

212 -218 CUMBERLAND STREET, THE ROCKS
FORMER 'LAWSON MENZIES HOUSE'

DEVELOPMENT APPLICATION

COMMERCIAL, RETAIL AND RESIDENTIAL ADAPTIVE REUSE &
ROOF ADDITION

STATEMENT OF ENVIRONMENTAL EFFECTS

FOR
BBB CONSTRUCTIONS PTY LTD

TANNER ARCHITECTS PTY LTD

PO BOX 660 DARLINGHURST NSW 1300
T 02 9281 4399
F 02 9281 4337

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- C. Submission Seeking a Variation to the Sydney Cove Redevelopment Authority (SCRA) Scheme prepared by Baseline Design – July 2010.
- D. Development Application Drawings – Reduced A4 Architectural Drawings prepared by Tanner Architects – Drawings AR.DA.00 – AR.DA.18 inclusive - Issue B.
- E. Existing Building drawings - Lawson Menzies House at 212 – 218 Cumberland Street, The Rocks prepared by Tanner Architects Pty Ltd.
- F. Design Statement “Adaptive Reuse of the former Lawson House for Commercial, Retail and Residential use” for Landowner’s Consent prepared by Tanner Architects 4 March 2010.
- G. Architectural Drawings issued for Land Owner’s Consent Issue B -24 May 2010.
- H. BCA Assessment Report – Blackett Macquire + Goldsmith dated 1 September 2010.
- I. Access Report prepared by Accessibility Solutions (NSW) Pty. Ltd dated 8 September 2010.
- J. Acoustic Assessment prepared by Vipac dated 8 September 2010.
- K. BASIX Assessment - prepared by Vipac dated 9 September 2010.
- L. Structural Report – Hughes Truman letter dated 9 August 2010.
- M. Construction Management Plan dated 25 July 2010.
- N. Construction Traffic Management Plan dated 15 July 2010.

REPORTS BOUND SEPARATELY

S60 - Heritage Impact Statement by Tanner Architects – September 2010 and amended 13 October 2010

Issue Status

Issue	Date	Purpose	Written	Approved
A	9 September 2010	DA submission	JLJ	JJ
B	13 October 2010	Amended DA submission	JLJ	JJ

1 INTRODUCTION

This Statement of Environmental Effects is to accompany the Development Application drawings for the commercial, retail and residential reuse of 212 – 218 Cumberland Street, The Rocks (known as Lawson Menzies House). This Statement has been prepared by Tanner Architects Pty Ltd on behalf of the Applicant, BBB Constructions Pty Ltd.

A summary of the Development Applications for works to Lawson Menzies House can be summarised as follows:

- **Development Application (DA 198-12-06)** was granted approval by the Sydney Harbour Foreshore Authority to Noosphere Ideas Pty Ltd on 17 April 2007 for the refurbishment of the building and its conversion to office space, the upgrading of services including a new lift and stair, toilets, new facilities and air conditioning and included the recreational use and landscaping of the flat roof. An application under Section 60 of the NSW Heritage Act 1977 (06/S60/58) for these works was approved on 17 July 2006. The works approved in these development consent did not proceed.
- **Development Application (DA 166-11-07)** approved by the Sydney Harbour Foreshore Authority to Tanner Architects Pty Ltd on 8 July 2008. That proposal had similar objectives to the previous DA which was to refurbish the former Lawson Menzies House for 'A' grade Property Council office accommodation with base building works and an upgrade of existing services and new services to provide for an improved commercial and heritage outcome. Those works included a redesigned Gloucester Street entry, improved access and internal planning of spaces as well as amenities with services and facilities to address Green Building Council (GBCA) Green Star requirements with the objective of achieving a 4.5 star ABGR and a GBCA 5 star rating. This Development Consent included external building fabric maintenance. An application under Section 60 of the NSW Heritage ACT 1977 (07/S60/159) was approved on 21 April 2008.
- A Construction Certificate (CC) for Early Works under Development Consent (DA 166-11-07) for the internal demolition including removal of non-original internal partitions and external building fabric maintenance of steel windows and reglazing, flagpoles, sandstone and brick masonry received Land Owner's Consent on 19 July 2010. The Construction Certificate Date of Determination was received on 24 August 2010 from the Principal Certifying Authority, Blackett Maguire + Goldsmith.
- A separate Development Application (DA 171-06-07) with modifications has been approved for the adjacent Stamford Windsor Limited' serviced apartments and residential development at 171 – 193 Gloucester Street, The Rocks. That development is providing a two level car park below Cumberland Street which includes a separate single level car park for 15 cars level with Gloucester Street which will be dedicated to 212 -218 Cumberland St on completion by strata title. This car park will be accessed via a driveway through the Lawson House building from Gloucester Street on Level 00. Public domain improvements and landscaping at the south end of Cumberland Street is part of the Stamford Windsor development.

In 2009, the Sydney Harbour Foreshore Authority called for public Expressions of Interest for a lease of the building which would include the upgrade and reuse of the building. The successful tenant is BBB Constructions Pty Ltd. As part of the BBB Constructions Expression of Interest in the lease for Lawson House there has been extensive consultation with the Sydney Harbour Foreshore Authority which has included design meetings and design reviews with the Authority's heritage consultant. This process was concluded with the preparation of design documentation for Land Owner's Consent and a 99 year lease of the building.

The Agreement of Lease between the tenant BBB Constructions Pty Limited and the landlord Sydney Harbour Foreshore Authority, transfers the responsibilities and obligations under the Conservation Management Plan (CMP) to the tenant BBB Constructions Pty Ltd. Refer to Appendix.

The current proposals for the building by the tenant BBB Constructions differ from the current approval and a new DA is being submitted for these new uses. This Development Application / Section 60 Application for Lawson Menzies House 212 – 218 Cumberland Street, The Rocks proposes the retention of the majority of the commercial proposals included in the 2008 development consent with modifications and a roof extension for 2 residential apartments. This application has been endorsed by the Sydney Harbour Foreshore Authority, the owners of the property.

Following the departure of the last tenant, Lawson Menzies – Auctioneers and Valuers, the building is now vacant. Along with the proposed development of adjoining properties to the north of the site in Cumberland and Gloucester Streets by Stamford Windsor Limited, there is an opportunity to provide a complete commercial and retail upgrade of the Lawson House building with a new roof addition for residential use. This will bring the building into line with other commercial / mixed use properties in Sydney CBD and The Rocks which are attracting new tenants into an area of Sydney that is undergoing significant change and revitalization. This development is similar to the mixed use development in the northern adjoining building, the Reynell Building for commercial and residential uses.

