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**URBIS**

# **35-55 HARRINGTON STREET, THE ROCKS**

Scoping Report

Prepared for  
**FAR EAST ROCKS PTY LTD**  
November 2021

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# 1. INTRODUCTION

This Scoping Report has been prepared by Urbis on behalf of Far East Rocks Pty Ltd (Far East), the Applicant for this project. This Scoping Report constitutes a request for Secretary's Environmental Assessment Requirements (SEARs) to guide the preparation of an Environmental Impact Statement (EIS) that will accompany a State Significant Development Application (SSDA).

Far East is the long-term leaseholder of the site, with Place Management NSW (PNSW) being the freehold owner.

Since securing the lease in 2013, Far East and their project team have been progressively reviewing and exploring options to revitalise the site for visitor accommodation and tourism related uses given its unique position within The Rocks precinct. This has included ongoing and proactive engagement with the landowner (PNSW), the City of Sydney Council (Council) and the NSW Department of Planning, Industry and Environment (DPIE) to better understand their visions for The Rocks and for the site. This close and collaborative engagement will continue over the life of the project, and we are confident it will enrich the quality of the proposed development.

The project relates to the Clocktower Square component of the site (which is used for retail and commercial office uses). Broadly, the project involves:

- Creation of a new, high quality 200+ room hotel that responds positively to the surrounding built form context.
- Creation of new food and beverage and retail tenancies to enhance the activation and vibrancy in the precinct, along all street frontages.
- Provision of new publicly accessible through-site links to the surrounding street network and laneways to enhance pedestrian flow and connectivity across the precinct. In addition, the creation of publicly accessible lifts to assist with equitable access across the site given the level changes.
- Creation of a new, publicly accessible roof-top space on the upper floor of the development which will provide panoramic views of Sydney Harbour and the surroundings.
- Alterations to the basement car park to upgrade it to contemporary code compliance. The quantum of carparking will remain close to neutral.
- The through-site links will be appropriately landscaped and treated to enhance the quality of the public realm experiences. In this regard, the applicant will also explore potential public domain enhancement works to Cambridge Street and the surrounding street interfaces.
- Redistribution of massing and building height across some parts of the development, by removing some parts of the existing buildings (e.g. the existing Clocktower structure) to facilitate additions in areas where there is limited impacts on the surrounding context. The extent of demolition, alterations and additions that will be carried out will only be determined after further study at the detailed design stage.
- **Note:** the project will eventually be connected to the existing Rendezvous Hotel (located to the south), which will undergo minor refurbishment works under a separate (non-SSDA) planning approval pathway.

Pursuant to Section 4.36(2) of the Environmental Planning and Assessment Act 1979 (EP&A Act):

*(2) A State environmental planning policy may declare any development, or any class or description of development, to be State significant development*

The site is in The Rocks, an identified State Significant Site per Schedule 2 of *State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP)*. Clause 6 of Schedule 2 of the SRD SEPP identifies that development within The Rocks is State Significant Development (SSD) if:

*(a) it has a capital investment value of more than \$10 million, or*

*(b) it does not comply with the approved scheme within the meaning of clause 27 of Schedule 1 to the Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017.*

The CIV Letter (Appendix B) confirms that the Capital Investment Value (CIV) of the project will exceed \$10 million and accordingly the project is SSD.

It is intended for the development to undergo independent design review via DPIE's State Design Review Panel (SDRP) framework. A meeting has been booked for 2 March 2022 with the Panel, with follow up meetings anticipated prior to lodgement of the EIS to ensure the proposal provides a very high quality design response. It is also noted that the Applicant will be required to secure endorsement from PNSW prior to EIS lodgement.

To support the request for SEARs, this Scoping Report provides the following:

- An overview of the site and context.
- A description of the proposed development.
- An overview of the relevant statutory and strategic framework; and
- An overview of the likely environmental and planning impacts.

Preliminary concept plans prepared by FJMT accompany the Scoping Report. These plans will be refined during the preparation of the EIS, including further detailed investigations and assessment of key issues identified within the SEARs.

In accordance with the Department of Planning, Industry and Environment's (DPIE) new protocol of conducting 'scoping meetings' prior to formal lodgement of SEARs, a meeting was held on 13 October 2021 with key Departmental staff to discuss the proposed development. This satisfies the requirement for a 'scoping meeting'.

## 2. STRATEGIC CONTEXT

### 2.1. STRATEGIC ALIGNMENT

This project represents a unique strategic opportunity to revitalise and rejuvenate the site. The intention is to create a very high quality development that will complement the character of The Rocks, and enhance the visitor experience. The proposed hotel use is also aligned with broader State, Regional and Local initiatives to promote tourism and to increase visitor expenditure in NSW.

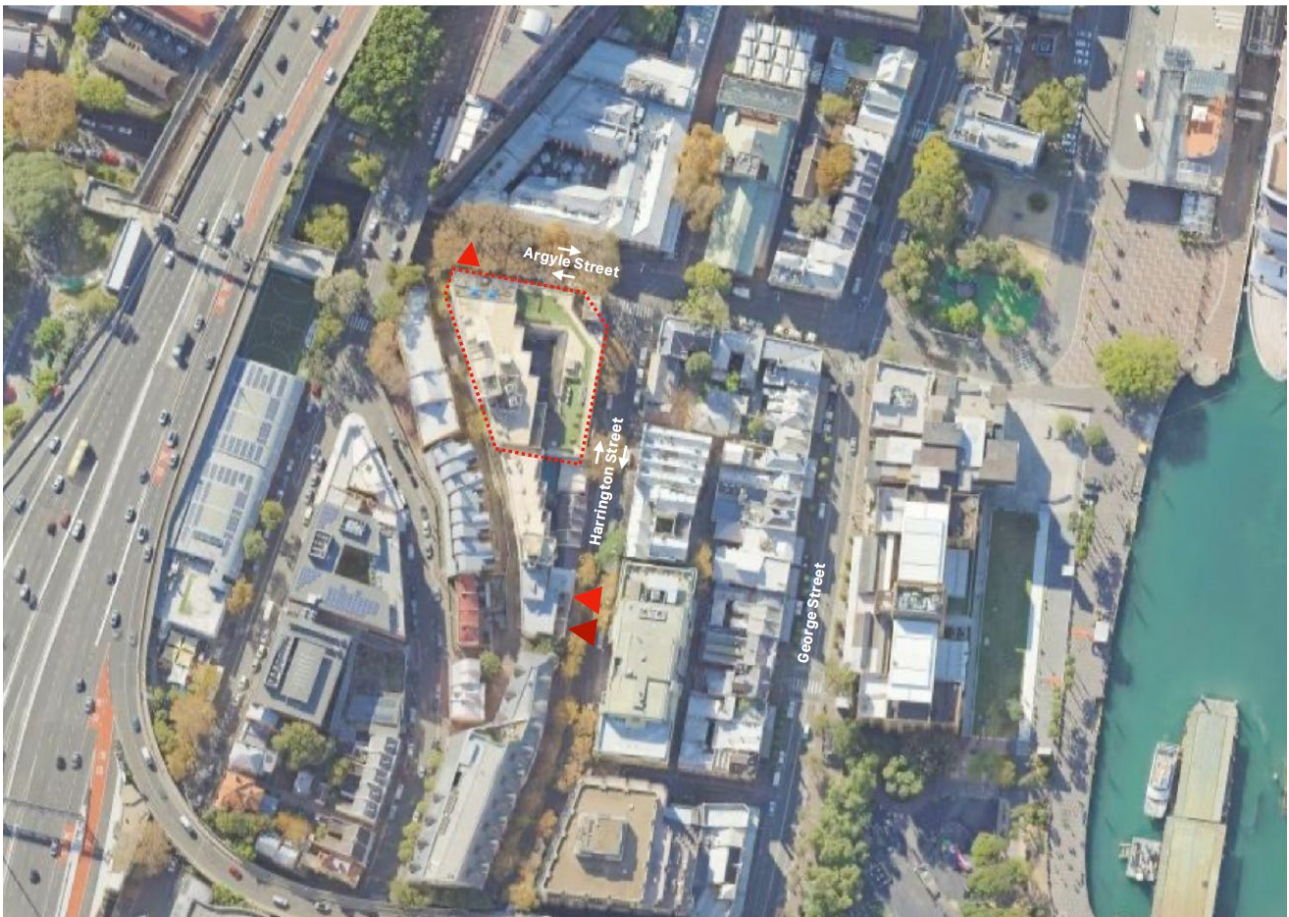
The site is a large, contiguous landholding in single ownership/leasehold and provides a significant opportunity for investment. The existing building fails to compliment the character of The Rocks and provides a significant opportunity for re-imagining the site, and delivering a suite of public benefits for the precinct.

### 2.2. THE SITE

The site is located at 35-55 Harrington Street, The Rocks and is legally described as Lot 1 in Deposited Plan 775889. The land, which has an approximate site area of 2,350sqm, is under the freehold ownership of Place Management NSW (PNSW). A Site Location Map is provided below.

Figure 1 – Site Location Map

- ▲ EXISTING CAR PARK ACCESS AND EGRESS LOCATIONS
- ▲ EXISTING LOADING DOCK ACCESS (VIA RENDEZVOUS HOTEL)



Source: FJMT

The existing building on the site is a seven-storey commercial building with two levels of retail and five levels of offices. 138 licensed car parking spaces are provided over two basement levels (beneath the building and the adjacent Rendezvous Hotel).

The existing building, which was completed more than 20 years ago, presents significant opportunity for redesign and enhancement into a new high-quality, contextually responsive building that's consistent with the character and lifestyle offerings in The Rocks today.

Figure 2 – Aerial Photograph



Source: FJMT

Figure 3 – The Clocktower



Source: SHFA

Figure 4 – Inside the Clocktower Shopping Complex



Source: Urbis

## 2.3. THE LOCALITY

The site is in the historic precinct known as The Rocks and within the City of Sydney Local Government Area (LGA). The Rocks is located at the northern part of the Sydney Central Business District (CBD), occupying the eastern part of the peninsula between Circular Quay (Sydney Cove) and Darling Harbour, and is adjacent to Sydney Harbour Bridge. The Rocks is where the first European settlement of Sydney occurred and there are currently over 100 heritage-listed buildings within the precinct.

The NSW Government acquired the vast majority of the land from 1900 and a number of redevelopment plans were formulated in the years after the Second World War. Ownership of the majority of the NSW Government land within the precinct was transferred to the Sydney Cove Authority, and later to the Sydney Harbour Foreshore Authority (SHFA), now known as Place Management NSW, who hold the freehold title to the larger parcel of land.

