

19 April 2017

**NSW Planning Assessment Commission Determination Report
Alterations and Additions to Campbell's Stores, The Rocks (SSD 7056)**

1. INTRODUCTION

On 14 March 2017, the Planning Assessment Commission (the Commission) received from the Department of Planning and Environment (the Department) a State significant development application (SSD 7056) from Tallawoladah Pty Ltd (the Applicant) for alterations and additions to the existing Campbell's Stores building and its surrounding public domain at the Campbell's Cove foreshore at The Rocks.

The Department has referred the development application to the Commission for determination in accordance with the Minister for Planning's delegation because the Department received more than 25 submissions from the public in the nature of objections.

Ms Lynelle Briggs AO, Chair of the Commission, nominated Ms Annabelle Pegrum AM (chair), Ms Ilona Millar and Dr Maurice Evans to constitute the Commission to determine the development application.

1.1 Background

The Campbell's Stores comprises a three-storey sandstone and brick warehouse building and is located between Hickson Road and the harbour foreshore in The Rocks. The building is divided into 11 bays which house four tenancies that are used as restaurants. Bays 1-10 are almost identical and were constructed between 1850-c1885. Bay 11 was the last built in c1890 and abuts the homogenous series of 10 bays which are immediately to the south. An additional brick exhaust stack at the southern end of the building, known as Bay X, was constructed in the 1970s.

A State listed heritage item, the Campbell's Stores *Conservation Management Plan 2014* (CMP) includes a comprehensive statement of heritage significance.

*"Campbell's Stores is a superb example of mid-nineteenth century warehouse buildings, now rare in Sydney. It is the only warehouse of its type remaining on the foreshore of Sydney Cove, the hub of commerce and international shipping transport until the late nineteenth century. As a memorable landmark in The Rocks, visible from a wide area of Sydney Harbour, it is a symbol of mid nineteenth-century Sydney."*¹

A single lightweight standalone pavilion and a large tree are located at the northern end of the site (Bay 12) and a large significant fig tree is located to the east of Bay 12.

1.2 Summary of Development Application

Table 1 of the Department's assessment report describes the full scope of works proposed in the development application. Section 5 of the report elaborates further on the individual components of the proposal.

¹ Campbell's Stores, The Rocks. Conservation Management Plan, July 2014 (Godden Mackay Logan Heritage Consultants).
COMMISSION SECRETARIAT
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In summary, the Applicant proposes conservation work and alterations to facilitate the adaptive reuse of the building for up to 13 individual tenancies for restaurants/bars/cafes and retail all of which are permissible uses. The application proposes internal and external building works and public domain improvements, including:

- removal of intrusive elements to the building, notably the exhaust stack at Bay X (and replacement with a new exhaust in the metal roof at Bay 11), the Bay 12 pavilion, and the plastic shade fabric and faux sailing boat masts covering the outdoor eating area on the foreshore side of the building;
- conservation and remediation works to the Campbell's Stores including the conservation and/or replacement of deteriorated sandstone and installation of new slate roof tiles;
- upgrade of the existing storm water infrastructure and fire egress;
- removal of all existing kitchen fitouts and installation of centralised and common amenities and services, including lifts, kitchens, accessible toilets and associated plant equipment;
- new and reconfigured outdoor dining areas, a glass awning to the east and pedestrian linkages between Hickson Road and the foreshore;
- removal of one (not significant) tree at Bay 12, retention and protection of the significant Fig tree at the northern corner of the Stores, extension of street tree plantings on Hickson Road and other works to the public domain making it accessible to people with disabilities.

The Commission notes that the application no longer includes the construction of a new three-storey building at the northern end of the site in Bay 12 as was originally proposed. The Applicant removed this component of the proposal in its response to submissions following community concern about potential negative heritage and visual impacts.

The proposal does not include the future use or fit-out of the tenancies or signage. The Commission was advised that these will be the subject of future development applications.

1.3 Need for Proposal

The Applicant advises that the proposal is designed to facilitate the conservation and remediation of the Campbell's Stores to retain its heritage significance and support appropriate adaptive reuse. Benefiting tourism and the economy in the Campbell's Cove precinct, the building is to be restored so that it can be enjoyed by future generations.

The proposal would also improve the accessibility of the public domain with positive pedestrian connections and enhanced outdoor foreshore dining. The Hickson Road frontage would be activated with a wider footpath and consistent tree plantings together with modifications to some street facing doorways to enable access for people with disabilities.

2. DEPARTMENT'S ASSESSMENT REPORT

The Department's assessment concluded that:

'The proposal results in significant public domain improvements, a revitalised dining precinct and improved pedestrian connectivity within The Rocks and Campbell's Cove. In addition, the proposed restoration and conservation works would restore deteriorated significant fabric extend the life and enhance appearance of the building'.

'The proposal has carefully considered the Heritage Management Plan and CMP ... exhibits a high quality of architectural design that delineates between the original and new fabric without detracting from the surrounding heritage items (and) is consistent with the strategic intent for Campbell's Stores and The Rocks'.

3. COMMISSION'S MEETINGS AND SITE VISIT

As part of its assessment of the proposal, the Commission met with the Department, the Applicant and visited the site. Notes from these meetings are provided in **Appendix 1**. The Commission also conducted a public meeting. The list of speakers is at **Appendix 2**. Notes from the public meeting are provided in **Appendix 3**.