The project objectives are:

- To optimize the space usage in the building
- To provide additional floor space in the building with a roof addition for residential use
- To provide a revitalized mixed use building to complement and add to the current residential and commercial redevelopments in Cumberland and Gloucester Streets and
- To ensure the heritage significance of the item is protected.

This Statement of Environmental Effects is to accompany this Development Application (DA) submission for the commercial and retail upgrade for the whole of the building including an addition on the roof for residential use - 2 apartments, each over 2 levels. The works in this Development Application include a car park entry and new commercial / retail and residential entry foyer from Gloucester Street, disability access and accessible amenities, a new passenger lift to serve all floors including the new roof addition, refurbished and new amenities and services for a future restaurant / café on the Cumberland Street level, refurbished Goods Lift for break out spaces or small meeting rooms and other uses with new facilities and services with the objective of achieving a 4 Star rating under NABERS Energy scheme managed by the NSW Department of Environment & Climate Change and a 4 Star Rating under the Green Star (Version 2) rating tool accredited by the GBCA.

This Statement considers the impact of the proposal on the natural and built environment both during and after construction and the proposed method of mitigating any adverse effects. This document covers the following areas: site description, description of the proposal, planning controls, environmental planning, evaluation of the effects and a conclusion.

The former Lawson House is a building of State Heritage significance. The Heritage Impact Statement for the S60 submission to the Heritage Office has been prepared by Tanner Architects.

That statement is a separate document and it accompanies this Statement of Environmental Effects.

This application seeks consent under the provisions of the Environmental Planning and Assessment Act 1979, as amended.

2 EXECUTIVE SUMMARY

Following two earlier approvals in 2007 and 2008 for the adaptive reuse of the Lawson Menzies Building at 212 -218 Cumberland Street, The Rocks for commercial use this development application differs in that it includes a new residential use in a new roof addition in addition to commercial and retail use in the existing building. The commercial use planning is similar in many respects to the 2008 proposals by Tanner Architects for Sydney Harbour Foreshore Authority.

For the commercial use, this proposal allows for single floor tenancies with the flexibility for the lower 2 levels being for café and / or restaurant use and the upper 2 levels being for commercial use with the flexibility for a 'whole-of-building' tenancy in the future. Service provisions for future retail uses to be accommodated on both Gloucester and Cumberland Streets level are being provided. External Signage, internal fitouts and restaurant / cafés will be the subject of future separate development applications.

The building's most recent use has been for offices and the proposed commercial upgrade is a continuation of this use which will ensure that the heritage fabric and historical interpretation of the building can continue to co-exist now and in the future. The new commercial / retail uses and residential tenants will have the opportunity to use and enjoy a new landscaped park at the southern end of Cumberland Street directly in front of the building (separate development approval).

The proposals provides the opportunity for two building entrances – the retained and restored main entry from Cumberland Street via the original double timber doors and marble floors of the traditional foyer with refurbished original rooms for either offices, meeting rooms or as dining / restaurant use as and a new contemporary entry from Gloucester Street via glass and metal doors and stone paving to a new foyer with a new lift beside the new vehicular entry into the car park. The new Gloucester Street foyer will ensure this lower level of the building is given an opportunity to be integrated with the rest of the building. This is assured with the position of the proposed new passenger lift. The new entry foyer(s) also provides for a new presentation of the building with a new metal glazed entry doors replacing the garage roller door.

The proposal to provide a new centrally located passenger lift (with 2 entries on some floors) to connect all floors through the building from Gloucester Street to Level 04, the former roof level, was a key design decision that will best realize the projects objectives for either a 'whole-of-building' uses or a single floor tenancy uses. Lobbies if required for single floor tenancies on the commercial floors will be included in the DA's for the interior fitouts of those floors.

The grouping of the service areas on Level 00 and in the carpark (ie. switchboards and meters, communications room, amenities and / or future storage spaces for a Level 01 restaurant tenancy) on the Gloucester Street level, benefits the planning of the upper floors and facilitates the optimum planning for Level 00. This ensures the provision of amenities and facilities that are required are accommodated on this level. Waste / recycling room, bicycle parking and lockers will be installed in the car park.

Requirements for equitable access and accessible amenities are achieved with the new lift and new accessible toilet facilities on Levels 00 and 01. The new apartments will also be accessible via this new lift from the Entry Foyer on the Gloucester Street level. Noise attenuation and thermal insulation have been carefully considered for the residential uses ensuring a good outcome for residential amenity.

A commitment to providing a sustainable and energy efficient outcome for this refurbishment is a project objective. This is reflected in the Sydney Harbour Foreshore Authority's lease requirement to aim to achieve a 4 star NABERS rating and a 4 Star Rating under the Green Star (Version 2) rating tool accredited by the GBCA. Sustainability in terms of reduced energy consumption, allowing for natural ventilation and air-conditioning, sustainable materials selection and the provision of a comfortable indoor office environment are key project objectives that will be implemented in the project with this new design, where the impacts on the fabric are not detrimental to the heritage significance of the building.

The energy efficiency requirements for the residential uses are assessed for compliance with BASIX.

The works proposed in this development application are in accordance with the policies in the Conservation Management Plan 2006 prepared by City Plan Heritage.

The new work is essential for the building's on-going viability and activation. Works are restricted to areas of lesser significance and where they will have minimal adverse impacts on significant fabric and spaces. New works are of contemporary materials and appearance and are designed to be removable without damage to significant fabric or spaces.

The heritage significance of the parapet walls, flagpoles and southern stair are all elements that will be retained and incorporated into the proposal. The design for an extension with curved roof and central set-in upper pavilion that is set back from the parapet walls has been adopted to minimize visual impacts from key public spaces. Where visible from the public domain, the architectural form is subservient to the original building's primary architectural features and façade treatment. The dominance of the existing building with its robust masonry materials will remain in the streetscape.

The proposed new works including the roof extension are considered to have no overall adverse impact on the heritage significance of the existing building and will contribute to the conservation of the building's significant fabric by maintaining and continuing its commercial viability. The development will enable important historical uses to be interpreted.

3 HISTORY

3.1 Historical background

The Sydney Harbour Foreshore Authority (The Authority) is the owner and place manager of several Precincts including The Rocks. The leasing and commercial upgrade of the former Lawson House at 212 -218 Cumberland Street is part of The Authority's current assets portfolio strategic development program.

The building is listed as having State Significance of category 3. The site is located within the heritage listed Rocks area and is surrounded by buildings listed on the State Heritage Register, such as the Bushell's Building on the other side of Gloucester Street, Science House to the north and St Patrick's Church to the west. The site at 212 – 218 Cumberland Street is located between Cumberland Street (formerly called York Street North) and Gloucester Street in The Rocks.

