

Prepared for:  
Romanous Developments Pty Ltd

Date:  
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State Significant Development Application – SSD 9694, 301 and 305 Kent  
Street, and 35–39 Erskine Street, Sydney

# Response to Submissions Addendum

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This report is considered a draft unless signed by a Director or Principal.

Jane Freeman  
Principal, Urban Design and Planning

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- Appendix A** Amended Architectural Drawings and Report  
*Prepared by DBI Architects*
- Appendix B** Wind Environment Letter (Addendum to Wind Assessment Report)  
*Prepared by WindTech*
- Appendix C** Amended Design Excellence Strategy  
*Prepared by Architectus*

# 1. Introduction

## 1.1 Purpose of this report

This Response to Submissions (RTS) Addendum has been prepared for a State Significant Development Application (SSDA) for a proposed hotel development located at 301 and 305 Kent Street, and 35-39 Erskine Street, Sydney. This report provides a response to key issues raised in submissions from local government and agencies following lodgment of the Response to Submissions.

The SSDA was publicly exhibited from 6 June 2019 to 3 July 2019. The response to the Submissions package was lodged to the Department of Planning and Environment (DPIE) on the 9<sup>th</sup> of September 2019.

A total of three (3) submissions were received in relation to the RTS to SSDA 9694, including one (1) submission from the City of Sydney Council (Council), one (1) submission from Environment, Energy and Science Group (EES) in the DPIE and one (1) submission from Transport for NSW (TfNSW).

This RTS Addendum has been prepared by Architectus on behalf of Romanous Developments Pty Ltd, the Applicant for SSDA No. 9694.

In response to key submissions on the application a series of design changes have been made and further assessment undertaken which are detailed further below. Consultation meetings with DPIE on the 24<sup>th</sup> October 2019 and a telephone call with Andrew Rees from Council on the 31<sup>st</sup> October 2019 have also contributed to the design changes.

This RTS Addendum should be read in conjunction with the exhibited Environmental Impact Statement (EIS) prepared by Architectus, the RTS lodged on the 9 September 2019, the revised Architectural Drawing Set and Architectural Design Report prepared by DBI (at **Appendix A**), the Wind Environment Letter prepared by WindTech (at **Appendix B**), and the Amended Design Excellence Strategy at **Appendix C**.

## 1.2 Proposal

SSDA No. 9694 was lodged with the DPIE on 16<sup>th</sup> May 2019, under Section 4.22 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and is referred to as a 'Concept SSDA'. It sought concept approval for the proposed building envelope, hotel use, pedestrian and vehicular access arrangements, and car parking provision.

There are no physical works proposed by the Concept SSDA. Demolition of the existing buildings on the site, site excavation, and construction of the proposed development will be the subject of future development approval(s).

Specifically, the EIS for the Concept SSDA sought development consent for:

- The establishment of a building envelope up to a height of RL 96.2m;
- Use of the site as a hotel (with ancillary uses);
- Pedestrian and vehicular access arrangements; and
- The provision of on-site bicycle and car parking.

The RTS submitted on 9 September 2019 modified the description of the development consent to:

- Establishment of a building envelope up to a height of RL 96.2m;
- Use of the site as a hotel (with ancillary uses);
- Five levels of basement car parking and loading dock;
- Pedestrian and vehicular access arrangements.

A future detailed SSDA (Stage 2 SSDA) will be lodged for the detailed design and construction of the development, following the completion of a competitive design process held in accordance with Clause 6.21(5) of the *Sydney Local Environmental Plan 2012* (SLEP 2012) and the Design Excellence Strategy prepared as part of the Concept SSDA.

The redevelopment of the site provides a unique opportunity to deliver a new hotel building in Central Sydney that is commensurate with Sydney's global status and responds to the significant need for additional tourist accommodation in Central Sydney.

### 1.3 Proposed development under this RTS Addendum

The following changes are made to the Concept Proposal in response to recent submissions received and subsequent consultation with the City of Sydney Council and DPIE.

