

20 June 2016



The Secretary
NSW Department of Planning and Environment
GPO Box 39
Sydney NSW 2001

Shop 4, 500 Elizabeth Street
SURRY HILLS NSW 2010

M 0425 277 039

Attn: Ashley Cheong, Planning Officer – Key Sites Assessments

Dear Madam,

Response to Submissions - State Significant Development Application and Variation of the Sydney Cove Redevelopment Scheme for the “*Remediation, Renewal and Adaptive Re-Use of Campbell's Stores*”, The Rocks (SSD 7056)

SAKE Development with GMU Urban Design & Architecture; and Clive Lucas, Stapleton & Partners Heritage Consultants have reviewed the applicant's Response to Submissions (RtS) report, architectural drawings and associated documentation on behalf of the owners and residents at 8 Hickson Road The Rocks. On review of this documentation, we continue to strongly object to the proposed new four storey glass addition to the north of the Campbell's Stores (the Stores) and any variation to the Sydney Cove Redevelopment Authority Scheme to support this development. Our original submission and objections therefore stand.

We feel that the proponent has provided a glib response to the many issues raised in our original submission. We note the following key points in terms of the proposed modified design and the RtS documentation.

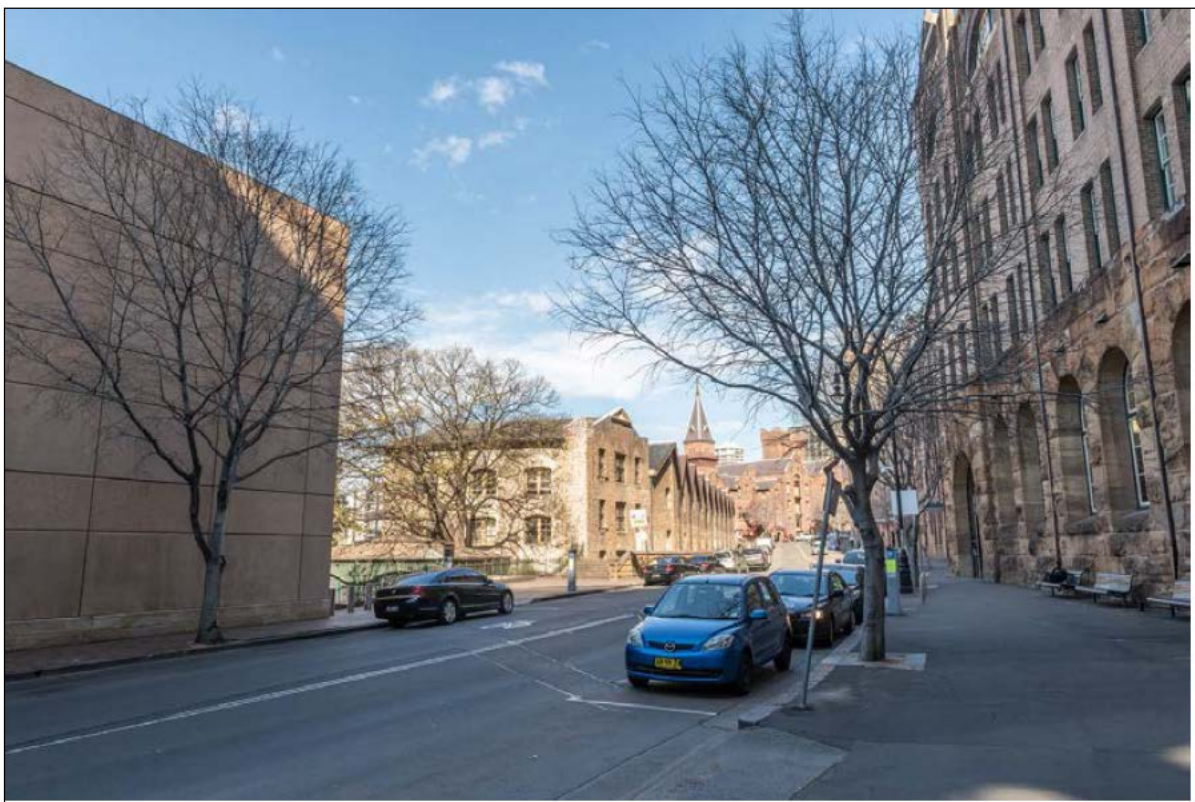
Proposed New Building and Project Description