3.1 Briefing from the Department

On 5 April 2017, the Department briefed the Commission on the proposed public domain works, operational and construction noise and their considerations of noise and odour issues raised by residents at 8 Hickson Road. The Department also responded to correspondence the Commission received from the Heritage Council, Property NSW and from the City of Sydney.

3.2 Briefing from the Applicant and site visit

On 5 April 2017, the Commission visited the site accompanied by the Applicant. Specifically, the Commission considered the site context, viewed the inside of the Italian Village restaurant and typical deterioration of the base of the sandstone wall, the locations of the existing mechanical exhaust systems, the services tunnel, the proposed Bay 12 Fig Tree Café and outdoor terrace and the relationship of 8 Hickson Road and the Park Hyatt to the proposed development including the Bay 11 roof exhaust.

Later in the morning, the Applicant briefed the Commission on how the public domain works between the subject application and the development application by Property NSW for Campbell's Cove public domain improvements (SSD 7246) would be integrated, the materials for the external works and the potential noise impacts from the development and how these would be mitigated.

3.3 Public Meeting

The Commission held a public meeting at the Commission's office (Level 3, 201 Elizabeth Street, Sydney) on 5 April 2017 to hear the community's views on the proposal. Ten speakers presented to the Commission. The main issues raised included the heritage value of the site and the benefits of the proposal to the tourism, hospitality and events industries, concerns with the proposed mechanical ventilation exhaust, noise impacts and use of the future tenancies. The City of Sydney representative commented on a number of the proposed conditions for the development.

4. ADDITIONAL INFORMATION

On 6 April 2017, following the public meeting, the Commission requested design justification from the Applicant about the proposed location of the mechanical ventilation exhaust at Bay 11.

5. COMMISSION'S CONSIDERATION

In its determination, the Commission has considered:

- the Department's assessment report;
- information provided by the Applicant including that described in Section 4;
- advice and recommendations from government agencies;
- relevant matters for consideration specified in section 79C of the *Environmental Planning and Assessment Act 1979* (EP&A Act), including:
 - relevant environmental planning instruments;
 - the *Environmental Planning and Assessment Regulation 2000*;
 - the likely impacts of the development on both the natural and built environments and social and economic impacts in the locality;
 - the suitability of the site for the development;
 - written and verbal submissions from the public; and
 - the public interest, including the objects of the EP&A Act.

The key matters considered by the Commission's include:

- heritage;
- odour, noise and visual impacts associated with the mechanical ventilation exhaust;
- future land uses;
- integrating public domain works;
- social and economic impacts in the locality;
- the suitability of the site; and
- the public interest.

The Commission is satisfied with the Department's assessment of other matters including consideration of relevant environmental planning instruments and regulation, construction impacts, the potential future rail corridor and archaeology.

5.1 Heritage

The Campbell's Stores is located within The Rocks Conservation Area. The building is listed as an item of State heritage significance and is proximate to other State listed heritage items including the ASN Co Building to the south and the Metcalfe Bond Stores to the west. A CMP was prepared for the building in July 2014.

The Applicant submitted a Heritage Impact Assessment (HIS) with its Environmental Impact Statement. An addendum to the HIS was submitted with its second response to submissions addressing the potential impacts of the proposed works on the heritage significance of the building and locality. The HIS and addendum found that the proposal is consistent with both the CMP and the *The Rocks Heritage Management Plan: Volume 1, 2010* (Heritage Management Plan) for the Campbell's Cove precinct concluding that:

- the proposed conservation and reconstruction reflect the works identified in the CMP and would increase the heritage significance of the building;
- the removal of intrusive elements, including the shade canopies, the sail ship masts, the Bay 12 pavilion and the Bay X brick wall duct is consistent with the CMP;
- the proposed alterations and additions to the fabric of Campbell's Stores (for services and amenities) are appropriately limited to the building interiors and the rear of the property;
- the significance of the gable fronted building and its ability to contribute to the streetscape and the conservation area would be retained and enhanced; and
- no significant features of the building were proposed to be removed and the original form and fabric of the front and rear facades, the original internal walls, timber beam and the column and roof structure would be retained.

The Commission acknowledges the Applicant's significant efforts to prepare and detail a comprehensive suite of conservation and restoration works. However, the Commission gave particular consideration to the concerns expressed by the residents of 8 Hickson Road and by the Park Hyatt related to the potential visual, noise and odour impacts of the proposed mechanical exhaust in the new metal roof of Bay 11. The Commission requested design justification from the Applicant for the location of the exhaust.

On 6 April 2017, the Applicant provided its response (**Appendix 4**) noting that:

- the CMP graded the slate roofs of Bays 1-10 as having 'exceptional' significance, whereas the CMP grades the metal roof of Bay 11 as having 'high' significance.
- Bay 11 differs from the other ten bays in age, design and roofing material;
- the proposed location of the exhaust would enable the removal of the existing exhaust stack on the southern side of Bay 1, which is an intrusive element with no heritage significance, to expose the original southern façade of the Campbell's Stores;

- in the metal roof, the mechanical plant can and would be installed to ensure no protrusions above the Bay 11 roof (i.e. the exhaust would be flush mounted with the roof); and
- the ozone generation and odour management system is reliant upon long duct runs and a location at either end of the Campbell's Stores is necessary to achieve the required length.