#### Design changes

- **Building height:** The Clause 4.6 variation to Building Height development standard is withdrawn and a compliant building height of up to 80m is proposed, with potential 10% additional height subject to a future design competition;
- **Vehicular access:** The location and details of vehicular access are to be investigated further during design competition and confirmed in a future Stage 2 Detailed DA;
- **Tower setbacks above street frontage height:**
  - Northern setback from Erskine Street above 40m has been increased from 6m to 8m;
  - Western setback above 40m has been increased from nil to 1.5m;
  - Southern setback above 20m has been increased from 2.5m to 3m to the neighbouring building.

#### Other key issues

- **Face brick wall:** interpretation of existing face brick wall façade to be reflected in the Design Excellence Strategy for investigation for the new building during the future design competition;
- **Green roofs and walls:** Green roofs and walls to be reflected in the Design Excellence Strategy for investigation during the future design competition.

#### Amended concept development description

The proposed concept development description is varied under this RTS Addendum to include:

- Establishment of a building envelope up to a maximum height of RL 95.9m on the western elevation;
- Use of the site as a hotel (with ancillary uses); and
- Five levels of basement car parking and loading dock.

### 1.4 Authorship

This report has been prepared by Jane Anderson, Senior Urban Planner and Paris Wojcik, Senior Urban Planner.

Jane Fielding, Senior Associate, Urban Planning has provided quality assurance.

## 2. Response to submissions

This section responds to the comments and issues raised in the RTS to the Concept SSDA.

This RTS Addendum should be read in conjunction with the exhibited EIS prepared by Architectus, the RTS lodged on the 9 September 2019, the amended Architectural Drawing Set and Architectural Design Report prepared by DBI (at **Appendix A**), the Wind Environment Letter (at **Appendix B**), and the Amended Design Excellence Strategy at **Appendix C**.

### 2.1 Summary of responses to RTS

A total of three (3) submissions were received in response to the RTS to the Concept SSDA. Submissions received include:

- One (1) submission from City of Sydney Council;
- Two (2) submissions from State Government authorities and agencies, including:
  - One (1) from TfNSW;
  - One (1) from EES Group in the DPIE.

### 2.2 Building height

#### City of Sydney submission

The City of Sydney Council's response to the response of submissions, provided that the Council did not support the 5.6% variation to the height control. They requested the building envelope drawings are to be amended to reflect the 80m height limit that aligns with the topographical fall of the site.

#### Response

The Clause 4.6 variation to Building Height development standard is withdrawn, and a Concept Envelope is proposed that complies with the maximum LEP building height control of 80m. The highest point of the proposed Concept Envelope will be RL 95.9m on the south-east elevation.

Additional building height or FSR of up to 10% shown on LEP building heights / FSR maps respectively, may be sought in a future design competition, where it is demonstrated the design exhibits design excellence. This would then be confirmed in a Stage 2 Detailed DA. The amended Concept Architectural plans show 10% height bonus.