There are three key attributes in the surrounding context that are particularly important in relation to the site and the proposed redevelopment plans:

- Firstly, the site is prominently located opposite Jack Munday Place, The Rocks Market and the pedestrianised laneway at Playfair Street. It is also highly visible with three lengthy frontages along Harrington Street to the east, Argyle Street to the north and Cambridge Street (pedestrianised laneway) to the west.
- Secondly, the frontage along Cambridge Street is particularly sensitive given its proximity to heritage significant assets including Cumberland Steps, Susannah Place and Gloucester Street Terraces.
- Thirdly, the existing Clocktower structure is the highest point in The Rocks and is visible from many parts of the city. Hence, it serves as an important reference point and landmark from which Sydneysiders and visitors orientate towards to locate The Rocks. At the same time, given the prominent location and scale of this site, any redevelopment will have to be carried out sensitively so that it does not overwhelm the neighbouring heritage buildings, particularly for the pedestrian approaches to and from the Harbour Bridge.

When evolving the design for the project, due attention will be given to ensure that the built form and scale is sensitive to the above attributes. Careful consideration will also be given to the façade treatment and choice of materials used. Some of these design details will be addressed at the later stage, when refining and enhancing the preliminary proposal contained in this Scoping Report.

## 3. PROJECT

### 3.1. SUMMARY OF THE PROPOSED DEVELOPMENT

The proposed development comprises a hotel at 35-75 Harrington Street, The Rocks. The SSD will seek approval for the detailed design and construction of the hotel.

Broadly, the project involves:

- Creation of a new, high quality 200+ room hotel that responds positively to the surrounding built form context.
- Creation of new food and beverage and retail tenancies to enhance the activation and vibrancy in the precinct, along all street frontages.
- Provision of new publicly accessible through-site links to the surrounding street network and laneways to enhance pedestrian flow and connectivity across the precinct. In addition, the creation of publicly accessible lifts to assist with equitable access across the site given the level changes.
- Creation of a new, publicly accessible roof-top space on the upper floor of the development which will provide panoramic views of Sydney Harbour and the surroundings.
- Alterations to the basement car park to upgrade it to contemporary code compliance. The quantum of carparking will remain close to neutral.
- The through-site links will be appropriately landscaped and treated to enhance the quality of the public realm experiences. In this regard, the applicant will also explore potential public domain enhancement works to Cambridge Street and the surrounding street interfaces.
- Redistribution of massing and building height across some parts of the development, by removing some parts of the existing buildings (e.g. the existing Clocktower structure) to facilitate additions in areas where there is limited impacts on the surrounding context. The extent of demolition, alterations and additions that will be carried out will only be determined after further study at the detailed design stage.
- **Note:** the project will eventually be connected to the existing Rendezvous Hotel (located to the south), which will undergo minor refurbishment works under a separate (non-SSDA) planning approval pathway.

### 3.2. ARCHITECTURAL DESIGN QUALITY, REVIEW AND ENGAGEMENT TO DATE

The applicant has engaged FJMT Architects as the lead design architect for the project on the basis of their very strong depth of experience and capability in designing and delivering the highest quality architectural projects; their track record working in sensitive heritage environments (including recent work in The Rocks); and a very detailed understanding of the hotel and tourism sector.

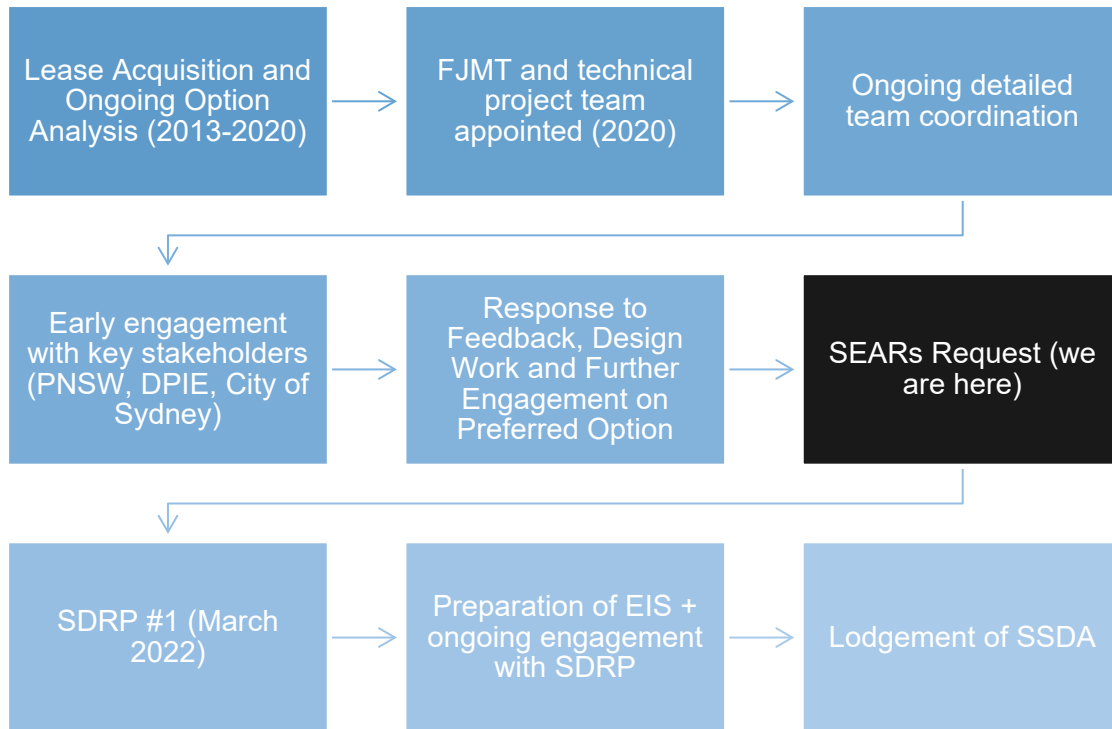
FJMT architects have been working very closely with FEO over the past 18+ months on the progression of the scheme and design options with a range of expert technical consultants including planning, heritage, sustainability, traffic and building services to critically analyse the site and opportunities. This has allowed for a very detailed analysis of design options over an extended period of time, with a considerable amount of design work, feasibility analysis and exploration prior to engaging with key stakeholders.

The concept development phase has involved meaningful and proactive engagement with a variety of key stakeholders, including the landowner (PNSW), the City of Sydney Council and DPIE. During these discussions, design principles were workshopped, and initial massing considerations discussed. This process has assisted the development of a preferred option that balances a wide range of design, heritage, commercial and planning items.

Following the recommendation of DPIE, the project will undergo a design review process with the NSW State Design Review Panel (SDRP), which will comprise of a Panel of experts with appropriate experience commensurate to the key issues on the site. PNSW's Director of Design and Place (Annie Tennant) will observe the SDRP process and will also separately provide design advice as the government landowner of the site. The project team has met with PNSW's Design, Heritage and Planning Team's on three occasions prior to lodgement of this SEARs Request.

A meeting with the SDRP has been confirmed for March 2022. In advance of this meeting, the project team has been engaging closely with a range of technical experts (visual impact, ESD, landscape, heritage, planning) and acknowledging the important role of First Nations stakeholders in the design process, consistent with GA NSW's *Connecting with Country* framework. This process will assist in providing a strong basis for the preferred scheme further prior to SDRP #1.

In addition to the engagement already undertaken (refer to Section 5.1 for a detailed overview), we intend on engaging further with PNSW, DPIE, Council and Heritage NSW as the project moves forward, in addition to the structured program of SDRP meetings (in accordance with the GA NSW framework).



In summary, the design quality of the project is being very carefully considered, and with ongoing collaboration with the SDRP, PNSW, City of Sydney and NSW Heritage we are excited about the opportunity to provide a design which embodies 'design excellence' and responds very positively to the surrounding sensitive context of The Rocks precinct.

The preliminary design approach for the site seeks to re-think and rationalise the approach to the massing of the current building, by carefully redistributing floor space away the sensitive locations adjacent to the streets and laneways, which allows the new built form to be more sympathetic to nearby heritage buildings and create better scaled street frontages along Harrington and Argyle Streets. The analysis of these massing changes has been examined in detail, and discussed in some of the preliminary meetings with the key stakeholders.

## 4. STATUTORY CONTEXT

The site is located within the Sydney Local Government Area (LGA). As such, the relevant Acts and environmental planning instruments (EPIs) relating to the site and relevant considerations for the SSDA are as follows:

- *Environmental Planning and Assessment Act 1979 (EP&A Act).*
- *Biodiversity Conservation Act 2016 (BC Act).*
- *State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP).*
- *Sydney Cove Redevelopment Authority Scheme (SCRAS).*
- *State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55).*
- *State Environmental Planning Policy (Infrastructure) 2007 (ISEPP).*
- *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Harbour REP).*

The key statutory requirements that are relevant to the site and the project are summarised in Table 1.

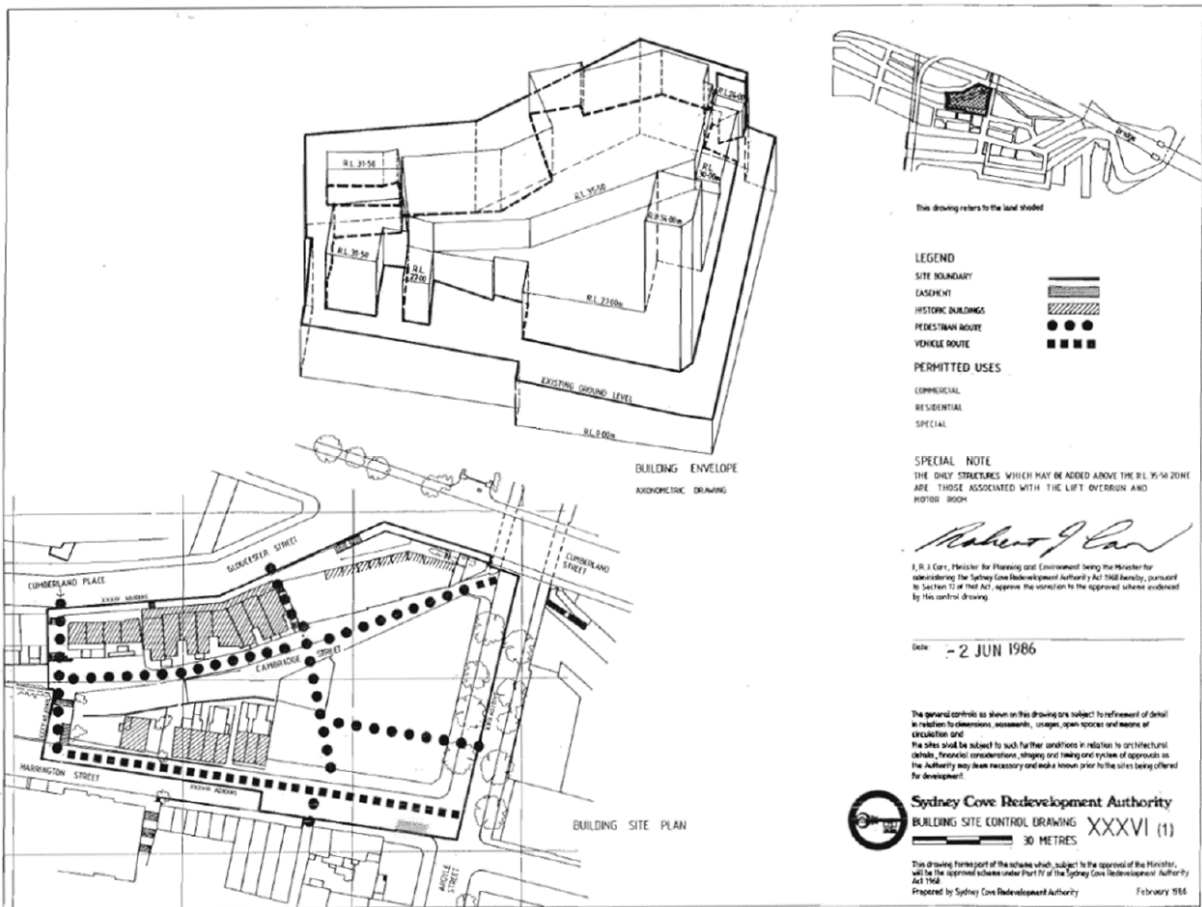
Table 1 – Summary of Key Statutory Requirements

