

# **SSD\_7056: CAMPBELL'S STORES, THE ROCKS MODIFICATION REPORT**

**URBIS**

PREPARED FOR TALLAWOLADAH PTY LTD  
MARCH 2018

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Project Code	SA5710
Report Number	Modification to SSD 7056

## TABLE OF CONTENTS

<b>1.</b>	<b>Introduction .....</b>	<b>5</b>
<b>2.</b>	<b>Background .....</b>	<b>6</b>
2.1.	State Significant Development SSD_7056 .....	6
2.2.	State Significant Archaeological Material .....	8
2.3.	Consultation .....	9
<b>3.</b>	<b>Proposed Modifications to Consent .....</b>	<b>10</b>
3.1.	Overview .....	10
<b>4.</b>	<b>Modifications to Conditions .....</b>	<b>14</b>
<b>5.</b>	<b>Substantially the Same Development.....</b>	<b>17</b>
<b>6.</b>	<b>Environmental Assessment.....</b>	<b>18</b>
6.1.	Planning Framework.....	18
6.1.1.	State Environmental Planning Policy (State and Regional Development) 2011 .....	18
6.1.2.	Sydney Cove Redevelopment Authority Scheme (SCRAS) .....	18
6.2.	Likely Impacts .....	20
6.2.1.	Archaeological Impacts.....	20
6.2.2.	Heritage .....	21
6.2.3.	Visual and View Impacts.....	22
6.2.4.	Accessibility .....	23
6.2.5.	Acoustic .....	23
6.3.	Suitability of the site .....	24
6.4.	Submissions made.....	24
6.5.	The public Interest .....	24
<b>7.</b>	<b>Mitigation Measures and Recommendations .....</b>	<b>25</b>
<b>8.</b>	<b>Conclusion .....</b>	<b>27</b>
	<b>Disclaimer.....</b>	<b>28</b>
<b>Appendix A</b>	<b>Architectural Drawings &amp; Design Report</b>	
<b>Appendix B</b>	<b>Heritage Impact Statement</b>	
<b>Appendix C</b>	<b>Archaeological Impact Statement</b>	
<b>Appendix D</b>	<b>Visual Impact Statement</b>	
<b>Appendix E</b>	<b>Access Report</b>	
<b>Appendix F</b>	<b>Acoustic Assessment</b>	

**FIGURES:**

Figure 1 – Photomontage of approved Bay 12 area from Campbell's Cove .....	6
Figure 2 – Photomontage of approved Bay 12 area from Hickson Road.....	7
Figure 3 – Approved Site Plan of the Bay 12 area .....	7
Figure 4 – Photo of State significant archaeological material identified at Bay 12 .....	8
Figure 5 – Photomontage of proposed amended Bay 12 area from Campbell's Cove.....	11
Figure 6 – Photomontage of proposed amended Bay 12 area from Hickson Road .....	11
Figure 7 – Proposed Site Plan of the amended Bay 12 area .....	12
Figure 8 – Photomontage of the archaeological display from the Public Terrace .....	13

**TABLES:**

Table 1 – Compliance Assessment - Sydney Cove Redevelopment Authority Scheme .....	19
Table 2 – Environmental Management Measures .....	25

# 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.*

In October 2017, during approved archaeological investigations in of areas of moderate to high archaeological potential within the Bay 12 area, Austral Archaeology identified an area of sandstone paving and wall footings which correspond to the expected location of structural features shown on an 1834 plan of the area. These are associated with a bond store and sea wall located to the north of Campbell's Stores, which were constructed by 1834 and demolished prior to the construction of Hickson Road in 1910-1920.

The archaeological remains identified in Bay 12 lie at a depth of approximately 1.2 m below the current ground surface. Prior to identification of these remains, the Proponent had approval under SSD\_7056 to bulk excavate to a depth of approximately 2 metres from the current ground surface across the entire Bay 12 area in order to install footings and piles as well as toilets, an outdoor eating area and other services in this area. The ground level would then be built back up to a Finished Floor Level at an RL of 1.7 metres, which is at approximately the same level as the pre-1834 sandstone paving which has been uncovered.

After consultation with the *NSW Office of Environment and Heritage* - Heritage Division which indicated that the remains should be conserved and interpreted in situ, the Proponent agreed to amend the approved design for the Bay 12 area. JPW Architects in conjunction with TTW Engineers have prepared an alternative design for the area, which protects almost all of the archaeological remains and displays part of them through an open archaeological viewing "window", whilst also providing the required toilets, services, and outdoor dining area.

This Report has been prepared to support the Modification application for the Bay 12 area to facilitate the retention and preservation of the identified State significant archaeological material. The Modification relates only to the Bay 12 area. There are no changes proposed to Bays 1 to 11 of Campbell's Stores or the associated outdoor dining areas to the east and west.

This Report should be read in conjunction with the following specialist technical documents, prepared to reflect the modified development:

- Architectural Drawings and Design Report, prepared by *JPW*, included at **Appendix A**;
- Heritage Impact Statement prepared by *Graham Brooks & Associates*, included at **Appendix B**;
- Archaeological Impact Statement prepared by *Austral Archaeology Pty Ltd*, included at **Appendix C**;
- Visual Impact Statement prepared by *Virtual Ideas*, included at **Appendix D**;
- Access Report prepared by *Morris-Goding Accessibility Consulting*, included at **Appendix E**; and
- Acoustic Assessment prepared by *Acoustic Logic*, included at **Appendix F**.

## 2. BACKGROUND

### 2.1. STATE SIGNIFICANT DEVELOPMENT SSD\_7056

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.*

Within the Bay 12 area, SSD\_7056 provided approval for the removal of a lightweight structure and single tree, and construction of a landscape terrace for alfresco dining, glass and steel awning structure, public seating, a through-site link, and a basement with public amenities, storage and plant.

