



DESIGN COLLABORATIVE
Pty Limited

ABN 36 002 126 954
ACN 002 126 954

Planning and Development Consultants

www.designcollaborative.com.au

G W Smith
BSurv(QLD)
MCP(MIT)
MIS FPIA
MRTPI FAPI
CPP

H M Sanders
MPhil(Lon)
MSc(Rdg)
FPIA MRTPI
MRICS CPP

J Lidis
BTP (UNSW)
MPIA CPP

**SUBMISSION SEEKING A VARIATION TO THE SYDNEY COVE
REDEVELOPMENT AUTHORITY (SCRA) SCHEME**

IN RELATION TO A PROPOSED MODIFICATION OF AN APPROVED PROJECT
AT

**106-128 CUMBERLAND STREET
THE ROCKS**

MADE TO

THE MINISTER FOR PLANNING

ON BEHALF OF

YHA LTD

JANUARY 2010
REF: 109422.1R

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1. INTRODUCTION

This Report relates to land located at 106-128 Cumberland Street, The Rocks occupied by the Sydney Harbour YHA and The Big Dig Archaeology Education Centre which were approved under Major Project Approval No. 06-0265. The original project involved an amendment to the Sydney Cove Redevelopment Authority (SCRA) Scheme which was approved by the Minister for Planning as Building Site Control Drawing No. XXXIV-A. That Building Site Control Drawing has been subsequently amended for other, unrelated projects. The current version of the Building Site Control Drawing is No. XXXIV-B approved by the Minister for Planning in April 2009.

This submission seeks a variation to the SCRA Scheme to facilitate the proposed modification of the approved project. This application is submitted concurrently with an application to modify Major Project Approval No. 06-0265, under Section 75W of the Environmental Planning and Assessment Act, 1979.

This submission is made pursuant to Clause 4 of the Environmental Planning and Assessment (Sydney Cove) Savings and Transitional Regulation 1999. In accordance with that clause, this Report:

- describes the respects in which the proposal does not comply with the SCRA Scheme;
- sets out the reasons for the variation to the SCRA Scheme; and
- addresses the matters in Clause 9(2).