The Applicant also explained that a number of design iterations were considered, but none satisfied all heritage and engineering criteria as well as the design solution proposed. On balance the Applicant considered that the use of the Bay 11 roof *'minimises potential impact on the heritage significance (of the building) whilst allowing for the necessary upgrade of services'*.

The Commission notes that the CMP addresses both roof intrusions and the installation of plant in Policies 8, 20 and 29, which state:

"The roof configuration of Bays 1–10 should be retained and should continue to be clad in slate ... The roof form of Bay 11 could either be retained in its current configuration or reconstructed to its original form if this can be determined."

"Plant and equipment should be discreetly located and is not to impact on the significant roofscape of the Stores. Ideally plant and equipment should be contained within existing ancillary structures and not impede on the original building envelope."

"Mechanical solutions, following the implementation and analysis of passive solutions should be designed and selected in consideration of the heritage significance of the place and the objectives of the Sustainability Policy. The design of mechanical solutions should be supported by an options analysis demonstrating that the proposal presents the least impact to the significant fabric of the place and accounts for ongoing energy consumption."

The Department also supported the proposed location of the exhaust and noted that it would not protrude above the roofline and therefore not impact on views from surrounding residences. More generally, the Department concluded that the proposed internal and external works would make substantial improvements to the fabric and re-use of the building and would positively contribute to the heritage significance of the site.

The Heritage Council Approval's Committee has supported the proposal noting that it would improve the future viability and ongoing conservation of the Campbell's Stores' State significant values. The Commission notes that the Committee did not raise any issues with the location of the exhaust.

The Commission is of the view that the proposed location of the mechanical ventilation exhaust at Bay 11 (Drawing No. EA-A-4900) is a carefully considered response to the engineering requirements for contemporary mechanical ventilation and to the requirements of the CMP and heritage significance of the Campbell's Stores.

As recommended by both the City of Sydney and NSW Heritage Council, the Department has included a consent condition recommending that a final Tenancy Fitout Guide be prepared for the site. This guide would inform future tenants of building requirements ensure the heritage significance of the building is not compromised. The Tenancy Fitout Guide will also provide guidance in relation to future signage. The Department's recommendation includes a requirement for a signage strategy be prepared for the whole of the building in consultation with the NSW Heritage Council and Place Management NSW.

The Commission acknowledges the heritage significance of the Campbell's Stores and supports the conservation and restoration of the building as proposed in the public interest.

The Commission is satisfied that the proposed internal and external works are in keeping with the objectives and policies of the Heritage Management Plan for the precinct and the CMP for the building.

The Commission agrees with the Department's assessment that the design of the proposed external glass awning that replaces the outmoded shade structure, aligns with the CMP by being a free-standing, transparent and subservient structure to the Stores that improves permeability and activation of the public domain. The Commission finds that the other proposed public domain external works are appropriate to the building and heritage context enhancing public access and amenity and scenic views to the harbour.

The Commission has generally adopted the Department's recommended suite of consent conditions in relation to heritage and signage requirements.

However, the Commission has strengthened condition B9 to ensure the final design of the mechanical ventilation exhaust is consistent with the CMP.

The Commission has also amended condition E1 to address comments from Property NSW regarding inclusion of an archival record and experience requirements for the supervising architect in the conservation program.

5.2 Potential Visual, Odour and Noise Impacts

At the public meeting and in written submissions to the Commission, a number of residents of 8 Hickson Road (located across Hickson Road from Bay 11) raised concern about the location of the mechanical exhaust, the lack of design and engineering detail about its features, its potential odour and noise emissions and visual impacts on views over the site.

The Commission considered the location of the exhaust in Bay 11 and has found it to be a carefully considered and appropriate response to the heritage significance of the Campbell's Stores (refer Section 5.1).

In respect of visual impacts, the Commission notes that the exhaust is located on the northern face of the Bay 11 roof, facing away from 8 Hickson Road, and would be flush mounted with no duct work protrusions above the roof line. The Department has recommended a consent condition to ensure the final design complies with these specifications.

In respect of odour and noise impacts, the Commission notes that the new mechanical ventilation system replaces an outmoded system. The proposal includes a new and contemporary, centralised ventilation plant, electrostatic grease filtration and exhaust air ozonation.

The Applicant's Air Quality Impact Assessment notes the Australian Standard requirements for mechanical ventilation systems and identifies that the 20 metres distance from the exhaust to 8 Hickson Road complies with the minimum six metre distance required. In addition, the Department's recommended conditions include specific requirements for noise emissions from plant and equipment.

Finally, the Commission notes that air and noise emissions are governed by the *Protection of the Environment Operations Act 1997* which empowers both the Department and the City of Sydney to address problem emissions in the event of any system failure. The Commission is satisfied that associated negative odour and noise impacts on 8 Hickson Road and the Park Hyatt are unlikely due to the proposed design criteria for the system, and in the event that they do occur, can be readily dealt with as a compliance matter.

However, the Commission has strengthened the conditions by shifting the requirement to prepare a Noise Management Plan, which includes criteria for the mechanical ventilation system, from Part E (prior to occupation or commencement of use) to Part B (prior to issue of the relevant construction certificate) and adding two new consent conditions (B9(b) and E6) to ensure that the mechanical ventilation system includes the appropriate filtration and odour treatment technology; and that specific noise criteria for the mechanical ventilation is included in the overall Noise Management Plan for the building.

