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SYDNEY NSW 2000**

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11 April 2019

Ms Carolyn McNally
Secretary
NSW Department of Planning and Environment
320 Pitt Street
SYDNEY NSW 2000

Attention: Karl Fetterplace (Senior Planner – Key Sites Assessments)

Dear Carolyn,

SECTION 4.55(2) MODIFICATION 2 TO SSD 7037 | 75-85 HARRINGTON STREET, THE ROCKS | RESPONSE TO SUBMISSIONS

INTRODUCTION

This letter has been prepared on behalf of Golden Age and Hannas The Rocks Pty Ltd (the Applicant) in response to the NSW Department of Planning's (DPE's) request for additional information of 13 February 2019.

Addressed in this letter are key issues that have been identified by the Department regarding submissions received during the exhibition of the proposed development located at 75-85 Harrington Street, The Rocks.

Key issues identified include:

- Heritage.
- Gross Floor Area.
- Residential Apartments.
- Basement and Ground Floor Alterations.
- Design.
- Bicycle Parking.
- Architectural Drawings.

This letter addresses the above in Table 1 below:



DETAILED RESPONSE TO SUBMISSIONS

A response to the Department’s Key Issues Letter is provided within Table 1 below:

Table 1 – Response to Request for Information

Issue	Response	Reference
Heritage		
<ul style="list-style-type: none"> Update the Heritage Impact Statement to reflect the latest drawings (Revision 6) and the comments received from the Heritage Division of the Office of Environment and Heritage. 	<p>An Addendum Heritage Impact Statement (HIS) has been prepared which includes the latest drawing revisions. The Heritage Package (Appendix A) has also addressed each of the OEH comments in a cover letter.</p>	<p>Appendix A</p>
<ul style="list-style-type: none"> Confirm all basement walls assigned a significance of high or exceptional are proposed to be retained as per Condition B2. 	<p>The Addendum Heritage Impact Statement confirms that all basement walls assigned a significance of high or exceptional will be retained.</p>	<p>Appendix A</p>
Gross Floor Area		
<ul style="list-style-type: none"> Provide an updated schedule of Gross Floor Area for all uses, justification for proposed amendments and an assessment of implications. 	<p>FJMT have prepared a revision to (approved) drawing DA-2800. The drawing confirms the GFA of the building has been reduced by 30 sqm (from 9,308 sqm to 9,278 sqm).</p> <p>The decrease has occurred due to the design development of the building (i.e. confirming the size and location of services; thickness of exterior walls et cetera).</p> <p>For reference, the revised scheme has the following amounts of GFA:</p> <ul style="list-style-type: none"> Commercial: 1,134 sqm (+ 2 sqm) Retail: 948 sqm (+ 21 sqm) Residential: 7,196 sqm (– 53 sqm) 	<p>Drawing DA-2800 at Appendix B</p>

Issue	Response	Reference
Residential Apartments		
<ul style="list-style-type: none"> Amend the development mix to reflect the proposed third bedroom in the northern Baker's Terrace and any other associated implications. 	<p>The development comprises 58 units/townhouses (as approved). One oversized 1-bedroom apartment has been changed to a 2-bedroom apartment in Block 2.</p> <p>No amendment has been made to the bedrooms in the Bakers Terraces.</p>	-
<ul style="list-style-type: none"> Confirm the consistency of the amended units and any other affected units with the Apartment Design Guide, including private open space, bedroom widths and cross ventilation. 	<p>FJMT have prepared an Addendum ADG Compliance Assessment at Appendix C. The report confirms consistency with the objectives with the ADG.</p> <p>As discussed in the original submission, there is a 1sqm shortfall in Private Open Space (POS) for the new 2-bed (formerly oversized 1-bed) apartment.</p> <p>On balance, when considering the amenity offered by the overall quantum of communal/ public open space within the development, this minor shortfall for one unit is considered acceptable.</p>	Appendix C
Basement and Ground Floor Alterations		
<ul style="list-style-type: none"> Provide clarification as to the extent of the amendment to the basement and ground floor outlines and justification for this. This should include an assessment of any potential impacts, including any necessary amendments to technical studies. 	<p>FJMT have prepared an Excavation Alteration Plan (drawing DA-2801). The drawing confirms there is no additional excavation beyond the existing excavated footprint.</p> <p>No further technical studies are required.</p>	Drawing DA-2801 at Appendix B