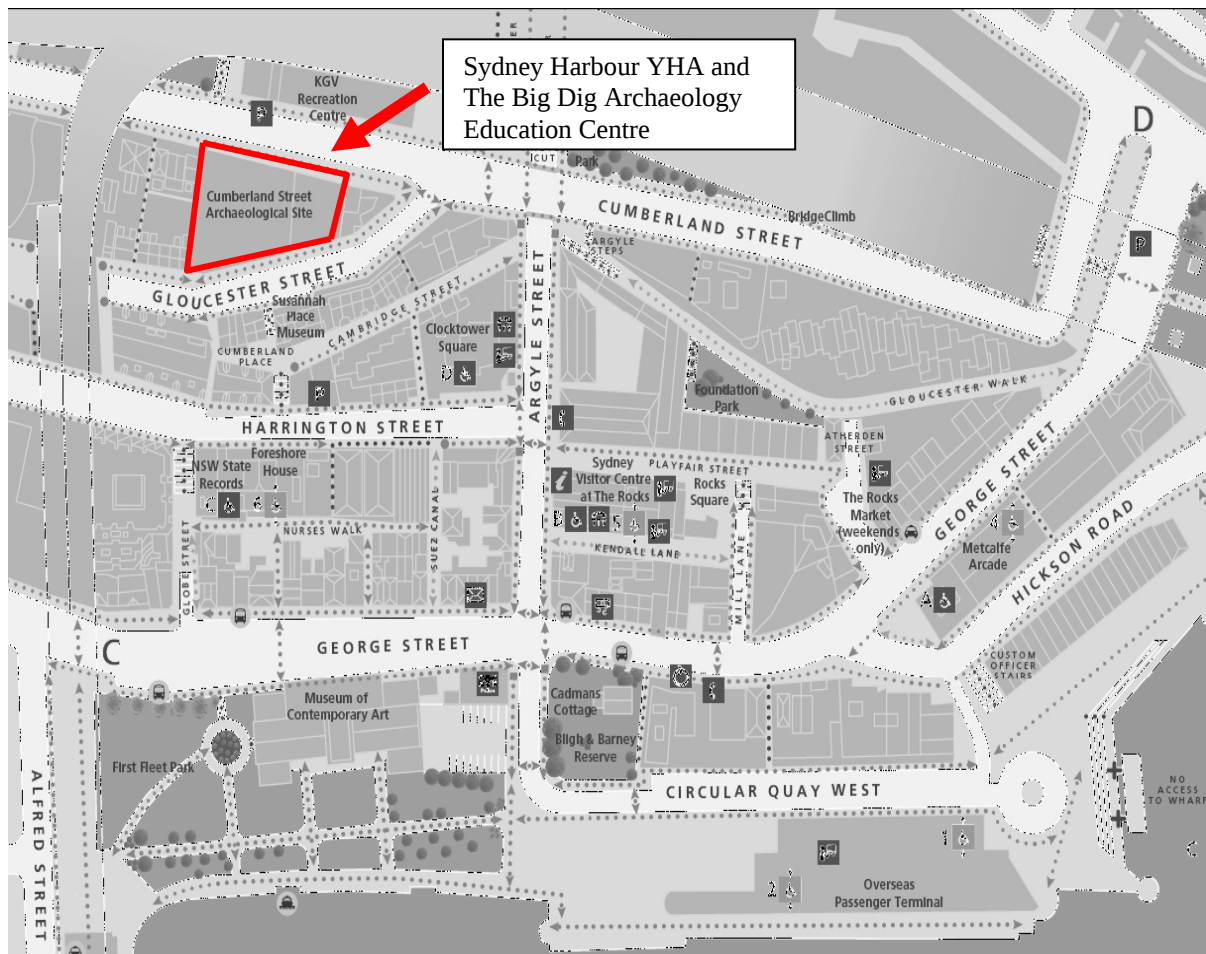
The conclusion is drawn that the proposed variation is acceptable having regard to all relevant planning considerations.

It is requested on behalf of YHA Ltd that, pursuant to Clause 5 of the Environmental Planning and Assessment (Sydney Cove) Savings and Transitional Regulation 1999, the Director-General decide to prepare a draft variation to the SCRA Scheme in accordance with this submission and that, pursuant to Clause 9 of the Environmental Planning and Assessment (Sydney Cove) Savings and Transitional Regulation 1999, the Minister make the variation to the SCRA Scheme in accordance with the draft variation.

2. CONTEXT

2.1 THE SITE

The subject site, known as 106-128 Cumberland Street and 81-101 Gloucester Street, The Rocks is described as part Lot 2 in DP 777656 and includes parts of Longs Lane and Carahers Lane. The site is located on the western side of Sydney Cove between Cumberland Street and Gloucester Street, between the Australian Hotel to the north and the Jobbins Buildings (and other structures) adjacent to the Cahill Expressway to the south (see **Location Plan**).



LOCATION PLAN

The site is occupied by the Sydney Harbour YHA and The Big Dig Archaeology Education Centre which were approved under Major Project Approval No. 06-0265 in January 2008.

The proposed modifications to which this submission relate are situated at the upper level of the building known as the North Wing of the Youth Hostel, specifically, the existing terrace at Level 03 of that building. The terrace extends across the full width of the eastern façade of the North Wing facing Gloucester Street and is directly accessible from the Level 03 lounge/TV room at the north-eastern corner of the building as well as from the open walkway access through the building.

At present, the Level 03 terrace is unroofed apart from a small roof overhang adjacent to the lounge room. It is used for informal relaxation and recreation by Hostel guests. The terrace is the only external recreational space provided on the site of the Hostel as access to the ground is not provided due to the need to protect the archaeological remains. As a result, the terrace is a significant component of the Hostel and an important amenity for guests.