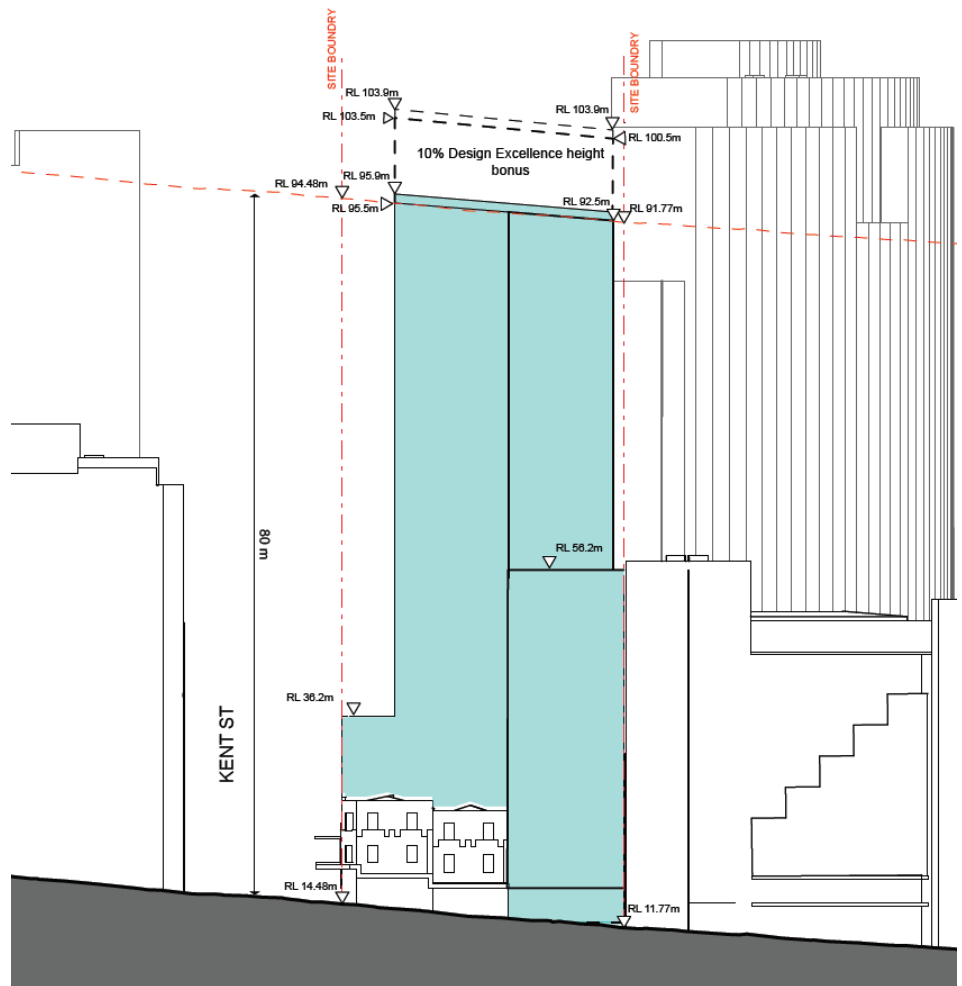


Figure 1 - Stage 1 DA proposed building envelope (Erskine Street / North Elevation)

This plan shows the proposed concept envelope (shaded in blue). The highest point of the proposed Concept Envelope will be RL 95.9m on the south-east elevation. The plan also shows the potential additional 10% Design Excellence bonus height (dotted line).

## 2.3 Overshadowing

### City of Sydney submission

The City of Sydney (council) are not satisfied with the overshadowing diagrams as they do not show the full extent of shadow at mid-winter. They do not agree that there are no overshadowing impacts to any surrounding residential properties.

### Response

Additional shadow diagrams have been prepared by DBI Architects which illustrate the full extent of overshadowing. Refer to Amended Architectural Drawings at **Appendix A**.

The proposed building envelope does not result in overshadowing of any area of public open space. The additional shadow caused by the proposed building envelope presents minor impacts to nine (9) properties, which are identified as:

- 309-321 Kent Street, Sydney (Non-residential)
- 25-33 Erskine Street, Sydney (Non-residential)
- 29-35 Shelley Street, Sydney (Serviced apartments)
- 45-49 Shelley Street, Sydney (Residential apartments)
- 51-63 Sussex Street, Sydney (Non-residential)
- 81 Sussex Street, Sydney (Non-residential)

- 123-129 Clarence Street, Sydney (Non-residential)
- 131-135 Clarence Street, Sydney (Non-residential)
- 137-151 Clarence Street, Sydney (Non-residential)

Out of the nine (9) above mentioned properties, only two properties comprise residential / serviced apartment uses. The remaining seven (7) properties are used for non-residential (retail and commercial) purposes. An assessment of these properties is provided below.

#### *309-321 Kent Street*

Development at 309-321 Kent Street contains non-residential uses and is primarily used for commercial purposes. During early consultation, overshadowing was raised as an issue to three privately owned spaces to the south of the site at 309-321 Kent Street. These spaces are listed below and shown at Figure 51 in the EIS:

- Proposed level 4 terrace at 309 Kent Street;
- Publicly accessible areas within 309-321 Kent Street; and
- Adjoining childcare centre at 309 Kent Street.

At different times throughout the year, the proposal will result in minor overshadowing to the adjoining commercial building to the south at 309-321 Kent Street.