212 – 218 Cumberland Street (former Lawson House) is of heritage significance both for its intrinsic historical and cultural value. It also provides a significant contribution to the quality of the streetscape and urban fabric within this area of The Rocks. The former Lawson House is a four storey commercial building constructed c.1924 for the confectionary company Cadbury-Fry Pascal as their Sydney Depot for the Cadbury operation whose main factory was in Hobart. The building was designed by the well known Sydney architectural firm Burcham Clamp and Finch in the Inter War Free Classical style. Cadbury ceased use of the building in the mid 20th century. The Architects Burcham, Clamp & Finch were responsible for similar classical style buildings in Sydney and Newcastle.

The design of the building incorporates a concrete encased structural steel frame, concrete floors and steel framed multi-paned glazed windows in a predominantly face brick face with sandstone detailing - banding, cornices and parapets. The east and west façade compositions vary significantly, with the western façade exhibiting widely spaces small square windows and the eastern façade more numerous larger rectangular windows. Whilst the facades are different in composition, they are both symmetrical with robust heavy sandstone detailed 'book-end' parapets.

Since 1982, the building has been used as a commercial warehouse and auction house for Lawson Auctioneers and Valuers. The building is best known as Lawson House, primarily due to the prominent façade signage which currently still remains as a strong reminder of their occupation.

Alterations were carried out in the 1960's when two of the three original cart docks were removed with the removal of two of the three brick arches on the Cumberland Street façade which were replaced with three steel windows to match other windows in this facade. Internally, new floors were added above the former cart docks to provide a flat floor throughout the north end of Level 01. Further refurbishment and maintenance works were carried out in the mid 1990's. The original goods lift has remained in operation throughout the building's life however it does not meet current code requirements. The lift will be decommissioned and retained for interpretation purposes and the lift shaft used for office breakout spaces in the new commercial tenancies.

4 THE SITE

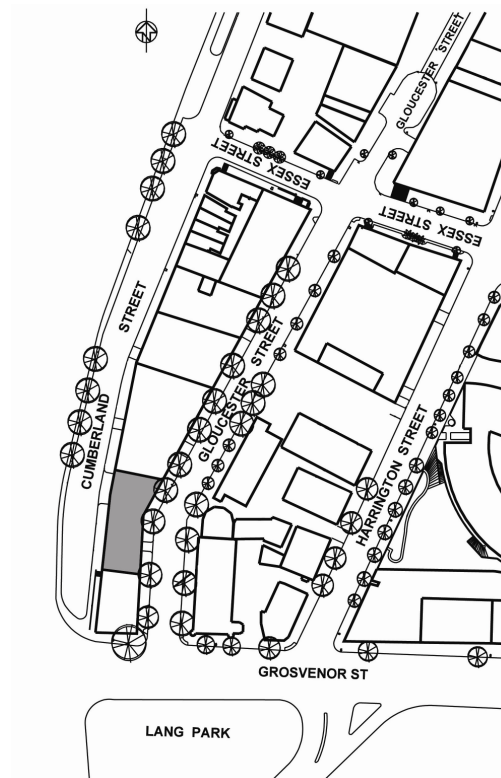
4.1 Site Location

The former Lawson House building occupies a visually prominent site in The Rocks bounded on the west by Cumberland Street, on the east by Gloucester Street and buildings to the north and south.

The former Lawson House at 212 – 218 Cumberland Street occupies a long rectangle, which skews to the east at its northern end to follow the curvature of Cumberland and Gloucester Streets. The site is approximately 34 m long in the north – south direction and an average of 13m in the east west direction. The building has 3 levels to Cumberland Street and 4 levels to Gloucester Street which is a level change of approximately 4 m.

The Reynell Building immediately to the north, is a two level building which is being redeveloped with two additional floors for new commercial offices and apartments by Stamford Windsor. The former NSW Housing Board Building Charlotte House, to the south at 16 – 18 Grosvenor Street, is a four level masonry building with frontages to Grosvenor, Gloucester and Cumberland Streets.

Cumberland Street, formerly York Street North, is a no-through road which is due being redeveloped as a new landscaped park above a two level car park. Vehicular access to the front of Lawson House will be removed with the public domain and a landscaped new park replacing Cumberland Street at the southern end. Tenants and visitors to the building can use the original entry off Cumberland Street or the new entry off Gloucester Street. The new second entry off Gloucester Street will be a shared access way, providing for both vehicles accessing the car park, services entry and for pedestrians accessing the foyer.



LOCATION PLAN

4.2 Urban Context and the Proposal

The Lawson House building has three principal 'facades', namely:

- The Gloucester Street eastern skewed façade facing the city which is partially concealed by established trees and which is not generally viewed as a 'whole' façade';
- The Cumberland Street western façade and roof elements facing the Bradfield Highway which is currently viewed primarily by vehicles users entering the city;
- The roof plane - the flat roof with the Stair 1 structure and the Goods Lift Motor Room with distinctive terra cotta shingle roof.

The roof views are 'fleeting' with the Goods Lift roof currently visible from the Bradfield Highway and from occupants in the taller neighbouring city commercial and residential buildings. The roof, or rather the lack of a formed roof shape, distinguishes this building from surrounding buildings.

Changing urban context: The western view to Cumberland Street will be changed considerably with the completion of the Stamford Windsor residential tower and redevelopment with contemporary 2 storey roof extension to the Reynell Building which adjoins the northern boundary of Lawson House. These developments, which alter the skyline with taller buildings will conceal Lawson House's northern wall and signage and partially conceal views of the roof from key vantage points. These new buildings, however will add visual interest and complexity into the immediate city panorama of The Rocks and the northern CBD.

The proposal for a roof addition to Lawson House will raise the building and massing into what is already a changed Cumberland Street streetscape.

The roof addition to Lawson House has been designed to complement and contribute to this new cityscape – streetscape and skyline - where the robust nature of the sandstone and brick masonry facades remaining dominant in the view. The addition, of lightweight construction will sit below a curved ribbed zinc roof with two central pavilions set into the roof. Set back from the east and west parapets, external wall glazing will be screened with timber style sliding screens. The new roof addition to Lawson House will be read in relationship to the roof extensions to the Reynell Building and the new Stamford Windsor residential tower.

A new roof addition to Lawson House for 2 levels of residential use is an opportunity for a simple and less complicated design solution for the roofscape when compared to the proposals for the adjoining residential extension to the Reynell building. A simple regular form for the roof addition is illustrated in the aerial images provided on the drawings.

