

Notice of decision

Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

Application type	State significant development
Application number and project name	SSD 9694 301 and 305 Kent Street Concept Hotel Development
Applicant	Romanous Developments Pty Ltd
Consent Authority	Minister for Planning and Public Spaces

Decision

The Executive Director under delegation from the Minister for Planning and Public Spaces has, under section 4.38 of the *Environmental Planning and Assessment Act 1979* (**the Act**) granted consent to the development application subject to the recommended conditions.

A copy of the development consent is available [here](#).

A copy of the Department of Planning and Environment's Assessment Report is available [here](#).

Date of decision

17 August 2020

Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the Department's Assessment Report;
- the prescribed matters under the *Environmental Planning and Assessment Regulation 2000*;
- the objects of the Act;
- all information submitted to the Department during the assessment of the development application and any additional information considered in the Department's Assessment Report;
- the findings and recommendations in the Department's Assessment Report; and
- the views of the community about the project (see Attachment 1).

The findings and recommendations set out in the Department's Assessment Report were accepted and adopted as the reasons for making this decision

The key reasons for granting consent to the development application (the proposal) are as follows:

- the project would provide a range of benefits for the region and the State as a whole, including the creation of 240 construction jobs and 80 on-going operational jobs and provides an opportunity to deliver a new hotel building in central Sydney that responds to the need for additional visitor and tourist accommodation within the Sydney central business district;
- the project is permissible with development consent, and is consistent with NSW Government policies;
- the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards as identified in the Department's Assessment Report;
- the issues raised by the community during consultation and in submissions have been considered and adequately addressed through changes to the project and the recommended conditions of consent; and
- weighing all relevant considerations, the project is in the public interest.

Attachment 1 – Consideration of Community Views

The Department exhibited the Environmental Impact Statement for the project from Thursday 6 June 2019 until Wednesday 3 July 2019 (28 days). The Department received ten submissions, which comprised of seven submissions from government agencies, a submission from City of Sydney Council and two public submissions providing comment.

The key issues raised by the community (including in submissions) and considered in the Department's Assessment Report and by the decision maker include built form, amenity and parking. Other issues are addressed in detail in the Department's Assessment Report.

<i>Issue</i>	<i>Consideration</i>
Built form setbacks	- The Department considers the setbacks acceptable as building envelope setbacks generally comply with the provisions of the SDCP 2012, with the exception of the upper level setbacks to the north-western boundary and southern boundary, and will result in acceptable built form outcome for the site. The Department considers the upper level setbacks acceptable as an appropriate level of amenity will be maintained. In particular: - there would be a negligible increase in overshadowing impacts, when compared to a compliant building envelope - the setbacks would have minimal impact on the potential redevelopment of 33 Erskine Street, given the unusable section of the site due to the irregular boundary - privacy impacts can be mitigated through internal design layout, location of windows and privacy screens, which will be detailed under the Stage 2 DA. It is noted the Applicant confirmed that the indicative layout does not provide windows along the southern elevation or along the north-western elevation
Amenity - solar access - visual privacy	- The Department is satisfied that any potential amenity impacts arising from the proposal would be minimal. In particular, the Department considers overshadowing impacts are limited with overshadowing predominately falling on roof spaces and some building facades at intermittent times of the day, and no sensitive areas of the public domain. - The Department considers the visual impacts to be minimal given the building envelope is consistent with building height controls under the Sydney Local Environmental Plan 2012, and would likely have negligible to moderate change in view impacts from key locations. Additionally, any potential visual impacts can be managed and mitigated as part of the detailed design under the Stage 2 DA.
Parking - parking proposed is considered excessive - location of parking for coaches and taxi stand	- The Department notes that the quantum of parking will be confirmed under the Stage 2 DA. However, the proposal makes provisions for pick-up and drop-off bays on the upper ground level, plus coach parking to facilitate a 7m long 22 seater Toyota Coaster. - A taxi stand is not proposed under the proposal. - Additionally, details for number and configuration of car parking spaces, bicycle spaces service vehicle and truck loading spaces/zones are subject to the future Stage 2 DA.