Figure 1 provides a photomontage of the approved Bay 12 area, looking west from Campbell's Cove towards Hickson Road. Figure 2 provides a photomontage of the approved Bay 12 area from Hickson Road. The approved site plan of the approved Bay 12 area is shown at Figure 3.

Figure 1 – Photomontage of approved Bay 12 area from Campbell's Cove

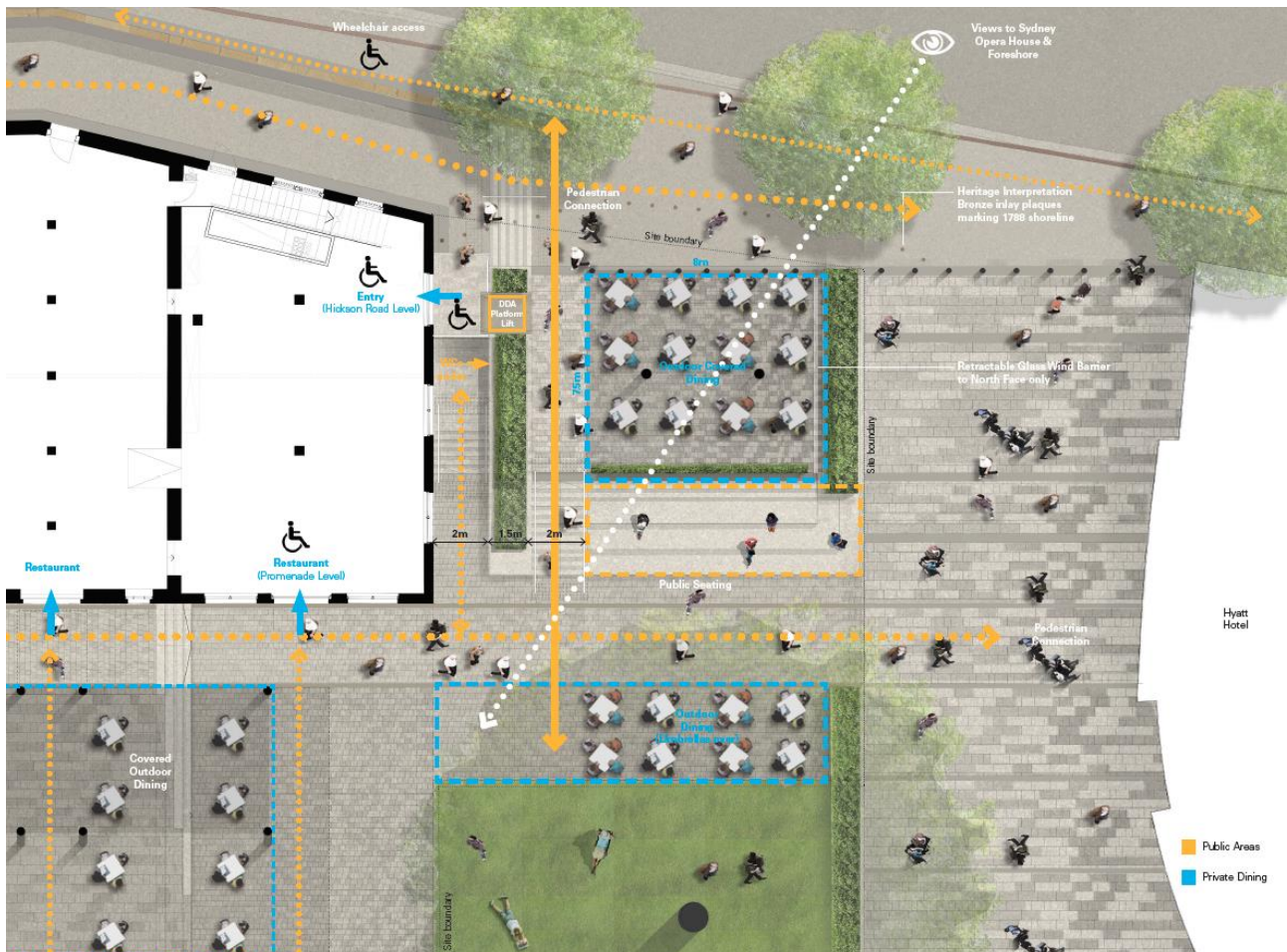




Figure 2 – Photomontage of approved Bay 12 area from Hickson Road



Figure 3 – Approved Site Plan of the Bay 12 area





## 2.2. STATE SIGNIFICANT ARCHAEOLOGICAL MATERIAL

During approved archaeological investigations of areas of moderate to high archaeological potential in the Bay 12 area in October 2017, Austral Archaeology identified an area of sandstone paving and wall footings which correspond to the expected location of structural features shown on an 1834 plan of the area (refer Figure 4). These are associated with a bond store and sea wall located to the north of Campbell's Stores which were constructed by 1834 and demolished prior to the construction of Hickson Road in 1910-1920.

Remains of other structures and drainage uncovered to the south of the 1834 remains are likely to be part of the palimpsest intermediary structures built in the 1880s-1895 (and possibly up to 1920) period between the end of Bay 11 and the pre-1834 bond store. The extent of archaeological excavations was constrained on the west and north sides due to the proximity of existing brick retaining walls which precluded excavation closer than 2 metres.

Figure 4 – Photo of State significant archaeological material identified at Bay 12



The archaeological remains identified in Bay 12 lie at a depth of approximately 1.2 m below the current ground surface. Prior to identification of these remains, the Proponent had approval under SSD 7056 to bulk excavate to a depth of approximately 2 metres from the current ground surface across the entire Bay 12 area in order to install footings and piles as well as toilets, an outdoor eating area and other services in this area. The ground level would then be built back up to a Finished Floor Level at an RL of 1.7 metres, which is at approximately the same level as the pre-1834 sandstone paving which has been uncovered.