- The proponent continues to note that the application seeks approval for *the remediation, renewal, adaptive re-use and revitalisation of Campbell's Stores, The Rocks*. They fail to include in the project description the proposed four storey glass building to the north of the Stores.
- The modest changes to the new four storey glass addition are token at best and fail to address our real concerns about this new building, which we still consider is an intrusive and ill-conceived structure that will have negative visual impact.
- The proposed modifications do not significantly change the overall massing and essence of the design which will significantly depart from the historic urban fabric. The proposed 'glass box' lifted on stilts with no fenestrations and vertical architectural elements introduces a new fabric and architectural expression into this heritage area.
- We remain of the view that there should be no development to the north of the Campbell's Stores, other than landscaping, and that this area ("Bay 12") should be dedicated as public open space for the use and enjoyment of all.
- We continue to note that the adopted Campbell's Stores Conservation Management Plan (CMP), which is the principal guiding document for the Campbell's Stores' conservation and development, did not envisage a four storey building in this location, nor any variation to the Sydney Cove Redevelopment Scheme (SCRAS) to facilitate a four storey building.

- The CMP only supports the removal of the existing, intrusive temporary structure at the northern end of Campbell's Stores. It notes that a contemporary, well designed addition could be constructed and we would expect any future addition would be consistent with the current height controls in the SCRAS. It would be preferable to have no structures within this area.
- The proposed building's alignment with the highest point of Bay 11 and its 11 metre width are inconsistent with the form of the other bays. The height of any future building in the Bay 12 area should therefore be reduced to comply with the current building envelope control in the SCRAS scheme, being RL7.50m.
- The Proponent continues to rely on the height of the fig tree as a justification of building height.
- There is no attempt to review and examine the "no development" option for Bay 12 that the residents and owners have continually requested to be legitimately assessed.
- The images on page three overleaf clearly indicate the benefits of a 'no development option'.
- The applicant fails to provide any further information about the status of any planning or building approval for the existing single storey pavilion to the north of Bay 11. This may, in fact, be an illegal addition that has evolved over time. It is the owners' view that what started as an ephemeral addition has now become permanent. This appears to have been done without building and development approval and, significantly, it impinges on the space needed to provide the physical setting for Campbell's Stores and the community's appreciation of its historical form and function.
- We continue to state that any approval of this pavilion does not provide precedent to enable continued development and expansion within this space, and that the pavilion is clearly intrusive and should be removed.
- We continue to support the creation of a new public space to the north of the Stores that provides the opportunity for the thousands of people who walk both along Hickson Road and the waterfront to actually see the Campbell's Stores' northern elevation and to deliver the full heritage curtilage.
- The proposed new 'glass box' will diminish available public views of the Sydney Opera House, particularly from the open space currently located between the northern end of Campbell's Stores and the Park Hyatt Hotel.
- The RtS states that the proposed undercroft provides opportunity for increased public accessibility and connection from Hickson Road to the foreshore area with open vistas to the water and Opera House.
- GMU notes that the proposed undercroft space with a height of only 2.5m does not provide sufficient space to enable open views and to encourage public access. The low ceiling undercroft area on the ground level deactivates the public domain and does not have sufficient height to become an attractive open space or an effective view corridor.



Extract from the Campbell's Stores Visual Impact Assessment (VIA), view looking east from Hickson Road. The applicant needs to prepare an assessment based on the no development scheme. (Source: Figure 43, VIA, Urbis May 2016).



Extract from the VIA, view looking south west from Hickson Road. This image illustrates the lost opportunity of the no development option to the north of the Stores that would enable the public to actually see the Campbell's Stores northern elevation and to deliver the full heritage curtilage. (Source: Figure 40, VIA Urbis May 2016). Note that the removal of the inappropriate tree and pavilion would fully expose the Stores' northern elevation.

Proposed Hours / Noise / Visual & Acoustic Privacy / Odour

- The proposed hours of operation remain as 6.00 am to 2.00 am (the following day) and Sunday from 6.00 am to midnight which are well in excess of the existing hours of operation.
- The primary source of noise generation for residents of apartment developments is typically from the use of outdoor areas (dining areas, courtyards, communal spaces) and from air-conditioners/ventilation units and mechanical plant equipment.
- Noise generated by the development will further impact the residents at 8 Hickson Road, particularly the very late trading hours and multiple tenancies, plus the proposed outdoor dining along Hickson Road and in the undercroft of the proposed new building and also noise from the mechanical plant located within Bay 11, directly opposite the residents of 8 Hickson Road.
- The proponent states that the majority of mechanical plant will be located within Bay 11. Bay 11 is directly opposite the residents of 8 Hickson Road. Primary plant items will include exhaust fans and condenser units. The major item of exhaust plant will be the kitchen exhaust, which vents vertically thorough the Bay 11 roof. The proponent even states the following, yet fails to address this properly.

