

Department of Planning and Environment
Locked Bag 5022
Parramatta NSW 2124

Attn: Anna Nowland

26 April 2023

Re: Submission to SSD-32766230 – Nos. 35-75 Harrington Street, The Rocks

Dear Sir/Madam,

We refer to State Significant Development Application No. SSD-32766230 which proposes the following works at Nos. 35-75 Harrington Street, The Rocks:

- Construction of a new part 2, part 8 storey building comprising hotel accommodation including ancillary retail and through-site links.
- Variation to the Sydney Cover Redevelopment Authority Scheme (SCRA) to facilitate the proposed development.

We act on behalf of the leaseholders of Nos. 34-52 Harrington Street, The Rocks, located to the southeast of the development site, and write to formally submit an objection to the proposed development regarding impacts to the heritage setting of the 'Evans Store and Harbour Rocks Hotel' including bulk, scale and associated overshadowing impacts.

The basis of the objection is set out in the attached submission.

We trust that the Department will consider our concerns with the proposed development and refuses or requires significant amendments to the application in its current form.

Please note that I, SJB Planning nor the leaseholders of Nos. 34-52 Harrington Street, The Rocks have not made any contributions to any political parties.

Should you require any further information, please do not hesitate to contact myself on (02) 9380 9911 or by email at ssmith@sjb.com.au

Yours sincerely



Simon Smith
Associate

Submission to SSD-32766230

1.0 Proposed variation to the SCRA

The relevant Building Site Control Drawing for the development site (Nos. 35-75 Harrington Street, The Rocks) is Drawing No. XXXVI (1) dated 2 June 1986. The building envelope sets maximum heights across the site as follows:

- Harrington Street frontage – RL27.00
- Corner of Harrington Street & Argyle Street – RL 54.00
- Central / rear portion of the site – RL 35.50
- Argyle Street – RL 27.00, RL30.00, RL24.00

The proposal seeks to amend the approved building envelopment to Nos. 35-75 Harrington Street as noted below:

- Harrington Street frontage – RL23.15 to RL 23.70
- Corner of Harrington Street & Argyle Street – RL 54.00
- Central / rear portion of the site – RL35.90, RL37.70, RL37.90, RL41.90, RL40.70, RL42.10
- Argyle Street – RL 26.00

Concerns are raised that the proposal amendments to the approved scheme (including a maximum 6.6m height increase through the central / rear portion of the site) will result in adverse environmental impacts to the State Heritage Item located at Nos. 34-52 Harrington Street (known as 'Evans Store and Harbour Rocks Hotel') (see Figure 1 below).

In particular, the increased bulk and scale of the proposal is considered to result in adverse shadow impacts.



Source: FJMT Studio

Figure 1 – Aerial view of redevelopment of No. 35-75 Harrington Street, The Rocks (NB: Nos. 34-52 Harrington Street as marked in red).

As such the proposed is not considered to satisfy the provisions of Section 9 (2) 'Variations of approved scheme under the Environmental Planning and Assessment (Sydney Cove) Savings and Transitional Regulations 1999 regarding development that will adversely affect –

- i) Development on adjoining land, or
- ii) The heritage significance of buildings, structures or sites in the locality.

2.0 State Heritage Item – 'Evans Stores, Harbour Rocks Hotel'

Nos. 34-52 Harrington Street is located to the southeast of the development site (see Figures 1 and 2).



Figure 2 – 'Evans Stores, Harbour Rocks Hotel' as viewed from Harrington Street looking northeast.

The site listed on the State Heritage Register as follows:

- Item Nos. 01545 & 01611 – 'Evans Stores, Harbour Rocks Hotel.'

The Statement of Significance for the item notes the following:

"The site of the Harbour Rocks Hotel is of historical significance as part of the original hospital garden, and of subsequent buildings from 1850 until the construction of the Evan's Stores in 1890. The Evans's Stores demonstrates the nineteenth century mercantile / commercial built form of The Rocks. The building has aesthetic significance as an unusual imposing warehouse which forms an important visual element in Harrington Street, with Suez Canal on one side and the terraces at 42-52 Harrington Street on the other. It also forms part of a strong visual precinct of buildings with Nos. 42-52 and Nos. 55-71 on the other side of the street, and relates to 39-47 Argyle Street."

