

City of Sydney  
Town Hall House  
456 Kent Street  
Sydney NSW 2000

Telephone +61 2 9265 9333  
council@cityofsydney.nsw.gov.au

GPO Box 1591 Sydney NSW 2001  
cityofsydney.nsw.gov.au



27 June 2019

File No: R/2018/30/A  
Our Ref: 2019/317266

David McNamara  
Director, Key Sites Assessment  
Department of Planning and Environment  
PO BOX 39  
Sydney NSW 2001

Attention: Tim Green  
By Email: [Tim.Green@planning.nsw.gov.au](mailto:Tim.Green@planning.nsw.gov.au)

Dear Tim,

**Concept Stage 1 State Significant Development - 301 and 305 Kent Street Concept Hotel Development (SSD 9694)**

Thank you for inviting the City to comment on the State significant development application for a Stage 1 concept plan for a 29-storey hotel development (with ancillary uses), proposed pedestrian and vehicular access arrangements and the provision of on-site bicycle and car parking.

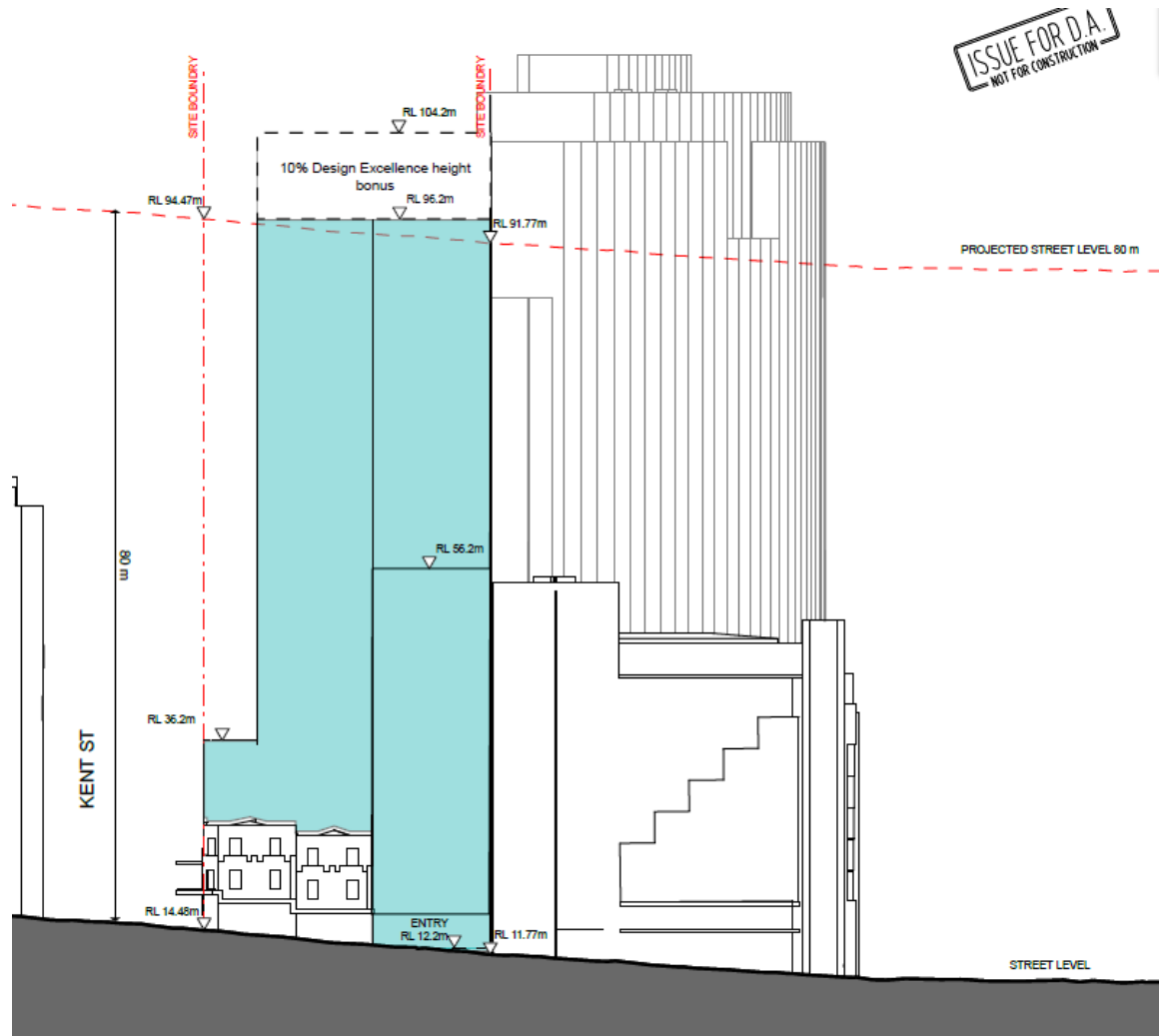
The City has reviewed the information provided as part of the public exhibition and raises a number of concerns detailed below for your consideration.