The proposals for the roof addition are described and assessed in this Statement of Environmental Effects. Street views of the proposal can be viewed in the Appendix. The additional height to the building envelope is also assessed in this Statement.

5 DESCRIPTION OF THE PROPOSED WORKS

5.1 Details of the Proposal

The proposal is for the four level building to be refurbished and upgraded for new contemporary commercial tenancies with restaurant / café use on the Cumberland Street level, retail on the Gloucester Street level and a roof addition for two residential apartments over 2 levels resulting in a 5-6 level building. The proposed use for the majority of the building is similar to the current approved DA with the exception of the roof extension.

The proposed accommodation is as follows:

- Level 00 - Gloucester St - Car park entry; Commercial / Residential entry, retail tenancy services.
- Level 01 - Cumberland St - Café / restaurant or retail / commercial space.
- Level 02 - Commercial office use.
- Level 03 - Commercial office use.
- Level 04 - Residential apartments – lower level
- Level 05 - Residential apartments – upper level.

In summary, this Development Application seeks approval for the works as outlined below and as shown on the accompanying drawings. Refer to the Development Application drawings, and reports in the Appendix to this document. Refer to the S60 Heritage Impact Statement bound separately and to DA 166-11-07 for external building fabric maintenance and removal of internal partitions and redundant services.

Features of the adaptive reuse works are:

- Retention and refurbishment of the Good Lift from Gloucester St level to the roof with retention of the walls and roof visible for Cumberland Street;
- New passenger lift from the Gloucester St level to the apartments on Level 4;
- Refurbishment of significant heritage fabric and in particular the existing rooms, floors and joinery on the Cumberland Street level.
- Refurbished existing amenities and provision of new amenities throughout the building;
- Upgrade, relocation and refurbishment of existing air-conditioning services and new air-conditioning services, new mechanical, electrical, communications and data services;
- New addition on the flat roof to provide 2 apartments over 2 levels.

EXTERNAL WORKS

Gloucester Street – Demolition and new Works

- new sliding glass and metal door to driveway;

Cumberland Street – Demolition and new Works

- No demolition or new works to the street façade.

Note: new signage to both facades will be subject to a future development application.

INTERNAL WORKS

Demolition - Level 00 – Gloucester Street level

- Removal of the concrete floor slab to an area immediately to the south of the driveway with excavation as required to provide the base of a new concrete slab at a lower level;
- Removal of concrete floor slab for the driveway, excavation as required to provide the base for a new concrete slab at levels to suit the new driveway ramp levels;
- Cutting out and disposal of the in-ground petrol tank to authorities requirements;

Note: For removal of pavement lights and supporting walls, refer to DA171-06-07.

Proposed new works - Level 00 - Gloucester Street level

- New concrete slabs at lower levels to part of the floor to the south of the driveway;
- New concrete and stone paved vehicular driveway ramp from entry to the carpark;
- Concrete steps to access the fire stair - Stair 1;
- Masonry infill to north wall of Stair 1 where window removed;
- Construction of new services cupboards for switchboard and meters;

- New accessible toilet;
- Refurbishment of the existing toilet and shower off the first landing of Stair 2;
- New entry to new foyers with glass wall and doors, to the lift and to the northern tenancy; new finishes, new internal glass walls, doors and service ducts;
- Refurbishment of existing floor finishes to existing fire stairs;
- Roller door to car park entry and access system;
- New concrete floor inside the goods lift shaft above the lift pit and refurbishment of existing finishes;
- Refurbishment of existing floor finishes generally and to the existing fire stairs;
- New services – hydraulic services, fire hose reels, electrical and mechanical services.
- New passenger lift – shaft, internal and external finishes

Note: Garbage and recycling room to be located in the carpark.

Demolition - Level 01 – Cumberland Street level

- No demolition works; removal of redundant services is included in DA 166-11-07.

Proposed new works - Level 01 – Cumberland Street level

- New passenger lift – shaft, internal and external finishes;
- New ducts for services and reuse of existing cupboards for ducts;
- Refurbishment of existing floor finishes to existing Fire Stairs 1 and 2;
- Refurbishment of existing Foyer marble floor and wall finishes;
- New lightweight floors above the former cart docks level with floor level 01 to new levels;
- Refinish and repairs to existing timber floors using salvaged materials; repair and polish to concrete slabs;
- Refurbishment of the goods lift car which is to remain at this level; new fire rated floor in shaft below the goods lift car;
- New accessible toilet; refurbishment of existing toilets and finishes with new sanitary fittings;
- Refurbishment of existing timber joinery including doors, architraves, skirtings and highlight glazing;
- New services – hydraulic services including fire hose reels, electrical and mechanical services including provision for fan coil units and new light fittings (services by future tenant);
- Provision of services – capped off – to future café / restaurant (to be subject to a separate DA);

Demolition - Level 02

- Removal of the remainder of the former toilet walls near Stair 1;
- Removal of redundant services is included in DA 166-11-07.

Proposed new works - Level 02

- New passenger lift shaft, internal and external finishes;
- New concrete slab to reinstate floor slab where modern timber stair removed; refurbishment of adjoining finishes;
- New ducts for services and reuse of existing ducts;
- Refurbishment of existing floor finishes to fire stairs;
- New fire rated floor in goods lift shaft; refurbishment of timber framed mesh doors to goods lift;
- Making good and polishing of concrete slabs – new coverings by tenant;
- Refurbishment of finishes and new sanitary fittings to existing north east toilets ;
- New services – hydraulic services including fire hose reels, electrical and mechanical services including new light fittings and cable trays;
- Provision of services – capped off for completion by tenant – separate DA;
- Joinery units if required, to conceal fan coil units is to be included in future tenant DA;

Demolition - Level 03

- No demolition works; removal of redundant services is included in DA 166-11-07.

