

SSD_7056: CAMPBELL'S STORES, THE ROCKS

MODIFICATION REPORT BAY 11

URBIS

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Report Number	Modification to SSD 7056

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1. INTRODUCTION

This application has been prepared by Urbis on behalf of *Tallawoladah Pty Ltd* (the proponent), seeking amendments to **State Significant Development SSD_7056** pursuant to Section 4.55 of the *Environmental Planning and Assessment Act, 1979* (EP&A Act).

On 19 April 2017, the Planning and Assessment Commission granted consent for SSD_7056 for alternations and additions to the State heritage listed Campbell's Stores building and surrounding public domain at The Rocks. The consent provides approval for:

- *Conservation and remediation works to the Campbell's Stores, upgrades to the existing stormwater infrastructure, and regrading of the outdoor dining area;*
- *External and internal building works to facilitate the adaptive re-use of the Campbell's Stores;*
- *Reconfiguration of the existing outdoor dining area to the east of Campbell's Stores;*
- *Construction of a new outdoor dining area to the north of Campbell's Stores with basement storage, public amenities and plant; and*
- *Public domain, landscaping and footpath works along Hickson Road.*

During the detailed design process the project team identified a number of minor amendments required to the approved Architectural Drawings in order to facilitate a more efficient and effective design solution. These minor amendments include:

- Bay 11 plantroom layout and roof openings revised to match new mechanical design;
- New powder-coated louver wall added to the loading dock;
- Bay 6 Ground Level toilet layout updated;
- New air vent within the eastern eave of Bay 6; and
- New internal horizontal penetration at Level 1 Bay 8-9.

The amendments are shown 'clouded' in red on the Architectural Drawings prepared by JPW Architects and included at **Appendix A**.

This Report has been prepared to support the Modification application and should be read in conjunction with the following specialist technical documents:

- Architectural Drawings prepared by *JPW*, included at **Appendix A**;
- Heritage Impact Statement prepared by *Graham Brooks & Associates*, included at **Appendix B**;
- Visual Impact Statement prepared by *Virtual Ideas*, included at **Appendix C**;
- Acoustic Review prepared by *Acoustic Logic*, included at **Appendix D**; and
- Mechanical Ventilation Letter by *Northrop*, included at **Appendix E**.

2. PROPOSED MODIFICATIONS TO CONSENT

This application seeks approval under Section 4.55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to modify the SSD_7056 consent. The scope of the modification application is addressed in the following section of this report.

2.1. OVERVIEW OF MODIFICATION

As described in Section 1, during the detailed design process the project team identified a number of minor amendments required to the approved Architectural Drawings in order to facilitate a more efficient and effective design solution. These minor amendments include:

- Bay 11 plantroom layout and roof openings revised to match new mechanical design;
- New powder-coated louver wall added to the loading dock;
- Bay 6 Ground Level toilet layout updated;
- New air vent within the eastern eave of Bay 6; and
- New internal horizontal penetration at Level 1 Bay 8-9.

The amendments are shown 'clouded' in red on the Architectural Drawings prepared by JPW Architects and included at **Appendix A**. Further description of each of these minor amendments is provided in the following sections.

2.2. KEY COMPONENTS OF MODIFICATION

2.2.1. Bay 11 mechanical design

SSD_7056 provided approval for the removal of the existing mechanical exhaust system throughout Campbell's Stores and construction of a new centralised exhaust system within the roof of Bay 11, including penetrations in the roof structure to allow for natural ventilation of the plant room. During design development, mechanical engineers identified a need to amend the proposed mechanical ventilation system from an electrical generated system to a gas fired system due to the lack of sufficient electrical power at site.

The alternative gas fired system requires a minimum area of free air and therefore necessitates larger openings in the new Bay 11 roof sheeting, than was approved by SSD_7056. Consequently, this Modification seeks consent for alterations to the Bay 11 plant room and roof structure to allow for the refined mechanical ventilation system.

With regards to the amended Bay 11 plant room and roof structure we note:

- The current approved design accommodates mechanical equipment within the roof space of Bay 11.
- The current approval has air intake and exhausts via openings in the new roof cladding of Bay 11.
- The roof cladding is not original fabric and is an approved replacement.
- The use of a gas fired system necessitates larger openings in the new roof sheeting, requiring a minimum area of free air.
- In order to minimise the visual impact of the larger openings, a fine mesh is proposed to cover the openings, the colour of which is to match the roof sheeting.
- All equipment and roof structures within the roof space are to be painted a recessive colour, to match the roof sheeting colour of Bay 11.

The amended Bay 11 plant room and roof structure has been carefully designed to mitigate the potential for adverse impacts on the surrounding area, particularly with regards to heritage, visual impact, and noise, whilst allowing for an improved and more efficient engineering solution that will improve the sustainability and longevity of Campbell's Stores for years to come.

Further detail regarding the new mechanical ventilation system has been provided by Northrop (refer **Appendix E**) and is summarised in the following sections.

Air Conditioning System

The air conditioning system previously consists of 5 off reverse cycle electric Variable Refrigerant Flow (VRF) condenser. This system is now replaced with Yanmar Gas Driven VRF due to the lack of a sufficient amount of electrical power at site and to prevent the installation of new substation. These reverse cycle air-conditioning systems use a gas engine to drive the compressor rather than an electric motor.

There are significant benefits associated with the gas fired system, compared to the previously approved electrical system, including:

- **Electrical load slashed:** The electrical load from condensers is reduced by around 90% and they don't require three phase power. A Yanmar 85 kW condenser has a running current of only 8 amps, single phase.
- **Efficiency:** A Gas Powered VRF system can provide up to 50% lower running costs than similar electric air conditioning systems.
- **Environmental:** Reduced greenhouse gas emissions. Electric air conditioning systems are significantly more greenhouse intense than gas powered air conditioning systems in Australia. This difference is not simply because natural gas is a lower greenhouse energy source compared with electricity generation in Australia; it is more a matter of recognising the inefficiency of the electricity generation process where approximately 2/3 of the energy in the primary fuel is lost at the power station and through transmission.
- **Less toxic pollutants:** The Gas Powdered VRF condenser installed in this project comes with factory fitted Catalytic converter. A catalytic converter is an exhaust emission control device that converts toxic gases and pollutants in exhaust gas from an internal combustion engine into less-toxic pollutants by catalysing a redox reaction (an oxidation and a reduction reaction).
- **Low noise:** A key advantage of these gas powered models is their quiet operation. A Yanmar 85 kW condenser operates at 62dBA. Note, these units are significantly quieter than the electric VRF condensers.
- **Reduced Peak Demand:** The demand for air-conditioning in Australia is growing at a rapid rate and is expected to continue growing over the coming years. This growth is creating a substantial rise in the demand for power to run air conditioning. There are concerns about a shortage of power generation and transmission capacity during peak periods which is leading to new regulations to manage peak demand and significant investment in transmission infrastructure. In some regions, peak demand charges can account for up to 50% of the electricity bill penalising all electrical consumption. Gas Powered VRF systems help avoid peak demand charges, thereby reducing operating costs.

Kitchen Exhaust

It is important to note that there is no change proposed as part of this application to the location or type of kitchen exhaust provided in the Bay 11 plant room.