Cumulative assessment of both plant noise with other noise sources is recommended when conducting the acoustic design of plant items. This is particularly important for plant which may have the potential for noise impact on the sensitive residential receivers at 8 Hickson Road in conjunction with patron noise from the proposal.

- The applicant must address the design and location of the mechanical plant, both in Bay 11 and throughout the building, and address the noise impact and mitigation measures required to address this key impact.
- The City of Sydney's submission states that it has fielded three complaints relating to excessive amplified sound being emitted from the existing use affecting surrounding residents. We support the City's view that individual tenancies should be given a calculated maximum sound level that may be emitted from that premises before any tenant DAs are considered and that this aspect should be established now.
- The applicant's acoustic consultant is still deferring this issue to the DA stage for each individual future tenant, which is not acceptable.
- In the event that the application is determined, the Department of Planning should recommend conditions for the Campbell's Stores to limit noise emissions from each tenancy.
- The proponent still has not included in the architectural drawings, the design or height of the mechanical plant and exhaust system proposed to be located on Bay 11, nor undertaken a visual impact assessment of the impact that these structures would have on views of the Stores and from key vantage points, including 8 Hickson Road.
- The original noise assessment for the mechanical plant system noted it is highly likely that any roof top equipment which operates 24 hours per day (such as refrigeration plant) will require either enclosure in plant rooms or acoustic screens to provide a line of sight break between the equipment and any residences. Again, this is not an appropriate response or treatment for a State listed heritage item, nor has it been adequately addressed in the RtS.

- This is an inadequate response from the proponent and the Department cannot appropriately assess this project application, for a State Significant heritage item, without this information.

Variation to Sydney Cove Redevelopment Authority Scheme

We continue to strongly object to any proposed variation to the SCRAS undertaken in isolation in this historic location in the heart of The Rocks and within the buffer zone of the Sydney Opera House. We raise particular concern at the extent of the proposed change as follows:

- The proposed new glass building still does not comply with the building envelope control as shown on the axonometric drawing provided on the SCRA Scheme. The current control would only allow a single storey building.
- The proposal exceeds the height restriction on the foreshore frontage by some 14m, and on the Hickson Road elevation by some 10m. Along the foreshore, the applicant is seeking to increase the height from RL3.5 to RL17.4, almost 5 times the current permissible height limit.
- The adopted CMP did not envisage a four storey building or discuss any change in building height to the SCRAS. There remain no compelling grounds to increase the building height so dramatically.
- The SCRAS' height restrictions were established to create a visual separation between Campbell's Stores and the Park Hyatt and to create an open space and visual connection in this location. This will be destroyed if the non-compliance is approved.
- As such, the height of any building in this location should be reduced to comply with the current building envelope control (between RL 3.50m to RL7.50m) and there should **be no variation of the SCRAS.**

Conclusion

The proposed development fails to deliver an appropriate and considered response to this historic site on the foreshore of Sydney Harbour. Our assessment continues to state that there should be no development to the north of the Campbell's Stores and this area dedicated as public open space for the use and enjoyment of all.

We raise particular concern about the appropriateness and design of the proposed four storey glass box located to the north of the Campbell's Stores that is considered an intrusive and ill-conceived structure that will have negative visual impact and result in the loss of public open space. The introduction of another contemporary designed element into an area that is renowned for its predominantly historic appearance and within the buffer zone of the World Heritage Listed Sydney Opera House is not supportable.

We continue to raise concern about a number of elements of the application, and the lack of design detail including the project description, outstanding details on mechanical plant systems, and our overall concerns with acoustic impacts and the proponent's failure to appropriately address these issues.

Further, Clive Lucas, Stapleton & Partners, our heritage consultant continue to advise that the Campbell's Stores is a former maritime industrial building (warehouse) that is considered as being of **'Exceptional' significance** and is a rare, surviving example of mid-nineteenth century warehousing in Sydney and **the only one of its type remaining on the foreshores of Sydney Cove**. As such, the careful and sympathetic treatment of the building's surviving original fabric (internal and external) should be a primary consideration for any new works to the place. Opportunities should be sought for the restoration and reconstruction of missing elements and the interpretation of the original details and functions of the building

Thank you for the opportunity to provide further comment on this project. Please keep myself and my clients informed of the future progress of this application.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Sarah Kelly' with a stylized flourish at the end.

Sarah Kelly
Director