Matter	Guidance
Power to grant consent	<p>Pursuant to Section 4.36(2) of the EP&amp;A Act:</p> <p><i>(2) A State environmental planning policy may declare any development, or any class or description of development, to be State significant development.</i></p> <p>In accordance with Schedule 2, Clause 6 of the SRD SEPP, the development qualifies as SSD because it will have a CIV of over \$10 million.</p> <p>In accordance with Section 4.5 of the EP&amp;A Act, the Independent Planning Commission is designated as the consent authority if there is a Council objection, or if there are more than 50 submissions. Unless otherwise declared, the Minister will be the consent authority for the SSDA (refer Clause 8A of the SRD SEPP).</p> <p>The Minister (or the Minister’s delegate) will be required to take into consideration the matters listed under section 4.15 of the EP&amp;A Act when determining the development application. These matters will be addressed in the EIS for the proposed development.</p>
Permissibility	<p>Building Site Control Drawing XXXVI(1) specifies the following permitted uses on the site: 'Commercial', 'Residential' and 'Special'.</p> <p>The proposed uses are permissible under the SCRAS.</p>
Other approvals	<p>If the proposal were not an SSD project, per Section 4.41 of the EP&amp;A Act, it would otherwise have required an approval under Part 4 of the Heritage Act 1977.</p> <p>Because the proposal is SSD, the application will be referred to Heritage NSW as part of the development assessment process.</p>

<b>Matter</b>	<b>Guidance</b>
Mandatory matters for consideration	<p>Identify matters that the consent authority is required to consider in deciding whether to grant consent to any development application for the project that may be relevant to setting the SEARs.</p> <p><b>Biodiversity Conservation Act</b></p> <p>In accordance with section 7.9(2) of the Biodiversity Conservation Act 2016 (BC Act), an SSDA is required to be accompanied by a biodiversity development assessment report (BDAR). However, a BDAR waiver may be granted should it be determined by DPIE and the DPIE Biodiversity Conservation Division that the proposed development is not likely to have any significant impact on biodiversity values.</p> <p>A BDAR Waiver request will be prepared and submitted/approved prior to EIS lodgement.</p>
	<p><b>SEPP (State and Regional Development) 2011</b></p> <p>As above, the SRD SEPP identifies the development as State Significant Development, per Schedule 2, Clause 6, as will have a CIV of over \$10 million.</p>
	<p><b>Sydney Cove Redevelopment Authority Scheme</b></p> <p>The Sydney Cove Redevelopment Authority (SCRA) Scheme was prepared under the former <i>Sydney Cove Redevelopment Authority Act 1968</i>, and is a deemed SEPP under Schedule 6 of the EP&amp;A Act.</p> <p>The relevant Building Site Control Drawing for the site at 35-75 Harrington Street is Drawing XXXVI. The current and applicable version is Drawing XXXVI(1) endorsed by the Minister on 2 June 1986.</p> <p><i>Building Envelope:</i></p> <ul style="list-style-type: none"> <li>▪ The maximum permitted building height across the bulk of the site is RL35.5 metres with a lower building height at RL27 metres.</li> <li>▪ The terraces fronting Harrington Street are noted as being Historic Buildings. Under the SCRA Scheme Historic Buildings are not provided with building envelopes.</li> </ul> <p>The proposed building envelopes were developed when the original building was approved in 1986.</p> <p><i>Permissible Uses:</i></p> <p>Building Site Control Drawing XXXVI(1) specifies the following requirements in relation to development of this site:</p> <ul style="list-style-type: none"> <li>▪ Permitted uses are 'Commercial', 'Residential' and 'Special'. <ul style="list-style-type: none"> <li>- 'Commercial' deemed to include Business, Office, Retail and food and beverage facilities.</li> <li>- 'Residential' under the SCRA Scheme deemed to include Hotels, Motel and Serviced Apartments.</li> </ul> </li> </ul>

Matter	Guidance
	<p>The uses intended for the proposed development include:</p> <ul style="list-style-type: none"> <li>▪ Ancillary parking in basement.</li> <li>▪ Ground level retail including shops and food and beverage establishments.</li> <li>▪ Hotel accommodation.</li> <li>▪ Other ancillary uses associated with the hotel, shops, food and beverage establishments.</li> </ul> <p>The proposed uses are permissible under the relevant Building Site Control Drawing.</p> <p>The preliminary design has explored reconfiguration of the massing on the site which provides for some additional built form on some sections of the existing buildings.</p> <p>As highlighted above, the Applicant and consultant team recognise that due attention must be given to ensure that the new built form and scale must be sympathetic to the surrounding context. Further discussion with key authorities will be carried out to resolve issues pertaining to the built form and massing as the design of the development evolves further.</p>

Figure 5 – SCRA Site Control Drawing



Source: SCRAS

Matter	Guidance
	<p><b>SEPP No. 55 – Remediation of Land</b></p> <p>SEPP 55 provides a state-wide planning approach to the remediation of contaminated land. SEPP 55 requires the consent authority to consider whether the subject land of any rezoning or development application is contaminated. If the land requires remediation to ensure that it is made suitable for a proposed use or zoning, the consent authority must be satisfied that the land can and will be remediated before the land is used for that purpose.</p> <p>The site was previously excavated to accommodate the existing basement car park. As such, the potential for contamination is expected to be low. A statement will be prepared and included in the SSD application.</p>
	<p><b>SEPP (Infrastructure) 2007</b></p> <p>The ISEPP aims to facilitate the effective delivery of infrastructure across the State by improving regulatory certainty and efficiency, identifying matters to be considered in the assessment of development adjacent to particular types of infrastructure development, and providing for consultation with relevant public authorities about certain development during the assessment process.</p> <p>The site is located at the northern edge of the CBD, adjacent to existing commercial, retail and residential development, and can rely upon existing access to bus, rail, ferry and light rail public transport services.</p> <p>The proposal is not expected to impact the operation of the local road network and is therefore not considered to be ‘traffic generating development’ as defined under clause 104 of the SEPP (Infrastructure).</p> <p>However, the site is located within a rail corridor (and has a CIV of over \$200,000 and increases the height of the existing structure so that it is more than 10m) and requires referral to Sydney Trains under clause 88 of the ISEPP.</p>
	<p><b>Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005</b></p> <p>Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Sydney Harbour REP), is a deemed SEPP and applies to land within the water catchment of Sydney Harbour.</p> <p>The Sydney Harbour REP provides planning principles to guide future development and a range of matters when considering development applications within the foreshores and waterways of Sydney Harbour, including planning controls for consideration of strategic foreshore sites. Matters for consideration include potential impact on the scenic quality of foreshore and waterways area and the protection and enhancement of views.</p> <p>The EIS will provide a detailed assessment against the relevant provisions of the Sydney Harbor REP, specifically clauses 20-29.</p>

## **5. ENGAGEMENT**

### **5.1. ENGAGEMENT CARRIED OUT**

Far East have been engaging with Place Management NSW (freehold owners of the site) on the early design analysis for the site, which has included meetings with their Director of Design Integrity (Annie Tennant), Heritage Advisor (Miriam Stacey), Planner (Nick Fterniatis), as well as their Senior Portfolio Manager Asset Manager (Katarina Simunic).

This has culminated in three meetings:

- Tuesday, 31 August 2021.
- Wednesday, 8 September 2021.
- Thursday, 30 September 2021.

The Applicant has also engaged with the following Government agencies prior to lodging this Scoping Report:

- NSW DPIE – Wednesday, 13 October 2021.
- City of Sydney Council – Thursday, 14 October 2021.

These initial meetings provided an opportunity for the project team to provide context to Far East's vision for the site and seek any views on preliminary matters.

The Applicant has also engaged with GA NSW on the upcoming/required SDRP process, which is scheduled to begin in March 2022.

### **5.2. ENGAGEMENT TO BE CARRIED OUT**

Engagement will take place with key stakeholders and agencies during the preparation of the EIS. The following key stakeholders have been identified:

- Department of Planning, Industry and Environment.
- City of Sydney City Council.
- Government Architect NSW (through the SDRP process).
- Place Management NSW.
- EPA.
- Heritage NSW.
- TfNSW.
- Sydney Trains.
- Relevant public utility providers.
- Relevant special interest groups, including local Aboriginal land councils and registered Aboriginal stakeholders.

The EIS will be placed on public exhibition once DPIE has reviewed the EIS to confirm that it has satisfactorily responded to each of the issues identified in the SEARs. The key stakeholders will be provided with an additional opportunity to review the project, including the final development plans and the detailed specialist studies and assessment reports accompanying the final EIS.

## **6. PROPOSED ASSESSMENT OF IMPACTS**

In accordance with Section 4.15 of the EP&A Act, environmental, social and economic impacts upon the locality must be addressed within an EIS. The Applicant anticipates the following assessment requirements, which are likely to form the basis of the SEARs which are issued by NSW DPIE.