SSD_7056 provided approval for the kitchen exhaust fan and discharge to be located within Bay 11, as all other bays were forbidden from having a kitchen exhaust discharge by the Conservation Management Plan (CMP). Centralising the kitchen exhaust at Bay 11 makes it possible to install an ozone odour treatment system, which is a system that is reliant upon relatively long duct runs that allows increased contact time for the ozone injected into the ducting.

Cooking apparatus used within the kitchens and food preparation areas are required to be served by an exhaust hood in accordance with AS 1668.2-2012. The kitchen exhaust system will consist of two filtration stages to remove odours, with the first stage consisting of electrostatic filtration (fitted integral to the exhaust hoods), capable of removing at least 99% of grease from the exhaust air stream. The second stage will consist of an ozone generation and odour management system, which shall release ozone into the exhaust air stream that will eliminate cooking odours at the point of exhaust discharge.

A comparison of the approved and modified Bay 11 plant room and roof is provided at Figure 1 and Figure 2 respectively.

Figure 1 – Comparison of approved (above) and modified (below) Bay 11 plant room

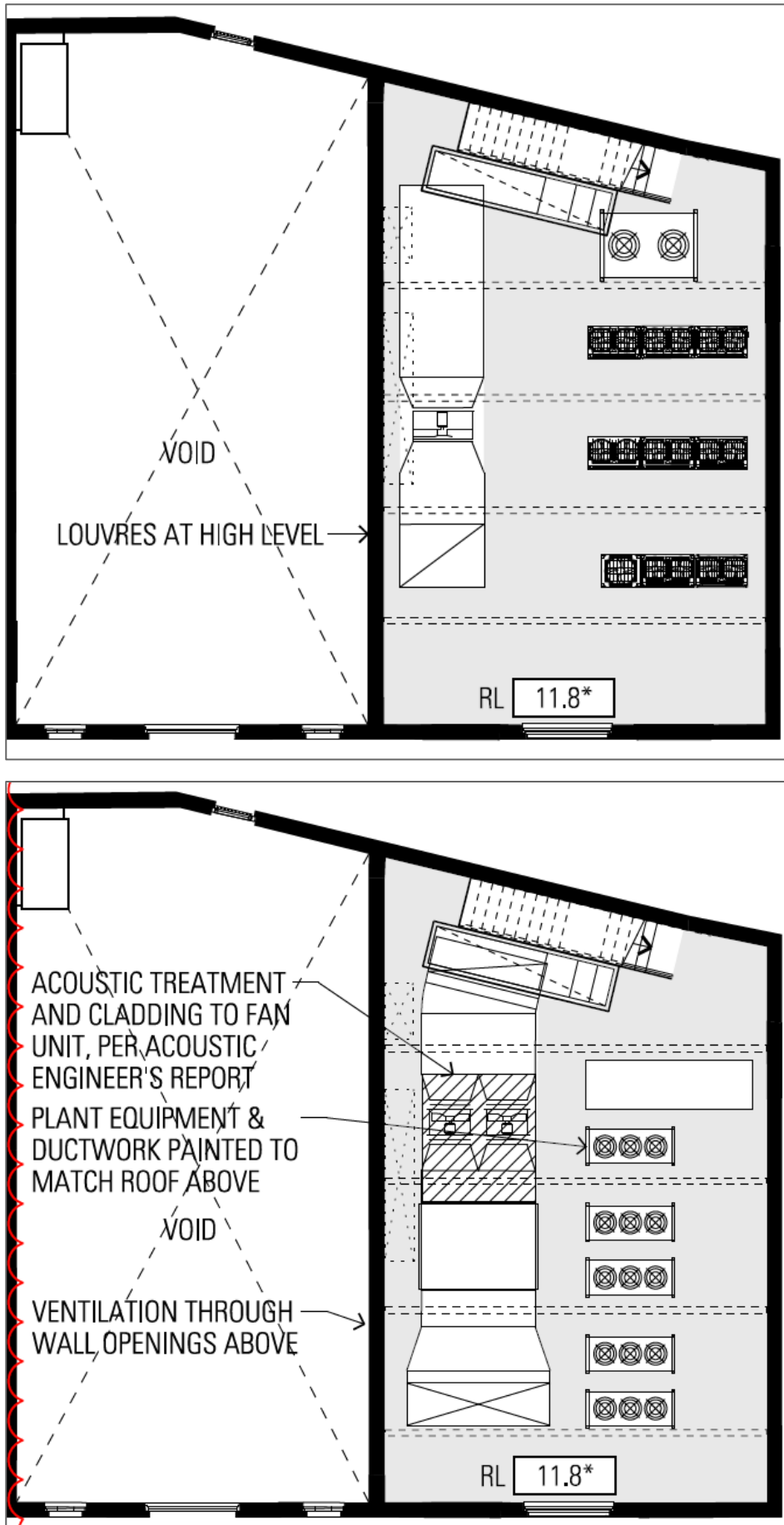
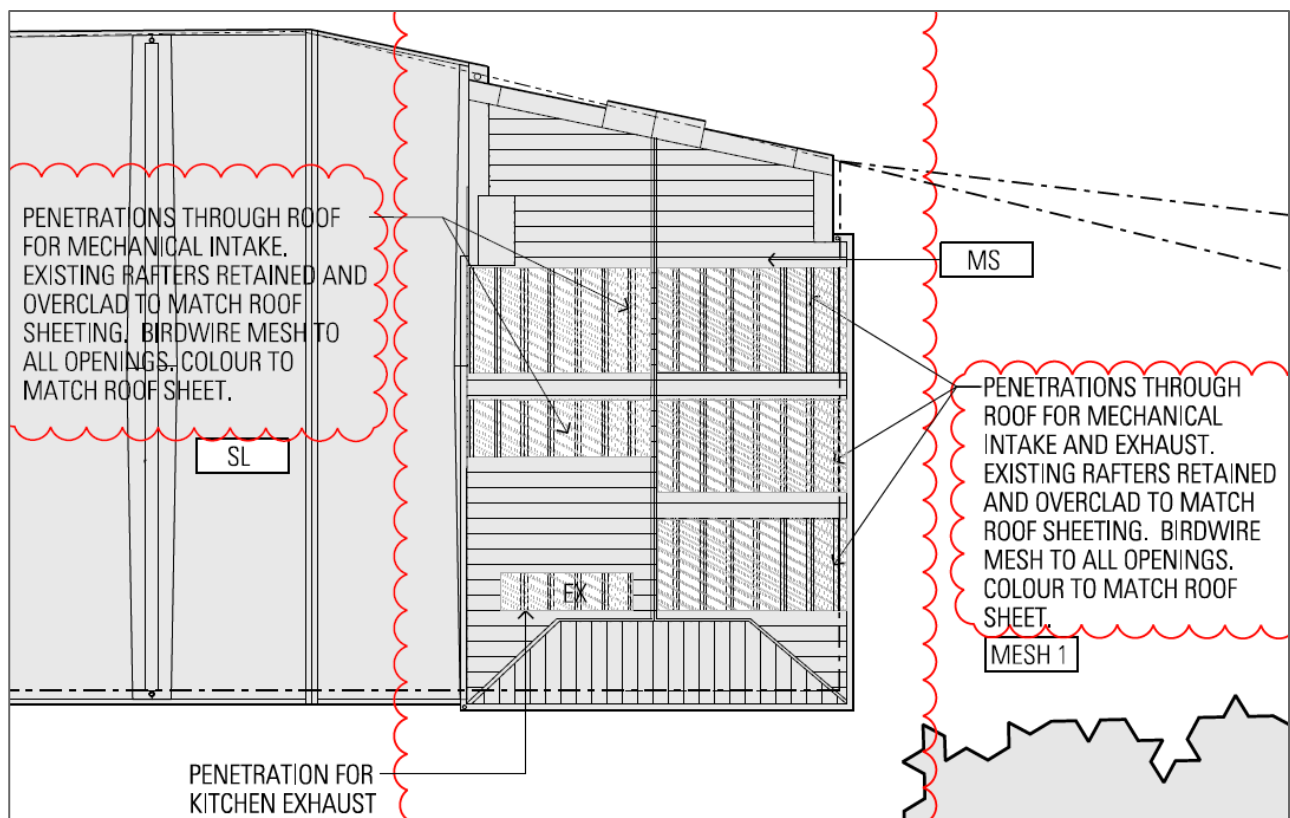
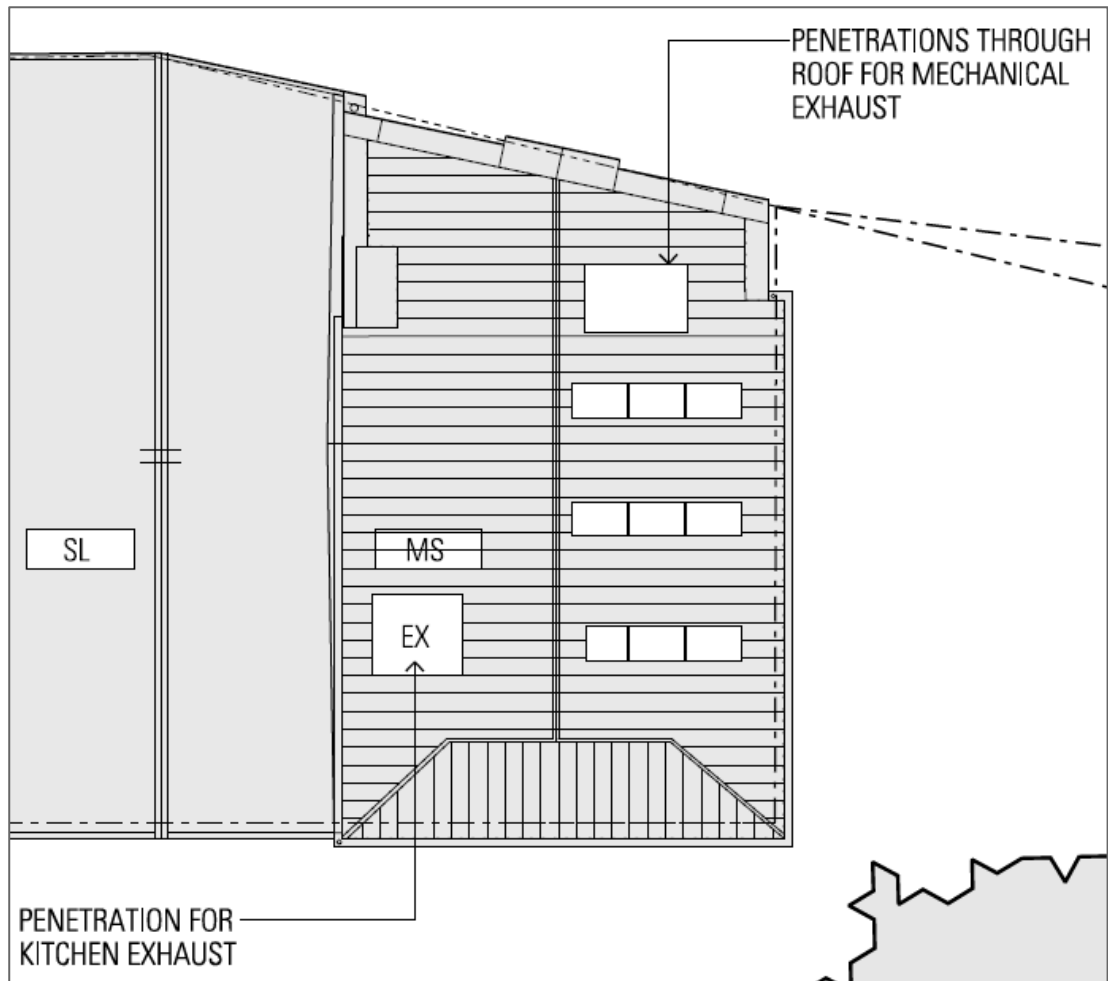