Given the tower setback to Kent Street has been designed to align with the existing setback of 309 Kent Street, the proposed building will only result, in minor overshadowing in the early afternoon on the level 4 terrace, which will in fact be cast in its own shadow for most of the afternoon throughout the year.

Likewise, the publicly accessible areas of 309-321 Kent Street are to the south of 309 Kent Street and will be in shadow cast by its own development. The proposed envelope will not result in any additional overshadowing of this area.

The outdoor areas of the childcare centre are significantly overshadowed by existing development for much of the year. The shadow diagrams suggest there will be some additional overshadowing from the proposed development at noon (12pm) to early afternoon at the autumn equinox and during the spring equinox. This is the worst-case scenario, because at other times of the year the space is either already in shadow (such as at mid-winter), or the shadow cast by the proposed development is shorter and does not impact on the space at the times when it is in sun (summer).

Overall the impact is considered negligible and is not unreasonable given the adjoining uses are not used for residential purposes.

Furthermore, given the building envelope has since been amended resulting in reduced height and greater setbacks, naturally, the overall overshadowing impacts will also be reduced.

#### *25-33 Erskine Street*

Development at 25-33 Erskine Street contains non-residential uses and is primarily used for commercial purposes.

At 9am during the 22nd December and 21st March, the proposal will result in minor overshadowing to the adjoining commercial building to the west at 25-33 Kent Street. As requested by Council, the setback to the north (Erskine Street) has been increased from 6m to 8m, resulting in a slightly improved solar outcome, particularly during the early morning (at 9am).

The shadow cast is fast moving and by 12pm only a small portion of the roof is overshadowed which is concentrated in the south-east corner of the building. By 3pm the building is unimpacted and is sunlit.

During winter (21st June) the roof of 22-33 Erskine Street is already overshadowed by other development, however receives some sunlight from 2pm onward.

#### 29-35 Shelley Street

Development at 29-35 Shelley Street is a residential / serviced apartment building.

At 9am on 21 March (Autumn Equinox), the proposed envelope will have minor shadow impacts to the car park / driveway entrance at 29-35 Shelley Street. The shadow does not impact the "Apartments Plus" serviced apartments development itself.

The cast of the shadow moves quickly and by 12pm there is no impacts to the car park area or development at 29-35 Shelley Street.

#### 45-49 Shelley Street

Development at 45-49 Shelley Street comprises a six-storey building with commercial and retail premises found on the street level and residential apartments above.

At 9am on 21 June (Winter Solstice), the proposed envelope will have minor shadow impacts on the roof of the residential building of 45-49 Shelley Street. By 9:30am, the extent of shadow is limited to a shaft of overshadowing only. By 12pm, there is no overshadowing impacts to development at 45 - 49 Shelley Street.

#### Other development

Impacts to remaining properties at 51-63 Sussex Street, 81 Sussex Street, 123-129 Clarence Street, 131-135 Clarence Street and 137-151 Clarence Street is considered negligible and is not unreasonable given these buildings do not contain residential uses.

## 2.4 Design Excellence Strategy

### City of Sydney submission

Council has raised issues regarding the Design Excellence Strategy (Issue C) dated 6 of September 2019 submitted with the RTS submission. Council have requested additional changes to the strategy – Section 1.1 and Section 3.5 below.

### Response

#### Section 1.1

Council ruled two (2) paragraphs of Section 1.1 – shown below.

~~Part 2.4 of the GANSW Guidelines state that the GANSW Guidelines should be used where the local design excellence competition policy or guideline does not exist or apply.~~

~~In line with these documents and the feedback received from the GANSW, this strategy is to facilitate a competitive design process under Clause 6.21 of the Sydney LEP 2-12 prior to a future Stage 2 detailed SSDA.~~

Council mentioned that the information above is not relevant to be included in the Design Excellence Strategy as it needs to be consistent with SLEP 2012 and the City of Sydney Competitive Design Policy.

As such, the Design Excellence Strategy, has been modified to be consistent with SLEP 2012 and the City of Sydney Competitive Design Policy. The additional changes to the strategy are shown below:

*The site will be pursuant of Clause 6.21 of the Sydney LEP 2-12 prior to a Stage 2 of the SSDA.*

#### Section 3.5

Council ruled one (1) paragraph of Section 3.5 and included comments – shown below.