2.2 THE SURROUNDING AREA

The area surrounding the subject site is generally characterised by a mix of residential and commercial development.

The site adjoins, to the north, the Australian Hotel, which occupies the corner of Cumberland and Gloucester Streets. The Hotel is two storeys in height.

To the south of the site is a residential precinct clustered around Longs Lane (a pedestrian-only lane which connects Cumberland and Gloucester Streets) and Carahers Lane (which extends north from Longs Lane to (and into) the site) and is bounded on its southern side by the Cahill Expressway.

On the opposite (eastern) side of Gloucester Street, north of Cumberland Place, are 3 storey residential terrace style buildings and the Susannah Place museum. Cumberland Place is a pedestrian-only thoroughfare which links through to Cambridge and Harrington Streets. To the south of Cumberland Place are 3 storey commercial terraces and a 4 level contemporary commercial building housing the Commonwealth Bank Treasury Centre and Bank.

On the opposite (western) side of Cumberland Street is the King George V Recreation Centre which is a 2-3 storey contemporary building. Immediately to the west of the recreation centre building is the Harbour Bridge/Cahill Expressway.

The Level 03 terrace is apparent in views of the site from Gloucester Street and locations further from the site.

3. STATUTORY AND POLICY CONTEXT

This Section sets out the statutory provisions which currently apply to the proposed modification. It provides the context for the consideration of the implications of the proposed variation addressed in Sections 4 and 5, below.

3.1 SYDNEY COVE REDEVELOPMENT AUTHORITY (SCRA) SCHEME

The SCRA Scheme is the principal local planning instrument applicable to the site. The Scheme comprises a Building Site Control Drawing Key Map K-2 and a series of related Building Site Control Drawings which depict “building site plans” and “building envelopes” and set out “permitted uses” on land to which the SCRA applies. The Key Map also contains explanatory notes on the permitted uses.

The Key Map indicates that Building Site Control Drawing No. XXXIV applies to the subject site, among others. Building Site Control Drawing No. XXXIV-B (approved on 29 April 2009) depicts the site plan, envelope controls and permitted uses that apply to the subject site (see **Appendix 1**).

The Building Site Control Drawing depicts the maximum permissible building envelope on the site. In relation to the Level 03 terrace area of the building it provides for a maximum height of RL 42.3.

The subject proposal seeks a building form which will not be consistent with the envelope controls as they relate to the Level 03 terrace area. The exceedances of the height control relate to the proposed height of the balustrade handrail and the height of the proposed extended roof (and integrated screen) in the south-western part of the terrace.

3.2 ASSESSMENT CRITERIA FOR PROPOSED VARIATIONS OF THE SCRA SCHEME

Clause 4 of the Environmental Planning and Assessment (Sydney Cove) Savings and Transitional Regulation 1999 provides that any application for variation to the SCRA Scheme must:

- describe the respects in which the proposal does not comply with the SCRA Scheme;
- set out the reasons for the variation to the SCRA Scheme; and
- address the matters in Clause 9(2).

In this respect, Clause 9(2) sets out the following assessment criteria:

If, after considering those submissions, the Minister is of the opinion that the draft variation, if made:

- (a) *will not permit development that will adversely affect:*
 - (i) *development on adjoining land, or*
 - (ii) *the heritage significance of buildings, structures or sites in the locality, or*
 - (iii) *the quality of the public domain in the locality, and*
- (b) *will not permit development that will have an adverse impact on the natural or built environment or an adverse social or economic impact in the locality, and*
- (c) *will conform with the general planning and design principles for the Sydney Cove Redevelopment Area,*

the Minister may make the variation to the approved scheme in accordance with the draft variation or make the draft variation with such alterations as the Minister thinks fit.

It is understood that the “general planning and design principles for the Sydney Cove Redevelopment Area”, are now incorporated into the provisions of SREP (Sydney Harbour Catchment) 2005 (deemed SEPP).