5.3 Future Land Uses

At the public meeting and in submissions, residents of 8 Hickson Road and the Park Hyatt raised concern about lack of description of the future operational building use. In particular, the residents noted that the Department's recommended consent condition did not include overall limits on the hours of operation of the future tenancies, giving rise to concerns about late night noise impacts. Residents also raised concern that they would not be able to open the windows in their living or main bedrooms because of unacceptable noise levels.

The Department has explained that the fit-out, use and hours of operation of the future tenancies will be subject to future development applications to be assessed and determined by the City of Sydney. As part of that assessment, the City of Sydney will evaluate the potential noise impacts from these tenancies against the relevant guidelines. The Commission notes that the *Sydney Development Control Plan 2012* outlines the permissible hours of operation for high and low impact premises. The Commission has included these as an advisory note to the Conditions for reference. The Commission also notes that future uses are likely to be licenced restaurants which will also require that noise impacts be assessed by Liquor and Gaming NSW.

Notwithstanding, to provide surrounding residents and the Park Hyatt with greater assurance, the Commission has included an additional consent condition that requires noise management levels for the individual tenancies to be established in the Noise Management Plan (condition B18). These noise management levels will make sure that the assessment of individual development applications occurs with a view to the cumulative noise impacts from the whole building. The Noise Management Plan must also outline management and mitigation measures to minimise noise impacts from the operation of these tenancies on nearby receivers.

5.4 Integration with Other Public Domain Works

The Commission notes that the proposed public domain works will need to be carefully integrated with existing improvements along the Hickson Road frontage and with the public domain improvements proposed for the foreshore, which are currently under the Department's assessment of development application by Property NSW (SSD 7246).

The Commission is aware that the Applicant has and will continue to negotiate with Property NSW on the orderly coordination of public domain works for both projects. The Commission notes that the Applicant's consulting project team is also the consulting team for Property NSW and that the City of Sydney has requested a Public Domain Plan for the Hickson Road improvements.

The Commission observes that if the two projects are not well coordinated, the construction of both may be prolonged or made unnecessarily complex. Consequently, the Commission has included consent condition B19 for a Public Domain Plan, as requested by the City of Sydney, and has added an advisory note to encourage the Applicant to use 'best endeavours' to coordinate all public domain works with Property NSW.

5.5 Social and Economic Impacts

The proposal has an estimated capital investment value of \$29,919,082 and would generate approximately 202 construction jobs and 163 operational jobs.

A number of tourism and events based industries were represented at the public meeting. Each noted that Campbell's Stores contributes to an established heritage-based tourism and entertainment precinct on the foreshore of Sydney Harbour and is often one of the first sites visited by tourists from the overseas terminal.

The speakers highlighted that a refurbishment of the building was long overdue. In their view, the outdated adaptations and amenities in the existing building are no longer adequate to support vibrant heritage based tourism, event and dining experiences befitting a global city such as Sydney. The proposed conservation and adaption works were considered essential to allow the building to continue its important role in providing tourists with a unique Sydney heritage experience.

The Commission finds that the development will generate employment, make a significant contribution to the vibrancy and vitality of The Rocks and have resultant benefits to the tourism, hospitality and events industries.

5.6 Suitability of the Site and Public Interest

The building is located within The Rocks heritage precinct within the City of Sydney Local Government Area. The site is in a prominent foreshore location opposite Campbell's Cove with view to the Opera House and Harbour Bridge. The surrounding area has a mix of buildings and uses including the Overseas Passenger Terminal to the south and the Park Hyatt Hotel to the immediate north. The site is serviced by high levels of public transport including rail, ferry and bus services.

The Commission is satisfied that the proposed alterations and additions to the Campbell's Stores building are in accordance with the CMP and that the heritage values of the site will be retained and enhanced. The Commission is also satisfied that the likely future uses of the site, being restaurants and cafes, are suitable uses for the prominent foreshore location.

The Commission finds that the that the proposed refurbishment of the existing Campbell's Stores is a suitable development of the site and is in the public interest.

6. COMMISSION'S FINDINGS AND DETERMINATION

The Commission has considered carefully the Applicant's proposal, the Department's assessment report and the relevant matters for consideration under section 79C of the EP&A Act. The Commission has noted the advice and recommendations from the City of Sydney and government agencies including Property NSW, NSW Heritage Council, Port Authority of NSW, Transport for NSW and the Department of Primary Industries. Finally, the Commission has heard from members of the community about their concerns for the proposal during the public meeting conducted on 5 April 2017.

The Commission acknowledges the heritage significance of the Campbell's Stores and supports the proposed conservation and restoration works to the building. The Commission is of the view that the proposed internal and external works, including the installation of the new mechanical ventilation exhaust at Bay 11, are a carefully considered response to the heritage requirements outlined in the Heritage Management Plan and the CMP, air quality guidelines and ventilation engineering standards. The Commission has also strengthened the conditions to ensure the final design of the new exhaust is consistent with the CMP.

In order to ensure that the mechanical ventilation exhaust will not have adverse noise or odour impacts on surrounding residents and patrons of the Park Hyatt, the Commission has included additional consent conditions requiring that the exhaust includes the appropriate filtration and odour treatment technology and that specific noise criteria for the exhaust is included in the overall Noise Management Plan for the building.