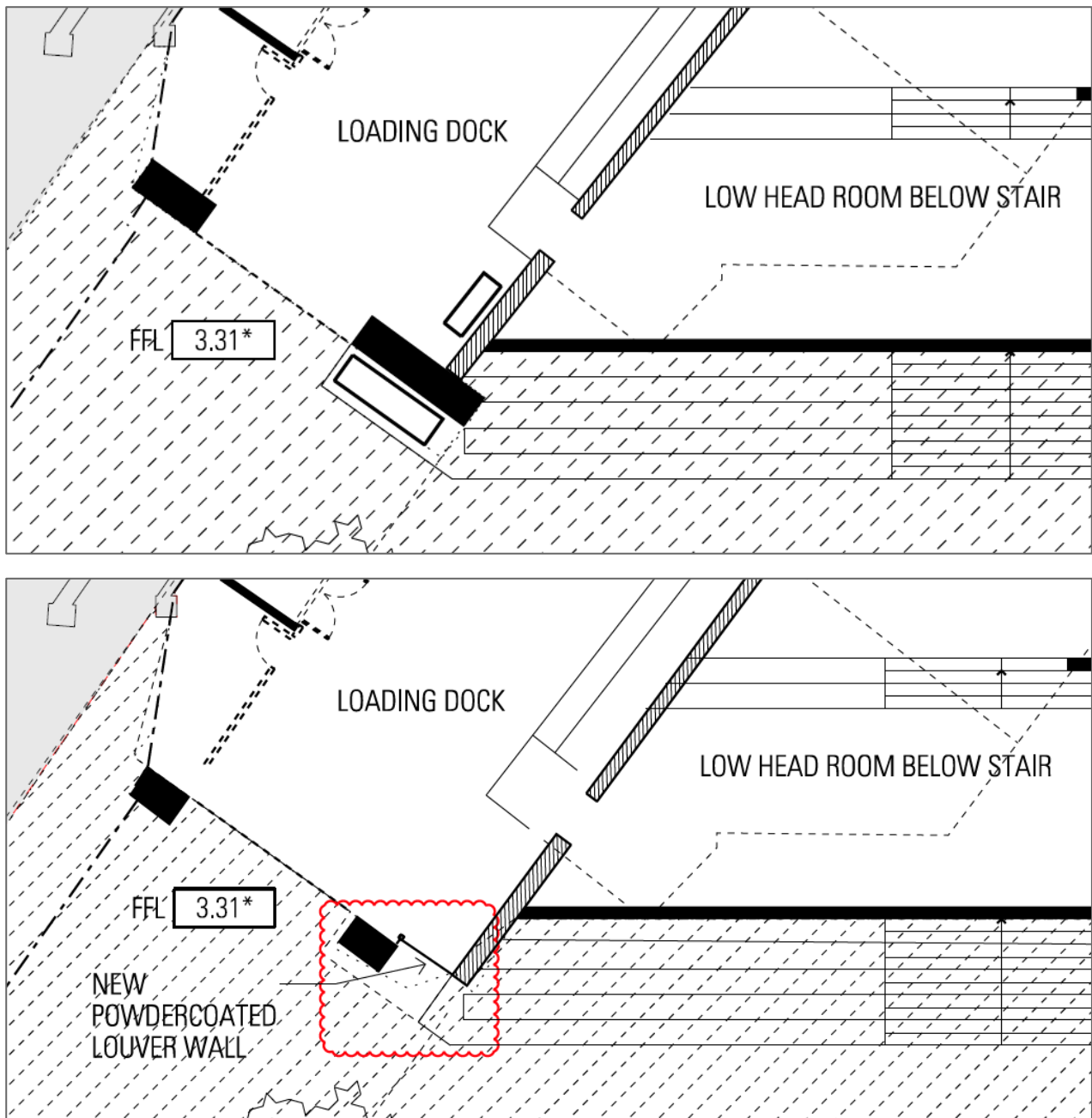
Figure 2 – Comparison of approved (above) and modified (below) Bay 11 roof structure