Accordingly, in addressing Clause 9(2)(c) above, an applicant is required to assess the proposed variation in the context of the provisions of the SREP and the related Sydney Harbour Foreshores and Waterways Area DCP. The relevant provisions are addressed in Section 5, below.

4. PROPOSED VARIATION OF THE SCRA SCHEME

4.1 NON-COMPLIANCE WITH THE SCRA SCHEME

As noted above, the SCRA Key Map indicates that Building Site Control Drawing No. XXXIV applies to the subject site, among others. Building Site Control Drawing No. XXXIV-B (approved on 29 April 2009) depicts the site plan, envelope controls and permitted uses that apply to the subject site (see **Appendix 1**).

The Building Site Control Drawing depicts the maximum permissible building envelope on the site. In relation to the Level 03 terrace area of the building it provides for a maximum height of RL 42.3.

The subject proposal seeks a building form which will not be consistent with the envelope controls illustrated on Building Site Control Drawing No. XXXIV-B as they relate to the Level 03 terrace area. The extent of non-compliance is summarised as follows:

- the height of the proposed balustrade handrail at RL 42.52, an exceedance of 220mm;
- the height of the proposed roof extension over the south-western part of the Level 03 terrace. The roof has a parapet height of RL 44.7 which is consistent with the adjoining building (to which a height control of RL 45 applies under Building Site Control Drawing No. XXXIV-B – see **Appendix 1**). The roof height therefore exceeds the envelope control by 2.4m. As shown on the plans of the proposed modification, this exceedance would affect an area of some 48m².

4.2 THE PROPOSED DEVELOPMENT

The purpose of the proposed variation is to facilitate proposed modifications to the Level 03 terrace in the North Wing of the Youth Hostel.

The proposed modifications to the Level 03 terrace are illustrated in the plans prepared by Tzannes Associates in **Appendix 2** and are summarised as follows:

- modification of the terrace balustrade handrail to increase its height to RL 42.52. The balustrade handrail is proposed to be modified by duplicating the existing steel plate handrail at a distance of some 200mm above the existing handrail;
- extension of the existing building roof over the south-western part of terrace together with the installation of an integrated 2.18m high steel framed glazed screen between the extended roof and the balustrade along the southern edge of the terrace. The roof is proposed to extend towards the east by 3.9m to cover an area of some 48m²; and
- installation of a glazed screen some 1.5m high on top of the balustrade of the open access walkway adjacent to the southern access point to the terrace. (This aspect of the proposed modification does not involve any breach of the existing building envelope control).

The proposed roof extension is at the same level as the existing adjoining roof (RL 44.7 to the parapet). The proposed extension is cantilevered at its northern end and supported at its southern end by a steel plate column positioned on the handrail of the balustrade. The column is designed to match the details on the rest of the building. Similarly, the roof edge details are designed to match those of the existing building.

4.3 PROPOSED VARIATION OF THE SCRA SCHEME

It is proposed that Building Site Control Drawing XXXIV-B be amended to reflect the modified development now proposed on the site as illustrated in the plans in **Appendix 2** and to accommodate the variations as identified at Section 4.1 of this Report. The proposed amended Building Site Control Drawing is contained in **Appendix 3**.

This would necessitate the modification of the building envelope as follows:

- extension of the currently applicable maximum roof height adjoining the terrace of RL 45 over the area of the terrace where the proposed roof extension and southern glazed screen are located. As noted above this would affect an area of some 48m²; and
- to permit an intrusion through the envelope where it relates to the terrace balustrade/handrail (by way of a note on the Building Site Control Drawing).

4.4 REASONS FOR THE PROPOSED VARIATION

The proposed modifications to the Level 03 terrace are designed to address several issues which affect the amenity and utility of the terrace in its present configuration:

- the proposed modification to the balustrade handrail, and associated increase in the overall height of the balustrade, is designed to address perceived safety concerns with the height of the existing balustrade (although compliant with BCA requirements).
- the proposed roof extension and associated glazed screen are designed to improve the amenity and utility of the terrace area. The proposed roof extension will allow use of part of the terrace in all weathers while the proposed glazed screen will improve the amenity of this part of the terrace through the provision of protection from winds.
- the proposed glazed screen adjacent to the southern access point to the terrace is designed to prevent unauthorised access to the terrace after hours.