Proposed new works - Level 03

- New passenger lift shaft, internal and external finishes;
- New ducts for services and reuse of existing ducts;
- Refurbishment of existing floor finishes to fire stairs;
- Refurbishment of finishes and new sanitary fittings to existing north east toilets ;
- Refurbishment of timber framed mesh doors to goods lift and installation of glass walls to face of shaft.
- Making good and polishing of concrete slabs – new coverings by tenant;
- New acoustic treatment to underside of slabs set up at slab level;
- New services – hydraulic services including fire hose reels, electrical and mechanical services and new light fittings and cable trays;
- Provision of services – capped off for completion by tenant – separate DA;
- Joinery units if required, to conceal fan coil units is to be included in future tenant DA

Demolition - Level 04 (existing roof level)

- No demolition works; removal of concrete toppings and redundant services is included in DA 166-11-07.
- Relocation of air-conditioning plant servicing 16-18 Grosvenor Street off the roof of Lawson House and onto roof of 16-18 Grosvenor Street is a separate approval by Sydney Harbour Foreshore Authority

Proposed new works – Level 04 and new Level 05

- Construction of a roof extension set back from the street façade parapets for accommodation of 2 – 2 level residential dwelling units with lift access;
- Preparation and installation of new waterproofing to the existing roof slab;
- Construction of a steel framed floor structure above the roof to support the new roof addition on the existing concrete frame below;
- Modification of the goods lift motor room and relocation of plant to level 00;
- Extension of the existing Fire Stair 2 from level 03 to level 04;
- Extension of existing services and the provision of new services to serve the new roof addition;
- External decking and planter boxes to apartments.

5.2 Approved Works

The following works have been granted Development Consent DA No 166-11-07 on 8 July 2008 and a Construction Certificate for early works and external façade repairs in that DA was determined on 24 August 2010.

Gloucester Street – Demolition and New works

- removal of roller shutter from existing vehicular opening;
- removal of 'Lawson House' signage lettering from façade;
- removal of defective lead flashings to sandstone projecting string course and parapets and replacement with new lead flashings;
- removal of corroded MS lintels to windows in brick masonry and replacement with new SS lintels;
- removal of steel security grilles to Level 00 windows and necessary repairs to brickwork;
- repairs to steel framed windows to make windows operable including re-glazing with thicker glass and repainting;
- new lead flashings to sandstone parapets, projections and architrave to Stair 1 door;
- re-painting of all previously painted materials including Cumberland Street awning, lintel beam to driveway entry, corner guards to door openings, Stair 1 door and fanlight;
- preparation and external refinishing of main entry doors in Cumberland Street.

Cumberland Street – Demolition and New works

- removal of 'Lawson House' signage lettering from façade and removal of signage from the awning;

- removal of 3 non-original c.1968 steel framed windows glass doors and brickwork below and installation of 3 new steel framed glazed doors with highlights above;
- removal of defective lead flashings to sandstone projecting string course and parapets to allow for replacement with new lead flashings;
- removal of corroded MS lintels to windows in brick masonry and replacement with new SS lintels
- removal of steel roller shutter from behind the arched opening;
- removal of painted steel security grilles to Level 01 windows;
- repairs to steel framed windows to make windows operable including re-glazing with thicker glass and repainting; new SS lintels to windows in brickwork;
- re-painting of all previously painted materials;
- repairs and repainting of the existing flagpoles.

Internal Works

- New fire doors and frames to existing Fire Stairs 1 and 2 on all levels.
- Removal of non-original stud partitions, ceilings and timber floors on Level 00;
- Removal of the timber stair, balustrades and linings between Level 01 and 02;
- Removal of non-original stud partitions on levels 02 and 03 and floor finishes.
- Removal of existing non-original toilets and kitchenette on Level 02
- Removal of sanitary fittings from northern toilets ready for replacement with new fittings.

5.3 Development Application Drawings

The S60 / DA documents (Issue B) prepared by the Tanner Architects:

AR.DA.00	Cover Sheet / Location Plan
AR.DA.01	Ground Floor (Level 00) Floor Plan
AR.DA.02	Level 01 Floor Plan
AR.DA.03	Level 02 Floor Plan
AR.DA.04	Level 03 Floor Plan
AR.DA.05	Level 04 Floor Plan
AR.DA.06	Roof Pavilion Floor Plan
AR.DA.07	Roof Plan
AR.DA.08	Cumberland Street Elevation
AR.DA.09	Gloucester Street Elevation
AR.DA.10	Sections AA
AR.DA.11	Section BB
AR.DA.12	Section CC
AR.DA.13	Shadow Diagrams June 9am + 12pm
AR.DA.14	Shadow Diagrams June 3pm
AR.DA.15	Aerial Views
AR.DA.16	Photomontage
AR.DA.17	Streetscape East
AR.DA.18	Streetscape West

6 PLANNING CONTROLS AND APPROVAL PROCESS

6.1 Approvals

In 2009, the NSW Department of Planning transferred some planning responsibilities from the Sydney Harbour Foreshore Authority to the City of Sydney Council. The transfer included determinations on development with a capital investment value of under \$5 million at Sydney Harbour foreshore sites including The Rocks, Wharf 2/3 at Walsh Bay, Darling Harbour, the Casino switching station site, the Bank Street area of Pyrmont including Sydney Fish Market.

Under the agreed transfer, the Minister for Planning has remained the consent authority for major development on sites identified on the State Heritage Register and where the development breaches height limits outlined in the Sydney Cove Redevelopment Authority (SCRA) Scheme for The Rocks and development with a capital investment value in excess of \$5 million. The City of Sydney Council is now responsible for determinations under the *NSW Environmental Planning and Assessment Act, 1979* for developments with a capital investment value of less than \$5 million.

The Sydney Harbour Foreshore Authority has retained authority to determine applications for minor works under the *NSW Heritage Act, 1977* and the NSW Heritage Council is the consent authority for application under the *NSW Heritage Act, 1977* which fall outside of the delegations of Sydney Harbour Foreshore Authority.

212-218 Cumberland Street is included on the State Heritage Register and the proposed development breaches the height limits outlined in the Sydney Cove Redevelopment Authority (SCRA) Scheme for The Rocks and accordingly, a Part 4 development consent from the Minister for Planning is being applied for, for this development under section 78A of the *Environmental Planning and Assessment ACT 1979*.

6.2 Heritage

The NSW Heritage Council is the consent authority for application under the *NSW Heritage Act, 1977* which fall outside of the delegations of Sydney Harbour Foreshore Authority.

Lawson House and site are of State heritage significance for their historical, scientific and cultural values. The site and building are also of State heritage significance for their contribution to The Rocks area which is of State heritage significance in its own right. Lawson House is listed on the SHFA Heritage Register.

As required for projects involving work to heritage items listed on the State Heritage Register a Heritage Impact statement (HIS) has been prepared by Tanner Architects. The proposal has been assessed as having no overall adverse impacts on the heritage significance of the existing building. The new work is essential for the building's on-going viability and activation. Works are restricted to areas of lesser significance and where they will have minimal adverse impacts on significant fabric and spaces. New works are of contemporary materials and appearance, and to be removable without damage to significant fabric or spaces.

Refer to the Heritage Impact Statement bound separately to this report. A Section 60 Application has been prepared and is to be submitted to the NSW Heritage Council via the consent authority for approval.