2.2.2. Loading dock louver wall

A new powder-coated louver wall has been added to the loading dock adjacent to Bay X stair to allow for improved mechanical ventilation. A comparison of the approved and modified loading dock wall is provided at Figure 3.

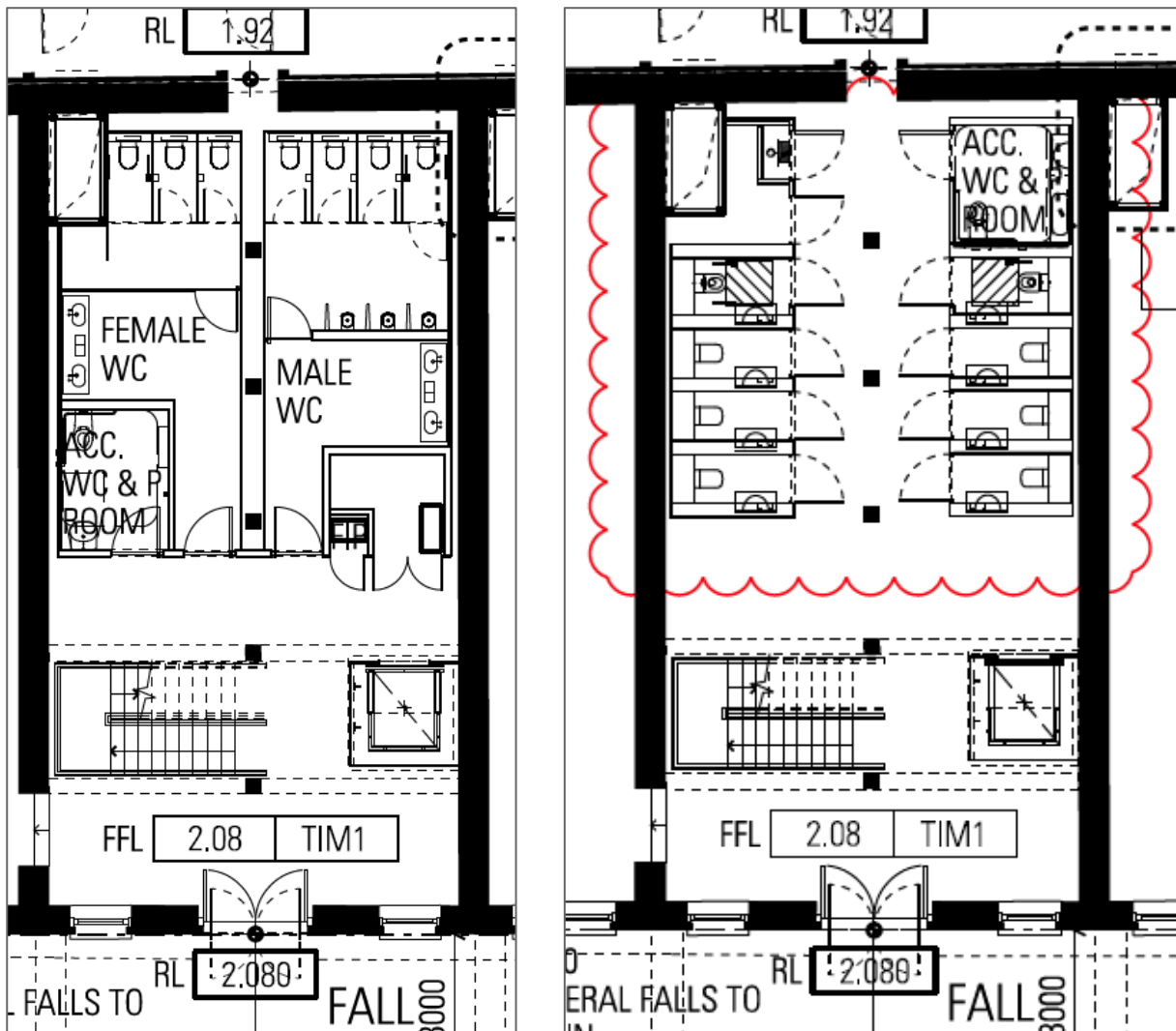
Figure 3 – Comparison of approved (above) and modified (below) loading dock wall



2.2.3. Bay 6 toilet layout

The toilet layout within Bay 6 at Ground Level has been refined and simplified during design development. The total number of toilets have not changed, including provision for accessible toilet facilities. A comparison of the approved and modified toilet layouts is provided at Figure 4.

