



**TOWER 2, LEVEL 23
DARLING PARK, 201 SUSSEX ST
SYDNEY NSW 2000**

URBIS.COM.AU
Urbis Pty Ltd
ABN 50 105 256 228

28 February 2019

Cameron Sargent
Team Leader
Key Sites Assessments
NSW Planning & Environment

Dear Cameron,

SSD 15_7056: CAMPBELL'S STORES, THE ROCKS SECTION 4.55 (1A) MODIFICATION APPLICATION

1. INTRODUCTION

This statement of modification has been prepared by Urbis on behalf of *Tallawoladah Pty Ltd* (the Applicant) in support of a Section 4.55(1A) application, to modify State Significant Development Consent **SSD 15_7056**. Approval was granted on 19 April 2017, for alterations and additions to the State heritage listed Campbell's Stores building and surrounding public domain. The consent provides 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.*

The consent has been modified twice. **SSD 7056 MOD 1**, approved on 18 June 2018, provided for the conservation of state significant archaeological material identified within Bay 12. **SSD 7056 MOD 2**, approved on 21 September 2018, provided for amendments to the Bay 11 plantroom layout and roof design.

This Section 4.55(1A) application seeks to further modify SSD 15_7056 to reinstate two former doorway openings between Bay 2 and Bay 3 at the ground level. The reopening is required to facilitate the operation of Tenancy 02 (Seafood Restaurant) which is to occupy the Ground Floor of Bays 1, 2 and 3.

The amendments are shown 'clouded' on the Ground Floor Plan (revision D3) included at **Attachment A**. A Statement of Heritage Impact has been prepared by GBA Heritage in support of the application and is included at **Attachment B**.

2. PROPOSED MODIFICATION

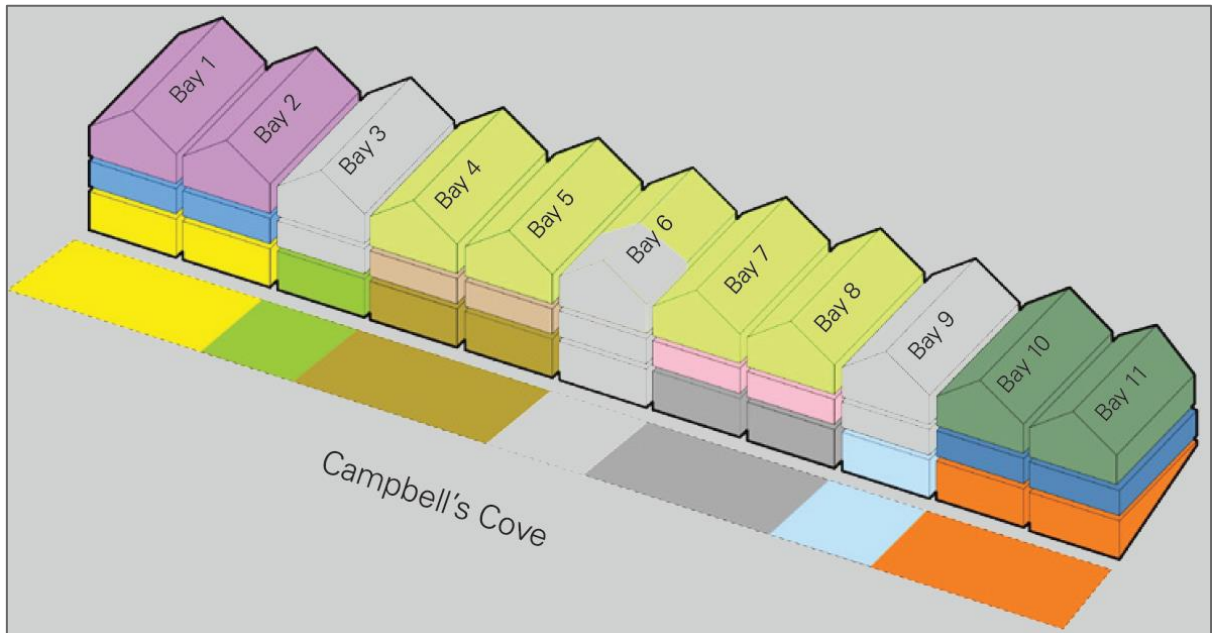
This application seeks approval under Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to modify SSD 15_7056. The modification relates to the reopening of two former doorways between Bay 2 and Bay 3 at the ground level. The doorways are required to be reinstated to allow for the functional operation of Tenancy 02 (Seafood Restaurant) which is to occupy the Ground Floor of Bays 1, 2 and 3.