### **6.1. ACCESS**

#### **6.1.1. Traffic and Parking**

The proposed vehicular access and car parking arrangements to the subject site are largely unchanged. A Traffic Impact Assessment will be prepared by a suitably qualified consultant for inclusion in the EIS. It will address:

- Existing and future transport networks, traffic generation and circulation, impacts on the road network and car parking.
- Linkages to existing and planned public transport.
- Pedestrian and cycle access within and to the site and connections to other transport services; and
- Relevant TfNSW and Council standards, controls and guidelines.

### **6.2. AIR**

Given the nature of the proposal, it will not give rise to any adverse air impacts such as atmospheric emissions, gases or particulate matter.

### **6.3. AMENITY**

#### **6.3.1. Noise and Vibration**

A standard noise and vibration assessment will be undertaken to demonstrate compliance with the EPA's Noise Policy for Industry, the Interim Construction Noise Guidelines and Road Noise Policy. The assessment will detail construction and operational noise and vibration impacts on nearby sensitive receivers and structures and outline the proposed management and mitigation measures that would be implemented.

#### **6.3.2. Visual Impact**

A detailed visual analysis of the development from key viewpoints, including photomontages or perspectives showing the proposed and likely future development, will be provided in the EIS. The study will ensure that views to and from the pedestrian approaches of the Harbour Bridge, which form important armatures framing The Rocks, are assessed.

#### **6.3.3. Environmental Amenity**

As part of the architectural documentation submitted with the EIS, the following considerations will be addressed:

- Explanation of how good internal and external environmental amenity is achieved, including proposed pedestrian movements throughout the site, access to landscape and outdoor spaces.
- Assessment of amenity impacts on the surrounding locality, including solar access, visual privacy, view loss and view sharing, overshadowing and wind impacts.
- Provision of solar access analysis of the overshadowing impacts of the development within the site, on surrounding properties and public spaces (during summer and winter solstice and spring and autumn equinox) at hourly intervals between 9am and 3pm, when compared to the existing situation.

## 6.4. BIODIVERSITY

The site has no existing deep soil or mature tree plantings. The EIS will demonstrate how all street trees will/can be maintained throughout the construction and operational periods. The Applicant intends on securing a BDAR waiver from DPIE prior to lodgement of the EIS.

## 6.5. BUILT ENVIRONMENT

### 6.5.1. Design Quality

Refer to Section 3.2 above for a background to the design process and the journey to date.

During initial engagement with DPIE (and GA NSW) it has been determined that the project will undergo independent design review via the formal State Design Review Panel (SDRP) process. The Applicant has managed to secure an initial meeting date (SDRP #1) in March 2022. The SDRP process will follow the typical process of two or three meetings prior to lodgement of the EIS, with the potential for an additional post-lodgement session should it be required.

In parallel to this, the Applicant will be engaging with the landowner (PNSW) and their internal Panel of experts, which includes Director of Design Integrity (Annie Tennant), Heritage Advisor (Miriam Stacey) and Planner (Nick Fterniatis).

In addition to the SDRP workshops, the architectural (and supporting) documentation submitted with the EIS will provide an explanation of:

- The proposed built form, including a detailed site and context analysis to justify the proposed site planning and design approach.
- How the proposed built form (layout, height, bulk, scale, separation, setbacks, interface and articulation) addresses and responds to the context, site characteristics, streetscape and existing and future character of the locality.
- How the building design will deliver a high-quality development, including consideration of façade design, articulation, activation, roof design, materials, finishes, colours, any signage and integration of services.
- How the development complies with the relevant accessibility requirements.

### 6.5.2. Publicly Accessible Land

As is anticipated within the SCRA site control drawing, the proposal will provide new through-site linkages to the surrounding street network and laneways to enhance pedestrian flow and connectivity across the precinct.

The proposal will also explore potential improvement works at the Cambridge Street interface to support more activation in this location.

Through the workshoping with the SDRP and the EIS documentation, the proposal will demonstrate how the proposed publicly accessible spaces will:

- Ensure that publicly accessible space is welcoming, attractive and accessible for all.
- Maximise permeability and connectivity.
- Maximise the amenity of public spaces in line with their intended use, such as through adequate facilities, solar access, shade and wind protection.
- Maximise street activation.
- Minimise potential vehicle, bicycle and pedestrian conflicts.
- Address how Crime Prevention through Environmental Design (CPTED) principles are to be integrated into the development, in accordance with Crime Prevention and the Assessment of Development Applications Guidelines.

## **6.6. ECONOMIC**

The proposed redevelopment is anticipated to provide significant economic benefits to the local and regional economies by creating additional job opportunities during construction and operation, while also supporting the continued role of The Rocks as a key tourism and entertainment precinct by renewing a currently ageing building with a contemporary hotel that will draw local and international tourists.

## **6.7. HAZARDS AND RISKS**

### **6.7.1. Land Contamination**

In accordance with SEPP 55, the EIS will assess and quantify any soil and groundwater contamination and demonstrate that the site is suitable (or will be suitable, after remediation) for the development. Given minimal excavation is proposed and because the site has no recent history of contaminating land uses, it is considered that a Preliminary Site Investigation (PSI) will suffice to satisfy this requirement.

### **6.7.2. Waste**

A standard waste management plan will be prepared for the construction and operational phases of the development and will detail proposed waste management practices. Where possible, all demolition, construction and operational waste will be reused or recycled. The waste management plan will be undertaken in accordance with the Waste Classification Guidelines (DECCW, 2009).

## **6.8. HERITAGE**

### **6.8.1. Aboriginal**

In accordance with the SSD framework, the proposal will provide an Aboriginal Cultural Heritage Assessment Report prepared in accordance with relevant guidelines, identifying, describing and assessing any impacts for any Aboriginal cultural heritage values on the site.

The design team will also engage early and meaningfully with Aboriginal stakeholders in accordance with the GA NSW's *Connecting with Country* framework.

### **6.8.2. Historic**

While the majority of the subject site is not listed as a heritage item, the terraces on Harrington Street are State Listed items, and the site is within The Rocks Heritage Conservation Area. Accordingly, a key element of the EIS will be the evaluation and assessment of the proposed impacts of the development on these heritage items. The EIS will provide:

- A thorough assessment of the suitability of the site for tourist and visitor accommodation.
- Details of the location of all heritage items, statutory items within and adjacent to the site.
- Details of how the proposal addresses the heritage significance of the site and how it deals with the results of a heritage assessment; and
- Details of how the proposal addresses the State and Local heritage provisions.

## **6.9. LAND**

As the proposal does not propose any excavation, and will indicatively utilise the existing basement carpark footprint, detailed studies relating to land stability, soil chemistry, land capability and/or topography are not considered relevant to this proposal.

## **6.10. SOCIAL**

In accordance with the SSD framework, the proposal will provide a Social Impact Assessment prepared in accordance with the Social Impact Assessment Guidelines for State Significant Projects.

## **6.11. WATER**

### **6.11.1. Hydrology and Water Quality**

Potential changes to the hydrology of the site will be addressed in the standard soil and water assessment, including potential erosion and sedimentation impacts during construction of the development. The stormwater management plan will:

- Provide details of the proposed drainage design for the site including any on-site treatment, reuse and detention facilities, water quality management measures and nominated discharge points; and
- Demonstrate compliance with Council or other drainage or water authority requirements and avoid adverse impacts on any downstream properties.

## 7. CONCLUSION

The purpose of this report is to request SEARs for the preparation of an EIS for the hotel located at 35-75 Harrington Street, The Rocks. The proposal will provide a significant renewal of the site, providing high quality visitor accommodation in a well suited and desirable location. The Applicant is committed to working with key stakeholders, including State government agencies and the City of Sydney Council to deliver a high-quality development.

This SEARs request outlines the approval pathway for the application, the legislative framework and the key matters for consideration in the assessment of the application. The EIS will demonstrate how the proposal is suitable for the site and the potential environmental impacts can be appropriately mitigated, minimised or managed to avoid any unacceptable impacts.

We trust that the information detailed in this letter is sufficient to enable the Department to issue the SEARs to guide the preparation of the EIS.

# DISCLAIMER

This report is dated 17 November 2021 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Pty Ltd (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of Far East Rocks Pty Ltd (**Instructing Party**) for the purpose of Scoping Report (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

In preparing this report, Urbis was required to make judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of precise assessment.

All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

In preparing this report, Urbis may rely on or refer to documents in a language other than English, which Urbis may arrange to be translated. Urbis is not responsible for the accuracy or completeness of such translations and disclaims any liability for any statement or opinion made in this report being inaccurate or incomplete arising from such translations.

Whilst Urbis has made all reasonable inquiries it believes necessary in preparing this report, it is not responsible for determining the completeness or accuracy of information provided to it. Urbis (including its officers and personnel) is not liable for any errors or omissions, including in information provided by the Instructing Party or another person or upon which Urbis relies, provided that such errors or omissions are not made by Urbis recklessly or in bad faith.

This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

# APPENDIX A

# SCOPING SUMMARY TABLE

Table 2 – Scoping Summary Table

<b>Level of assessment</b>	<b>Matter</b>	<b>CIA</b>	<b>Engagement</b>	<b>Relevant government plans, policies and guidelines</b>	<b>Scoping report reference</b>
Standard	Access – Traffic and Parking	N	General	<ul style="list-style-type: none"> <li>▪ State Environmental Planning Policy (Infrastructure) 2007.</li> <li>▪ Austroads Guide to Traffic Management.</li> </ul>	Section 6.1.1
No Further Assessment	Air	N	N/A	N/A	Section 6.2
Standard	Amenity – Noise and Vibration	N	Specific	<ul style="list-style-type: none"> <li>▪ Noise Policy for Industry (2017).</li> <li>▪ Interim Construction Noise Guidelines 2009.</li> <li>▪ Assessing Vibration: a Technical Guideline 2006.</li> </ul>	Section 6.3.1
Standard	Amenity – Visual Impact	N	General	<ul style="list-style-type: none"> <li>▪ Draft Guidelines for Landscape and Visual Impact Assessment (3rd edition).</li> <li>▪ Relevant NSW Land and Environment Court Case Law.</li> </ul>	Section 6.3.2
Standard	Amenity – Environmental Amenity	N	General	<ul style="list-style-type: none"> <li>▪ Refer to scoping report for further discussion on approach to assessment.</li> </ul>	Section 6.3.3
No Further Assessment (pending BDAR Waiver)	Biodiversity	N	N/A	<ul style="list-style-type: none"> <li>▪ Biodiversity Conservation Act 2016.</li> </ul>	Section 6.4