After consultation with the *NSW Office of Environment and Heritage* - Heritage Division which indicated that the remains should be conserved and interpreted in situ, the Proponent agreed to amend the approved design for the Bay 12 area. JPW Architects in conjunction with TTW Engineers have prepared an alternative design for the area, which protects almost all of the archaeological remains and displays part of them through an open archaeological viewing "window", whilst also providing the required toilets, services, and outdoor dining area.



## 2.3. CONSULTATION

An initial meeting was held with Place Management NSW (PMNSW) on 11 December 2017 to provide a briefing on the archaeological find within Bay 12 and the need to modify the consent for SSD 7056. Subsequent design updates were provided to PMNSW during monthly meetings in December 2017 and January 2018.

A formal agency coordination meeting and presentation was coordinated by the Proponent and held on 13 December 2017. The purpose of the meeting was to present the alternative concept design for the Bay 12 area and obtain any preliminary feedback to be addressed prior to lodgement of the Modification. The agency meeting was attended by representatives of the Department of Planning and Environment, City of Sydney, and Property New South Wales. Feedback received during the meeting has been incorporated into the final design for the Bay 12 area.

A separate meeting and presentation was also held with the NSW Office of Environment and Heritage – Heritage Division on 18 December 2017. This meeting was in addition to ongoing telephone and email correspondence between Austral Archaeology and the Heritage Division regarding the archaeological find, requirement to retain and preserve, and consequently re-design the Bay 12 area.

A site visit was also held on 23 October 2017 and was attended by the Heritage Division, Property New South Wales, and members of the project team.

## 3. 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.

### 3.1. OVERVIEW

As described in Section 2, the discovery of State significant archaeological material within the Bay 12 area at the northern end of Campbell's Stores has necessitated a redesign of the previously approved landscaped terrace, outdoor dining area and associated awning, basement, services and drainage so that so that the remains can be conserved in situ.

This Modification relates only to the Bay 12 area. There are no changes proposed to Bays 1 to 11 of Campbell's Stores or the associated outdoor dining areas to the east and west.

In summary, the following modifications are proposed to the Bay 12 area:

- Creation of a viewing "window" into part of the in situ archaeology of an area of approximately 4.2 metres by 4.2 metres, to ensure that elements of the 1834 sea wall, sandstone paving and part of the 1834 bond store are visible and interpreted to the public.
- Permanent in situ conservation of all the archaeological features below the proposed developments in the Bay 12 area. The parts of the excavated archaeological site that will not be visible in the viewing window are to be carefully backfilled.
- Amendments to the design and location of the toilets, which are to be relocated to the west side of the site adjacent to, and built off, the extant Hickson Road retaining wall and its footings.
- Amendments to the design and location of the outdoor dining area so that it lies entirely to the south of the viewing window. Note: there are no changes to the amount of outdoor dining provided in the Bay 12 area.
- The creation of two public viewing areas on the east and west sides of the window to view the archaeology.
- Removal of two grease pump-out pits and associated plumbing from the Bay 12 area.
- Construction of additional subsoil drainage so as to drain the archaeological remains visible in the window.

The amended design is detailed in the Architectural Drawings and Design Report prepared by *JPW Architects* and included at **Appendix A**.

Figure 5 provides a photomontage of the proposed amended Bay 12 area, looking west from Campbell's Cove towards Hickson Road. Figure 6 provides a photomontage of the proposed amended Bay 12 area from Hickson Road. The proposed site plan of the amended Bay 12 area is shown at Figure 7.