The Commission notes that the fit-out, use and hours of operation of the future tenancies will be subject to future development applications to be determined by the City of Sydney. To provide surrounding residents and the Park Hyatt with greater confidence about potential future noise levels, the Commission has required via consent condition that the Applicant specify noise management levels for the individual tenancies in the Noise Management Plan. The Noise Management Plan must also outline management and mitigation measures to minimise noise impacts from the operation of these tenancies on nearby receivers.

Finally, the Commission is of the view that the proposed refurbishment of the Campbell's Stores and improvements to the public domain is a suitable use of the site and is in the public interest. The proposal will make a significant contribution to the vibrancy and vitality of The Rocks with benefits to the tourism, hospitality and events industries.

For the reasons set out in this report, the Commission has determined to grant consent to the development application subject to the conditions set out in the instrument of approval.



Ms Annabelle Pegrum AM (Chair)
Member of the Commission



Ms Ilona Millar
Member of the Commission



Dr Maurice Evans
Member of the Commission

APPENDIX 1 RECORDS OF COMMISSION MEETINGS

Notes of Briefing from the Department of Planning and Environment (the Department)

This meeting is part of the determination process.		
Meeting note taken by Jade Hoskins	Date: 5 April 2017	Time: 10am
Project: Alterations and Additions to Campbell's Stores, The Rocks (SSD 7056)		
Meeting place: Planning Assessment Commission Office		
<p>Attendees:</p> <p>Commission Members: Annabelle Pegrum AM (chair), Ilona Millar and Dr Maurice Evans</p> <p>Commission Secretariat: David Mooney – Team Leader and Jade Hoskins – Senior Planning Officer</p> <p>The Department (Key Sites Assessments): Ben Lusher – Director, Cameron Sargent – Team Leader and Ashley Cheong – Planning Officer</p>		
The purpose of the meeting: For the Department to brief the Commission on its assessment report.		
<p><u>Public Domain Works</u></p> <ul style="list-style-type: none"> The Commission suggested that best endeavors should be made to integrate the public domain works included with the subject application with the other State significant development application for Campbell's Cove currently under assessment by the Department. <p><u>Operational and Construction Noise</u></p> <ul style="list-style-type: none"> The Department advised that the 13 tenancies, including the hours of operation, would be subject to future development applications, most likely to be assessed by the City of Sydney. However, the Noise Management Plan (recommended in condition E5) would address cumulative noise from all tenancies. The Department advised that the recommended construction hours are 7am-6pm, Monday to Friday, and 8am-1pm on Saturdays well within those adopted for other developments within the city centre and the Council standard hours. No construction is to be undertaken on Sundays or public holidays. <p><u>Correspondence from NSW Property</u></p> <p>On 22 March 2017, the Commission received comments from NSW Property (the land owner of the site) on the Department's recommended conditions. The Department responded to the comments as follows:</p> <ul style="list-style-type: none"> Condition E1 relating to the Conservation Program was requested by the Heritage Council and would apply to works that may be carried out in the future, including subsequent development applications for the tenancies. Given this, the Department recommended that E1 should be maintained. The Department has no objection to amending condition E1 to include archival recording. The Department will clarify the relevant experience of the architect who will supervise the design and documentation of the conservation works. <p><u>Correspondence from NSW Heritage Council</u></p> <ul style="list-style-type: none"> The Department advised that it has included all recommendations from the Heritage Council in the recommended conditions. 		

Correspondence from the City of Sydney

On 23 March 2017, the Commission received comments from the City of Sydney requesting that the Commission include additional conditions of consent to facilitate the delivery of the proposed pedestrian crossing on Hickson Road. The Department suggested that these conditions could be included in any consent.

8 Hickson Road

The Department outlined the considerations given to the noise and odour issues raised by residents in relation to the development noting, in particular, heritage matters and the quality of the exhaust system proposed.

Outcomes/Agreed Actions: N/A

Meeting closed at 10:30am

Notes of Briefing from Tallallowdah Pty Ltd (the Applicant)

This meeting is part of the determination process.		
Meeting note taken by Jade Hoskins	Date: 5 April 2017	Time: 11am
Project: Alterations and Additions to Campbell's Stores, The Rocks (SSD 7056)		
Meeting place: Planning Assessment Commission Office		
<p>Attendees:</p> <p>Commission Members: Annabelle Pegrum AM (chair), Ilona Millar and Dr Maurice Evans</p> <p>Commission Secretariat: David Mooney – Team Leader and Jade Hoskins – Senior Planning Officer</p> <p>Representing the Applicant: Philip Beauchamp – Tallawoladah Pty Ltd Nick Marston – Altus Page Kirkland Reece Mackie – Altus Page Kirkland Samantha Wilson – Urbis Paul van Ratingen – JPW Brendan Murray – JPW Graham Brooks – GBA Heritage Garry McDonald – GBA Heritage James Small – Acoustic Logic Sean Rapley – Northrop</p> <p>Note: The Commission attended a site visit earlier in the day accompanied by Philip Beauchamp – Tallawoladah Pty Ltd and Nick Marston – Altus Page Kirkland.</p>		
The purpose of the meeting:		
<p>The Applicant advised the Commission that:</p> <ul style="list-style-type: none"> • details of how the public domain works between the subject application and the Campbell's Cove application would be the subject of further liaison later in the process; • the design consultants for the Campbell's Cove project were the same as those for the subject application and a strategy had been developed for the whole area; • the materials for external works will be chosen in accordance with the City of Sydney's public domain palette and materials guide; • to clarify the works proposed, the Applicant will reissue the Site Plan and rename it 'Ground Level' in recognition that some works below this level are more extensive; and • some surrounding residents and the Park Hyatt continue to have concerns about noise impacts, but these will be mitigated through as part of the Noise Impact Assessment and by future conditions that will be imposed by the City of Sydney for future tenancies. 		
Outcomes/Agreed Actions: The Applicant to provide an amended site plan.		
Meeting closed at 11:15am		