SSD 15_7056 originally anticipated that Campbell's Stores would accommodate 13 tenancies, including single Bay tenancies in Bay 3 and Bay 9. However, as the works have progressed it has become evident that the single bays of 3 and 9 are too small for restaurant use, as they accommodate the communal lift and lobby space which occupies approximately 9% (or 12.5m²) of the total floor area.

Further, due to the removal of ducting in Bay 1, all kitchen exhaust is now consolidated in Bay 11. This has restricted the number of kitchen volume thus reducing the overall tenancy capacity to a total of 9 tenancies, of which 7 are restaurants.

A comparison of the proposed tenancy arrangement and actual tenancy arrangement is provided in Figure 1 and Figure 2 respectively.

Figure 1 – Campbell's Stores Proposed Tenancy Arrangement



Source: Design Report, JPW Architects, October 2015

Figure 2 – Campbell's Stores - Actual Tenancy Arrangement



Table 1 – Summary of Proposed Use of Each Tenancy

Tenancy	Location	Use
1 (Purple)	Level 1 and 2 Bay 1, Level 1 and 2 Bay 2	Restaurant
2 (Orange)	Ground floor Bay 1 – Bay 3	Restaurant
2A (Yellow)	Ground floor and Level 1 Bay 4 - 5	Restaurant
3 (Green)	Level 2 Bay 4 – 8	Restaurant
4 (Red)	Level 1 Bay 6	Café
5 (Dark Purple)	Ground floor and Level 1 Bay 7 – 8	Restaurant
6 (Dark Red)	Ground floor Bay 9	Restaurant
7 (Blue)	Ground floor and Level 1 Bay 10 – 11 and Bay 12	Restaurant
8 (Yellow)	Level 2 Bay 10 -11	Lounge Bar

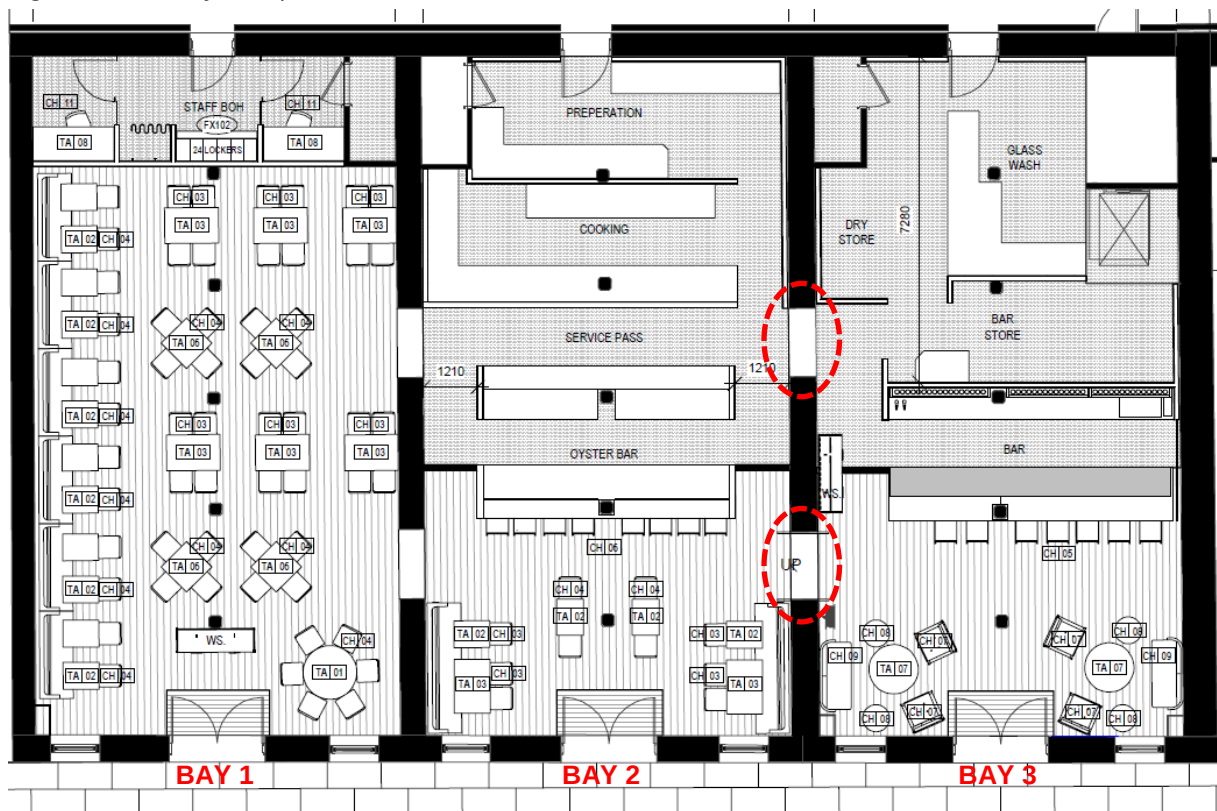
Tenancy 2 (Seafood Restaurant) has leased the Ground Level of Bays 1, 2 and 3. The restaurant is to comprise:

- Main dining and staff back of house in Bay 1;
- Dining, oyster bar, cooking and preparation in Bay 2;
- Dining, bar, storage and washing in Bay 3; and
- Alfresco dining on the harbour forecourt side in front of Bays 1, 2 and 3.

Under the existing consent there is no direct access between the kitchen in Bay 2 and the bar, storage and wash areas of Bay 3. Nor is there direct circulation space between the dining areas of Bay 2 and Bay 3. This presents a significant constraint on the future operation of the restaurant as patrons and staff would be required to travel externally to access dining and back-of-house areas in each Bay. Therefore, it is proposed reinstate the former openings to the same dimension as was previously provided.

The proposed fit-out of Tenancy 2 is shown in Figure 3 (note: fit-out works are subject to separate approval). The proposed doorway openings have been marked in red.

Figure 3 – Tenancy 2 Proposed Fit-out



Source: Altis Architecture, January 2019

3. HERITAGE

A Statement of Heritage Impact has been prepared by GBA Heritage in support of the application and is included at **Attachment B**. In summary, the assessment confirms:

- In reference to the *Conservation Management Plan* (GML, 2014), the proposed development is generally consistent with the Conservation Policies that relate to the development of the Campbell's Stores: *Policy 1 - The future use of Campbell's Stores should be consistent with its outstanding cultural significance, should not impact on significant fabric and spaces, and should provide for public access to the building.*
- The CMP has identified the two former openings as being of *Little* significance, and which has been noted as having a neutral impact on the significance of the item. Therefore, their reinstatement as openings, will revert back to the original configuration, albeit of *Little* significance.
- As a part of CMP conservation policy, there has been considerable closing-in of wall openings generally, with the current approved works. However even with the proposed re-opening of two doorways, there will still be a net gain in the closure area of former openings.

The assessment concludes, the proposed re-opening of the former doorways is acceptable relative to the necessary functioning of the tenancy, and therefore the building in its current use. In the overall context of the current closer of former openings in the eleven-bay building, the proposal would have an acceptable heritage impact.

GBA Heritage have recommended that the sandstone blockwork removed to re-open the former doorways should be carefully salvaged and stored on site.