Figure 5 – Photomontage of proposed amended Bay 12 area from Campbell's Cove

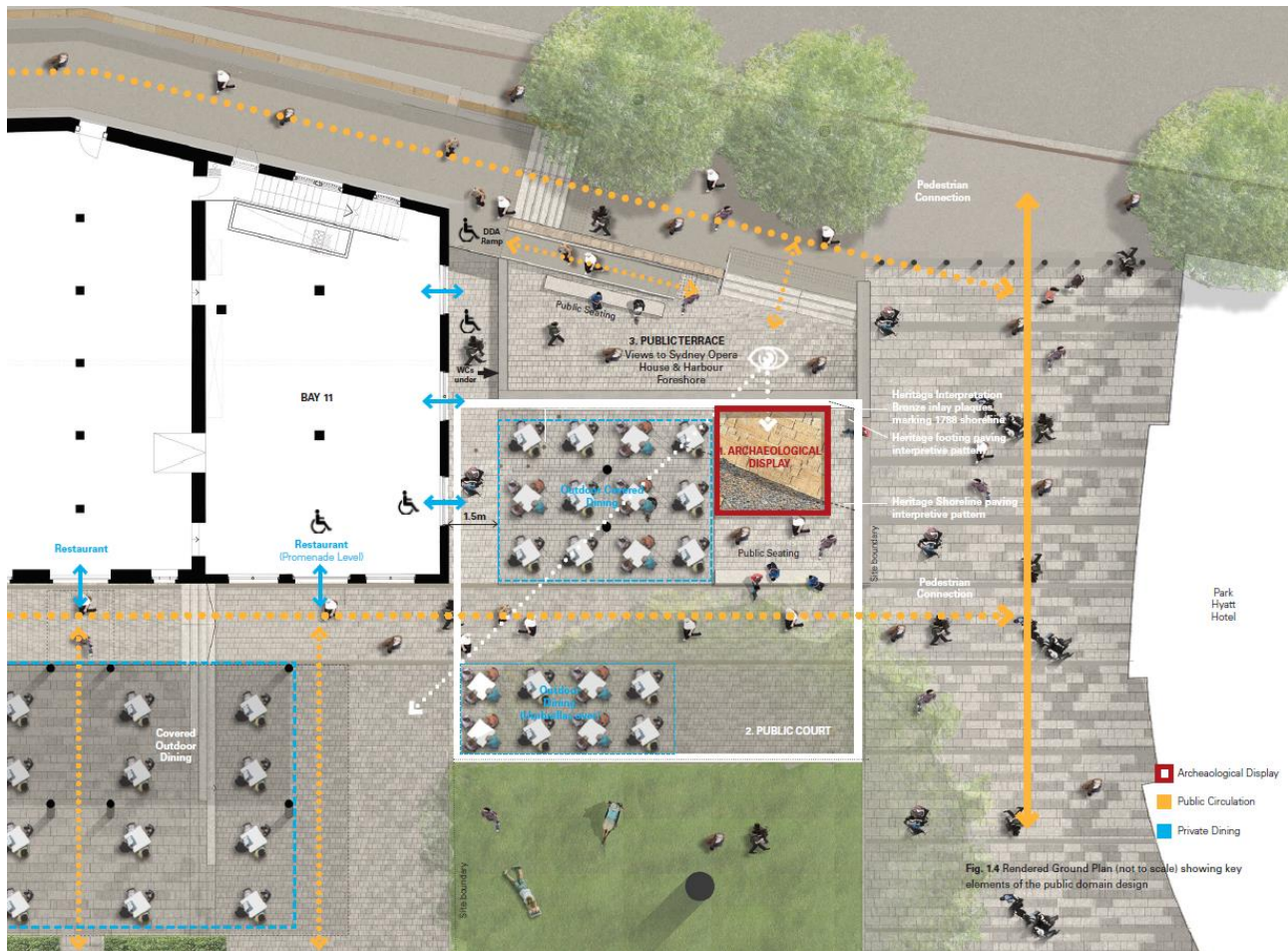


Figure 6 – Photomontage of proposed amended Bay 12 area from Hickson Road





Figure 7 – Proposed Site Plan of the amended Bay 12 area



The key components of the amended Bay 12 design are described as follows:

## Archaeological Display

The archaeological display is the main focal point of the design, providing a 'vignette' of the historic sandstone seawall. It is highly visible and accessible to the public from Hickson Road and the Campbell's Cove Foreshore Promenade and will be augmented by heritage interpretation integrated into informal public seating, and markers in the paving. The relic will be subtly lit at night with warm-white lighting to present it in a well curated manner to the public.

## Public Terrace

A public terrace is provided to allow views to the archaeological display below, as well as the Campbell's Cove foreshore, Sydney Harbour and the Opera House beyond. This provides the opportunity to visually relate the heritage elements to the broader context of the Rocks and Sydney Harbour.

Figure 8 provides a photomontage of the archaeological display and views beyond from the public terrace. Also depicted is the public seating with interpretation panel, public courtyard and alfresco dining area.

Beneath the public terrace are the public WC amenities, arranged along the existing retaining wall. The amenities are necessary to support the continued use of the Campbell's Stores building for 'restaurant purposes' and are located within Bay 12 to minimise intrusion to the State significant heritage fabric (as per approved SSD\_7056). The amenities will continue to be accessible to the general public.



Figure 8 – Photomontage of the archaeological display from the Public Terrace



### Alfresco Dining Terrace & Awning

The alfresco dining area has been repositioned to allow for the retention of the State significant archaeological material. The dining area maintains the patron capacity approved under SSD\_7056 with 12 standard 2 x 2 metre table arrangements. The space is offset from the Campbell's Stores building by 1.5 metres to allow a clear circulation area around the archaeological display.

The dining area is weather protected by a glass and steel awning structure, as per approved SSD\_7056. The proportions and materials of the awning structure have been selected to maximise views through to the existing Bay 11 building, and over the awning from the public viewing terrace. The awning height matches the balustrade height of the public terrace, and is offset from the terrace by approximately 1m.

The repositioning of the alfresco dining area allows for a logical connection to the Bay 11 eastern and northern doors. These future tenancy spaces will connect to, and service, these new outdoor areas.

All new elements (awning and terrace) are offset from the Bay 11 facade by 1.5m to reveal the original fabric. This will also ensure adequate fire egress and circulation access from / into the back of house corridor and public amenities at the rear of the site.

### Fig Tree Café Seating

The previously approved Fig Tree Café outdoor dining area has been moved south to allow for a public courtyard space connected to the archaeological display. The dining area maintains the patron capacity approved under SSD\_7056 with 8 standard 2 x 2 metre table arrangements.

The repositioning of the Fig Tree Café seating and associated removable umbrellas to the south will allow for uninterrupted views from the public terrace and public seating area over the archaeological display and to the Campbell's Cove Foreshore Promenade, Sydney Harbour, and Opera House beyond.

## 4. MODIFICATIONS TO CONDITIONS

The proposed modifications described in Section 3 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 1

#### Development:

Alterations and additions to Campbell's Stores, The Rocks, including:

- conservation and remediation works to the Campbell's Stores, upgrades to the existing stormwater infrastructure and regrading of the outdoor dining area;
- ***conservation of state significant archaeological material identified within Bay 12;***
- external and internal building works to facilitate the adaptive re-use of the Campbell's Stores;
- reconfiguration of the existing outdoor covered dining area to the east of Campbell's Stores and construction of a new outdoor dining area to the west 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.

### 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:

- Environmental Impact Statement entitled 'SSD 7056: Campbell's Stores, The Rocks', prepared by Urbis Pty Ltd dated October 2015;
- Response to Submissions entitled 'SSD 7056: Response to Submissions, Campbell's Stores, The Rocks', prepared by Urbis Pty Ltd dated May 2016;
- Second Response to Submissions entitled 'SSD 7056: Response to Submissions, Campbell's Stores, The Rocks', prepared by Urbis Pty Ltd dated October 2016;
- SSD\_7056: Campbell's Stores, The Rocks Modification Report, prepared by Urbis Pty Ltd dated March 2018;***
- Campbell's Stores Design Statement prepared by Johnson Pilton Walker dated October 2015;
- Campbell's Stores Design Statement prepared by Johnson Pilton Walker dated May 2016;
- Campbell's Stores Design Statement prepared by Johnson Pilton Walker dated October 2016;
- Campbell's Stores Design Statement prepared by Johnson Pilton Walker dated March 2018;***
- following drawings, except for:
  - any modifications which are Exempt or Complying Development, and
  - as otherwise provided by the conditions of this consent, and
- conditions of this consent.