6.3 Sydney Cove Redevelopment Authority (SCRA) Scheme

This Development Application is seeking a variation to the Sydney Cove Redevelopment Authority (SCRA) Scheme. The variation is outlined in Appendix C and seeks to increase the maximum permissible building envelope above the current level of RL44.00 to cover the proposed roof addition for the 2 apartments. The existing flagpoles on the western parapet will remain the tallest elements.

6.4 Environmental Planning and Assessment Amendment (SEPP65)

SEPP65 policy has been reviewed for the proposed development. An extract follows:

"A *residential flat building* is defined in that Policy to mean a building that comprises or includes:
 (a) 3 or more storeys (including levels below ground provided for car parking or storage, or both, that protrude less than 1.2 metres above ground level) and
 (b) 4 or more self contained dwellings (whether or not the building includes uses for other purposes, such as shops),¹

The roof addition to Lawson House will provide 2 residential units over 2 levels and accordingly, SEPP65 policy does not apply to the residential flat component of this proposed development. The design however, has been assessed using the relevant design principles for residential amenity and its appropriateness in the urban setting of The Rocks.

6.5 BASIX

BASIX is a web-based assessment tool that calculates the water and energy efficiency of new residential developments. The NSW Government introduced BASIX so that new homes are designed and built to use less potable water and produce fewer greenhouse gas emissions compared to the average home. These targets have been set to deliver significant and achievable reductions in residential water use and greenhouse gas emissions. BASIX is flexible and does not prescribe specific design features or technologies allowing builders to choose how they will meet the required water and energy reductions.

The energy and water efficiency for the residential component of this development has been assessed using BASIX and a BASIX Certificate has been achieved and issued.

Refer to the Appendix of this document for the BASIX Assessment prepared by Vipac

6.6 Design Review and Land Owners Consent

Prior to the award of the lease for the Lawson House building by Sydney Harbour Foreshore Authority (The Authority) to BBB Constructions Pty Ltd, Tanner Architects prepared design proposals for a roof addition and attended design meetings with The Authority and their Heritage Architect representative, Peter Romey from Godden MacKay Logan. Up to 10 options were explored for the roof addition that would provide the best outcome for the building in terms of design, context and residential amenity. The Authority provided Landowners Consent based on an approved design. The approved design has been further developed for this DA.

Refer to Appendix for F for the Preliminary Design Statement "Adaptive Reuse of the former Lawson House for Commercial, Retail and Residential use" for Landowner's Consent and Appendix G for the Architectural Drawings issued for Land Owner's Consent Issue B -24 May 2010.

6.7 Building Code of Australia

A Draft BCA Assessment Report for the Lawson House commercial, retail and residential upgrade has been prepared by Blackett Macquire + Goldsmith Pty Ltd. A copy of this report is included in Appendix H in this document. This report provides an overview of the BCA provisions that will need to be considered having regard to the proposed uses. There will be a requirement to prepare a Fire Safety Engineered Alternative Solutions report for some of the works as proposed in this development.

In accordance with usual practice, any proposed fit outs will need to be assessed against the BCA. For the purposes of 116G a Construction Certificate will be applied for.

¹ Environmental Planning and Assessment Amendment (SEPP65) Regulation 2002

7 STATEMENT OF ENVIRONMENTAL EFFECTS

7.1 Site Suitability

The existing heritage building of Lawson House occupies all the site and the upgrading works are contained wholly within the building envelope with the exception of the proposal for a new addition to the roof for

New Roof Extension and Context: Numerous options have been explored for a new roof addition that would provide the best outcome in terms of context and which would provides good residential amenity for the occupants with opportunities for external views above the existing parapets. The adoption of a curved roof has resulted in an appropriate and visually acceptable roof addition which has a central pavilion which sits within the main roof and is not clearly legible as a two level extension. The Goods Lift motor room which is of high significance has been retained where visible from the street to ensuring its retention in this proposal.

The new addition will sit below curved roofs to both the main roof and upper pavilion roof. The use of a curved roof with overhangs effectively combines the 2 levels together. New walls will be set back behind the sandstone parapet façade set on a new steel floor structure required to distribute the new loads to the existing structure below. This steel floor structure will allow for services reticulation and also provides an acceptable stone parapet balustrade height (1150mm) for occupant views from the apartments. Unlike the adjoining heritage northern building where the new extension will sit on top of the external walls, setbacks for the Lawson House addition will preserve the dominance of the sandstone parapets.

The curved roof reduces the appearance of the overall height of the extension in particular the upper centrally located pavilions. The use of overhangs to both roofs and consistent horizontal and vertical sun shading screens will provide a coherent and unified façade treatment consistent with the existing building. The curved roof will be zinc with a traditional rib tray profile. A light colour paneling with sliding glass doors and windows will sit behind sliding sun screens in a timber style material. Materials and colours have been chosen as appropriate for this context of red/tan brick and sandstone masonry of Lawson House.

The proposal is for a high quality, well design roof extension that responds and contributes to the historic context of Cumberland and Gloucester Streets. The design has considered scale, massing, setbacks on a narrow irregular building footprint which will not compromise the robust character and unique qualities of the existing building or its context.

7.2 Heritage Impacts

A S60 Heritage Impact Statement has been prepared by Tanner Architects for the commercial, retail and residential adaptive reuse works to 212 -218 Cumberland Street, The Rocks – the former Lawson House.

Lawson House is a building of State Heritage significance. The impacts of the proposed works on the heritage building have been assessed and it is considered that there will be no overall adverse impacts on the heritage significance of the existing building.

Refer to the Heritage Impact Statement bound separately to this report.

7.3 Building Height

The existing maximum permissible envelope control over the site is RL 44.00. This development application is seeking a variation to the Sydney Cove Redevelopment Authority (SCRA) Scheme. Refer to the Appendix for the Submission Seeking a Variation to the Sydney Cove Redevelopment Authority (SCRA) Scheme. The building is situated to the south of the Stamford Windsor development for a residential, commercial tower building and redevelopment of the Reynell Building

for commercial and residential use. Both developments have significantly increased the original building heights in Cumberland Street. The review of these adjoining developments has been carried out.

Refer to the Appendix for the 'Submission Seeking a Variation to the Sydney Cove Redevelopment Authority (SCRA) Scheme' as prepared by Baseline Design – July 2010.

7.4 Noise

Vipac have prepared an Acoustic Assessment for the residential uses and considered that the traffic noise places greater demand on western end of the proposed development. The façade for the new roof addition is to be constructed out of materials that will reduce noise impacts on occupants resulting in noise levels within internal spaces that meet the relevant Australian Standards and guidelines. Refer to Appendix J in this report.