The proposed modifications will increase the utility of the terrace, the level of comfort currently experienced and its general amenity. As noted above, the terrace is the only external recreational space available to guests of the Hostel and it makes an important contribution to the amenity of the Hostel. In this context, the proposal is not considered to be unreasonable particularly having regard to the limited extent of the proposed changes.

For these reasons, and the supportive detail expressed in the body of this Variation Submission, agreement is sought for the variation of the SCRA Scheme Building Site Control Drawing XXXIV-B to permit the proposed modification as submitted.

5. IMPACT OF THE PROPOSED VARIATION

The impact of the proposed variation is assessed in the following section in the context of the matters set out in Clause 9(2) of the Environmental Planning and Assessment (Sydney Cove) Savings and Transitional Regulation 1999.

If, after considering those submissions, the Minister is of the opinion that the draft variation, if made:

- (a) will not permit development that will adversely affect:*
 - (i) development on adjoining land, or*
 - (ii) the heritage significance of buildings, structures or sites in the locality, or*
 - (iii) the quality of the public domain in the locality, and*
- (b) will not permit development that will have an adverse impact on the natural or built environment or an adverse social or economic impact in the locality, and*
- (c) will conform with the general planning and design principles for the Sydney Cove Redevelopment Area,*

the Minister may make the variation to the approved scheme in accordance with the draft variation or make the draft variation with such alterations as the Minister thinks fit.

5.1 IMPACT ON DEVELOPMENT ON ADJOINING LAND, INCLUDING THE PUBLIC DOMAIN

The subject modification application is accompanied by a photomontage which illustrates the proposed modifications as viewed from the public domain (Gloucester Street) (see **Appendix 4**). The photomontage demonstrates that the proposed modifications, while resulting in a change in the appearance of the building, would not result in any significant increase in the apparent bulk of the Hostel development or any significant adverse visual impact on the surrounding area. In addition, it is not considered that the proposed modified development would have an adverse impact on the quality of the public domain.

The proposed roof extension and integrated glazed screen are set well behind the Gloucester Street façade of the North Wing of the Youth Hostel and the only change to the street front elevation would be the increased height of the balustrade handrail which, as shown in the photomontages, would be barely discernible in views of the building. The setback to the proposed roof extension of some 5m limits the visibility of that element from external vantage points and minimises the additional visual bulk of the building. As referred to above, the proposed roof extension and glazed screen have been designed to match the materials and design details of the existing building and, as a result, they are well integrated into the existing built form.

The proposed roof extension and associated glazed screen are also well-separated from adjoining development to the south by the existing development on the southern part of the site itself, being The Big Dig Archaeology Education Centre and associated open area on the Gloucester Street frontage. The proposed roof extension would not be visible from the neighbouring Hotel site to the north.

The proposed roof extension would be visible in more distant views of the site from, for example, Circular Quay and the Opera House. As the proposed extension and screen have

been designed to match the design details and materials of the existing building and would appear as an integral part of the built form on the site, no adverse impacts on such views are anticipated.

The proposed modifications will not have any other direct impact on any surrounding property. Compared with the existing situation, the proposal will allow part of the Level 03 terrace to be used in all weathers and with a greater level of comfort than is presently the case. In this respect, the present relationship between the existing development on the site and the adjoining properties will be maintained.

5.2 IMPACT ON HERITAGE SIGNIFICANCE

Given the minimal impact of the proposed modifications on the overall built form of the existing development on the site, it is not considered that they would have an adverse effect on the buildings, structures or sites in the vicinity which have heritage significance.