<b>Architectural (or Design) Drawings prepared by Johnson Pilton Walker Pty Ltd:</b>			
<b>Draw No.</b>	<b>Revision</b>	<b>Name of Plan</b>	<b>Date</b>
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
<del>EA-A-3012-2</del>	<del>B</del>	<del>Section – Bay 12 South</del>	<del>10/05/16</del>
<del>EA-A-3012</del>	<del>B</del>	<del>Section – Bay 12 North</del>	<del>10/05/16</del>
EA-A-3013	C	Longitudinal Section	21/10/16
<del>EA-A-4012</del>	<del>B</del>	<del>Detail Section 01 – Bay 12</del>	<del>21/10/16</del>
<del>EA-A-4013</del>	<del>B</del>	<del>Detail Section 02 – Bay 12</del>	<del>21/10/16</del>
<del>EA-A-4015</del>	<del>B</del>	<del>Bay 12 Detailed Plans</del>	<del>21/10/16</del>
<del>EA-A-4016</del>	<del>B</del>	<del>Bay 12 Detailed Elevations</del>	<del>21/10/16</del>
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	Material Board	21/10/16
<b>MOD 1</b>			
<i>EA-A-0002</i>	<i>E</i>	<i>Site Plan Proposal at Ground</i>	<i>22/02/18</i>
<i>EA-A-1001</i>	<i>D</i>	<i>Ground Floor</i>	<i>22/02/18</i>
<i>EA-A-1002</i>	<i>D</i>	<i>Hickson Road Level 01 Plan</i>	<i>22/02/18</i>
<i>EA-A-1003</i>	<i>D</i>	<i>Level 02 Plan</i>	<i>22/02/18</i>

Architectural (or Design) Drawings prepared by <i>Johnson Pilton Walker Pty Ltd:</i>			
Draw No.	Revision	Name of Plan	Date
EA-A-2000	D	Elevations	22/02/18
EA-A-3011	D	Section – Bay 11	22/02/18
EA-A-3012-2	D	Section – Bay 12 South	22/02/18
EA-A-3012	D	Section – Bay 12 North	22/02/18
EA-A-3013	D	Longitudinal Section	01/02/18
EA-A-4012	C	Detail Section 01 – Bay 12	22/02/18
EA-A-4013	C	Detail Section 02 – Bay 12	22/02/18
EA-A-4015	C	Bay 12 – Level 01 - Detailed Plan	22/02/18
EA-A-4016	C	Bay 12 – Level 02 - Detailed Plan	22/02/18
EA-L-1001	D	Landscape Plan	22/02/18
-	D	Material Board	23/02/18

## PART B PRIOR TO ISSUE OF THE RELEVANT CONSTRUCTION CERTIFICATE

### Interpretation Plan

**B17.** An Interpretation Strategy and Plan shall be prepared by an experienced interpretation specialist and submitted to the Heritage Council for comment in two stages:

- a) Stage 1 Interpretation Strategy prior to the issue of a Construction Certificate. The Strategy is to include the display of industrial equipment as noted in the endorsed CMP (2014), and its applicable interpretation policies, and qualifying provision for archaeological discovery and uncovered heritage items during construction that are identified and can be utilised for interpretation.
- b) Stage 1A Addendum to Interpretation Strategy prior to the issue of a Construction Certification. *The Addendum is to address the retention and preservation of the identified State significant archaeological material within Bay 12.*
- c) Stage 2 Interpretation Plan developed in consultation between the applicant's interpretation specialist and the Heritage Council, during the construction period incorporating any archaeology discovery or uncovered heritage items. The Interpretation Plan is to be submitted to NSW Heritage for information before the Final Occupation Certificate.

## PART D DURING CONSTRUCTION

### Archaeology

**D8.** All archaeological works shall be in accordance with the approved research design and methodology outlined in Austral Archaeology report dated 27 September 2016 (Appendix C of the **Second Response to Submissions Report SSD\_7056: Campbell's Stores, The Rocks Modification Report**).

## 5. 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 the Bay 12 area only and aims to facilitate the retention and preservation of the identified State significant archaeological material. There are no changes proposed to Bays 1 to 11 of Campbell’s Stores or the associated outdoor dining areas to the east and west.

The proposed modification will not alter the nature of the approved development. 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, with regard to the Bay 12 area:

- The proposed 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.



## 6. 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.

### 6.1. PLANNING FRAMEWORK

The proposed alterations to the Bay 12 area 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.

#### 6.1.1. 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.

#### 6.1.2. 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 amendments to the Bay 12 area 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
<p><b>Permissibility:</b> 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></p>	<p>The use of the Bay 12 area for alfresco dining associated with the restaurants, cafes, and licensed premises proposed within Campbell’s Stores is permitted with development consent under the provisions of the SCRAS.</p>
<p><b>Building envelope control:</b> The RLs shown on the Building Site Control Drawing within the Bay 12 area range from RL 3.5m at the promenade (east) to RL 4.5m and RL 7.5m at Hickson Road (west).</p>	<p>With the exception of the awning, the proposed amendments to the Bay 12 area have been designed to sit entirely within the RLs shown on the axonometric drawing. This includes the basement, public terrace, and public seating area (refer Architectural Drawings at <b>Appendix A</b>).</p>
<p><b>Special Note:</b> 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></p>	<p>The proposed awning over the alfresco dining area projects above the RLs shown on the Building Site Control Drawing. The Special Note included in the SCRAS deliberately allows for projections above the RLs shown for certain types of uses and structures including outdoor eating, sun protection and supporting structures, and the like. The proposed awning provides sun and weather protection for the outdoor dining area and is therefore considered to be entirely consistent with the SCRAS and the expectations for the future development of the area.</p>
<p><b>Historic building:</b> The Campbell’s Stores are nominated as a historic building under the provisions of the SCRAS.</p>	<p>All elements of the proposed modified Bay 12 design are setback a minimum of 1.5 metres from the Campbell’s Stores building. Section 6.2.2 and 6.2.1 of this Report provide an assessment of the potential impacts of the proposed amendments to the Bay 12 area on the archaeological and heritage significance of the site.</p>
<p><b>Access:</b> There is a nominated pedestrian route along the promenade on the eastern side of the Bay 12 area.</p>	<p>The proposed amendments to the Bay 12 area retain the nominated pedestrian route along the promenade and provide further pedestrian connections through the northern end of the site.</p>