~~The overall objective of the ESD report is to identify potential strategies in the project design that will reduce consumption of energy and other valuable natural resources throughout the construction and operation of the site to ensure the long term sustainable performance of the site and impacts on the community and environment.~~

Council suggested that this section should confirm targets and technology commitments in regard to ESD. These are proposed to be adopted by the Applicant. When the design competition is undertaken, the development will aim to achieve the following sustainability targets:

- The Hotel component of the development will be designed to meet the requirements of 5-star NABERS Hotel Energy Rating, evidenced by the proponent entering into a formal NABERS Energy Commitment Agreement with the Office of Environment and Heritage at stage 2 / Detailed Design stage;
- The project will be formally rated using the Australian Green Building Council's Design and As Built rating tool and designed to achieve a minimum 5-star Green Star certification; and
- The building will incorporate renewable energy technology in the form of one or more of the following technologies: photovoltaic (solar energy) system(s), solar thermal, and/or air sourced heat pump water heating for domestic hot water supply.

#### Other

Other changes have been made to the Design Excellence Strategy including:

- Face brick wall: Interpretation of existing face brick wall façade to be reflected in the Design Excellence Strategy for investigation for the new building during the future design competition – refer further discussion below on this.
- Green roofs and walls: Green roofs and walls are to be reflected in the Design Excellence Strategy for investigation during the future design competition. Refer further discussion below on this.

## **2.5 Driveway Access – Erskine Street**

### City of Sydney submission

Council reiterates in their Response to Submissions that the two-way driveway on Erskine Street is not supported and should be removed from the Design Excellence Strategy. They oppose the proposed driveway as they believe it remains excessive and will diminish current pedestrian amenity.

Council encourages a better outcome to reduce the number of driveway crossings associated with this site, proposing a vehicular entry to the hotel with the right of way associated with 299 Kent Street. Council also refers to the Central Sydney DCP 1996, Section 3.3, Vehicle Access and Footpath Crossings.

### Response

The Design Excellence Strategy has been amended to clarify the location and details of vehicular access are to be investigated further during the future design competition and confirmed in a future Stage 2 Detailed DA.

The Applicant and consultant team remain of the view that vehicular access from Erskine Street is still the logical location, there is sufficient justification for this (e.g. demonstrated through pedestrian modelling to date, and for reasons of vehicular safety and amenity outcomes), and it will result in the best outcome for the architectural design for the building. However, this can be tested during a design competition.

## **2.6 Car Parking**

### City of Sydney submission

Council advise that 77 car parking bays is excessive for hotel use and suggest reducing the amount of spaces so that the driveway width could also be reduced.

### Response

Consent is not sought at this Concept stage for car parking numbers, only the envelope for basement parking (five basement levels).

As Council are aware, construction of basement levels in Central Sydney is expensive and in light of the future Metro stations, the demand for car parking is likely to be reduced than what has been considered under this Concept application.

As detailed in previous RTS, the quantum of car parking spaces will therefore be confirmed through a future Stage 2 SSDA.

## 2.7 Face brick wall façade

### City of Sydney submission

In accordance with Council's comments, *Sydney DCP 2012, Section 3.10.1 – Warehouses and industrial buildings older than 50 years*, aims to encourage and conserve existing warehouse buildings and fabric to maintain the legibility of the historic use.

Council recommends that warehouse buildings should remain a design option at Stage 2 of the SSDA in order to make a strong contribution to the streetscape and the historical setting of the adjacent heritage buildings.

### Response

The Design Excellence Strategy has been amended to require investigation of *interpretation* of existing face brick wall façade in the new building during the future design competition. It now includes examples of architectural design within Kent Street that the site should consider in the design process. Refer to the amended Design Excellence Strategy at **Appendix C**.

## 2.8 Building setbacks

The City of Sydney raised issues with the proposed setbacks of the building. The proposal is consistent with SDCP 2012 5.1.2 Building Setbacks and ensures the objectives of SLEP 2012 6.16 Erection of tall buildings are met.