The site at 212-218 Cumberland Street The Rocks is in close proximity to the Bradfield Highway and vehicular traffic existing from Sydney Harbour Bridge. In addition to this, the site is located in close proximity to underground railway lines running between Wynyard Station and Circular Quay. The nearest railway tunnel has been located within 15m from the base of the existing building of the proposed development. Based on the information available, rail movements in the nearby tunnel have only been assessed against the relevant vibration criteria. The impacts of rail noise and vibration have been considered in accordance with the Department of Planning guidelines. Results from the assessment indicate that vibration levels from train movements are well within the specified criteria for the relevant standards in regards to structural integrity and the human perception of vibration.

Adoption of the recommendations in this report will ensure the proposed residential apartments comply with the noise intrusion requirements of the relevant Australian standards and guidelines. At the Construction Certificate stage, an acoustic consultant will be engaged to review architectural and mechanical services drawings with the developer, builder, architect and mechanical consultant.

An acoustic report on the acoustic impacts of the environment was prepared by Acoustic Studio for the commercial spaces as part of DA 166-11-07. This report was used for the design of the new glass for the steel windows.

The air conditioning plant on the flat roof of Lawson House at the south west end that serves the southern building, 16 -18 Grosvenor Street is being relocated off the roof and onto the adjoining building by the Sydney Harbour Foreshore Authority.

7.5 Shadows

Lawson House will be overshadowed by existing tall commercial buildings and the new proposed buildings being constructed immediately to the north in Cumberland Street at 9.00am on 21 June and 14 April. The Reynell building redevelopment proposed a change in height from 2 to 4 levels and the Stamford Windsor development will be 26 levels to the north of Lawson House. These building have a significant impact on sunlight access on Lawson House.

Shadows from the new roof will fall within existing shadows and will have no impacts on adjoining buildings or spaces. Refer to the Shadow Diagrams.

7.6 Public Domain

This Statement supports the following extract from the Conservation Management Plan 2006 by City Plan Heritage with respect to the views of the building from the public domain which states:

“Views to and from Lawson House are quite limited due to the curvature of Gloucester and Cumberland Streets, as well as the height and siting of the building itself. While Cumberland Street is located on a natural ridge line, Lawson House is located at the southernmost point, on the border of The Rocks and the City, where the land is not as steep. Coupled with the building height at a comparatively small four storeys, Lawson House subsequently cannot be viewed from anywhere in The Rocks apart from within its context as part of the streetscape of Cumberland and Gloucester Streets. A relatively complete view of the western elevation can be garnered from the Harbour Bridge exit ramp.

The views from the subject building are also relatively limited due to the built up nature of the surrounding area. Views to buildings in the immediate context are available from Cumberland and Gloucester Streets but distant views are limited due to the curvature of the streets. The Bradfield Highway obscures views to the west from Cumberland Street and the lower levels of the building but the upper levels allow views to the Harbour Bridge, Observatory Hill and the buildings along Kent Street. Views south from the two street frontages include Lang Park which provides a visual buffer to high rise development further south. Due to the alignment and form of the building views in this direction from within the building are relatively limited.

There are some views north from the roof of the building however these are likely to be obscured by further development of the adjacent Reynell Building and the construction of the proposed thirty storey residential and commercial building on the site of the former Australian Drug Company and Howard O'Farrell buildings. The roof of St Patrick's Church across Gloucester Street is also visible. Beyond the church the view is limited due to high rise development although toward the south east Lang Park creates a visual buffer.”

Refer to the 3D sketch images of the building setting with proposed roof addition in Cumberland Street and Gloucester Street in Appendix B to this report. The proposed roof addition for the residential apartment has regular footprint with the upper pavilion located centrally in the roof with setbacks from the north and south boundaries. The curved zinc ribbed roof design with this recessed centrally located pavilion projection is considered to have a negligible visual impact on the presentation of Lawson House from the surrounding streets and areas. Refer also to the view of Lawson House with proposed roof extension from York Street. The addition is viewed as a base to the city buildings.

The design for an extension with curved roof and central set-in upper pavilion that is set back from the parapet walls has been adopted to minimize visual impacts from key public spaces. Where visible the architectural form is subservient to the original building's primary architectural features and façade treatment. Refer to Appendix F – Preliminary Design Statement' by Tanner Architects.

Significant landscape improvements in Cumberland Street with the creation of a new park to be constructed above the new below-ground carpark as part of the proposed neighbouring developments will have a major positive improvement to the existing circumstance – the existing no-through road. Cumberland Street is being terminated to the north of Lawson House. No access to the east façade of the former Lawson House or pedestrian access along Cumberland Street will be available during the construction of the new below-ground carpark.

No changes are proposed on the east side of the existing building in Gloucester Street. The vehicular entry into the building off Gloucester Street will remain in the location of the existing entrance and the existing levels retained.

7.7 Social Impact

No changes are proposed that will adversely impact on the existing circumstance. Internal public access for appreciation of the building's interiors was not previously available however access into the foyers and into areas proposed for café or restaurant use on the lower two levels will now be available. This remainder of the building is not intended to be open for public access.

Opportunities for new signage for the building will be the subject of a separate Development Application by the future tenant. Internally, opportunities for interpretative signage are being investigated and

submitted for approval in accordance with the Conditions of Approval and will be implemented in the building works.

7.8 Access

Disability access into the building will be provided in these upgrade and adaptive re-use works. Compliant access will be achievable from both the Cumberland Street entry doors and the second entry on the lower Gloucester Street entry foyer. The footpath levels are proposed to be raised in Cumberland Street as part of the Stamford Windsor project which includes the car park construction works and this will result in a maximum 20 mm step at the entry to provide an accessible threshold.

Disability access throughout the building is provided by the new passenger lift that is to be installed in the building to serve all levels including Level 04 – the roof addition for the new residential apartments. Accessible toilet facilities are to be installed at the Gloucester Street entry level – Level 00 and on the Cumberland Street level - Level 01. Level access throughout Level 01 will be addressed in the fitout of this space and is dependant on the final tenancy layouts for this level – one or two tenancies.

The Access Report prepared by Accessibility Solutions is included in the Appendix.

7.9 Transport and Traffic

The provision of a new car park below Cumberland Street and the assessment of the likely traffic impacts on the surrounding streets and The Rocks will have been provided as part of the development that is providing these facilities – the Stamford Windsor development approval DA 171-06-07. The car park is not part of this development application.