APPENDIX 2

LIST OF SPEAKERS

Planning Assessment Commission

Alterations and Additions to Campbell's Stores, The Rocks (SSD 7056)

Date and Time: Wednesday 5 April 2017, 1pm

Place: PAC Office, Level 3, 201 Elizabeth Street, Sydney

List of Speakers

1. Sarah Kelly & John Sidoti (Strata 70158)
2. Hon. Patricia Forsythe (Sydney Business Chamber)
3. Joyce DiMascio (Exhibition & Event Association of Australasia)
4. Christopher Ashworth (City of Sydney)
5. Steven Copper
6. Anthony Plaia
7. Maureen Sidoti
8. Jeremy Swan (Park Hyatt)
9. John King
10. Margy Osmond (Tourism & Transport Forum)

APPENDIX 3

SUMMARY OF ISSUES FROM WRITTEN AND VERBAL SUBMISSIONS TO THE PUBLIC MEETING

The following issues were raised:

Heritage and other benefits

- The building and site context are of significant heritage value and the proposal was generally regarded as an improvement to the building.
- The proposed development would enhance the visual impact of the building and its surrounds.
- An upgrade to the existing building and surrounding area is long overdue.
- The heritage values of the building will be conserved and restored.
- The proposed development would make the building and the tenancies more accessible.
- The redevelopment of the building would contribute to the tourism, event and hospitality industries.
- Visitor economy will be refreshed in this part of The Rocks making it part of the unique Sydney heritage experience for Australians and international tourists.
- There have already been compromises to the original design, including the removal of the glass structure. This has been a positive response to consultation on the development.

Mechanical Ventilation Exhaust

- The mechanical ventilation exhaust may produce smoke, noise and odour which could impact on the amenity of residents from 8 Hickson Road and patrons of the Park Hyatt.
- The proposed collective system will replace the existing dispersed system and is poorly located directly across from the only current residential building at 8 Hickson Road.
- Details of the mechanical ventilation exhaust have not been provided.
- The mechanical ventilation exhaust will be visible from 8 Hickson Road.
- The mechanical ventilation should be supported by certification that it is capable of ameliorating impacts associated with smoke and odour, and that it provides sufficient capacity for all future tenancies to connect into.

Noise

- The Park Hyatt and residents from 8 Hickson Road are concerned with the potential cumulative noise impacts from the operation of the site and proposed outdoor dining areas.
- The noise loggers that measured background noise were placed at low locations and would not reflect the noise experienced by residents at 8 Hickson Road.
- There should be an overall noise target and each tenancy should demonstrate that it can comply with this.
- The existing hours of operation are excessive and there is no certainty about future hours of operation.
- The preparation of a noise management plan should be required prior to a construction certificate, rather than prior to the occupation certificate. This will prevent background noise creep and will ensure that noise levels will be consistent with the noise emission criteria established by the current background noise levels.

Future Uses

- The future – potentially 13 - tenancies will be subject to separate future development applications.
- The development services should be designed to ensure that they can provide for and support those future uses.

Conditions

- The City of Sydney listed those draft conditions that they considered either appropriate or that could be refined or shifted to other 'Parts' of the draft conditions.

APPENDIX 4
ADDITIONAL INFORMATION FROM THE APPLICANT

From: [Samantha Wilson](#)
To: [Jade Hoskins](#)
Cc: [Philip Beauchamp \(pb@beaucon.net.au\)](#); [Nick Marston \(nick.marston@altusgroup.com\)](#)
Subject: Campbell's Stores - PAC Public Meeting - Additional Information
Date: Thursday, 6 April 2017 4:17:21 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[Letter_Mechanical Ventillation_28_Nov_2016.pdf](#)

Hi Jade,

Thanks for the call earlier today regarding the PAC Public Meeting and request for further information.

I can confirm we have no objection to the City of Sydney's request to move the requirement for a **Noise Management Plan** from Part E – Prior to Occupation to Part B – Prior to Construction Certificate. However, we do request that the condition is worded as follows:

*Prior to the issue of a **relevant** Construction Certificate, the Applicant shall prepare a Noise Management Plan. The Plan must establish noise management levels and outline management and mitigation measures to minimise noise impacts on nearby receivers. The Plan must be prepared in consultation with SHFA and submitted to the satisfaction of the Secretary prior to the use of the building.*

The reason for including 'relevant' Construction Certificate is to ensure we are able to progress with the demolition and much needed restoration works to Campbell's Stores, while the Noise Management Plan is being prepared, reviewed, and ultimately approved.