## 6.2. 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 and 3, this Modification relates to the Bay 12 area only and is required to facilitate the retention and preservation of the identified State significant archaeological material. No changes are proposed to Bays 1 to 11 of Campbell's Stores or the associated outdoor dining areas to the east and west. Consequently, the modification of SSD\_7056 remains generally consistent with the conclusions made in respect of the above considerations. However, the amendments do warrant further consideration of the following matters.

### 6.2.1. Archaeological Impacts

Austral Archaeology have prepared an archaeological statement of heritage impact which specifically addresses the potential impacts of the proposed modifications to the Bay 12 area, so as to permanently conserve and interpret archaeological features of State significance uncovered in test and open area excavations undertaken in October 2017 (**Appendix C**). The assessment reviews the alternative design and assesses the potential impact of the required structural and drainage elements on the archaeological remains.

The positioning of new elements within Bay 12 has carefully considered the significance of the in-ground relic. Specifically:

- The awning design utilises only 2 columns to minimise pile foundations and piles. These are designed to sit outside the significant archaeological findings.
- The retaining walls and on-ground slab for the archaeology display are designed to conform to the shape of the archaeology below and reveal the most important aspect of the discovery.
- The public terrace wall foundations require some hand-dug piers at approximately 4m centres that will be carefully controlled with assistance of the archaeologist.
- A sub-soil pump out pit is provided to help drain the adjacent areas, and is located in an area of minimum impact.
- WC services are reticulated below the suspended slab, and above the archaeology.

The key findings of the archaeology assessment are summarised as follows:

- The redesign of the Bay 12 area has been undertaken by the architect JPW and engineer TTW with close and ongoing involvement of the archaeological consultant so that possible adverse impacts to the in situ archaeology have either been totally avoided or minimised as far as possible.
- Possible design conflicts were resolved before designs were finalised as part of an ongoing iterative process. The final design for Bay 12 is considered to be a successful resolution of the double objectives of conserving, displaying and interpreting the archaeology yet allowing construction of the toilets and outdoor seating area to proceed.
- The new alternative design both respects and enhances the heritage significance of the Bay 12 area as it protects almost all of the archaeological remains that have been revealed there and displays part of them through an open archaeological viewing window, whilst also providing the required toilets, services, and outdoor dining area.
- The creation of a viewing window into a highly significant fragment of the Rock's colourful history will enhance the significance of the archaeology of the earliest phase of site development (which hitherto has been invisible) through interpretation and public visual access. This in turn will create a greater public awareness and appreciation of the history and archaeology of the Rocks.
- Some aspects of the below ground engineering required for the new design of the Bay 12 area will, of necessity, adversely impact on some elements of the archaeological remains. The impacts however, will be limited due to firstly, clever design to minimise the below ground engineering and drainage requirements and secondly, careful siting of such elements within the site in consultation with the archaeologist in order to avoid the most significant archaeology.

Recommendations relating to the Bay 12 area have been provided and are incorporated in the mitigation measures and recommendations at Section 7. With the incorporation of these recommendations, it is considered that the proposed redesign of Bay 12 will have a low and/or acceptable level of impact on the archaeological resources.

### 6.2.2. Heritage

GBA Heritage have prepared a statement of heritage impact to evaluate the proposed alterations to the Bay 12 area (refer **Appendix B**). The key findings of the assessment are summarised as follows:

- The aim of the proposal is to maximise the archaeological display to the public in a dignified presentation. The design approach will allow for:
  - Maximum display of the most important elements of the archaeological discovery.
  - Minimum disturbance of the archaeology relic in terms of column and wall footing placement, and location of services.
  - Visibility from the upper terrace with a viewpoint down to the Archaeological display that includes a vista out towards the broader context of The Rocks and harbour.
  - A close up, detailed viewing of the Archaeological display at the ground level, together with explanatory interpretation.
- The following aspects of the proposal respect or enhance the heritage significance of the item or conservation area for the following reasons:
  - The Archaeological display allows for the interpretation of pre-1834 stonework not previously evident, and thus provides for a greater understanding of the history and significance of The Rocks precinct.
  - The proposed design provides for a suitable background setting for the display with a dignified presentation that allows for a subtle focus on the archaeology.
  - The reduced area of the Hickson Road upper terrace, and the lowering of the dining area and awning, allows for enhanced presentation of the Bay 11 north elevation, and improved integration of the proposed alfresco dining with the Stores forecourt and public domain areas.



- Clarifies and enhances the pedestrian through-link between Hickson Road and the Campbells Cove promenade, as the alfresco dining area at the proposed lower level from the approved design, is recessive and less bulky. This also includes increased delineation and clarity of the north end of the Stores with the urban landscape, both from the direction of Hickson Road and the level of the Promenade.
  - General simplified presentation of the proposal with a single wall element and awning, as opposed to the more complex structure of the approved design that included stairs and stepped bench seating, hedges and access lift.
  - Integrated and unambiguous use of materials and forms extended from the palette of the Campbell's Stores forecourt and promenade.
  - As the proposed awning is also at a lower level, there are improved and opening views to Circular Quay and the Opera House from Hickson Road.
- The proposed amendments to the Bay 12 area addresses the Heritage Act 1977 with regard to archaeological discovery, retention in situ, display and its interpretation.
  - The proposal will further benefit the heritage significance of the Campbell's Stores and its setting within The Rocks Conservation Area.
  - The proposal improves the visual and spatial site relationship between Hickson Road and the Campbells Cove promenade.
  - The proposed terrace and awning alterations will further reduce impact on the heritage significance of the adjacent properties at 1-5 Hickson Road, and 36-88 George Street, The Rocks Conservation Area, and the Sydney Opera House World Heritage Buffer Zone.
  - Should any further unexpected relics be disturbed during excavation of the site they must be managed under the Archaeological provisions of the NSW Heritage Act.

