

## Relevant Information for Council

---

**FILE:** X037821 **DATE:** 14 May 2021

**TO:** Lord Mayor and Councillors

**FROM:** Graham Jahn AM, Director City Planning, Development and Transport

**SUBJECT:** Information Relevant To Item 9.4 – Planning Proposal - 92-98 Brougham Street, Potts Point - Sydney Local Environmental Plan and Sydney Development Control Plan 2012 Amendment

---

### For Noting

This memo is for the information of the Lord Mayor and Councillors.

### Transport for NSW - Public authority referral response

On 22 April 2021, Transport for NSW contacted the City to advise that the initial referral to provide comment on Planning Proposal - 92-98 Brougham Street, Potts Point was yet to be completed and that the agency still intended to provide comment on the proposal.

Transport for NSW provided a response on 6 May 2021, which raised no objection to the proposal and included items to be addressed at the development application stage, outlined below:

#### Kerbside Use

The Traffic Impact Assessment states that both loading and the pick-up / set-down of passengers (by coach or otherwise) is expected to occur on Victoria Street due to site constraints including heritage. It also notes that no onsite car parking is proposed for similar reasons, and also due to the proximity of good public transport (including Kings Cross station).

If the proposal proceeds, the following matters should be addressed as part of any future development application:

- Promotion of safe and efficient operation of the loading and pick up/ drop off area to minimise disruption to traffic;
- Management of any queuing along Victoria Street, due to vehicles accessing the loading zone;

- Management of any queuing along Victoria Street, due to vehicles accessing the pick-up/ drop off area; and
- Discussion on any requirements for coach servicing (if any).

No change is required to the planning proposal as a result of the submission.

### **Heritage NSW - Public authority referral response**

On 28 April 2021, Heritage NSW provided their referral comments for the planning proposal. No objection was raised to the proposal, however the referral recommended that the landowner undertake investigations into the likelihood of historic archaeology relics and management required under the Heritage Act.

While the site is not located close to any State heritage items, the referral advises that future development has the potential to impact several local heritage items and two heritage conservation areas. The assessment and consideration of any impacts rests with Council and will be required to be addressed in any future development application.

The City's current planning controls provide a framework for assessing heritage impacts as part of a future development application.

No change is required to the planning proposal as a result of the submission.

Prepared by: Daniel Thorpe, Specialist Planner

### **Attachments**

**Attachment A.** Transport for NSW Response

**Attachment B.** Heritage NSW Response

---

Approved



**GRAHAM JAHN AM**

Director City Planning Development and  
Transport

# **Attachment A**

**Transport for NSW Response –  
Planning Proposal**



6 May 2021

TfNSW Reference: SYD21/00498/01  
Council ref: 2020/567423

Ms Monica Barone  
Chief Executive Officer  
City of Sydney  
GPO Box 1591  
SYDNEY NSW 2001

Attention: Tim Wise

Dear Ms Barone,

**PLANNING PROPOSAL: 92-98 BROUGHAM STREET, POTTS POINT**

Transport for NSW (TfNSW) appreciates the opportunity to provide comment on the above proposal, which was referred to us in Council correspondence dated 11 January 2021, and apologise for the delay in responding.

TfNSW has reviewed the submitted documentation and notes that this planning proposal seeks to amend Schedule 1 of the Sydney Local Environmental Plan 2012 to permit the additional use of *hotel and motel accommodation* at 92-98 Brougham Street, Potts Point. This site is currently zoned R1 - General Residential under which *hotel or motel accommodation* (a type of *tourist and visitor accommodation*) is prohibited.

As such, this planning proposal aims to facilitate a future hotel proposal across a larger combined development site that includes two adjoining sites zoned B4 – Mixed Use, at 169 and 171-173 Victoria Street (the latter being the vacant Piccadilly Hotel).

Comments on the proposal are provided in **Attachment A** for Council's consideration, which should be addressed at the development application stage.

Thank you for the opportunity to provide advice on the subject planning proposal. Should you have any questions or further enquiries in relation to this matter, Supun Perera would be pleased to assist you via email at: [supun.perera@transport.nsw.gov.au](mailto:supun.perera@transport.nsw.gov.au)

Yours sincerely

A handwritten signature in blue ink that reads 'Cheramie Marsden'.

Cheramie Marsden  
**Senior Manager Strategic Land Use**  
**Land Use, Network & Place Planning, Greater Sydney Division**

**Attachment A: TfNSW Comments on Planning Proposal at 92-98 Brougham Street, Potts Point**

(Provided May 2021)

Kerbside Use

The Traffic Impact Assessment states that both loading and the pick-up / set-down of passengers (by coach or otherwise) is expected to occur on Victoria Street due to site constraints including heritage. It also notes that no onsite car parking is proposed for similar reasons, and also due to the proximity of good public transport (including Kings Cross station).

If the proposal proceeds, the following matters should be addressed as part of any future development application:

- Promotion of safe and efficient operation of the loading and pick up/ drop off area to minimise disruption to traffic;
- Management of any queuing along Victoria Street, due to vehicles accessing the loading zone;
- Management of any queuing along Victoria Street, due to vehicles accessing the pick-up/ drop off area; and
- Discussion on any requirements for coach servicing (if any).

# **Attachment B**

**Heritage NSW Response**



Our ref: DOC21/312317

Ms Monica Barone  
Chief Executive Officer  
City of Sydney  
[council@cityofsydney.nsw.gov.au](mailto:council@cityofsydney.nsw.gov.au)

Attention: Mr Tim Wise, [twise@cityofsydney.nsw.gov.au](mailto:twise@cityofsydney.nsw.gov.au)

### **Planning proposal – 92-98 Brougham Street, Potts Point**

Dear Ms Barone

Thank you for the opportunity to comment on the planning proposal for 92-98 Brougham Street, Potts Point under *City Local Environmental Plan (LEP) 2012*. This planning proposal seeks to amend the LEP by adding hotel and motel accommodation as a permitted use on the site, while retaining the overriding residential zoning.

Based on the information provided, we have reviewed the planning proposal against our records and note that there are no identified impacts on any items listed on the State Heritage Register. In relation to historic archaeology, if the proponent has not already undertaken their own investigation to assess the likelihood of 'relics' and any subsequent management required under the *Heritage Act 1977*, they should do so.

However, we note that the proposal has the potential to have an impact on several items of local heritage significance and two heritage conservation areas (HCA) listed under Council's LEP. As these items and HCAs are listed under your LEP, Council is the consent authority, and the assessment and consideration of any impacts on these items and HCAs rests with Council.

Prior to finalisation of the proposal, Council should be satisfied that all necessary due diligence and heritage assessments have been undertaken and that any impacts have been sufficiently addressed. Council's assessment should include, but not limited to, a search of the State Heritage Inventory (<https://www.heritage.nsw.gov.au/search-for-heritage/search-for-nsw-heritage/>).

If you have any questions please contact Andreana Kennedy, Senior Heritage Policy Office, Strategic Relationships & Planning at Heritage NSW, Department of Premier and Cabinet by phone on 02 8289 6692 or via email at [andreana.kennedy@environment.nsw.gov.au](mailto:andreana.kennedy@environment.nsw.gov.au).

Yours sincerely

**Rochelle Johnston**  
**Manager, Heritage Act Programs**  
**Heritage NSW**

**As delegate of the Heritage Council of NSW**  
28 April 2021