5.3 IMPACT ON THE NATURAL OR BUILT ENVIRONMENT

As described above, it is considered that the proposed modifications would not have a significant adverse impact on the built environment of the locality. The proposed modifications have been designed to be consistent, in terms of materials and design details, with the existing development on the site and would form logical additions to the existing structure.

No adverse impact on the natural environment would arise from the proposed modifications.

5.4 SOCIAL OR ECONOMIC IMPACTS

The proposed modifications will have a positive social impact by improving the utility and amenity of the Level 03 terrace of the existing Youth Hostel. As described above, the terrace is the only external recreational space available for guests and visitors on the site and it is therefore a significant component of the existing development. The proposed modifications would increase the level of perceived safety on the terrace as well as increase the level of comfort experienced by users of the terrace.

The proposed modifications are unlikely to give rise to any economic impacts.

5.5 GENERAL PLANNING AND DESIGN PRINCIPLES FOR THE SYDNEY COVE REDEVELOPMENT AREA

As referred to above, the “general planning and design principles for the Sydney Cove Redevelopment Area”, are understood to have been incorporated into the provisions of SREP (Sydney Harbour Catchment) 2005. Accordingly, in addressing Clause 9(2)(c) above, an applicant is required to assess the proposed variation in the context of the provisions of the SREP and the related Sydney Harbour Foreshores and Waterways Area DCP. The relevant provisions are addressed below.

5.5.1 SYDNEY REGIONAL ENVIRONMENTAL PLAN (SYDNEY HARBOUR CATCHMENT) 2005

The subject site is within the area to which the Sydney Harbour Catchment REP applies. The site is within the Foreshores and Waterways Area as shown on the Foreshores and Waterways Area map accompanying the REP. The relevant provisions of the REP are addressed below.

Part 1 Preliminary	Comment
2. Aims of plan	
(1) <i>This plan has the following aims with respect to the Sydney Harbour Catchment:</i> (a) <i>to ensure that the catchment, foreshores, waterways and islands of Sydney Harbour are recognised, protected, enhanced and maintained:</i> (i) <i>as an outstanding natural asset, and</i> (ii) <i>as a public asset of national and heritage significance,</i> <i>for existing and future generations,</i> (b) <i>to ensure a healthy, sustainable environment on land and water,</i> (c) <i>to achieve a high quality and ecologically sustainable urban environment,</i> (e) <i>to encourage a culturally rich and vibrant place for people,</i>	The modified proposal is consistent with the aims of the REP in that: ▪ it protects, enhances and maintains a site of significant heritage significance in the foreshore area for existing and future generations; ▪ it will continue to provide for a healthy, sustainable environment on the site; ▪ the proposed modified development will maintain the existing high quality urban environment on the site through well-designed and integrated modifications to the existing development; and ▪ it will continue provide a culturally rich and vibrant place for people which fosters education and interpretation of the heritage significance of the site and complements and enhances the historic precinct of The Rocks.
(2) <i>For the purpose of enabling these aims to be achieved in relation to the Foreshores and Waterways Area, this plan adopts the following principles:</i> (a) <i>Sydney Harbour is to be recognised as a public resource, owned by the public, to be protected for the public good,</i> (b) <i>the public good has precedence over the private good whenever and whatever change is proposed for Sydney Harbour or its foreshores,</i> (c) <i>protection of the natural assets of Sydney Harbour has precedence over all other interests.</i>	The site is within the Foreshores and Waterways Area as shown on the Foreshores and Waterways Area map. The proposed modified development is consistent with the principles for the Foreshores and Waterways Area in that it will continue to provide for increased public access to an important historic site within the foreshore area. The modified proposal will have no effect on the natural assets of Sydney Harbour.