Notwithstanding the above, there are no changes to this proposed car park (approved in a separate application DA 171-06-07 and subsequent amendments S96's) and vehicular access into the car park from Gloucester Street using the existing opening in the east façade of the former Lawson House. Whilst the former Lawson House currently does not have a car park, the new car park being provided as part of the adjacent development (separate development approval) will provide covered car parking for 15 cars dedicated to 212 – 218 Cumberland Street below Cumberland Street with access through the lower ground floor of Lawson House off Gloucester Street.

Construction vehicles now and future service vehicles will use the Gloucester Street entry. A Construction Traffic Management Plan has been prepared by Baseline Constructions for this project which will be submitted to the City of Sydney Council - the Authority for works being undertaken in Gloucester Street.

The building is well situated for public transport use being close to major public transport facilities – bus routes into and out of the city in York Street and train stations at Wynyard and Circular Quay.

No adverse traffic impact is anticipated as the provision of 15 car spaces is minor and will have little impact on the current circumstances. Refer to the Appendix for a copy of this report.

7.10 Air

Due to the installation of new works internal to the building, dust generated by the works will be restricted to the interiors and will be controlled by dust proof screens. The roof works will be carried out to meet the Authority requirements for this site. With the building's location close to the Bradfield Highway the quality of the indoor air needs to be addressed. The retail, commercial and residential area will be air-conditioned. The upgrade and repairs for the steel framed windows which includes reglazing in thicker glass has been approved in DA 166-11-07.

7.11 Services

Waste Management: The waste and recycling room will be located in the carpark on the Gloucester Street level - Level 00. The carpark is easily accessible by the lift on this level for tenant use and close to the driveway / street access for the moving of bins for collection and their return.

Services: The proposed works for the new uses will result in modifications to the existing services provided to the building and in the building. They are essential upgrade works for code compliance or to meet fire engineering requirements. These works include the installation of a new gas services as required by a future restaurant / café use, relocation and upgrade of the main switchboard on Level 00, communications, data and new electrical services (light and power) throughout the building outlined in the description of this proposal.

7.12 Sustainability – NABERS and Green Star

The project and lease objectives of this adaptation of Lawson House for commercial, retail and residential use are to achieve a 4 Star rating under NABERS Energy scheme as managed by the NSW Department of Environment & Climate Change and Water (DECCW) and a 4 Star Rating under the Green Star (Version 2) rating tool accredited by the GBCA.

A NABERS rating is based on a methodical assessment of the actual environmental impact of operating the building. A NABERS Accredited Assessor gathers and interprets data on the building's energy consumption and compares it against buildings in the same category using 12 months of actual data. The more stars in a NABERS Energy Rating, the lower the greenhouse gas emissions for the rated premises. The data on the energy consumption will be collected and assessed after the building has been operational for 12 months. This project will include:

- Minimizing waste during construction and in operation;
- Maximize recycling in all stages of the project;
- Reduce energy consumption by selecting energy efficient plant and equipment;
- Installing high quality energy efficient light fittings and lighting zones with easily accessible and identified switching to help tenants reduce their energy consumption;
- With a narrow building footprint, the office spaces have abundant natural daylight and external views, with no point on each floor more than 12 metres from a window.
- Installing high efficiency dual flush toilets to minimize water use;
- Installing WELS rated taps, shower heads, urinals, dishwashers and washing machines;
- Energy efficient glazing and window systems to address both thermal comfort and noise attenuation for the apartments;
- Provision of bicycle storage in the carpark; cyclists showers part of a future fitout;
- The use of low volatile organic compound (VOC) paints, adhesives and sealants and products with low or no formaldehyde to reduce internal air pollutants;
- The building's original heritage structure, including its facade and structure have been conserved to reduce waste.
- Using non-ozone depleting refrigerants in the building's cooling systems
- Using insulation products that were made without ozone depleting gases in their manufacture or composition.
- The use of insulation reduces internal noise levels and improves occupant comfort.

Through careful planning, the common areas have been minimized throughout the commercial floors. A comfortable indoor office environment for the building occupants is a key project objective.

Energy and water use has been assessed for the residential apartments under BASIX requirements and a BASIX Certificate has been issued.

8 CONCLUSION

The Lawson House building at 212 – 218 Cumberland Street, The Rocks has been subject to several adaptation works for changes in tenancy use in its lifetime - from Cadbury Fry Pascall Depot use, to Craig Mostyn's produce use and then to the Lawson Menzies Auction House use. The most recent being a services upgrade in the 1990's. It is anticipated, based on current trends that these building works for commercial, retail and residential use will provide the former Lawson House with an on-going viable into the future. Value will be added with the proposed car park and residential roof addition.

The proposed works – the subject of this Development Application - provide significant improvements for the building in use. Where the ESD objectives of 4 star NABERS and 4 Star Green Star requirements, it will also result in an energy efficient and sustainable commercial building reducing energy consumption and green house gas emissions by the inclusion of energy efficient equipment and systems and sustainable materials and products.

The proposed mixed use of commercial, retail and residential use of former Lawson House will ensure the heritage fabric and history of the building can continue to co-exist now and in the future.

The proposed works are assessed as having no adverse impacts on the heritage significance of the existing building or the environment.

APPENDICES

- A. Site Photographs
- B. Street Views – Cumberland Street and Gloucester Street.
- C. Submission Seeking a Variation to the Sydney Cove Redevelopment Authority (SCRA) Scheme prepared by Baseline Design – July 2010.
- D. Development Application Drawings – Reduced A4 Architectural Drawings prepared by Tanner Architects – Issue B Drawings AR.DA.00 – AR.DA.18 inclusive.
- E. Existing Building drawings - Lawson Menzies House at 212 – 218 Cumberland Street, The Rocks prepared by Tanner Architects Pty Ltd
- F. Preliminary Design Statement “Adaptive Reuse of the former Lawson House for Commercial, Retail and Residential use” for Landowner’s Consent prepared by Tanner Architects 4 March 2010.
- G. Architectural Drawings issued for Land Owner’s Consent Issue B -24 May 2010
- H. BCA Assessment Report – Blackett Macquire + Goldsmith dated 1 September 2010
- I. Access Report prepared by Accessibility Solutions (NSW) Pty. Ltd dated 8 September 2010
- J. Acoustic Assessment prepared by Vipac dated 8 September 2010
- K. BASIX Assessment - prepared by Vipac dated 9 September 2010
- L. Structural Report – Hughes Truman letter dated 9 August 2010
- M. Construction Management Plan dated 25 July 2010
- N. Construction Traffic Management Plan dated 15 July 2010