<b>Level of assessment</b>	<b>Matter</b>	<b>CIA</b>	<b>Engagement</b>	<b>Relevant government plans, policies and guidelines</b>	<b>Scoping report reference</b>
Standard	Built Environment – Design Quality	N	General	<ul style="list-style-type: none"> <li>▪ Refer to scoping report for further discussion on approach to assessment.</li> <li>▪ Crime Prevention and the Assessment of Development Applications.</li> </ul>	Section 6.5
Standard	Economic	N	General	<ul style="list-style-type: none"> <li>▪ Refer to scoping report for further discussion on approach to assessment.</li> </ul>	Section 6.6
Standard	Hazards and Risks – Land Contamination	N	General	<ul style="list-style-type: none"> <li>▪ SEPP 55 – Remediation of Land.</li> </ul>	Section 6.7.1
Standard	Hazards and risks - Waste	N	General	<ul style="list-style-type: none"> <li>▪ Refer to scoping report for further discussion on approach to assessment.</li> <li>▪ Relevant City of Sydney Council Waste Guidelines.</li> </ul>	Section 6.7.2
Standard	Heritage – Aboriginal	N	Specific	<ul style="list-style-type: none"> <li>▪ National Parks and Wildlife Act 1974.</li> <li>▪ Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW 2011.</li> <li>▪ Aboriginal Cultural Heritage Consultation Requirements for Proponents 2010.</li> <li>▪ Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW 2010.</li> </ul>	Section 6.8.1

<b>Level of assessment</b>	<b>Matter</b>	<b>CIA</b>	<b>Engagement</b>	<b>Relevant government plans, policies and guidelines</b>	<b>Scoping report reference</b>
Standard	Heritage – Historic	N	Specific	<ul style="list-style-type: none"> <li>▪ Heritage Act 1977.</li> <li>▪ Australia ICOMOS Charter for the Conservation of Places of Significance, Burra Charter 2013.</li> <li>▪ Design in Context – Guidelines for Infill Development in the Historic Environment 2006.</li> </ul>	Section 6.8.2
No Further Assessment	Land	N	N/A	N/A	Section 6.9
Standard	Social	N	General	<ul style="list-style-type: none"> <li>▪ Social Impact Assessment Guideline 2021.</li> <li>▪ Undertaking Engagement Guidelines for State Significant Projects.</li> </ul>	Section 6.10
Standard	Water – Hydrology and Water Quality	N	General	<ul style="list-style-type: none"> <li>▪ Managing Urban Stormwater: Soils and Construction.</li> </ul>	Section 6.11

**APPENDIX B**

**CIV LETTER**

10 November 2021

Project Director  
Essence Project Management Pty Ltd  
Level 17, Australia Square, 264 George St  
Sydney, NSW 2000

T: +61 2 9270 1000  
E: nsw@mbmpl.com.au

Attention: David Radford

Dear David,

**The Hotel, 75 Harrington Street The Rocks**

Further to your email dated 20 April 2021 and as requested we confirm that the Capital Investment Value (CIV) for the above project is in excess of \$10 million.

As confirmed by Urbis email dated 26 April 2021 we note:

*"The site is in The Rocks, an identified State Significant Site per Schedule 2 of State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP). Clause 6 of Schedule 2 of the SRD SEPP identifies that development within The Rocks is State Significant Development (SSD) if:*

- (6)(a) it has a capital investment value of more than \$10 million, or*
- (6)(b) it does not comply with the approved scheme within the meaning of clause 27 of Schedule 1 to the Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017.*

*As the project has a capital investment value of over \$10 Million, it is SSD for the purposes of the Environmental Planning & Assessment Act 1979."*

As requested we have prepared this Quantity Surveyor's Statement of Cost to verify the Capital Investment Value of the project in accordance with the definition contained in the SEPP (State and Regional Development) 2011.

Under this policy the Capital Investment Value has the same meaning as in the Environmental Planning Assessment Regulation 2000 which states:

*Capital Investment Value of a development or project includes all costs necessary to establish and operate the project, including the design and construction of buildings, structures, associated infrastructure and fixed or mobile*

- a) amounts payable, or the cost of land dedicated or any other benefit provided, under a condition imposed under Division 7.1 or 7.2 of the Act or a planning agreement under that Division.*
- b) costs relating to any part of the development or project that is the subject of a separate development consent or project approval*
- c) land costs (including any costs of marketing and selling land)*
- d) GST (within the meaning of A New Tax System (Goods and Services Tax) Act 1999 of the Commonwealth).*

We trust this satisfies your requirements.

Should you have any queries please do not hesitate to contact the undersigned.

Yours faithfully  
MBMpl Pty Ltd



**Richard Smith**  
Director  
MBM  
richard.smith@mbmpl.com.au

# APPENDIX C

# DESIGN CONCEPT

# 35-55 Harrington Street, The Rocks

REV 2 - 16/11/2021





The "Clocktower" Site

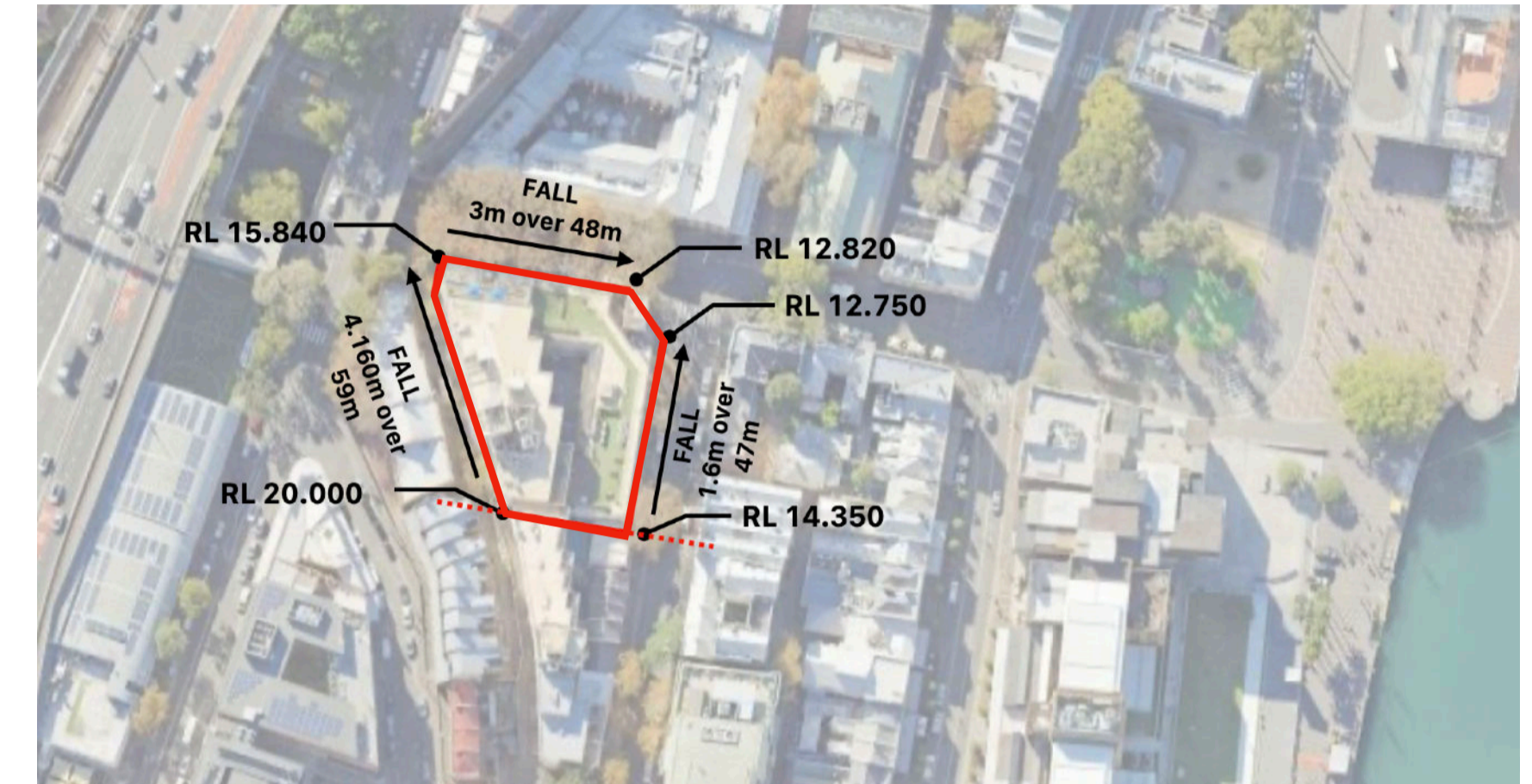
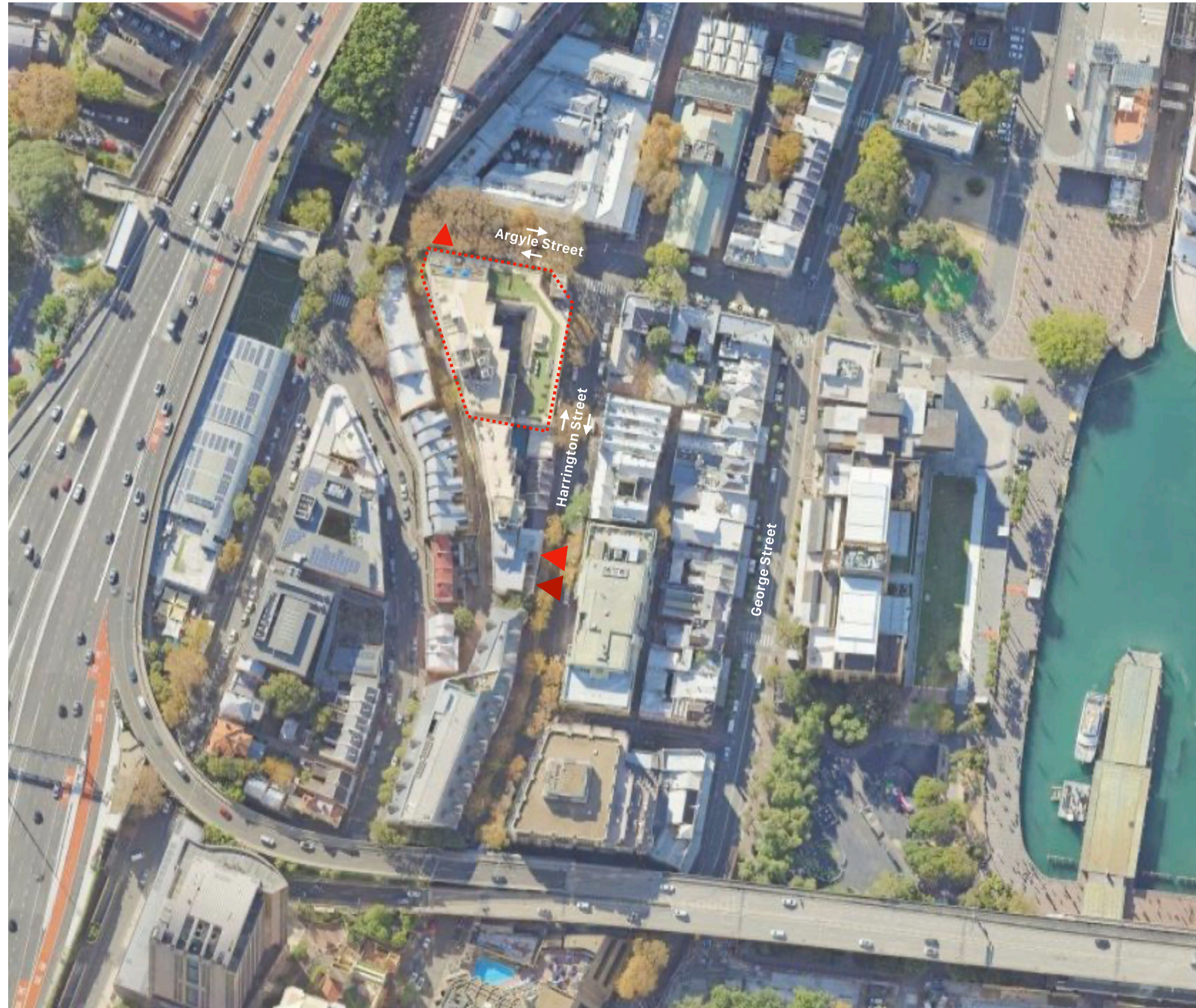