Regarding the location of the **Mechanical Plant at Bay 11**, I have attached the correspondence issued to the Department in November 2016 in response to the submissions received by the residents of 8 Hickson Road and the Park Hyatt.

We understand the location and design of the centralised mechanical plant at Bay 11 continues to be a concern for the most sensitive receivers due to a perception that it will create noise, vibration, smell and fumes, and may impact on existing views of Sydney Harbour and the Opera House.

I can confirm a number of options for the location and design of the mechanical plant at Campbell's Stores were considered and tested, including having a split system with multiple exhaust points rather than a single consolidated system. The proposed design meets the requirements of each of the specialist consultants, including mechanical engineer, air quality technician, and heritage architect, is consistent with the Conservation Management Plan (approved by the Heritage Council), and is able to achieve compliance with the relevant Australian standards. The other options assessed did not perform as highly as the solution selected, were inconsistent with the objectives of the Conservation Management Plan, and were not able to meet the relevant requirements.

The Air Quality Impact Assessment undertaken specifies a minimum setback from nearby sensitive receivers (6 metre requirement – 20 metres provided) and recommends the kitchen exhaust system utilise grease filtration, ozone generation and an odour management system to minimise potential odour impacts. The proposed kitchen exhaust system will consist of two filtration stages to remove odours, with the first stage consisting of electrostatic filtration, 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 will release ozone into the exhaust air stream that will eliminate cooking odours at the point of exhaust discharge.

Centralising the kitchen exhaust at Bay 11 makes it possible to install the ozone generation and odour management system. This is a system that is reliant upon relatively long duct runs which allows increased contact time for the ozone injected into the ducting. Thus, a location at either end of the building is necessary to achieve the required duct runs.

Bay 11 was identified as the preferred location for the centralised mechanical plant as it is graded as 'high' significance under the Conservation Management Plan (approved by the Heritage Council), whereas Bays 1-10 are graded as 'exceptional' significance, it has a metal roof that requires replacement, whereas Bay 1-10 have slate roofs, and it is the odd bay out in terms of its age, design and roof as opposed to the consistency of Bay 1-10.

Bay 11 has also been used for exhaust and ventilation since Campbell's Stores was converted to Restaurants more than 30 years ago.

The mechanical plant has been designed to ensure there are no protrusions above the Bay 11 roof and therefore no visual impact on the adjacent residential dwellings at 8 Hickson Road. A condition has been included in the recommended Instrument of Approval requiring detail design drawings be submitted to the Secretary that illustrate the equipment does not protrude above any part of the Bay 11 roof.

We are confident that the future operation of the tenancies will not give rise to unacceptable impacts associated with the mechanical plant at Bay 11, including noise, vibration, smell and fumes. The recommended Instrument of Approval places requirements on the applicant to ensure appropriate measures will be put in place to manage and mitigate any impacts. In particular, we note the recommended Instrument of Approval requires:

- The preparation of an **Air Quality Management Plan** outlining management and mitigation measures to minimise odour impacts on nearby sensitive receivers prior to the release of an Occupation Certificate. The future applications for tenancy fit-out and use will be required to demonstrate compliance with this approved Air Quality Management Plan, as well as the relevant City of Sydney controls.
- The preparation of a **Noise Management Plan** which must establish noise management levels and outline management and mitigation measures to minimise noise impacts on nearby receivers. The future applications for tenancy fit-out and use will be required to demonstrate compliance with this approved Noise Management Plan, as well as the relevant City of Sydney controls.
- The preparation of **detailed design drawings for all mechanical ventilation** openings in Bay 11 that illustrate the equipment does not protrude above any part of the roof.

Further, we note that the following post occupation requirements have been imposed to ensure on-going plant and machinery noise and odour is monitored and managed:

Noise Control – Plant and Machinery

F3. Noise associated with the operation of any plant, machinery or other equipment on the site, shall not give rise to any one or more of the following:

- a) transmission of "offensive noise" as defined in the Protection of the Environment Operations Act 1997 to any place of different occupancy;*
- b) a sound pressure level at any affected residential property that exceeds the background (LA90, 15 minute) noise level by more than 5dB(A). The background noise level must be measured in the absence of noise emitted from the premises. The source noise level must be assessed as a LAeq, 15 minute; and*
- c) notwithstanding compliance with (a) and (b) above, the noise from mechanical plant associated with the premises must not exceed 5dB(A) above the background noise level between the hours of 12.00 midnight and 7.00 am.*

Odour Requirements

F4. The use of the premises must not give rise to the emission of gases, vapours, dusts or other impurities which are a nuisance, injurious or prejudicial to health.

F5. Gaseous emissions from the development must comply with the requirements of the Protection of the Environment Operations Act, 1997 and Regulations. Uses that produce airborne particulate matter must incorporate a dust collection system.

We contest the statements made yesterday by some of the residents of 8 Hickson Road that the design and location of the mechanical plant has not been well thought through or documented. In fact, careful consideration has been given throughout the design development, assessment, and

detailed design process by a large team of technical experts in their fields to provide a solution which meets the needs of the future operators of Campbell's Stores and mitigates any potential impacts on the most sensitive receivers.

I hope this information is of assistance. Please do not hesitate to contact me should you require anything further.