Having regard to the above, it is considered that the proposed modifications to the Bay 12 area will result in improvements to the heritage significance of the site through the retention and preservation of the State significant archaeological material identified, as well as reduced impacts on the heritage significance of adjacent heritage items, The Rocks Conservation Area, and the Sydney Opera House World Heritage Buffer Zone.

### 6.2.3. Visual and View Impacts

A Visual Impact Assessment has been prepared by Virtual Ideas and is included at **Appendix D**. 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 to assess the proposed alterations to the Bay 12 area.

The design improves the visual amenity of the area with a focus on displaying the archaeological relic, improving visual connectivity to and from the heritage building, and improving views to the foreshore in a manner consistent with the Conservation Management Plan. The view from Hickson Road through to the Harbour, and view from the new public terrace and court are significant improvements to the existing site condition.

It is considered that the proposed modifications to the Bay 12 area will have a positive visual impact on the existing public domain and the landscape character of the setting. Specifically:

- The proposed modification further improves views from Hickson Road to the Campbells Cove foreshore Sydney Harbour and the Opera House by lowering the outdoor dining area and associated awning and providing an elevated public viewing platform.
- The proposed modification also further improves views of Campbell's Stores from the surrounding public domain. The lowering of the outdoor dining area and associated awning enables a greater proportion of the Bay 11 façade to be viewed from the surrounding public domain.
- The proposed modification will result in the creation of a viewing window into a highly significant fragment of the Rock's colourful history and will enhance the significance of the archaeology of the earliest phase of site development through interpretation and public visual access. This in turn will create a greater public awareness and appreciation of the history and archaeology of the Rocks.

- The proposed modification will increase the extent of public domain accessible to the public, as well as provide increase opportunities for the public to view and enjoy the State significant archaeology and building, consistent with the Conservation Management Plan.

#### 6.2.4. Accessibility

Morris Goding Accessibility Consulting have undertaken a review of the amended Bay 12 design to ensure that ingress and egress, paths of travel, circulation areas, common areas and sanitary facilities comply with relevant statutory guidelines, including the Building Code of Australia, DDA Access to Premises Standards and ultimately the Commonwealth Disability Discrimination Act (refer **Appendix E**).

The review confirms that the proposed modification has improved access provisions for people with disabilities, when compared to the existing environment, and can achieve continuous accessible paths of travel to the degree necessary. Further, the proposal has demonstrated an appropriate degree of accessibility, and compliance with statutory requirements, pertaining to site access, common area access and accessible sanitary facilities, can be readily achieved.

Recommendations have been provided and are to be addressed during detailed design. These are included in the mitigation measures and recommendations at Section 7. With the incorporation of these recommendations, it is considered that the proposed redesign of Bay 12 will provide reasonable provisions of access for people with disability, consistent with relevant statutory guidelines.

#### 6.2.5. Acoustic

Acoustic Logic have undertaken a review of the proposed modification to the Bay 12 area with regard to potential noise impacts (**Appendix F**). The review has confirmed that the proposed modification will not result in an increase in noise impacts at surrounding receivers and will in all likelihood result in a reduction in noise impact due to the repositioning of the outdoor dining areas.

The Acoustic Review notes:

- The approved design for the Bay 12 area located the covered outdoor dining area on grade with Hickson Road. Whilst the covering to the dining area provided some benefit, the majority of noise would be reflected off the ground and up to 8 Hickson Road.
- The modified design for the Bay 12 area will now be located below the public terrace, which will result in significantly higher degrees of acoustic screening to 8 Hickson Road residential receivers than that occurring with the approved design.
- The outdoor dining area is also located further east, maximising proximity and inherently acoustic attenuation through distance to 8 Hickson Road.
- The relocation of the outdoor dining area closer to Campbell's Stores and away from the Hyatt will also result in marginally lower noise levels at the Hyatt.

Having regard to the above, it is considered that the proposed redesign of the Bay 12 area will have a reduced noise impact when compared to the approved design under SSD\_7056.

## 6.3. SUITABILITY OF THE SITE

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

- The Bay 12 area provides a unique opportunity to activate the public domain and to improve pedestrian connectivity within and around the heritage building to the foreshore. The spatial proportions and materiality of the public areas have been carefully considered to complement and enhance the unique character of the foreshore, heritage setting and archaeological relic.
- 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 7 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 will result in significant public domain improvements. The design response comprises of three main components:
  - **Archaeological display** - The archaeological display is the main focal point of the design, providing a 'vignette' of the historic sandstone seawall. It is highly visible and accessible to the public from Hickson Road and the Foreshore Promenade and will be augmented by heritage interpretation integrated into informal public seating, and markers in the paving.
  - **Public Courtyard** - The paving and overall form are an extension of the adjacent public domain materiality and design language. Public seating is provided along with a new glass and steel awning for outdoor dining, and public amenities carefully concealed along the existing retaining wall.
  - **Public Terrace (Hickson Road)** - A public terrace is provided to allow views to the foreshore, along with views of the archaeological display below. This provides the opportunity to visually relate the heritage elements to the broader context of the Rocks and Sydney Harbour.
- 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 12 area is consistent with the public expectation for development in the locality.

## 6.4. SUBMISSIONS MADE

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

## 6.5. 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 will result in significant public domain improvements.
- 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 archaeological item and the heritage conservation context of the area.