Part 3 Foreshores & Waterways Areas	Comment
Division 2 Matters for Consideration	
20 General <i>The matters referred to in this Division (together with any other relevant matters):</i> (a) <i>are to be taken into consideration by consent authorities before granting consent to development under Part 4 of the Act,</i> 25 Foreshore and waterways scenic quality <i>The matters to be taken into consideration in relation to the maintenance, protection and enhancement of the scenic quality of foreshores and waterways are as follows:</i> (a) <i>the scale, form, design and siting of any building should be based on an analysis of:</i> (i) <i>the land on which it is to be erected, and</i> (ii) <i>the adjoining land, and</i> (iii) <i>the likely future character of the locality,</i> (b) <i>development should maintain, protect and enhance the unique visual qualities of Sydney Harbour and its islands, foreshores and tributaries,</i> (c) <i>the cumulative impact of water-based development should not detract from the character of the waterways and adjoining foreshores.</i>	As described above, the subject modification application is accompanied by a photomontage which illustrates the proposed modifications as viewed from the public domain (Gloucester Street) (see Appendix 4). The photomontage demonstrates that the proposed modifications, while resulting in a change in the appearance of the building, would not result in any significant increase in the apparent bulk of the hostel development or any significant adverse visual impact on the surrounding area. In addition, it is not considered that the proposed development would have an adverse impact on the quality of the public domain. The proposed roof extension and integrated glazed screen are set well behind the Gloucester Street façade of the North Wing of the Youth Hostel and the only change to the street front elevation would be the increased height of the balustrade handrail which, as shown in the photomontages, would be barely discernible in views of the building. The setback to the proposed roof extension of some 5m limits the visibility of that element from external vantage points and minimises the additional visual bulk of the building. As referred to above, the proposed roof extension and glazed screen have been designed to match the materials and design details of the existing building and, as a result, they are well integrated into the existing built form. The proposed modified development would be partly visible from certain vantage points on the Harbour and its foreshores, including from east Circular Quay and the Opera House. To the extent that it would be visible, it would form part of distant views of the skyline of the development in The Rocks. The proposed modifications would have no adverse impact on these views. The proposed development does not constitute water based development. Accordingly, the modified proposal is satisfactory with respect to foreshore and waterway scenic quality.
26 Maintenance, protection and enhancement of views <i>The matters to be taken into consideration in relation to the maintenance, protection and enhancement of views are as follows:</i>	As set out above, the modified proposal will have an acceptable impact on views and vistas to and from public places, landmarks and heritage items.

Part 3 Foreshores & Waterways Areas	Comment
(a) <i>development should maintain, protect and enhance views (including night views) to and from Sydney Harbour,</i> (b) <i>development should minimise any adverse impacts on views and vistas to and from public places, landmarks and heritage items,</i> (c) <i>the cumulative impact of development on views should be minimised.</i>	

3.3.2 SYDNEY HARBOUR FORESHORES AND WATERWAYS DCP

The Sydney Harbour Foreshores and Waterways Area DCP applies to all development proposals within the Foreshores and Waterways Area identified in SREP (Sydney Harbour Catchment) 2005. The site is within the Foreshores and Waterways Area as shown on the Foreshores and Waterways Area map accompanying the REP. The relevant provisions of the DCP are addressed below.

2. Ecological Assessment	
3. Landscape Assessment	
The maps accompanying the DCP do not map either the ecological community or landscape character type for The Rocks (Map 8). A note to the map states “area not mapped: site specific investigations required”. The Landscape Assessment section of the DCP provides: <i>All development should aim to:</i> ▪ <i>minimise any significant impact on views and vistas from and to:</i> ○ <i>public places</i> ○ <i>landmarks identified on the maps accompanying the DCP, and</i> ○ <i>heritage items</i> ▪ <i>ensure it complements the scenic character of the area;</i> ▪ <i>protect the integrity of foreshores with rock outcrops, dramatic topography or distinctive visual features;</i> ▪ <i>provide a high quality of built and landscape design; and</i> ▪ <i>contribute to the diverse character of the landscape.</i>	The site would be consistent with the “urban development with scattered trees” ecological community identified in the DCP. This community has low conservation status. The modified proposal is considered to meet the landscape assessment criteria in the DCP in that it will: ▪ have an acceptable impact on views and vistas from and to public places, landmarks and heritage items Opera House; ▪ complement the scenic character of the area; ▪ not have any effect on the foreshore or its visual features; ▪ provide a high quality of built and landscape design; and ▪ will contribute to the character of the landscape of The Rocks.