A summary of the previously proposed setbacks, Sydney DCP 2012 requirements for setbacks, requirement for setbacks in Council's submission, and our revised proposed setbacks, are set out in the table below and illustrated in **Figure 2**.

**Table 1 Summary of tower setbacks above the street frontage height**

	Previously proposed	DCP requirement	Council's submission requirement	Revised proposal
<b>North</b>	6m	8m	8m	8m
<b>West</b>	0m	3m* (Walls without windows do not need to be setback)	3m	1.35m* (see below)
<b>South</b>	2.5m	3m (Walls without windows do not need to be setback)	3m	3m* to building (see below)

*\*The 3m proposed setback to the adjacent building to the south at 301-307 Kent Street is considered acceptable. Refer to discussion below.*

### *North*

To the North, Council require an 8m setback to the building to alleviate wind impacts.

This setback has been amended in accordance with Council's requirement, and is shown in the amended building envelope drawings at **Appendix A**.

#### *West*

The Stage 1 SSDA submission proposed a 0m setback to the adjoining commercial building with no windows, to the west of the site.

As noted in the submission, Council require a 3m setback.

This consent proposes no setback to the adjoining building in accordance with Section 5.1.2.2 Side and rear setbacks, subclause (3) of the Sydney DCP, which states;

*(3) In new commercial buildings, windows at the same level as the principal living room windows or balconies of adjacent residential buildings, or above a height of 45m are to be set back from side and rear boundaries by at least 3m.*

**Walls without windows do not need to be set back.**

In our opinion, the previously proposed nil western setback to the building is the best design outcome for the building envelope. This would have made the site flush with the adjacent buildings and streetscape.

Despite the above, the plans have been updated to allow a 1.35m setback to the adjoining western building, to accommodate for potential redevelopment if future development were to occur at 35-39 Erskine Street.

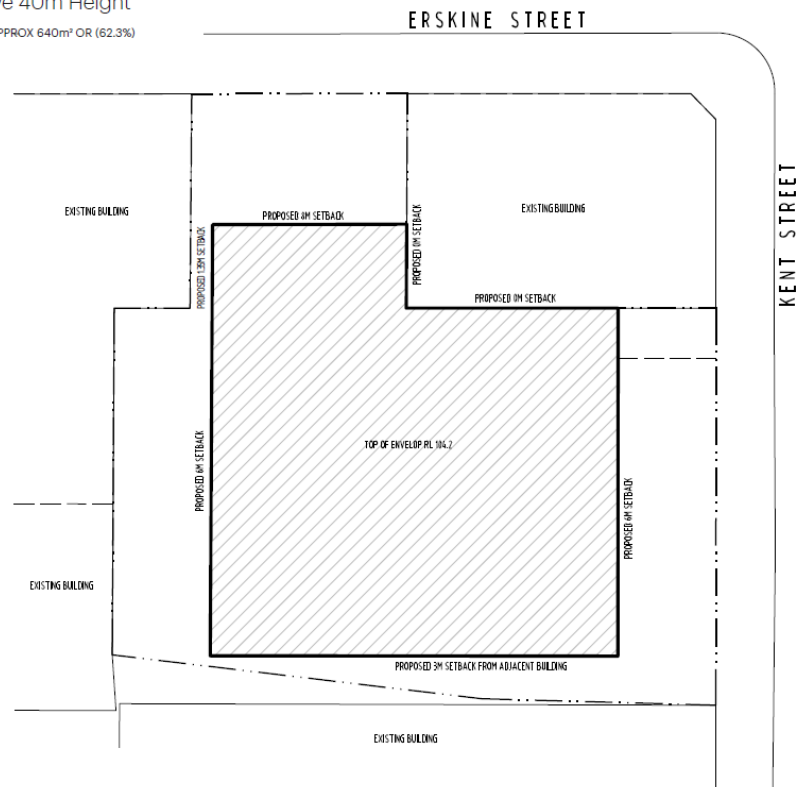
#### *South*

To the south, Council submitted the southern setback requirement of 3m to the boundary, however this will result in bad planning outcomes. Due to the irregularity of the site and the angled side boundary, this proposal acknowledges Council's submission however requests the 3m setback to the adjoining building.