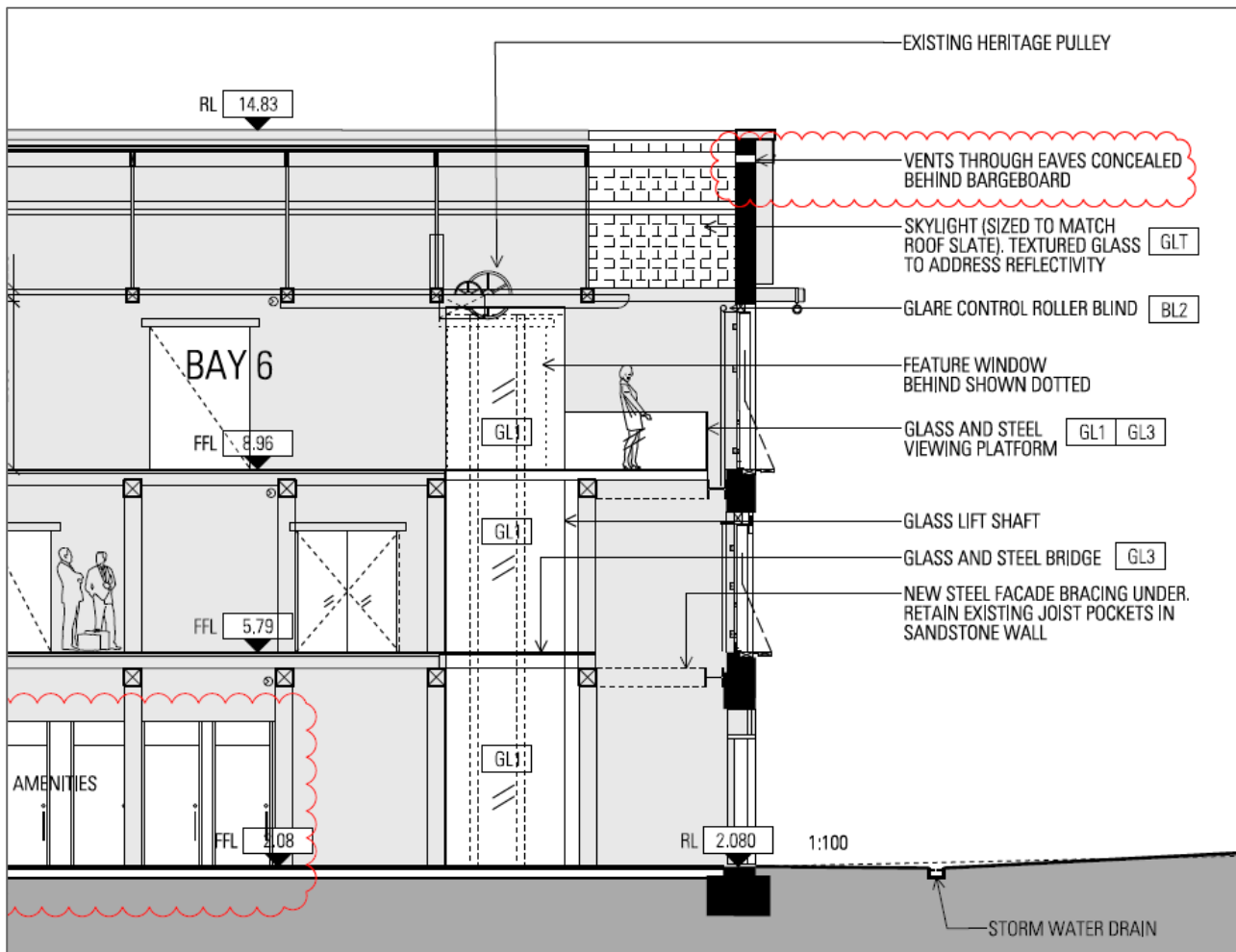
Figure 4 – Comparison of approved (left) and modified (right) toilet layouts at Ground Level Bay 6



2.2.4. New air vent at Bay 6

To prevent hot air build up below the skylight within the Bay 6 roof, it is proposed to provide two small air vents hidden behind the eaves on the eastern side of the building (refer Figure 5). This is similar to what is already approved in Bays 3 and 9 for the toilet exhaust.

Figure 5 – Proposed Bay 6 air vent within eastern eave



2.2.5. New opening at Bay 8-9

During recent approved construction works on site the project team identified an existing opening between Bay 8 and 9 at Level 2 that had been bricked up by the previous tenant (refer Figure 6). It is proposed to return this opening to its original state by removing the brick and render. This will allow access from the future Bay 8 tenancy to the Bay 9 toilets, lift and access stair.

Figure 6 – Picture of bricked up opening at Bay 8–9



3. MODIFICATIONS TO CONDITIONS

The proposed modifications described in Section 2 necessitate amendments to the consent conditions, which are identified as follows. Words proposed to be deleted are shown in **~~bold strike through~~** and words to be inserted are shown in ***bold italics***.

SCHEDULE 2

PART A ADMINISTRATIVE CONDITIONS

Terms of Consent:

A1. Except as amended by the conditions of this consent, development consent is granted only to carrying out the development as described in Schedule 1.

A2. The Applicant shall carry out the development generally in accordance with the:

- (a) Environmental Impact Statement entitled 'SSD 7056: Campbell's Stores, The Rocks', prepared by Urbis Pty Ltd dated October 2015;
- (b) Response to Submissions entitled 'SSD 7056: Response to Submissions, Campbell's Stores, The Rocks', prepared by Urbis Pty Ltd dated May 2016;
- (c) Second Response to Submissions entitled 'SSD 7056: Response to Submissions, Campbell's Stores, The Rocks', prepared by Urbis Pty Ltd dated October 2016;
- (d) SSD 7056: Campbell's Stores, The Rocks Modification Report, prepared by Urbis Pty Ltd dated March 2018;***
- (e) Campbell's Stores Design Statement prepared by Johnson Pilton Walker dated October 2015;
- (f) Campbell's Stores Design Statement prepared by Johnson Pilton Walker dated May 2016;
- (g) Campbell's Stores Design Statement prepared by Johnson Pilton Walker dated October 2016;
- (h) following drawings, except for:
 - i) any modifications which are Exempt or Complying Development, and
 - ii) as otherwise provided by the conditions of this consent, and
- (i) conditions of this consent.

Architectural (or Design) Drawings prepared by Johnson Pilton Walker Pty Ltd:			
Draw No.	Revision	Name of Plan	Date
EA-A-0002	D	Site Plan Proposal at Ground	11/04/17
EA-A-1001	C	Ground Floor	21/10/16
EA-A-1002	C	Hickson Road Level 01 Plan	21/10/16
EA-A-1003	C	Level 02 Plan	21/10/16
EA-A-1004	C	Level 02 Plan	21/10/16
EA-A-1005	C	Level 04 Plan	21/10/16
EA-A-1006	C	Roof Plan	21/10/16
EA-A-2000	C	Elevations	21/10/16
EA-A-3002	C	Section – Bay 2	21/10/16
EA-A-3003	C	Section – Bay 3	21/10/16
EA-A-3006	B	Section – Bay 6	10/05/16
EA-A-3009	C	Section – Bay 9	21/10/16
EA-A-3010	C	Section – Bay 10	21/10/16
EA-A-3011	C	Section – Bay 11	21/10/16
EA-A-3012-2	B	Section – Bay 12 South	10/05/16