Having regard to the above, it is considered that the proposed modification to the bay 12 area is in the public interest.

## 7. 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 12 area 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
<b>A. STATEMENT OF HERITAGE IMPACT</b>		
<b>A1.</b>	<ul style="list-style-type: none"> <li>An Addendum to approved Interpretation Strategy is to be prepared by the Heritage Architect. The Addendum is to address the retention and preservation of the identified State significant archaeological material within Bay 12.</li> </ul>	To be addressed during the construction phase and prior to the release of a <i>construction certificate</i> for relevant works.
<b>B. ARCHAEOLOGICAL ASSESSMENT</b>		
<b>B1.</b>	<ul style="list-style-type: none"> <li>All proposed below ground works in the Bay 12 area must be monitored by an archaeologist. This work includes the five hand dug piles to be installed to support the toilet block; the two piles and pile cap to support the western awning column in the outdoor seating area; any excavations for drainage; any cutting or penetration of archaeological surfaces or historical fabric and any removal of historical fabric. Adequate notice of at least 48 hours should be provided to the archaeological consultant prior to the works occurring.</li> <li>Further archaeological excavation should be undertaken at the northern limit of the current excavation toward the extant brick retaining wall in order to determine the extent of the pre-1834 sandstone paving and bond store wall prior to excavations for the block wall being undertaken or drainage installed. If archaeological excavation is not permissible due to fears of undermining the retaining wall, the mechanical excavation of this area for construction purposes should be monitored and controlled by an archaeologist.</li> <li>Where backfilling is to be undertaken over archaeological deposits or features, geotextile such as Bidim or similar should be laid directly over the deposits or features (being careful to push the fabric into pockets, holes and depressions as it is being laid), then a layer of clean washed sand of no less than 100 mm thickness should be carefully placed over the fabric before any other approved backfilling material is laid on top up to the required height. The placement of the geotextile and sand should be monitored and controlled by an archaeologist.</li> <li>Where compaction of backfilling material over archaeological remains is required, the engineer must provide a prior assurance that it will not crush the archaeological features. Proof rolling should not be used and care must be taken with any vibratory compaction methods.</li> <li>Where archaeological remains are present on the line of the proposed block work retaining wall to the viewing window, a layer of builders plastic (Forticon or similar) should first be placed directly over the archaeological remains as a</li> </ul>	To be addressed during the construction phase and prior to the release of a <i>construction certificate</i> for relevant works.



ITEM	ENVIRONMENTAL MANAGEMENT MEASURE	STAGE
	<p>separation layer. The same method should be used where the gabion walls are to be placed.</p> <ul style="list-style-type: none"> <li>The services of an appropriately qualified conservator should be sought to advise on the long term conservation needs and maintenance requirements of the pre-1834 sandstone paving, wall foundations and sea wall to be left exposed in the archaeological viewing window.</li> </ul>	
<b>C. ACCESS REVIEW</b>		
<b>C1.</b>	<ul style="list-style-type: none"> <li>Ensure any planting or street furniture proposed along Hickson Road between Bay 12 and the new pedestrian crossing (and main entrances to bays 3, 6, 9) maintains at least 1000mm min. clear width (1200mm preferred) path of travel along the public footpath (between kerb and the sandstone wall).</li> <li>Ensure all stairways and ramps are designed in compliance with AS1428.1:2009.</li> <li>Ensure Bay 12 common area floor surfaces are suitably slip resistant and traversable by a wheelchair or walking frame, compliant with AS 1428.1:2009 and HB197/AS4856 (wet pendulum method).</li> <li>Ensure the outdoor seating areas (in particular where tables/chairs will be located) have level landing surface areas (gradient/crossfall no steeper than 1:40) for safe manoeuvring and stopping, compliant with AS1428.1.</li> <li>Provide directional and identification signage for all sanitary facilities, accessible toilets (including left or right handed use), and ambulant toilet facilities. Facilities should be identified by the use of raised text, Braille and symbols.</li> <li>Signage to comply with BCA part D3.6 and AS1428.1:2009.</li> </ul>	To be addressed during detailed design and prior to the release of a <i>construction certificate</i> for relevant works.

## 8. 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 the area known as 'Bay 12' only and is required to facilitate the retention and preservation of the identified State significant archaeological material. There are no changes proposed to Bays 1 to 11 of Campbell's Stores or the associated outdoor dining areas to the east and west.

In summary, the following modifications are proposed to the Bay 12 area:

- Creation of a viewing "window" into part of the in situ archaeology of an area of approximately 4.2 metres by 4.2 metres, to ensure that elements of the 1834 sea wall, sandstone paving and part of the 1834 bond store are visible and interpreted to the public.
- Permanent in situ conservation of all the archaeological features below the proposed developments in the Bay 12 area. The parts of the excavated archaeological site that will not be visible in the viewing window are to be carefully backfilled.
- Amendments to the design and location of the toilets, which are to be relocated to the west side of the site adjacent to, and built off, the extant Hickson Road retaining wall and its footings.
- Amendments to the design and location of the outdoor dining area so that it lies entirely to the south of the viewing window. Note: there are no changes to the amount of outdoor dining provided in the Bay 12 area.
- The creation of two public viewing areas on the east and west sides of the window to view the archaeology.
- Removal of two grease pump-out pits and associated plumbing from the Bay 12 area.
- Construction of additional subsoil drainage so as to drain the archaeological remains visible in the window.

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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# **APPENDIX A      ARCHITECTURAL DRAWINGS & DESIGN REPORT**

APPENDIX B

HERITAGE IMPACT STATEMENT



**APPENDIX C      ARCHAEOLOGICAL IMPACT STATEMENT**

**APPENDIX D      VISUAL IMPACT STATEMENT**

**APPENDIX E      ACCESS REPORT**

APPENDIX F

ACOUSTIC ASSESSMENT





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