The 3m setback to the adjoining building will allow for regular built form and for the site to be parallel with the Dexus building at 209 Kent Street. The proposal provides a setback compliant with Section 5.1.2.2, subclause (3) of the Sydney DCP, mentioned above, which allows a nil setback for commercial buildings with no windows. Further, the submission from Dexus also notes that the setback to the south is compliant.

This proposal also notes similar recent development, 151 and 161 Clarence Street, have both been built with blank walls to their side boundaries. If the building were to be setback to the boundary as well as no additional building height, the southern setback will need to be reduced or removed to make the proposed Hotel feasible and within the FSR of 11:1 within the proposed building envelope.

Tower - Above 40m Height  
SITE COVER AREA - APPROX 640m² OR (62.3%)



**Figure 2 – Revised tower setbacks**

Amended architectural plans of tower show proposed 8m setback to the north, 6m setback to the west, 3m setback to the south and 6m setback to the east.

**Table 1: Other issues raised in the Response to Submissions Addendum**

<u>Issue:</u>	<u>Response:</u>
<p><b>Environmental impact - wind</b></p> <p>Council raised that inadequate information has been provided in accordance with Clause 6.21(4)(d)(vii) of the SLEP 2012 which requires environmental impacts to be considered.</p> <p>They suggest resubmitting an amended Pedestrian Wind Environment Study.</p>	<p>The wind consultant, Windtech, has prepared a letter in response to Council's concerns at <b>Appendix B</b> to this report.</p> <p>Note in relation to the City of Sydney's comment in their submission to the "Level 13 Terrace", the terrace was removed following exhibition of the EIS.</p> <p>Further to this, the City of Sydney's submission recommended a setback of 8m to the north to improve wind conditions. This has been adopted in design changes.</p> <p>Further wind tunnel testing can be commissioned following Concept approval to inform design competition schemes / Stage 2 DA.</p>
<p><b>Waste</b></p> <p>Waste collection and loading is to be in accordance with the "City of Sydney's Guidelines for Waste Management in New Developments".</p>	<p>The Stage 2 Detailed DA will comply with the City of Sydney's Guidelines for Waste Management in New Developments.</p>

<u>Issue:</u>	<u>Response:</u>
Specific comments for waste were also made in relation to the design.	The other Council comments can be reflected in detailed design of the development under the Stage 2 Detailed DA.
<b>Stormwater drainage plans</b> Council mentions that their previous comments in a letter dated 27 June 2019 has not been addressed in regard to the basement entry crest and hotel reception levels having a minimum 300m above the adjacent road gutter inverts. The measurements in the Stormwater Management Report, drawings DA 06 and DA 23, including, North Elevation DA 30 are inconsistent and the resolution is poor.	The amended architectural plans address these issues. Refer to <b>Appendix A</b> .
<b>Public domain</b> Council raises issues with drawing DA 30, as the driveway entry level has a RL 12.2m, however, the ground level is 11.77m.	DA drawing 30 has been amended to have a driveway entry level of 11.77m. Refer to <b>Appendix A</b> .
<b>Aboriginal Cultural Heritage</b> In accordance with the Aboriginal Cultural Heritage Assessment Report (ACHAR) the study area may reveal Aboriginal archaeological deposits of high scientific significance. The EES Group recommend implementing an Aboriginal archaeological excavation methodology, as outlined in Section 8 of the ACHAR, if natural soil profiles are identified and warrant investigation. EES also recommends that if the Concept DA is approved that Aboriginal cultural heritage conditions provided in their response are included as conditions of consent.	The Stage 2 Detailed DA is to be in accordance with ACHAR and the conditions of consent recommended by EES.
<b>Urban Tree Canopy and Landscaping</b> EES identifies the lack of vegetation and landscaping proposed for the site and discusses how this issue does not align with Planning Priority E17 of the Greater Sydney Commission's Eastern City District Plan – increasing urban tree canopy cover and deliver green grid connections.	There is the potential for these matters to be incorporated into the Design Excellence Strategy, future Design Brief, and Stage 2 Detailed DA.
<b>Green Walls, Green Roofs and Cool Roofs</b> Office of Environment and Heritage recommended in its previous submission that the development should incorporate green walls, green roofs and/ or cool roof into the design. EES notes that in the EIS for Concept Development includes public art for the development, it is unclear as to	Green roofs and walls to be reflected in the Design Excellence Strategy for investigation during the future design competition and Stage 2 Detailed DA.