**Design Excellence Strategy (Strategy)**

The Design Excellence Strategy (Strategy) dated 18 January 2019 submitted with the above SSD has been reviewed. Amendments to the submitted Strategy are required. The City's suggested amendments and commentary on the submitted Strategy can be found at Attachment A.

**Height**

The concept envelope proposes a height of 84.5m which exceeds the maximum permissible LEP height of 80m by 4.5m (5.6% variation to control). This is largely the result of striking a horizontal plane at the top of the envelope rather than responding to the sloping topography of the site (refer image below).



**Figure 1:** Non-compliance with maximum 80m height control (proposed building envelope north (Erskine Street) elevation – image source: Architectus)

The Strategy elects to pursue additional height through the competitive process, which in this case would allow a building of up to 88m under 6.21(7) of the Sydney LEP.

The concept envelope shows that the additional height is proposed to be located above the maximum LEP height of 80m. This would result in a building that exceeds the maximum permissible height by 15.6%. This is not supported as it is not in accordance with the Sydney LEP. Clause 6.21(7)(a) of the LEP sets out that a building demonstrating design excellence:

*may have a building height that exceeds the maximum height shown for the land on the Height of Buildings Map by an amount, to be determined by the consent authority, of up to 10% of the amount shown on the map*

The proposal should firstly be amended to comply with the maximum permissible height of 80m across the development site and conditions imposed clarifying that any additional height pursued through a competitive design process and the subject of a Stage 2 SSD is limited to an additional 10% of the height shown on the LEP map, in accordance with the LEP.

### **Plans (detailed plans submitted with Concept Plan)**

The Architectural drawings includes detailed floor plans and sections, including basement, ground floor, hotel room layout plans etc. and a development matrix.

While these plans are necessary to assess how the concept scheme may work, they should not be included in the approved set of plans. This is to ensure that during the competitive process, architects are not unduly influenced or fettered in developing a creative and innovative design solution for the site. The approved plans should be limited to envelope plans only (detailed architectural plans should not be referenced for approval).

### **Assessment of environmental impacts**

The assessment of environmental impacts (overshadowing, views, visual impact, wind etc.) should be on the basis of the building envelope that includes the potential up to 10% additional height. This is to demonstrate that the site can accommodate a building with additional height while satisfying SEPP, LEP and DCP controls and objectives.

### **Transport and Traffic Management**

The proposed development proposes to remove a driveway on Kent Street (with one driveway remaining for a right of way to adjacent property 299 Kent Street), the proposed plan includes a new two way driveway on Erskine Street, in a street block identified as “New Vehicle Access Not Preferred”, and with no driveways currently existing. The location and size of the proposed driveway needs to be considered further, particularly in terms of how it impacts amenity for people walking day and night.

It is recommended that the specification for the car park location entrance to be from Erskine Street be removed from the Design Excellence Strategy to give the designers flexibility to come up with the best design solution.

### **Possible Retention of Face Brick wall façade on Kent Street**

The existing brick facades of both No. 301 and No.305 Kent Street make a strong contribution to the streetscape of Kent Street and the historical setting of the adjacent heritage buildings.