Architectural (or Design) Drawings prepared by Johnson Pilton Walker Pty Ltd:			
Draw No.	Revision	Name of Plan	Date
EA-A-3012	B	Section – Bay 12 North	10/05/16
EA-A-3013	C	Longitudinal Section	21/10/16
EA-A-4012	B	Detail Section 01 – Bay 12	21/10/16
EA-A-4013	B	Detail Section 02 – Bay 12	21/10/16
EA-A-4015	B	Bay 12 Detailed Plans	21/10/16
EA-A-4016	B	Bay 12 Detailed Elevations	21/10/16
EA-A-4100	A	Hickson Road (West) Elevation Door Comparison	10/05/16
EA-A-4101	A	Hickson Road Entry Bay 3 Door Detail	10/05/16
EA-A-4102	A	Hickson Road Entry Bay 6 Door Detail	10/05/16
EA-A-4103	A	Hickson Road Entry Bay 9 Door Detail	10/05/16
EA-A-4900	A	Base Building Services Fitout Principals	10/05/16
EA-A-4901	A	Base Building Services Fitout Typical Bay Detail 01	10/05/16
EA-A-4902	A	Base Building Services Fitout Typical Bay Detail 02	10/05/16
EA-A-4903	A	Base Building Services Fitout Typical Ground Level RCP	10/05/16
EA-A-4905	A	Indicative Tenancy Fitout Principals Typical Bay - Restaurant	10/05/16
EA-A-4906	A	Indicative Tenancy Fitout – Restaurant Typical Bay Detail 01	10/05/16
EA-A-4907	A	Indicative Tenancy Fitout – Restaurant Typical Bay Detail 02	10/05/16
EA-A-4908	A	Indicative Tenancy Fitout Detail Typical Ground Level RCP	10/05/16
EA-A-4910	A	Indicative Tenancy Fitout Principles Typical Bay-Kitchen	10/05/16
EA-A-4911	A	Indicative Tenancy Fitout – Kitchen Typical Bay Detail 01	10/05/16
EA-A-4912	A	Indicative Tenancy Fitout – Kitchen Typical Bay Detail 02	10/05/16
EA-A-4913	A	Indicative Tenancy Fitout – Kitchen Typical Bay Ground Level Plan	10/05/16
EA-A-4914	A	Indicative Tenancy Fitout – Kitchen Typical Ground Level RCP	10/05/16
EA-L-1001	C	Landscape Plan	21/10/16
EA-L-4101	A	Landscape Details	10/05/16
-	C	Materials Board	21/10/16
MOD 2			
EA-A-1001	D2	Ground Floor	23/04/18
EA-A-1002	D2	Hickson Road Level 01 Plan	23/04/18
EA-A-1005	D2	Level 04 Plan	23/04/18
EA-A-1006	D2	Roof Plan	23/04/18
EA-A-2000	D2	Elevations	23/04/18
EA-A-3006	C2	Section – Bay 6	23/04/18
EA-A-3010	D2	Section – Bay 10	23/04/18
EA-A-3011	D2	Section – Bay 11	23/04/18
EA-A-3012-2	D2	Section – Bay 12 South	23/04/18
EA-A-3013	D2	Longitudinal Section	23/04/18
EA-A-4012	C2	Detail Section 01 – Bay 12	23/04/18
EA-A-4013	C2	Detail Section 02 – Bay 12	23/04/18
	D	Material Board	23/02/18

4. SUBSTANTIALLY THE SAME DEVELOPMENT

Pursuant to Section 4.55 of the EP&A Act, a consent authority may modify a development consent if “...it is satisfied that the development to which the consent as modified relates is **substantially the same development** as the development for which consent was originally granted and before that consent as originally granted was modified (if at all)”.

The proposed modification relates to minor amendments to the approved Architectural Drawings in order to facilitate a more efficient and effective design solution. The most substantial of these amendments is to the Bay 11 plant room and roof to allow for the alternative gas fired mechanical ventilation system.

The proposed modification will not alter the nature of the approved development. Specifically, it does not seek to change the approved uses, patron capacity, quantum of private versus public space, or any other key aspects of the approved SSD development.

As a result, the proposed development as modified remains substantially the same as the approved development. Specifically:

- The modified development does not propose any changes to the approved land uses on site.
- The function and form of the proposal remains unchanged and the modified development does not represent a significant departure from the approved plans.
- The proposal does not impact the streetscape appearance of the approved development.
- The proposal does not result in an increase in patron capacity or a change in hours of operation.
- The proposal does not result in any additional impacts to the natural environment.

It is in our opinion that the development as proposed to be modified will be substantially the same development for which consent was originally granted.

5. ENVIRONMENTAL ASSESSMENT

Section 4.55 (3) of the EP&A Act states: “*In determining an application for modification of a consent under this section, the consent authority must take into consideration such of the matters referred to in section 4.15 (1) as are of relevance to the development the subject of the application. The consent authority must also take into consideration the reasons given by the consent authority for the grant of the consent that is sought to be modified.*”

This section provides an evaluation of the proposed modification against the ‘matters for consideration’ listed under Section 4.15 (1) of the EP&A Act.

5.1. PLANNING FRAMEWORK

The proposed minor amendments to the approved Architectural Drawings remain consistent with the relevant environmental planning instruments, policies and guidelines as outlined in the Environmental Impact Statement submitted with SSD_7056, including:

- *State Environmental Planning Policy (State and Regional Development) 2011;*
- *Sydney Cove Redevelopment Authority Scheme (SCRAS);*
- *State Environmental Planning Policy No. 55 - Remediation of Land;*
- *State Environmental Planning Policy (Infrastructure) 2007;*
- *Sydney Regional Planning Policy (Sydney Harbour Catchment) 2005;*
- *NSW 2021 – A Plan to Make NSW Number One;*
- *A Plan for Growing Sydney;*
- *Sydney’s Cycling Future;*
- *Sydney’s Walking Future;*
- *Sydney City Centre Access Strategy; and*
- *Sydney Development Control Plan 2012.*

Further discussion regarding compliance with the principal environmental planning instruments, *State Environmental Planning Policy (State and Regional Development) 2011* and the *Sydney Cove Redevelopment Authority Scheme*, is provided in the following sections.

5.1.1. State Environmental Planning Policy (State and Regional Development) 2011

Campbell’s Stores are located within ‘The Rocks’ under Part 6 of Schedule 2 of *State Environmental Planning Policy (State and Regional Development) 2011*. The modified development continues to meet the threshold for the proposal to be considered a State Significant Development under Section 8 of the SEPP. Consequently, the Minister for Planning or his delegate is the consent authority for the Modification.

5.1.2. Sydney Cove Redevelopment Authority Scheme (SCRAS)

Campbell’s Stores are located within Site XXVII under the provisions of the *Sydney Cove Redevelopment Authority Scheme (SCRAS)*. The proposed minor amendments to the approved Architectural Drawings are entirely consistent with the controls contained in the Building Site Control Drawing prepared for Site XXVII, as detailed in Table 1.

Table 1 – Compliance Assessment - Sydney Cove Redevelopment Authority Scheme

Control	Comment
Permissibility: The permitted uses on the site are listed as ‘Commercial’ and ‘Special’. The SCRAS includes the following descriptions for ‘Commercial’ uses: <i>“Commercial” uses are deemed to include such activities as offices, and their associated facilities, caretakers accommodation, wholesale and retail outlets, premises licensed under the Liquor Act 1982, restaurants and other food outlets, the parking of vehicles for a fee, club rooms, portrait painting and photographs, printing services and the like</i>	The proposed minor amendments to the approved Architectural Drawings do not result in any change to the continued use of the site for ‘commercial’ purposes in accordance with the SCRAS.
Building envelope control: The RLs shown on the Building Site Control Drawing within the Bay 11 area range from RL 3.5m at the promenade (east) to RL 4.5m and RL 7.5m at Hickson Road (west).	The proposed minor amendments to the approved Architectural Drawings have been designed to sit entirely within the RLs shown on the axonometric drawing. This includes the modifications to the Bay 11 plantroom and roof structure (refer Architectural Drawings at Appendix A).
Special Note: The Building Site Control Drawing contains the following ‘Special Note’: <i>The only elements that may be permitted to project above this development would include kiosks, outdoor eating, sun protection and supporting structures, and the like.</i>	As described above, the proposed minor amendments do not project above the building envelope RLs shown on the Building Site Control Drawing.
Historic building: The Campbell’s Stores are nominated as a historic building under the provisions of the SCRAS.	All elements of the proposed modified Bay 11 design are contained within the roof structure. The overall roof form of Bay 11 is to remain the same. Despite the modification resulting in larger roof openings, the overall appearance of the roof scape will be improved by incorporating a coloured mesh over the openings. The mechanical plant and equipment will be discretely located and will not impact on the significant roofscape of the Stores (refer Heritage Impact Statement at Appendix B).
Access: There is a nominated pedestrian route along the promenade on the eastern side of the Bay 11 area.	The proposed minor amendments to the approved Architectural Drawings do not impact on the nominated pedestrian route along the promenade on the eastern side of the Bay 11 area.