<u>Issue:</u>	<u>Response:</u>
why green infrastructure is not also included.	
<p><b>Coach Parking and Passenger Pick Up and Drop Off</b></p> <p>TfNSW advise that unmet demand for parking on site would potentially result in traffic circulating through the CBD to find alternative facilities and passenger pick-up and drop-off being carried out in traffic lanes within the vicinity of the site, potentially blocking traffic movements.</p>	<p>In accordance with TfNSW recommendation, for Stage 2 SSDA submission, a Coach Parking and Passenger Pick up and Drop off Management Plan will be conducted in consultation with the Sydney Coordination Office within TfNSW.</p> <p>This plan will include details of parking facilities within the site which adequately accommodate the forecast point to point transport, wayfinding and ride and coach passenger pick up and drop off demand of the development so as to not rely on the kerbside restrictions to conduct the development's business.</p>
<p><b>Construction Pedestrian and Traffic Management</b></p> <p>TfNSW request that a Construction and Pedestrian Traffic Management Plan (CPTMP) will need to be prepared for the Stage 2 Development Application.</p>	<p>In accordance with TfNSW recommendations, the CPTMP will be prepared for the Stage 2 SSDA and can be conditioned in the Concept approval for the Stage 2 Detailed DA.</p>
<p><b>Freight and Servicing</b></p> <p>A loading dock management plan is required that incorporates a booking system.</p>	<p>In accordance with TfNSW recommendations, a loading dock management plan will be prepared Stage 2 SSDA and can be conditioned in the Concept approval for the Stage 2 Detailed DA.</p>

# 3. Conclusion

This Response to Submissions Addendum has been prepared for a Concept State Significant Development Application for a proposed hotel development located at 301 and 305 Kent Street, and 35-39 Erskine Street, Sydney.

The Concept SSDA (SSDA No. 9694) was lodged with DPIE in May 2019, and sought concept approval for the proposed building envelope (up to a height of RL 96.2m), hotel use, five levels of basement parking, and pedestrian and vehicular access arrangements.

This RTS Addendum makes changes to:

- **Building height:** The Clause 4.6 variation to Building Height development standard is withdrawn and a compliant building height of up to 80m is proposed, with potential 10% additional height to subject to a future design competition;
- **Vehicular access:** The location and details of vehicular access to be investigated further during design competition and confirmed in a future Stage 2 Detailed DA;
- **Tower setbacks above street frontage height:**
  - Northern setback from Erskine Street above 40m has been increased from 6m to 8m;
  - Western setback above 40m has been increased from nil to 1.5m;
  - Southern setback above 20m has been increased from 2.5m to 3m to the neighbouring building.
- **Face brick wall:** The Design Excellence Strategy has been amended to require investigation of interpretation of existing face brick wall façade in the new building during the future design competition.
- **Green roofs and walls:** Green roofs and walls are also reflected in the Design Excellence Strategy for investigation during the future design competition.

The proposed concept development description is varied under this RTS Addendum to include:

- Establishment of a building envelope up to a maximum height of RL 95.9m on the western elevation;
- Use of the site as a hotel (with ancillary uses);
- Five levels of basement car parking and loading dock;

A future detailed SSDA (Stage 2 SSDA) will be lodged for the detailed design and construction of the development, following the completion of a competitive design process held in accordance with Clause 6.21(5) of the *Sydney Local Environmental Plan 2012* (SLEP 2012) and the Design Excellence Strategy prepared as part of the Concept SSDA.

The redevelopment of the site provides a unique opportunity to deliver a new hotel building in Central Sydney that is commensurate with Sydney's global status and responds to the significant need for additional tourist accommodation in Central Sydney.

**With regard to the matters discussed within this report, it is recommended that the Minister for Planning or delegate grant consent to the Concept SSDA.**