gov.au/major-projects/project/10836>
- <https://www.planningportal.nsw.gov.au/major-projects/project/10831>

Appendix C – Consolidated Consent

- <https://www.planningportal.nsw.gov.au/major-projects/project/10836>
- <https://www.planningportal.nsw.gov.au/major-projects/project/10831>