5.2. LIKELY IMPACTS

The Environmental Impact Statement and Response to Submission reports submitted with SSD_7056, addressed the likely impacts of the development, including:

- Land Use and Gross Floor Area
- Design Excellence, Built Form and Urban Design
- Heritage
- Archaeological Impacts
- Arboriculture
- Visual and View Impacts
- Amenity including Sunlight and Natural Ventilation
- Wind
- Reflectivity
- Visual and Acoustic Privacy
- Safety and Security
- Ecologically Sustainable Development
- Public Domain and Public Access
- Waste Management
- Construction Traffic Management
- Earthworks
- Water, Drainage, Stormwater and Groundwater
- Infrastructure Provision
- Noise and Vibration
- Sediment, Erosion and Dust
- Building Code of Australia
- Environment, Construction and Site Management

As described in Section 2.2, this Modification seeks consent for minor amendments to the approved Architectural Drawings in order to facilitate a more efficient and effective design solution. Consequently, the modification of SSD_7056 remains generally consistent with the conclusions made in respect of the above considerations.

The most substantial of the proposed amendments is the changes required to the Bay 11 plant room and roof structure to facilitate the alternative gas fired mechanical ventilation and exhaust system. These amendments in particular warrant further consideration of the following matters.

5.2.1. Heritage

GBA Heritage have prepared a statement of heritage impact to evaluate the proposed alterations to the Bay 11 roof (refer **Appendix B**). The key findings of the assessment are summarised as follows:

- The proposal is a result of mechanical engineering design development, in which a gas fired system, as a part of the refurbishment of Campbell's Stores, is proposed as opposed to the installation of an electrical generated system.
- The present design accommodates mechanical equipment within the roof space of Bay 11.
- The current approval has air intake and exhausts via openings in the roof cladding of Bay 11.
- The roof cladding is not original fabric and is an approved replacement.
- The use of a gas fired system necessitates larger openings in the new roof sheeting, requiring a minimum area of free air.
- In order to minimise the visual impact of the larger openings, a fine mesh is proposed to cover the openings, the colour of which is to match the roof sheeting.
- All equipment and roof structures within the roof space are to be painted a recessive colour, to match the roof sheeting colour of Bay 11.
- The aim of the proposal is to improve the mechanical system of the current approval, and to mitigate the potential adverse visual impact of larger roof openings with a mesh that is a visual improvement over the approved roof openings.

- The following aspects of the proposed amendments respect or enhance the heritage significance of the item or conservation area for the following reasons:
 - The overall roof form of Bay 11 remains the same.
 - Although the proposed Bay 11 roof amendment has larger openings, it will be an improvement over the approved roof openings in that a mesh is utilised to reduce the visual impact of the proposed openings.
- The roof of Bay 11 of Campbell's Stores, with the amended roof openings, faces north and south, perpendicular to the buildings in the vicinity, that is the former Mining Museum and the Metcalfe Bond Stores, on the opposite side of Hickson Road. Thus, the amended openings in the roof are less evident from across the street, particularly at the lower levels. The use of mesh to cover the openings has reduced the visual impact of the proposed amendments, from that which has been approved.
- The subject site is within the Sydney Opera House Buffer Zone of the UNESCO World Heritage listing and is located on the opposite shoreline of Sydney Cove to that of the Opera House. Given that the proposed openings are contained in a roof that is perpendicular to the Opera House location, there will be no further impact on the Opera House and its Buffer Zone than the current approved design.
- As the amended proposal is reducing the visual evidence of the openings with a coloured mesh, there will be a lesser impact on the heritage values of The Rocks Conservation Area, as well as the listed SHR items in the vicinity, as they do not impact on their visual sensitivity or their curtilage.
- The proposed development is generally consistent with the Conservation Policies of the CMP that relate to the development of the Campbell's Stores and within the Conservation precinct of The Rocks. Specifically:
 - The proposed amendments to the Bay 11 roof do not change the original form of Campbell's Stores, and are located in such a position that they are only evident from a limited area of viewpoint, and not from the important eastern aspect. The proposed use of coloured mesh over the enlarged openings mitigates any adverse impact, and is an improvement on the currently approved development.
 - The proposed amendments to the Bay 11 roof are to improve the sustainability of the mechanical system, thus improving the functioning and reuse of the building as a whole. The amendments however are contained within the original building envelope, are unrelated to original fabric, and will not increase any adverse heritage impacts, but provide mitigation by lessening visual impact.

The proposed amendments to the Bay 11 roof of Campbell's Stores:

- Improve the approved Bay 11 roofscape by the use of a coloured mesh over the openings in the roof even though the openings are larger.
- The Bay 11 roof openings are mainly evident at a high level, that is the Harbour Bridge approaches.
- Although the openings are evident from the north side of the Campbell's Stores, from the direction of Hickson Road and the Park Hyatt, the main viewpoint of concern within the precinct is from Campbell's Cove promenade, where the openings are the least evident.
- The proposed additional openings will have an acceptable heritage impact in the context of the functioning of the building, and The Rocks precinct.

Having regard to the above, it is considered that the proposed modifications to the Bay 11 roof will result in improvements to the heritage significance of the site through reducing the impacts on the heritage significance of adjacent heritage items, The Rocks Conservation Area, and the Sydney Opera House World Heritage Buffer Zone.

5.2.2. Visual and View Impacts

A Visual Impact Assessment has been prepared by Virtual Ideas and is included at **Appendix C**. The Report updates the Visual Impact Assessment submitted with the Environmental Impact Statement and Response to Submissions reports for SSD_7056. The Report has been prepared predominantly to assess the proposed amendments to the Bay 11 roof.

The design improves the visual amenity of the area with a focus on reducing the prominence of the roof openings of Bay 11 associated with the mechanical system in a manner consistent with the Conservation Management Plan. The proposed location of the exhaust would not protrude above the roofline and therefore does not impact on the views from surrounding residences. Views from Hickson Road through to the Harbour and Opera House are retained as existing.

In respect to visual impacts, it is noted that the penetrations are located on the northern and southern façade of the Bay 11 roof, facing away from Hickson Road, and all plant equipment would be flush mounted with no duct work protrusions above the roof line.

It is considered that the proposed modifications to the Bay 11 roof area will have a positive visual impact on the existing public domain and the landscape character of the setting. Specifically:

- The roof cladding of the Bay 11 structure is not original fabric and is an approved replacement.
- The use of a gas fired system necessitates larger openings in the new roof sheeting, requiring a minimum area of free air.
- In order to minimise the visual impact of the larger openings, a fine mesh is proposed to cover the openings, the colour of which is to match the roof sheeting.
- All equipment and roof structures within the roof space are to be painted a recessive colour, to match the roof sheeting colour of Bay 11.