Issue	Response	Reference
Design		
<ul style="list-style-type: none"> Give consideration to the proposed inclusion of additional louvres to the roof. 	<p>FJMT have prepared three perspectives (see Appendix D) which illustrate how the louvres will appear from key spaces within the public domain. In summary:</p> <ul style="list-style-type: none"> The roof and louvre material will be metal sheeting of the same colour, meaning the architectural language of the building will remain the same. This is also supported on Heritage grounds (refer to HIS). Notwithstanding this, the amendment to the roof will be barely perceptible from most viewing angles (refer to the perspectives). 	Appendix D
Bicycle Parking		
<ul style="list-style-type: none"> Fifty-eight bicycle parking spaces should be provided unless sound justification is given for a proposed reduction. 	The basement drawings have been amended. Each of the 58 apartments will receive at least one basement storage cage (inclusive of a bike store).	Drawing DA-2011 and DA-2012 at Appendix B
Architectural Drawings		
<ul style="list-style-type: none"> Ensure all proposed changes are shown clouded on the drawings. 	Noted.	-
<ul style="list-style-type: none"> Update the inner elevation drawings to reflect balcony changes and any other amendments 	Inner elevations have been included in the revised plan set for consistency.	Drawing DA-3005, DA-3006, DA-3007 and DA-3008 at Appendix B.

Issue	Response	Reference
<ul style="list-style-type: none"> Update all section drawings to reflect the amendments to the basement extent and internal changes 	Drawing DA-4100-1 is provided. All section drawings have been updated.	Drawing DA-4100-1 at Appendix B
<ul style="list-style-type: none"> Confirm no amendments are proposed to the roof level apart from those outlined in the planning statement and drawing amendments list 	Very minor setout amendments have been made to the private terraces on Level H9, however these are contained within the approved SCRA envelope.	-
Biodiversity		
<ul style="list-style-type: none"> Assessment requirements of Section 7.17 of the Biodiversity Conservation Act 2016 (BC Act). 	Refer to the Ecological Letter prepared by ELA at Appendix E which addressed the requirements of Section 7.17 of the BC Act. The letter confirms the modification “ <i>will not increase the impact on biodiversity values</i> ”.	Appendix E

OTHER AMENDMENTS

One further (minor) internal planning amendment has been made to Block 1, Level H9 as a result of interior design development. This change does not significantly alter the quantum of communal area and will improve the amenity of this space.



CONCLUSION

Having regard to the above, the NSW DPE may modify SSD 7037 pursuant to Section 4.55(2) of the EP&A Act because:

- The proposal represents substantially the same development for which the consent was granted.
- The environmental impacts arising from the modifications are acceptable with regard to Section 4.15(1) of the EP&A Act.

In summary, the proposal can be supported on environmental planning grounds and warrants the support of the Minister. We therefore recommend that approval for modification be granted, subject to the conditions proposed by the applicant.

If you have any questions, please don't hesitate to contact me on (02) 8233 7607.

Yours sincerely,

Edward Green

Edward Green
Senior Consultant

Enclosed: Appendix A: Addendum Heritage Package prepared by Urbis Heritage
 Appendix B: Revised Architectural Plans prepared by FJMT
 Appendix C: Addendum ADG Compliance Assessment prepared by FJMT
 Appendix D: Perspectives prepared by FJMT
 Appendix E: Table of Amendments by FJMT
 Appendix F: Ecological Letter prepared by ELA