Thanks,
Sam

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25 November 2016

Ashley Cheong
Senior Planning Officer – Key Sites Assessments
Department of Planning and Environment
320 Pitt Street, Sydney NSW 2001

Email: ashley.cheong@planning.nsw.gov.au

Dear Ashley,

SSD 15_7056: CAMPBELL'S STORES, THE ROCKS –MECHANICAL PLANT

We write on behalf of *Tallawoladah Pty Limited* (the Proponent) to provide further information regarding the location and design of mechanical plant and kitchen exhaust proposed as part of the remediation, renewal, adaptive re-use and revitalisation of Campbell's Stores, The Rocks (SSD15_7056).

This additional information is provided in response to the public submissions received in relation to the revised SSD application, submitted to the NSW Department of Planning and Environment in October 2016. Specifically, a number of the submissions received raised concern regarding the location of the kitchen exhaust within Bay 11 and its proximity to the residential dwellings at 8 Hickson Road, as well as the Park Hyatt Hotel. Further, the public submissions suggest the kitchen exhaust will impact on residential amenity due to noise, vibration, smell and fumes, as well as visual impact from potential exhaust risers and noise baffles.

The project team have reviewed the public submissions and provide the following additional information to help alleviate the concerns raised. It is our opinion that the location and design of the kitchen exhaust system provides the most sensitive and efficient outcome available, given the significant heritage constraints of the site. Furthermore, the system has been carefully designed to minimise potential impacts on adjacent sensitive receivers.

Location of Kitchen Exhaust

The existing kitchen exhaust system is located within Bay 1/X at the southern end of the site and Bay 11 at the northern end of the site. The existing Bay 1/X duct/riser is proposed to be removed.

The Bay X brickwork duct/riser is graded of 'Little Significance' under the CMP and does not contribute to the significance of the Campbell's Stores building. The removal of the Bay X duct/riser provides the opportunity to remove later fabric of little significance, enabling the recovery and exposure of significant fabric, in accordance with conservation Policy 8 of the Conservation Management Plan (CMP). Therefore, the removal of the Bay X duct/riser is regarded as a positive heritage impact as it is intended to expose the original sandstone fabric of Bay 1.

The Heritage Architect has confirmed that removal of the Bay X duct/riser is consistent with the CMP in that it aims to improve the overall heritage significance of the building by moving services from a location that is visually prominent to another location that is far less obvious. This provides for a positive heritage outcome for the project.

The removal of the Bay X duct/riser will also enable better visibility to Sydney Harbour from Hickson Road and will create a wider pedestrian connection linking Hickson Road to the Campbell's Cove Promenade. The current and proposed views of Bay 1/X are provided at Figure 1.

Figure 1 – Bay 1 / X Existing and Proposed Situation



The SSD application proposes to consolidate the kitchen exhaust system within Bay 11, discharging through the Bay 11 roof.

The use of Bay 11 as opposed to Bays 1-10 for mechanical ventilation is based on:

- The CMP has graded the significance of the Bay 11 roof to be less than the other bays. That is, Bays 1-10 are graded as 'Exceptional' whereas Bay 11 is graded as 'High'.
- Bays 1-10 have slate roofs, whereas Bay 11 has a metal roof that requires replacement due to its rusted condition.
- Bay 11 is the 'odd' bay out in terms of its age, design and roof as opposed to the consistency of Bays 1-10.
- Mechanical openings in a metal roof will be visually less intrusive than a slate roof by virtue of a slate roof having a finer visual 'texture' than a metal roof.

Therefore, the use of the Bay 11 roof is regarded as the preferred option as it minimises potential impact on the heritage significance of the Campbell's Stores building whilst allowing for the necessary upgrade of services.

It is noted that Bay 11 has been used for exhaust / ventilation since Campbell's Stores was converted to Restaurants more than 30 years ago.

Appearance of Bay 11 Discharges

The proposed plant-room located within Bay 11 houses the kitchen exhaust, and approximately 50% of the building air conditioning plant. The kitchen exhaust and condenser discharges require openings in the Bay 11 roof to function. However, the impact of these openings is minimised by avoiding the use of cowls, and providing rainwater capture within the plant room.

As shown in the Architectural Drawings and Photomontages submitted with the SSD application, no ductwork will protrude above the roof of Bay 11 (refer Figure 2). Therefore, there will be no visual impact on the adjacent residential dwellings at 8 Hickson Road.

It is noted that the existing Bay 11 roof contains equipment on the southern side that is to be removed as part of the SSD application. The removal of these protrusions will improve the visual appearance of the Stores when viewed from the 8 Hickson Road residences.

Figure 2 – Photomontage showing the Bay 11 roof penetrations



Figure 3 – Drone Image of existing Bay 11 roof



Treatment of Kitchen Exhaust

Cooking apparatus used within the kitchens and food preparation areas required to be served by an exhaust hood in accordance with AS 1668.2-2012 shall be provided with a kitchen exhaust hood.

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.

Centralising the kitchen exhaust at Bay 11 makes it possible to install the ozone generation and odour management system. This is a system that is reliant upon relatively long duct runs which allows increased contact time for the ozone injected into the ducting.



We trust this additional information will assist the Department in finalising their assessment. Should you have any further questions or concerns please do not hesitate to contact the undersigned on (02) 8233 7621.

Yours sincerely,

A handwritten signature in black ink, appearing to read "J. Wilson", written in a cursive style.

Samantha Wilson
Senior Consultant – Urban Planning