Clocktower, image from intersection of Harrington and Argyle Streets

# Site Analysis and Opportunities

## Vehicular Access, Site Levels and Existing Land Use

- ▲ EXISTING CAR PARK ACCESS AND EGRESS LOCATIONS
- ▲ EXISTING LOADING DOCK ACCESS (VIA RENDEZVOUS HOTEL)



# Historical Analysis

## Surrounding Heritage Sites

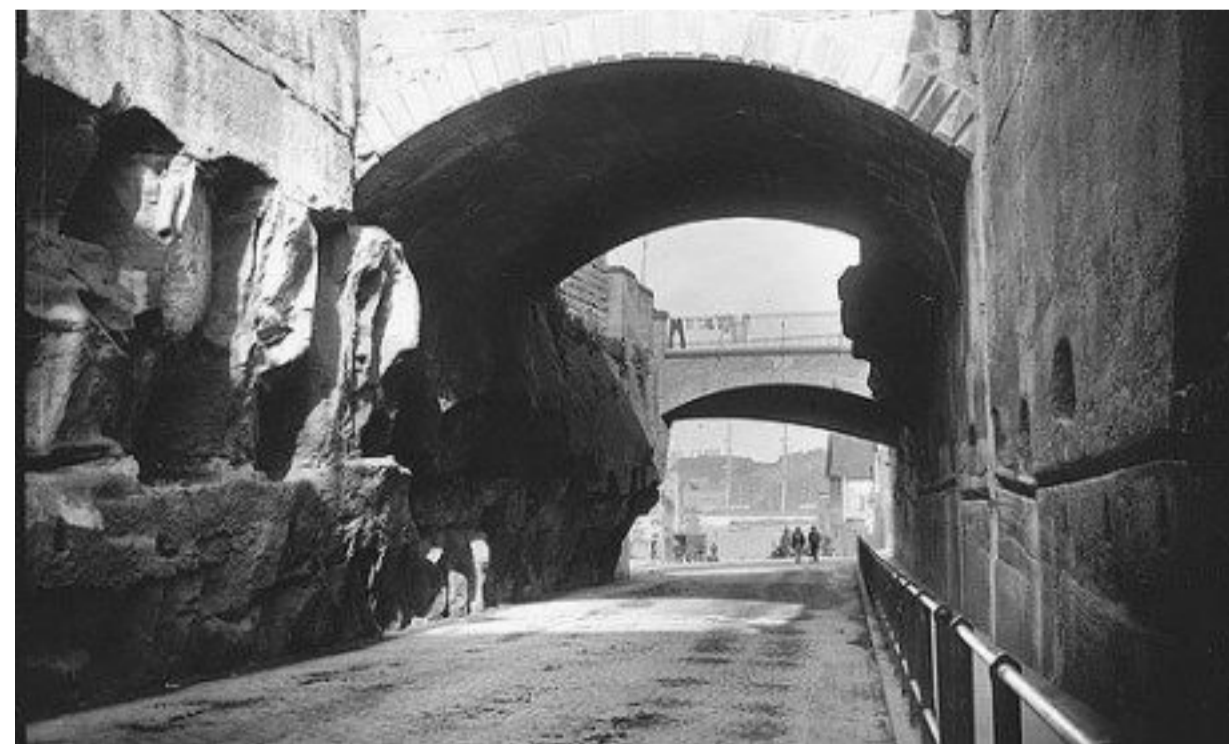
The subject site includes no heritage listings, however is surrounded by heritage buildings of varying use, scale, materiality and height.



The Argyle Stores (1826)



Gloucester Street Terraces (1914)