Figure 4 – Photo of Ground Level Bay 2 / 3 showing new fabric to be removed



4. SECTION 4.55(1A) ASSESSMENT

The proposal has been assessed in accordance with the relevant provisions of Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Table 2 – Section 4.55(1A) Assessment

Item	Assessment
a) <i>The proposed modification is of minimal environmental impact.</i>	The proposed modification seeks to reinstate two former doorway openings between Bay 2 and Bay 3. The openings are to be carefully reinstated to the same dimensions before the current works were undertaken to block them up. The sandstone blockwork removed will be carefully salvaged and stored on site. The <i>Conservation Management Plan</i> (GML, 2014) identified the two former openings as being of <i>Little</i> significance, and each were noted as having a neutral impact on the significance of the item. Therefore, their reinstatement as openings, will revert back to the original configuration, albeit of <i>Little</i> significance. Accordingly, the proposed modifications are minor in nature and will have a minimal environmental impact.
b) <i>The modified development is substantially the same development for which consent was originally granted.</i>	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 development. Further, the proposed modification does not alter the form and function of the approved development, nor does it impact on the streetscape appearance of the approved development or result in any additional impacts on the natural environment or surrounding properties. Accordingly, the 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.
c) <i>Notification</i>	Due to the minor nature of the proposed modification it is understood that notification is not required in this instance.

Item	Assessment
d) <i>Submissions</i>	Notwithstanding the above, any relevant submissions received regarding the proposed modification will be considered and addressed by the applicant and consent authority.

5. SECTION 4.15 EVALUATION

The proposal has been evaluated against the relevant matters for consideration set out in Section 4.15 of the EP&A Act.

Table 3 – Section 4.15 Assessment

Item	Assessment
<i>Environmental Planning Instruments</i>	The proposed modification does not alter the approved development's level of compliance with the relevant environmental planning instruments, policies and guidelines, as outlined in the Environmental Impact Statement submitted with SSD_7056. In particular, despite the proposed modification the development remains entirely consistent with the <i>Sydney Cove Redevelopment Authority Scheme</i> (SCRAS) and the controls contained in the Building Site Control Drawing for Site XXVII. Specifically: • The proposed modification does not result in any change to the continued use of the site for 'commercial' purposes. • The proposed modification does not result in any change to the building envelope. • The proposed modification would have an acceptable heritage impact (as detailed in the Statement of Heritage Impact at Attachment B). • The proposed modification does not impact on the nominated pedestrian route.

Item	Assessment
<i>Likely impacts of the development</i>	The proposed modification is minor in nature, cannot be viewed from the public domain, and does not require substantial physical works that would result in increased construction activities or traffic movements. Further, the proposed modification will not result in an increase in intensity of use, patron capacity, or quantum of private versus public space. The proposed modification is required to facilitate the functional operation of the restaurant use and enable direct connections for patrons and staff internally between Bay 2 and Bay 3. The operation of the restaurant would be significantly constrained without the modification. As described in Section 3, the proposal has been assessed by GBA Heritage as having an acceptable heritage impact. Accordingly, the proposed modification will not result in any additional environmental impacts on the natural and built environments, or social and economic impacts in the locality.
<i>Suitability of the site for the development</i>	The proposed modification is required to facilitate the continued use of the site for restaurant purposes. Further, the site can accommodate the proposed modification with no undue impacts to adjacent properties, the surrounding natural and built environments, or the heritage significance of Campbell's Stores. Accordingly, the development as modified remains suitable for the site.
<i>Submissions</i>	Any relevant submissions received regarding the proposed modification will be considered and addressed by the applicant and consent authority.
<i>The public interest</i>	The proposed modification will allow for the functional operation of the restaurant use by providing direct internal access between Bay 2 and Bay 3 for patrons and staff. The proposed modification will not result in any unreasonable or unacceptable ecological, social or economic impacts on the locality. Therefore, the development as modified is considered in the public interest.

6. CONCLUSION

The proposed modification to SSD15_7056 has been assessed against Section 4.15 and Section 4.55(1A) of the EP&A Act. It is concluded that:

- The development 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.

The proposed modification will enable the functional operation of Tenancy 2 by providing direct internal access for patrons and staff between Bay 2 and 3, and thus is considered to result in an improved outcome for the site and locality.

Should you require any further information please do not hesitate to contact me on 02 8233 7621 or via email on swilson@urbis.com.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read "J. Wilson", with a stylized flourish at the end.

Samantha Wilson
Associate Director – Urban Planning