The item also forms part of The Rocks Heritage Conservation Area.

3.0 Impacts

Concerns are raised that the proposed increase in building height (+6.6m) will adversely impact the heritage setting of 'Evans Stores, Harbour Rocks Hotel' at No. 34-52 Harrington Street.

The northern and western facades (including fenestration) of No. 34-52 Harrington Street currently benefit from direct solar access from midday to 3pm (see in Figure 3).



Figure 3 –Northern and western elevations of Evans Stores, Harbour Rocks Hotel' at Nos. 34-52 Harrington Street – NB: Photo taken at 2.18pm on 19 April 2023.

The increased in building height (i.e. +6.6m in the central and rear portions of the development site) will result in additional overshadowing impacts to the northern and western facades of No. 34-52 Harrington Street, between 2pm and 3pm (mid-winter and equinox) as noted in the applicants' shadow analysis documentation (see Figures 4 and 5 overleaf).

The increase in overshadowing to the northern and western façade (including fenestration) is considered to adversely impact the setting of the heritage item noting its visual and heritage significance to the terraces sited opposite at Nos. 55-71 Harrington Street, Nos. 39-47 Argyle Street and The Rocks Conservation Area.

In addition, the overshadowing will also affect direct solar access to the existing outdoor dining areas associated with the site's Harrington Street (western) frontage.



7 3D VIEW Winter Solstice_3pm



7 3D VIEW Winter Solstice_3pm

Figure 4 – Extract of applicants proposed shadow diagrams (mid-winter) including Nos. 34-52 Harrington Street as marked in red (Source FJMT Studio)



7 3D VIEW Equinox_3pm



7 3D VIEW Equinox_3pm

Figure 5 – Extract of applicants proposed shadow diagrams (equinox) including Nos. 34-52 Harrington Street as marked in red (Source FJMT Studio)

Whilst the proposed plans illustrate shadow impacts relative to the existing, approved SCRA scheme and proposed, the differential between such massing are ambiguous given the overlapping of colours.

It unclear if the existing and approved SCRA shadow diagrams denote the void below the existing clock tower (see Figure 6).



Figure 6 – Nos. 35-75 Harrington Street, The Rocks as viewed from Jack Munday Place / Argyle Street looking west. NB: Existing Clock tower including void.

Further, the shadow diagram plans have not been drawn to scale nor include detailed analysis of impacts to fenestration.

As such, overshadowing impacts to the fenestration of the ‘Evans Stores, Harbour Rocks Hotel.’ have not been adequately addressed.

4.0 Conclusion

The proposed increase to the maximum building height (+6.6m) at Nos. 35-75 Harrington Street results in adverse environmental impacts including overshadowing to the heritage setting of 'Evans Stores, Harbour Rocks Hotel' at Nos. 34-52 Harrington Street.

Accordingly, the proposed is not considered to satisfy the provisions of Section 9 (2) 'Variations of approved scheme under the Environmental Planning and Assessment (Sydney Cove) Savings and Transitional Regulations 1999.

Furthermore, given the ambiguity regarding the documentation of overshadowing impacts, it is requested that the following is prepared and submitted:

- Revised shadow diagrams are to be prepared to scale and clearly document shadow impacts to Nos. 34-52 Harrington Street (including existing fenestration).
- The shadow diagrams (in plan and elevation) are to be prepared at hourly intervals between 9am and 3pm (equinox and mid-winter) and clearly illustrate the following on separate sheets:
 1. Existing shadows.
 2. Shadows resulting from approved SCRA scheme.
 3. Proposed shadows.
 4. Cumulative impacts.
- Confirmation that the existing shadows impacts exclude the clock tower 'void'.