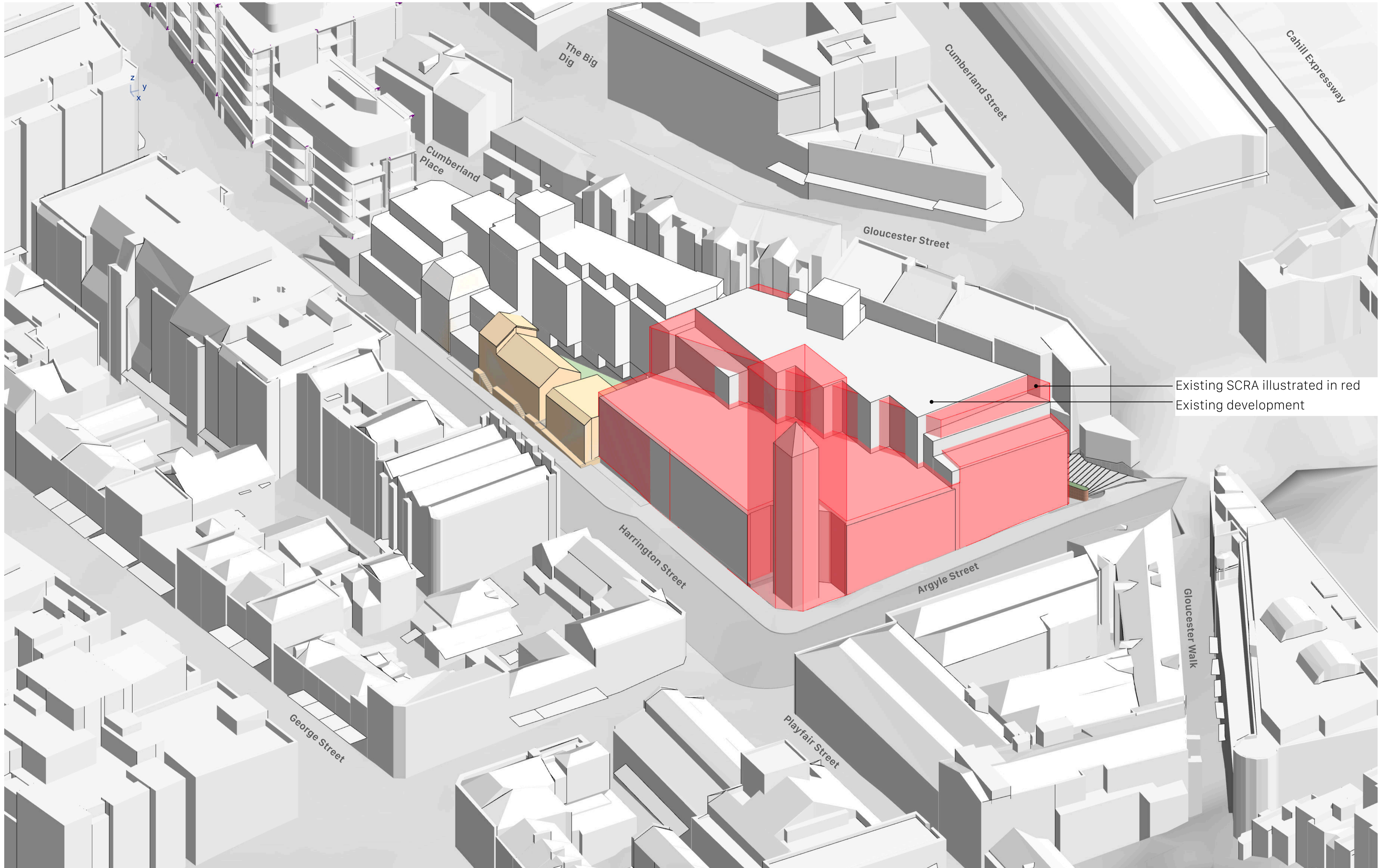


The Argyle Cut 1859



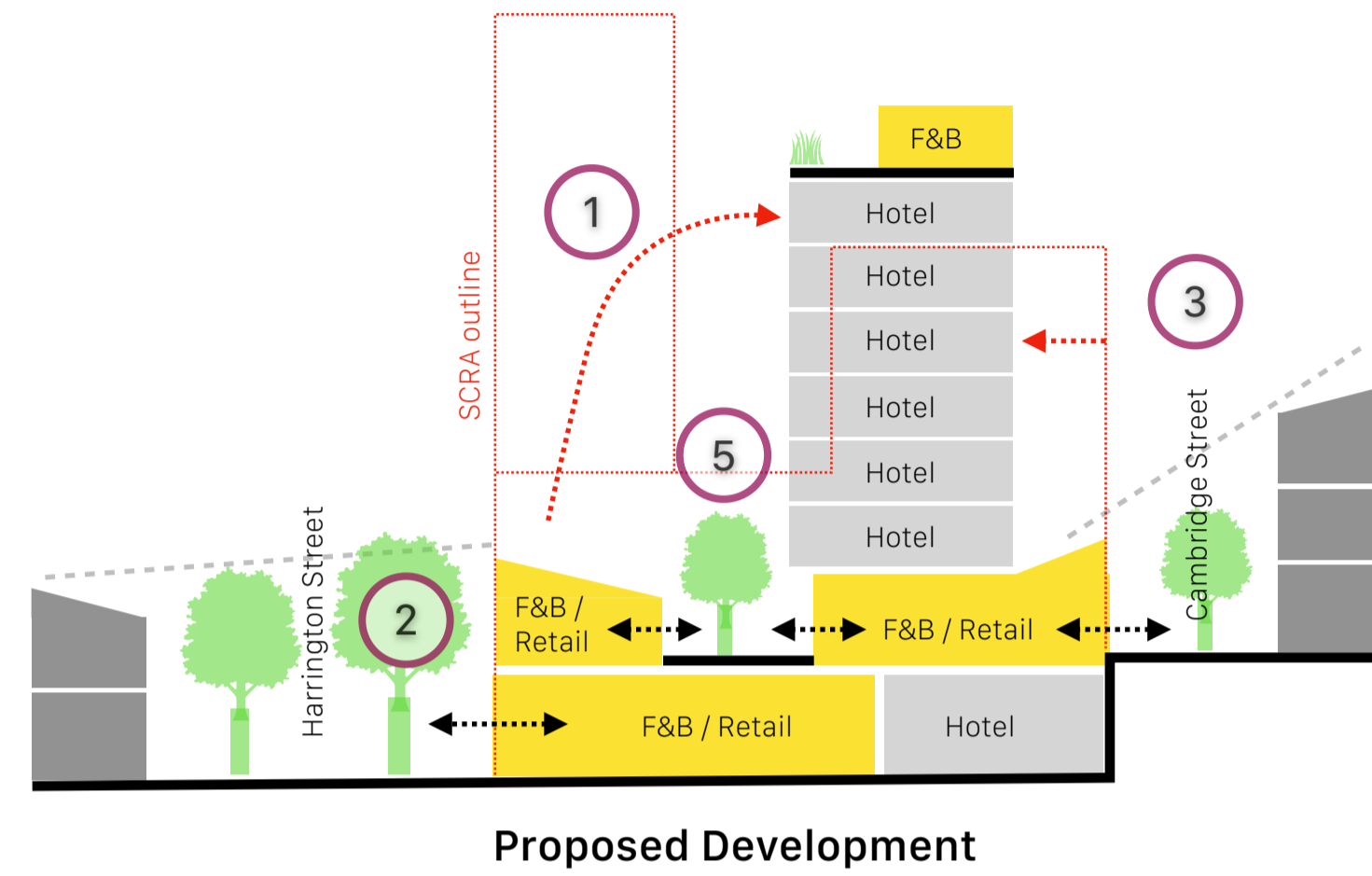
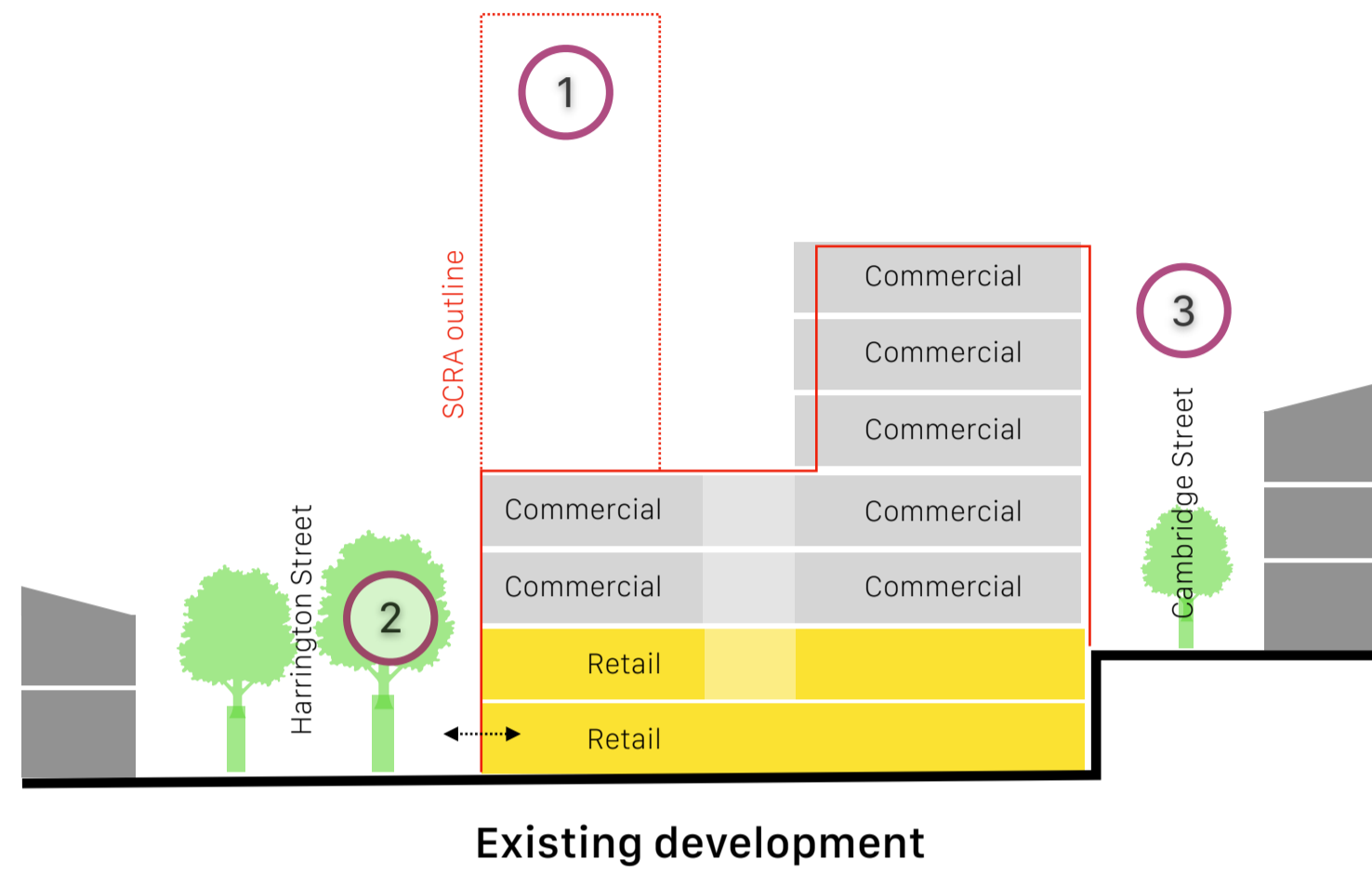


Site Analysis and Opportunities  
**Existing SCRA Envelope and Development**

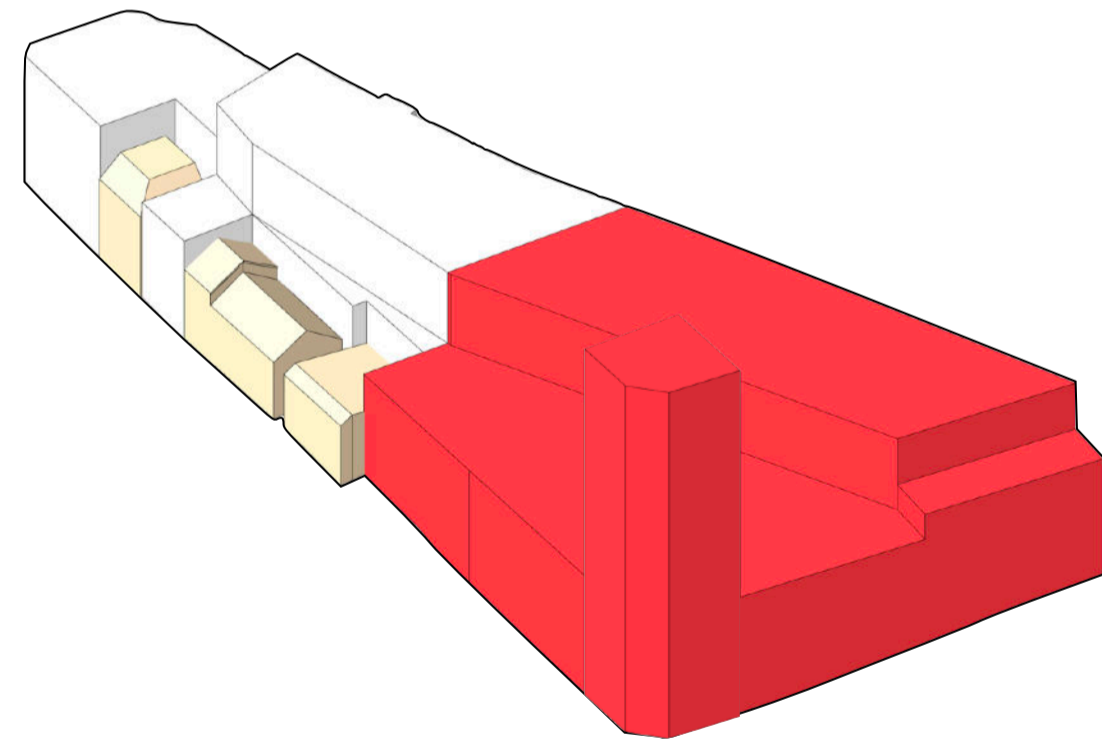




1. Opportunity to improve pedestrian through site connections between Harrington and Cambridge streets, with careful consideration of flood plane and overland flow.
2. Opportunity to provide a new, landscaped and tree planted pedestrian through site link north to Argyle Street. These new and improved links will explore public art opportunities.
3. Public realm opportunity for activated Argyle/Harrington Intersection address
4. Node point: opportunity for improved relationship to Argyle/Harrington Intersection
5. Opportunity for enhanced access and retail activation to Harrington Street
6. Opportunity for new access and activation of Cambridge Street and improved landscape response including tree planting
7. Opportunity for enhanced access and activation to Argyle Street
8. Consideration of view corridors
9. Opportunity to explore a heritage morphology sensitive scale to Harrington and Cambridge Streets
10. A revised building form, maintaining the approximate volume as the existing building, exploring First Nation narratives and opportunities to improve environmental conditions of surrounding streetscapes; sun access, wind mitigation, reflectivity, visual and acoustic privacy both within the property and to the surrounding public domain.
11. New 4.5 star, 200+ room Hotel
12. Opportunity for exciting new publicly-accessible rooftop food and beverage / bar
13. Retain 2 level basement car park, including vehicular access via Harrington and egress location on Argyle Street. Loading dock access retained via and within the Rendezvous hotel site
14. With traffic analysis, opportunity for hotel drop-off lane
15. The Harrington Collection, finishing construction
16. The Baker Terraces (heritage), finishing construction