5. Design Guidelines for Land-Based Developments	
5.4 BUILT FORM <i>Buildings and other structures should generally be of a sympathetic design to their surroundings; well designed contrasts will be considered where they enhance the scene. Many councils have development controls governing built form and the heights of buildings. The following guidelines are designed to reinforce the local requirements:</i> ▪ <i>where buildings would be of a contrasting scale or design to existing buildings, care will be needed to ensure that this contrast would enhance the setting;</i> ▪ <i>where undeveloped ridgelines occur, buildings should not break these unless they have a backdrop of trees;</i> ▪ <i>while no shapes are intrinsically unacceptable, rectangular boxy shapes with flat or skillion roofs usually do not harmonise with their surroundings. It is preferable to break up facades and roof lines into smaller elements and to use pitched roofs;</i> ▪ <i>walls and fences should be kept low enough to allow views of private gardens from the waterway;</i> ▪ <i>bright lighting and especially floodlighting which reflects on the water, can cause problems with night navigation and should be avoided. External lights should be directed downward, away from the water. Australian Standards AS/NZ1158.3: 1999 Pedestrian Area (Category P) Lighting and AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting should be observed;</i> ▪ <i>use of reflective materials is minimised and the relevant provisions of the Building Code of Australia are satisfied;</i> ▪ <i>colours should be sympathetic with their surrounds and consistent with the colour criteria, where specified, for particular landscape character types in Part 3 of this DCP;</i> ▪ <i>the cumulative visual impact of a number of built elements on a single lot should be mitigated through bands of vegetation and by articulating walls and using smaller elements; and</i> ▪ <i>the cumulative impact of development along the foreshore is considered having regard to preserving views of special natural features, landmarks or heritage items.</i>	As described above the built form of the modified proposal is considered satisfactory. As noted above, the proposed modifications have been designed to match the materials and design details of the existing building and, as a result, they are well integrated into the existing built form. The glazing in the proposed screen will be selected to ensure that there is no excessive reflectivity from the site.

6. CONCLUSIONS

This submission seeks a variation to the SCRA Scheme to facilitate the proposed modification of the approved project being the Sydney Harbour YHA and The Big Dig Archaeology Education Centre at 106-128 Cumberland Street, The Rocks. The proposed modifications relate to the terrace at Level 03 of the North Wing of the existing development. This application is submitted concurrently with an application to modify Major Project Approval No. 06-0265, under Section 75W of the Environmental Planning and Assessment Act, 1979.

The proposed modified development involves exceedances of the building envelope which applies to the site under the SCRA Scheme as shown in Building Site Control Drawing No. XXXIV-B. The reason for the proposed variation is to address several issues which affect the perceived safety, amenity and utility of the terrace in its present configuration.

The assessment of the proposal modifications in the context of the relevant matters for consideration under the Environmental Planning and Assessment (Sydney Cove) Savings and Transitional Regulation 1999 demonstrates that the proposal will have acceptable impacts on the environment of the locality.

It is considered that this application to vary the SCRA Scheme meets the requirements of the Regulations, in that it appropriately describes the draft variation, the reasons for the variation, its likely impact, which is considered to be minor, and its compliance with the general planning and design principles of the SCRA Scheme and Sydney Harbour Foreshore Areas DCP.

Accordingly, it is requested on behalf of YHA Ltd that, pursuant to Clause 5 of the Environmental Planning and Assessment (Sydney Cove) Savings and Transitional Regulation 1999, the Director-General decide to prepare a draft variation to the SCRA Scheme in accordance with this submission and that, pursuant to Clause 9 of the Environmental Planning and Assessment (Sydney Cove) Savings and Transitional Regulation 1999, the Minister make the variation to the SCRA Scheme in accordance with the draft variation.