The roof of Bay 11 of Campbell's Stores, with the amended roof openings, faces north and south, perpendicular to the buildings in the vicinity. The amended openings in the roof are therefore less evident from across the street, particularly at the lower levels. Further the use of mesh to cover the openings has reduced the visual impact of the proposed amendments, from that which has been approved.

Figure 7 provides an aerial perspective of the approved and modified Bay 11 roof, looking south, indicating the roof form and penetrations. Figure 8 provides a perspective of the approved and modified Bay 11 roof, looking south from Hickson Road. These images clearly demonstrate that despite the increase in number of penetrations in the Bay 11 roof, the visual appearance of the roof is improved through the use of mesh to cover the openings. The proposed modification will therefore be an improvement on the approved design in respect to visual impacts.

Figure 7 – Comparison of approved (above) and modified (below) Bay 11 roof structure



Figure 8 – Comparison of approved (above) and modified (below) Bay 11 roof structure from Hickson Road



5.2.3. Acoustic Impacts

Acoustic Logic have undertaken a review of the proposed modification to the Bay 11 plant room design and additional ventilation openings within the roof and façade (refer **Appendix D**).

The mechanical plant has been assessed with consideration of the increase in ventilation openings in the Bay 11 roof and façade. Acoustic treatments have been nominated to ensure that noise emissions comply with the amenity noise targets, such that the cumulative noise levels from the site will comply with the intrusive noise targets established for the project.

The key findings of the assessment are summarised as follows:

- The proposed ventilation openings are transparent and are not acoustically treated. Mechanical plant within the plant room is treated locally where required to satisfy noise requirements. The remainder of the Bay 11 roof is not open for ventilation purposes and is assessed as 0.42mm steel sheeting.
- The Bay 11 plant room will contain the following equipment: kitchen exhaust fans, condenser units x 6, and dry cooler.
- Acoustic treatments have been recommended for the kitchen exhaust fans to achieve the noise requirements, ensuring no additional acoustic impact on receiver locations. These are included in the Mitigation Measures at Section 6 and are detailed on the construction drawings. No additional acoustic treatment is required for the dry cooler, condensers, or plant room roof.
- Cumulative noise predictions have been undertaken with consideration of the proposed ventilation openings, equipment selections for the plant room, and predicted noise levels associated with patrons and the like.
- Noise predictions have been conducted to 8 Hickson Road as worst-case receivers given occupants will overlook the Bay 11 roof. Noise emissions to the Hyatt will be of similar noise level however the noise criteria to commercial receivers (hotel) is considerably less than that associated with residential receivers.
- With regard to the predicted noise levels, cumulative operation of patrons and mechanical plant will comply with the intrusiveness noise requirement of 'background + 5dB(A)'. Mechanical plant noise, will comply with the amenity noise criteria for the night time period.
- Noise emissions are typically considered intrusive if they are 5dB(A) above the existing background noise level. Predicted noise levels from mechanical plant is up to 6dB(A) below the background noise levels and in context would be considered to have no acoustic impact on surrounding receivers.
- On the proviso that the acoustic treatments recommended for the mechanical plant are adopted, the proposed alterations to the development will comply with the project noise emission objectives. Consequently, the proposed changes to the Bay 11 façade and roof for ventilation openings will be acoustically acceptable.

Having regard to the above, it is considered that the proposed amendments to the Bay 11 plant room and roof will have no additional noise impact on nearby sensitive receivers when compared to the approved design under SSD_7056.

5.3. SUITABILITY OF THE SITE

The proposal as modified continues to be suitable for the site for the following reasons:

- Bay 11 was identified as the preferred location for the centralised mechanical plant as it is graded 'high' significance as oppose to 'exceptional' significance of Bay's 1-10. It is the odd bay out in terms of its age, design etc. Bay 11 has also been used for exhaust and ventilation since Campbell's Stores was converted to restaurants more than 30 years ago.
- The site is capable of accommodating the proposed modification with no undue impacts to adjacent properties, the surrounding natural environment or the heritage significance of Campbell's Stores. The proposed works result in minimal environmental impacts, all of which can be managed or mitigated through the recommendations outlined in Section 6 of this report.
- The site is suitable for the development as proposed to be modified as it is in keeping with the continued use of the site for restaurant purposes. The proposed modification to SSD_7056 is permissible with consent and maintains the existing uses of the site.
- The proposed modifications demonstrate consistency with the relevant environmental planning instruments including strategic planning policy, State and local planning legislation, regulation and policies.

Having regard to the above, it is considered that the proposed modification to the Bay 11 area is consistent with the public expectation for development in the locality.

5.4. SUBMISSIONS MADE

Any submissions made on this subject modification application will be duly considered and addressed by the Proponent and its project team.

5.5. THE PUBLIC INTEREST

The proposal as modified continues to be in the public interest for the following reasons:

- The modified proposal remains largely consistent with the previously assessed and approved.
- The modified proposal continues to achieve a high level of compliance with relevant planning policies.
- The modified proposal results in minimal environmental impacts all of which can be appropriately managed or mitigated.
- The design responds positively to the site conditions and the surrounding environment. The proposed modifications have been designed to respect the heritage conservation context of the area.

Having regard to the above, it is considered that the proposed modification is in the public interest.

6. MITIGATION MEASURES AND RECOMMENDATIONS

Table 2 provides a summary of the environmental management measures proposed to mitigate any adverse effects of the proposed modification to the Bay 11 plant room and roof on the environment. This table also includes the indicative timing of staging for the recommended implementation of the mitigation and management measures.

Table 2 – Environmental Management Measures

ITEM	ENVIRONMENTAL MANAGEMENT MEASURE	STAGE
A. ACOUSTIC REVIEW		
A1.	- Install an attenuator on the discharge of the fan with a dynamic insertion loss of that provided in the Acoustic Review prepared by Acoustic Logic titled 'The Campbell's Stores, The Rocks - Bay 11 Modification Acoustic Review' and dated 28 March 2018. - The kitchen exhaust fans are to be enclosed within a 1 x 13mm fire rated plasterboard, 6mm fibre cement sheet or 18mm plywood enclosure. The enclosure is to extend over the duct transitions up to the discharge attenuator.	To be addressed during detailed design and prior to the release of a <i>construction certificate</i> for relevant works.

7. CONCLUSION

This modification application seeks amendments to **State Significant Development SSD_7056** pursuant to Section 4.55 of the EP&A Act. The modification relates to a number of minor amendments required to the approved Architectural Drawings in order to facilitate a more efficient and effective design solution. These minor amendments include:

- Bay 11 plantroom layout and roof openings revised to match new mechanical design;
- New powder-coated louver wall added to the loading dock;
- Bay 6 Ground Level toilet layout updated;
- New air vent within the eastern eave of Bay 6; and
- New internal horizontal penetration at Level 1 Bay 8-9.

In accordance with Section 4.55 of the EP&A Act, the Minister or their delegate may modify the consent, as:

- The consent, as proposed to be modified, is substantially the same development as that originally approved; and
- The proposed modification does not give rise to any unacceptable environmental impact; and
- The proposal's compliance with the relevant statutory plans and controls remains consistent with the original approved SSD.

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