



**ANGEL PLACE
LEVEL 8, 123 PITT STREET
SYDNEY NSW 2000**

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Urbis Pty Ltd
ABN 50 105 256 228

17 July 2019

Mr Karl Fetterplace
Senior Planning Officer, Key Sites Assessments
NSW Department of Planning, Industry and Environment
Level 29, 320 Pitt Street | Sydney NSW 2000
GPO Box 39 | Sydney NSW 2001

Dear Karl,

SSD 8665 MERCANTILE HOTEL - RTS

Introduction

This letter provides a Response to Submissions (RtS) to the matters raised during the second public exhibition period (May 2019) for The Mercantile Hotel (SSD 8665).

A timeline of the application is provided below:

- Request for SEARs – 2 August 2017
- SEARs issued – 1 September 2017; then revised 8 December 2017.
- EIS Lodgement – 15 June 2018.
- Public Exhibition of EIS – 28 June 2018 to 25 July 2018.
- DPE Key Issues Letter provided – 29 August 2018.
- Response to Submissions (RtS) Package – 2 April 2019.
- RtS Package Exhibition – May 2019.
- DPE Key Issues Letter #2 provided – 7 June 2019.
- Response to DPE Key Issues Letter – 8 July 2019.
- DPE Key Issues Letter #3 provided – 11 July 2019 (*this letter is a response to this correspondence*).

A detailed response to submissions is provided overleaf for:

- Agency submissions (6 comments received); and
- Public submissions (2 comments; 1 letter of support and 1 objection received). These are grouped together and addressed thematically.



Agency Comments

Comment	Response
OEH	
Provided support for the proposal subject to various conditions of consent.	<p>The Applicant is willing to accept the proposed conditions of consent from OEH, however wanted to make the following clarifications:</p> <ul style="list-style-type: none">• All 'freestanding' planters were removed from the SSDA scheme in response to OEH's comment at RtS, however the planters at the rear of the building (at the western end of the rooftop level) were retained for privacy reasons. The Applicant maintains these are important to manage privacy/adjacencies, especially with the Sirius building.• OEH have noted "<i>any penetrations through heritage fabric for supply and waste pipes and mechanical ducts should be prevented</i>". The drawings show some (limited) areas where heritage fabric is being penetrated for services, which should be reflected in the conditions of consent.
City of Sydney Council	
Provided support for the proposal. Recommended DPIE request a full schedule of materials, finished and colours keyed to elevations for review.	Welsh + Major provided coloured elevations at RtS (April 2019) and a physical sample board, which Council can sight at DPIE. The QS Report submitted for SSDA has been costed to reflect the proposed materials/finishes.
TfNSW	
Provided proposed conditions of consent.	The Applicant does not object to the proposed conditions of consent.



Comment	Response
OEH Environment	
Provided proposed conditions of consent.	The Applicant does not object to the proposed conditions of consent.
RMS	
Provided proposed conditions of consent that mirror the TfNSW recommended condition.	The Applicant does not object to the proposed conditions of consent.
EPA	
Did not provide any further comment.	Noted.

Public Submissions

During the second round of public exhibition, four public submissions were received. These are summarised thematically below:

Theme	Response
Noise Disturbance Concern was raised in relation to the following matters: <ol style="list-style-type: none"> Existing operational noise emanating from the George Street bar area. Future mechanical plant noise emission. 8 Hickson Road (nearby sensitive receiver) Cumulative noise impacts of other uses in the locality. 	<ol style="list-style-type: none"> The Hotel operates in compliance with its license (including the standard LA10 requirements) and relevant DA conditions. The Hotel is committed to complying with the parameters set out in the Operational Noise and Vibration Assessment submitted for SSDA. The overall capacity of the Hotel is not proposed to change; and noise emission to George St would likewise also not change. Existing management measures to attenuate noise emission from the George Street footpath would be maintained. SLR have provided a Noise Assessment to inform the project engineer of possible constraints relating to the noise emissions from mechanical plant. This will assist in the plant selection process (CC-stage). Applicable noise criteria will be conditioned and enforced by DPIE. The SLR Noise Assessment submitted for SSDA included noise logging at 8 Hickson Road. This analysis was included in the acoustic parameters for the project. Cumulative impacts have been considered to the extent that the operation of The Rocks Market and other sources are captured in the 'existing' measured noise levels used in the SLR Noise Assessment. The assessment has been based on noise limits established for sensitive time periods when the markets would not normally be in operation (i.e. after 10:00 pm). There are other venues with entertainment noise in The Rocks area, however they are not particularly close to the Hotel, and noise from those venues would be required to comply with noise limits at other receptors much closer than those used in the SLR assessment.
Hours of Operation Objection to any increase in the Hotel's hours of operation.	The hours of operation are <u>not</u> proposed to change.

Theme	Response
Patron Capacity Objection to any increase in the Hotel's patron capacity.	The capacity of the Hotel is <u>not</u> proposed to change.
Security Member of the public was concerned about perceived security issues in the locality.	Existing security protocol at the Hotel (personnel, CCTV) will remain in place and be supplemented by additional security guards and cameras, as needed. The rooftop bar will add passive surveillance to Gloucester Walk / George Street; and together with the refurbishment of the ground floor area, will provide a superior CPTED outcome.
Reflectivity Potential reflectivity impacts of proposed rooftop structure	Detailed materials and finishes information, including a physical sample board, has been provided to DPE as part of the April 2019 RtS. The large overhangs of the roof structure have been designed to minimise reflectivity and reduce heat load. This is considered to be an acceptable outcome.



Conclusion

The amended plans and RtS (April 2019) demonstrate that the proposal balances environmental impact with community benefit and should be approved. This RtS confirms that there are no significant adverse impacts associated with the Project.

The specialist consultants have assessed the design and recommend mitigation measures to ensure the proposal will not have any unreasonable or significant noise, traffic or other environmental impacts on adjoining or surrounding properties or the public domain.

We trust this clarifies the outstanding queries on this matter and we can proceed to assessment/determination. If you have any questions, please feel free to call me on 0430 510 973.

Yours sincerely,

Edward Green

Edward Green
Senior Consultant