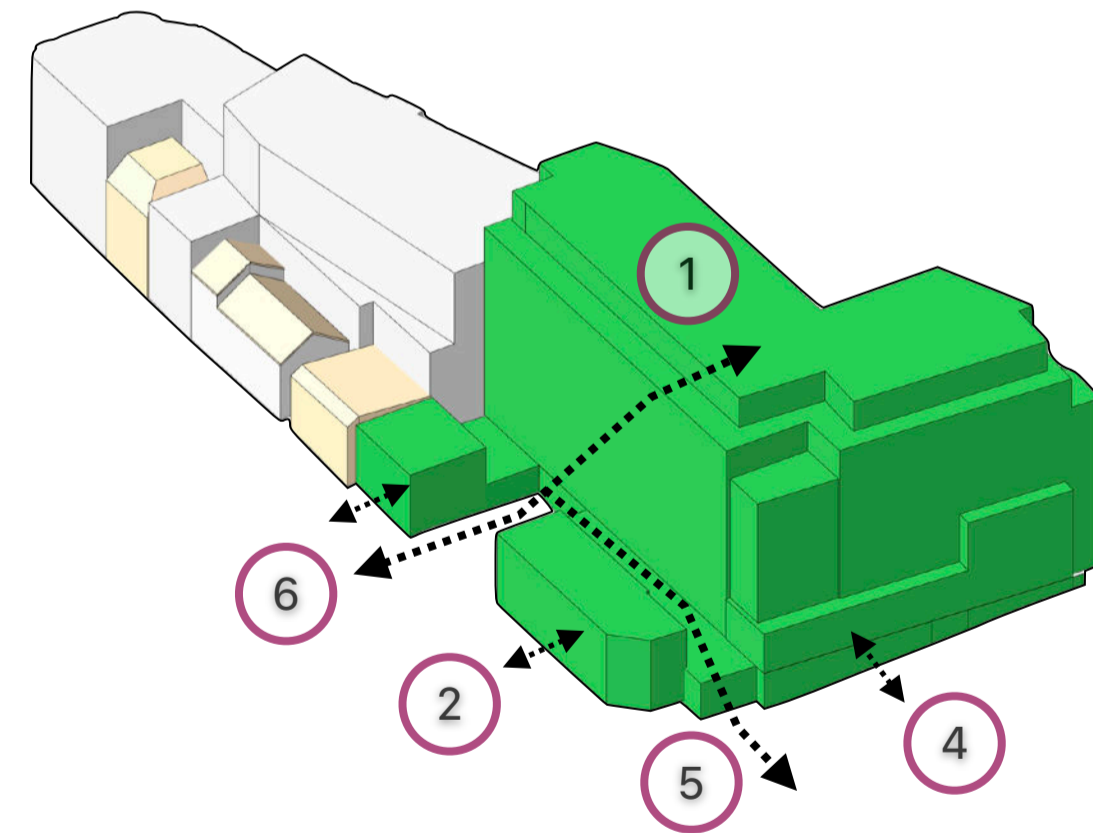


	Existing	Proposed
<b>1 Envelope</b>	The existing SCRA shrinks wraps the existing building and ignores heritage morphology and context, features the unsightly corner tower, presents a shear wall to Cambridge Street, limits street level activation opportunities, includes a podium form that fills the site boundaries precluding opportunities for open to the sky public through site links.	A volume neutral alternate SCRA with perimeter bulk and scale redistributed to the centre of site to improve street level amenity, activation opportunities, and street wall heritage scale and grain. This move also minimises built form footprints enabling more on site open-to-the-sky landscaped public domain and through site links.
<b>2 Harrington Street</b>	Existing Harrington Street elevation includes limited access and activation, and presents a four story elevation incongruous with The Rocks character and heritage morphology.	Proposed presents a contextual massing with a scale and grain befitting The Rocks. Active retail and hotel uses with level access along the street. Increased daylight, sky view and solar amenity with significant taller building street setbacks.
<b>3 Cambridge Street</b>	Imposing 5+ story shear wall to Cambridge street with nil setback, nil ground level activation or access, and no through site access.	Proposed heritage sensitive and contextual scale to Cambridge Street with setback building form over will improve sun and daylight amenity and create street level accessible retail opportunities. New through site link with DDA lift access.
<b>4 Argyle Street</b>	Height of street wall insensitive to heritage context and morphology. Unactivated pedestrian interface. Clock tower obstructs views east to the harbour.	Proposed presents a lower and materially sensitive street wall to Argyle. Corner to Harrington Street includes an increased setback to improve visual connection, activation and present a new public stair amenity
<b>5 North-South Through Site Link</b>	None presently provided	Generous new open-to-the-sky and landscaped north/south through site link with great solar amenity, activated on both sides by retail, with DDA lift access to both Cambridge and Argyle streets
<b>6 East-West Through Site Link</b>	Infrastructure in place but poor amenity, and no public or DDA access	New public square off Harrington Street with intuitive positioning and line of sight to new through site link with DDA lift access. Building setback and facade notch minimises proportion of covered through site link



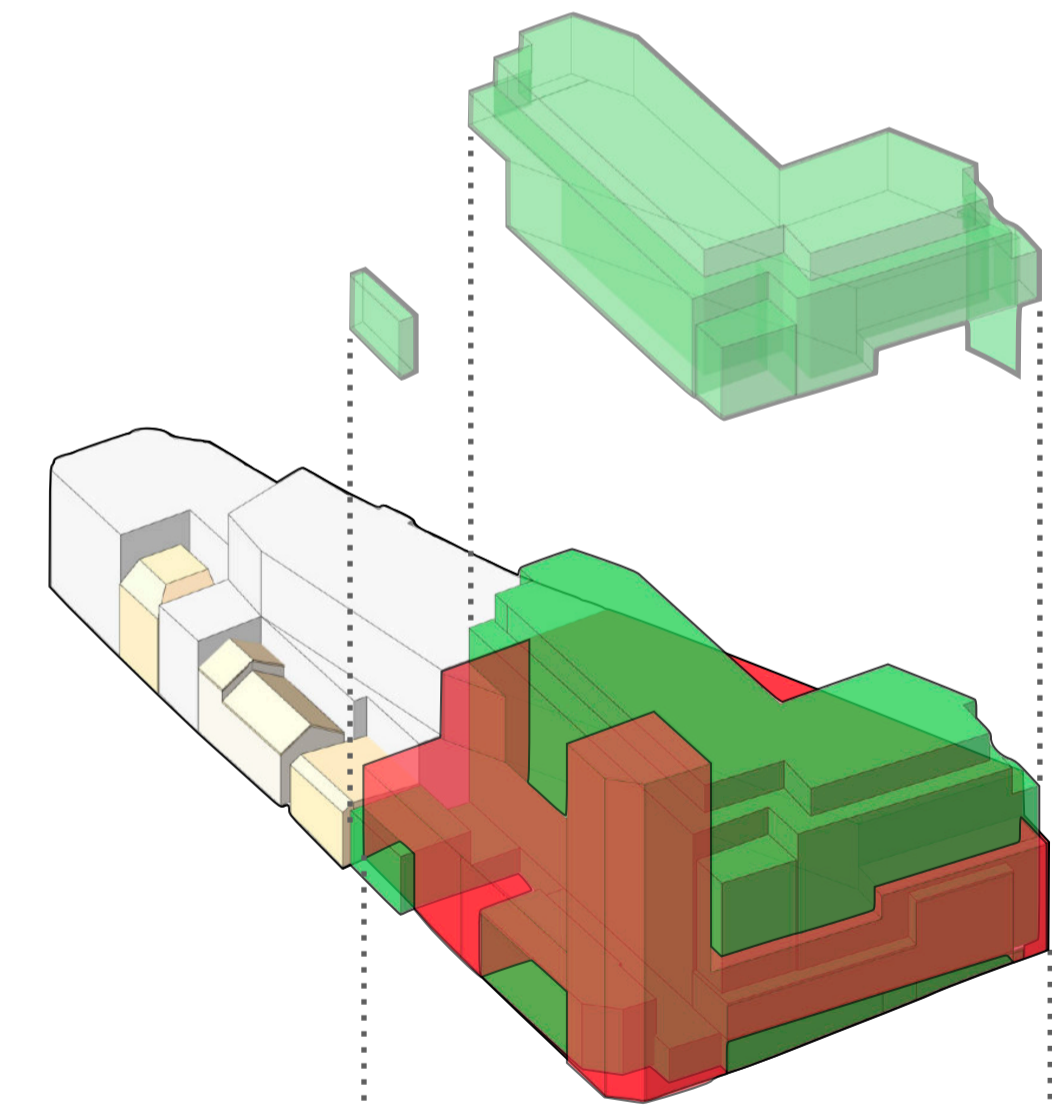
**Existing SCRA Envelope**

The existing SCRA shrinks wraps the existing building and ignores heritage morphology and context, features the unsightly corner tower, presents a shear wall to Cambridge Street, limits street level activation opportunities, includes a podium form that fills the site boundaries precluding opportunities for open to the sky public through site links.



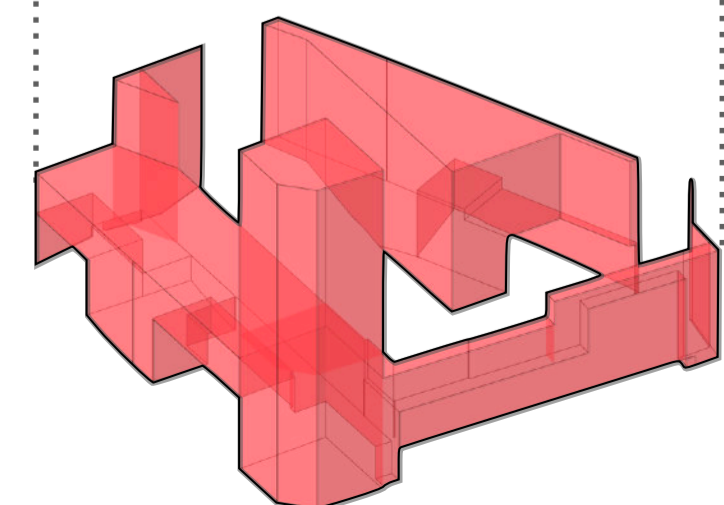
**Proposed SCRA Envelope**

A volume neutral alternate SCRA with perimeter bulk and scale redistributed to the centre of site to improve street level amenity, activation opportunities, and street wall heritage scale and grain. This move also minimises the built form footprint enabling more on site open-to-the-sky public domain and through site links.



**Proposed SCRA additions**  
+2 levels in a thin L shaped floor plate, parallel to Harrington and Argyle

- Existing south wing SCRA envelope
- Existing north wing SCRA envelope
- Proposed north wing SCRA envelope



**A volume-neutral redistribution of SCRA envelope mass**

**Existing SCRA deductions**  
Significant height and bulk reductions to Cambridge and Harrington Streets, removal of corner tower.