In particular the façade of No.305 Kent Street has a high level historical and aesthetic significance. They can be incorporated into the new development without causing onerous technical and financial burdens to the redevelopment.



**Figure 2:** 301 and 305 Kent Street, Sydney

## **Car Parking**

The amount of proposed parking to be provided for hotel guest use (77 bays), while permissible under LEP 2012, could be considered further. The maximum number of car parking spaces is to be confirmed at Stage 2.

Further analysis of parking needs may help identify whether a new cross over is necessary or if one of the current cross overs could provide a better option. A reduction in the number of car spaces could mean that the driveway width could be reduced, reducing impacts to pedestrian amenity. A 6.5m driveway is unlikely to be supported given the expected traffic to the site.

It is noted in the provided analysis of pedestrian movements that movements on Erskine Street were increasing in the evening. This reflects the night time uses in the vicinity of Erskine Street. Impacts of the proposed driveway to the pedestrian movements needs to be considered further.

The traffic report mentions that drop-off and pick-up will likely happen from both street locations, however it is not understood how this would happen from Kent Street in the current proposed configuration.

Five service vehicle bays would be preferred. The Stage 2 application should be accompanied by a Loading Dock Management Plan.

The proposal does not comply with DCP 2012 in regards to coach / bus parking requirements. It is anticipated that a hotel of this size would require servicing by coaches. Further analysis needs to be undertaken, including drop-off and pick-up arrangements and appropriate provisions, including a management plan. This has not been provided as part of the concept plan. Note that kerb-side parking arrangements are not guaranteed.

## **Bicycle Parking**

The proposed bike parking and facilities are supported in principle. On-site bicycle parking spaces and end of trip facilities should be provided according to DCP 2012 Clause 3.11.3 as part of the Stage 2 application.

It is recommended that bicycle parking be placed conveniently on the ground floor and/or upper basement level for easy identification and use and must comply Australian Standard AS2890.3:2015.

## **Public Domain**

The Site Stormwater Drainage Drawings referred to in Section 3 of the Stormwater Report could not be found. For stormwater quality, Council has adopted MUSIC Link (i.e. automatically sets the City of Sydney water quality parameters in the MUSIC program). The stormwater quality design/report for the proposed development shall comply with Council's MUSIC Link model. The certificate/report from the MUSIC Link model and the electronic copy of MUSIC Model shall be submitted for review with the future Stage 2 application.

The Stormwater Design Management Report nominates a basement carpark ramp threshold of RL12.3m AHD. It is noted that this has not been reflected on the concept

architectural drawings. The north elevation and podium section CC plans both show a vehicle entry RL of 12.2m.

Based on the information submitted with the concept application it is recommended that"

- Basement entry crest shall be set as a minimum at 300 mm above the adjacent road gutter invert and
- Hotel reception shall be set as a minimum at 300 mm above the adjacent road gutter invert.

NOTE: Exact RLs could not be calculated as the Site Survey (Appendix C to the EIS) could not be located in the package of documents. The driveway location should be resolved prior to finalising the FPL for the basement car park.

### **Waste**

The future Stage 2 application shall demonstrate compliance with the requirements for waste collection for residential development and Policy for Waste Minimisation in New Development 2005 (as amended).

### **Acid Sulfate Soils**

The subject site is located within a class 5 Acid Sulfate Soils Zone and is approximately 50 meters from a Class 1 Acid Sulfate Soils Zone. The Stage 2 application must be accompanied by an Acid Sulphate Soil Management Plan. The Acid Sulphate Soil Management Plan must be prepared by a suitably qualified person in accordance with the *Acid Sulphate Soil Assessment Guidelines (Acid Sulfate Soils Management Advisory Committee August 1998)*.

Should you wish to speak with a Council officer about the above, please contact Vanessa Cagliostro, Senior Planner on 9246 7758 or at [vaziz@cityofsydney.nsw.gov.au](mailto:vaziz@cityofsydney.nsw.gov.au)

Yours sincerely,



**Graham Jahn AM**  
**Director**  
City Planning | Development | Transport