

Item 4.**Development Application: 208-218 Riley Street, Surry Hills**

File No.: D/2018/1451

Summary

Date of Submission: 30 November 2018
Amended plans received 13 June 2019

Applicant/Developer/Owner: Cienna Group

Architect: Tzannes

Cost of Works: \$39,270,000

Zoning: B4 - Mixed Use. The proposed hotel is permissible with consent.

Proposal Summary: The application proposes the construction of an 11-storey hotel with five levels of basement accommodating car parking, back-of-house services and facilities. The application also includes alterations to the existing Cambridge Hotel on the site. The new building will accommodate 95 rooms, increasing the number of hotel rooms within the Cambridge Hotel from 173 to 244. The number of car spaces will reduce from 60 to 52 and provide 24 bike parking spaces.

This is a detailed design application following the approval of a concept DA (D/2016/1177) and in association with an early works development application D/2018/1305 presented concurrently to the Local Planning Panel. The development applications are consistent with concept approval D/2016/1177 and amended on 17 June 2019.

As D/2018/1305 received more than 25 submissions both applications are being reported to the Local Planning Panel for determination.

The development complies with the maximum 38 metre height of building envelope approved under the concept DA D/2016/1177, which is below the maximum 45 metre height of building development standard applicable to the site. The development also complies with the maximum 8:1 floor space ratio for the site. The bulk of the building complies with the approved building envelope and will therefore not further reduce solar access to neighbours than was previously approved.

**Proposal Summary
(continued):**

The development achieves a high standard of architectural design, materials and landscaping, contributing positively to the public domain with a contemporary and distinct choice of brick to reference the character of the surrounding area. The development will improve the presentation of the ground floor facade of the existing Cambridge Hotel and be complemented by public art, details to be confirmed prior to the issue of a Construction Certificate. The development achieves the principles of ecologically sustainable development and has an acceptable environmental impact with regard to the amenity of the surrounding area and future occupants. The development therefore achieves design excellence.

A draft Construction Traffic Management Plan and Construction Noise and Vibration Management Plan accompany the application. Subject to conditions in Attachment A, construction can occur without unreasonable impacts to neighbouring properties in accordance with relevant policies.

The application was notified and advertised for 21 days and received 18 objections and 11 submissions in support (5 unique). The concerns raised are summarised as follows:

- construction impacts;
- bulk and scale;
- privacy;
- traffic and parking;
- underquoting cost of development; and
- signs.

The concerns are addressed within the report.

Summary Recommendation: The development application is recommended for approval, subject to conditions.

Development Controls:

- (i) State Environmental Planning Policy 55 - Remediation of Land
- (ii) Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Deemed SEPP)
- (iii) Sydney Local Environmental Plan 2012
- (iv) Sydney Development Control Plan 2012

Attachments:

- A. Recommended Conditions of Consent
- B. Selected Drawings
- C. Competitive Design Process Selection Panel Recommendations

Recommendation

It is resolved that consent be granted to Development Application No. D/2018/1451 subject to the conditions set out in Attachment A to the subject report.

Reasons for Recommendation

The application is recommended for approval for the following reasons:

- (A) The development is permissible in the B4 – Mixed Use zone and consistent with the zone objectives.
- (B) The development achieves a high standard of architectural design, materials and landscaping, contributing positively to the public domain with a contemporary and distinct choice of brick to reference the character of the surrounding area. The development will improve the presentation of the ground floor facade of the existing Cambridge Hotel and be complemented by public art, to be confirmed prior to the issue of a Construction Certificate. The development achieves the principles of ecologically sustainable development and has an acceptable environmental impact with regard to the amenity of the surrounding area and future occupants. The development therefore achieves design excellence.
- (C) The development is consistent with the concept approval granted under D/2016/1177.
- (D) Subject to conditions, construction impacts can be managed to mitigate impacts on the amenity of neighbouring properties.
- (E) For the reasons above, the development is in the public interest.

Background

The Site and Surrounding Development

1. The application site has an area of 1,087sqm with a primary frontage to Riley Street (west) and secondary frontages to Lower Campbell Street (north and east). A part four, part 14 storey hotel with five levels of basement parking known as the Cambridge Hotel occupies the site. The hotel contains 137 guest rooms, a restaurant, pool, conference rooms and loading dock.
2. Adjoining the application site to the south is No. 220-222 Riley Street, a 10 storey building with ground floor cafe and 12 serviced apartments above. The serviced apartments are operated by the applicant, Nuova Surry Hills. Adjoining the serviced apartments to the south at No. 224 Riley Street is a building with shop-top housing.
3. To the north of the site and opposite on Lower Campbell Street is a part three, part 16 storey residential flat building at No. 251-263 Goulburn Street (known as The Darling). The building contains apartments with balconies overlooking the subject site. A semi-detached pair of dwellings is situated on Little Campbell Street to the east of the apartment building at Nos. 58-60 Lower Campbell Street.
4. A five storey residential flat building with basement level parking is located to the east of the site on Lower Campbell Street, at No. 265-271 Crown Street. The apartments have balconies overlooking the application site. Adjoining this building to the south is a three storey rear wing extension to a commercial terrace. The terrace is occupied by a commercial premise known as Headquarters. The rear of the building accommodates a loading dock and the windows are internally screened.
5. A three storey mixed use building with basement car parking occupies the lot to the southeast of the application site, known as No. 277-285 Crown Street. The site contains commercial uses at ground floor level fronting Crown Street and residential apartments throughout the remainder of the building. A communal pool is located on the roof.
6. The following properties adjoin the southern boundary of the four storey component of the site - a two storey mixed use building with first floor residential is located at No. 166-168 Campbell Street; a pair of two storey sandstone terrace dwellings are located at Nos. 170-172 Campbell Street; and a three storey commercial building is located at 174-176 Campbell Street with a secondary frontage to Little Campbell Street.
7. To the west of the site is the Surry Hills Police Station, a prominent pre-cast concrete building.
8. The surrounding area is characterised by a mix of commercial and residential development. The site is not a heritage item and is not located within a heritage conservation area. The site is located within proximity to the former Crown Street reservoir to the south on Campbell Street (No. 285A Crown Street item 1490); the Oxford Street conservation area to the east of the site (C17) and the Reservoir Street and Fosterville conservation area (C66) to the south.
9. Photos of the site and surrounds are provided below:



Figure 1: Aerial image of subject site and surrounding area

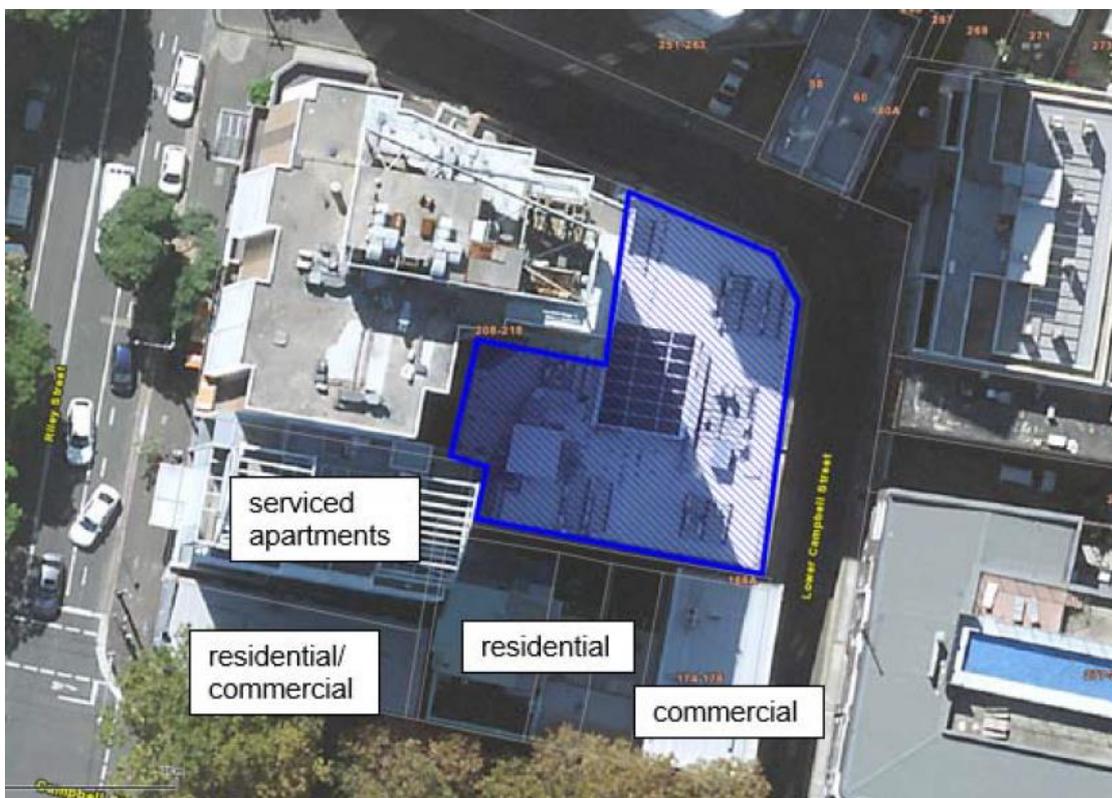


Figure 2: Aerial view of the subject site and surrounding area with the area of the proposed new tower outlined in blue



Figure 3: The existing Cambridge Hotel tower on Riley Street



Figure 4: The four storey building on Lower Campbell Street to be demolished and replaced by the proposed tower. The existing driveway will be retained.



Figure 5: The existing part of the building to be demolished viewed from Campbell Street



Figure 6: A residential apartment and commercial building to the east on Lower Campbell Street



Figure 7: The Darling Apartments to the north on Lower Campbell Street



Figure 8: Two semi-detached dwellings to the north on Lower Campbell Street



Figure 9: View of the roof and communal open space at 277-285 Crown Street from an existing east facing room in the Cambridge Hotel tower

Proposal

10. The application seeks approval for construction of a new 11 storey tower adjoining the existing Cambridge Hotel. The new building will accommodate 95 rooms, loading dock on Lower Campbell Street and swimming pool within the basement. The new building will be connected internally to the existing building at the ground floor and basement levels.
11. Alterations to the existing Cambridge Hotel include facade upgrades to the ground floor, new restaurant, lobby, meeting space and landscaping. The number of car spaces will decrease from 60 to 52, with the provision of 24 bike spaces in the basement.
12. The maximum height of the new tower is 37.16 metres and result in 8,608sqm of gross floor area. The number of hotel rooms on the site will increase from 173 to 244.
13. Amended plans were received on 13 June 2019 adding sun shades to windows.
14. Plans of the proposed development are provided below.



Figure 10: An artist's render of the proposed tower on Lower Campbell Street



Figure 11: An artist's render of the Riley Street frontage

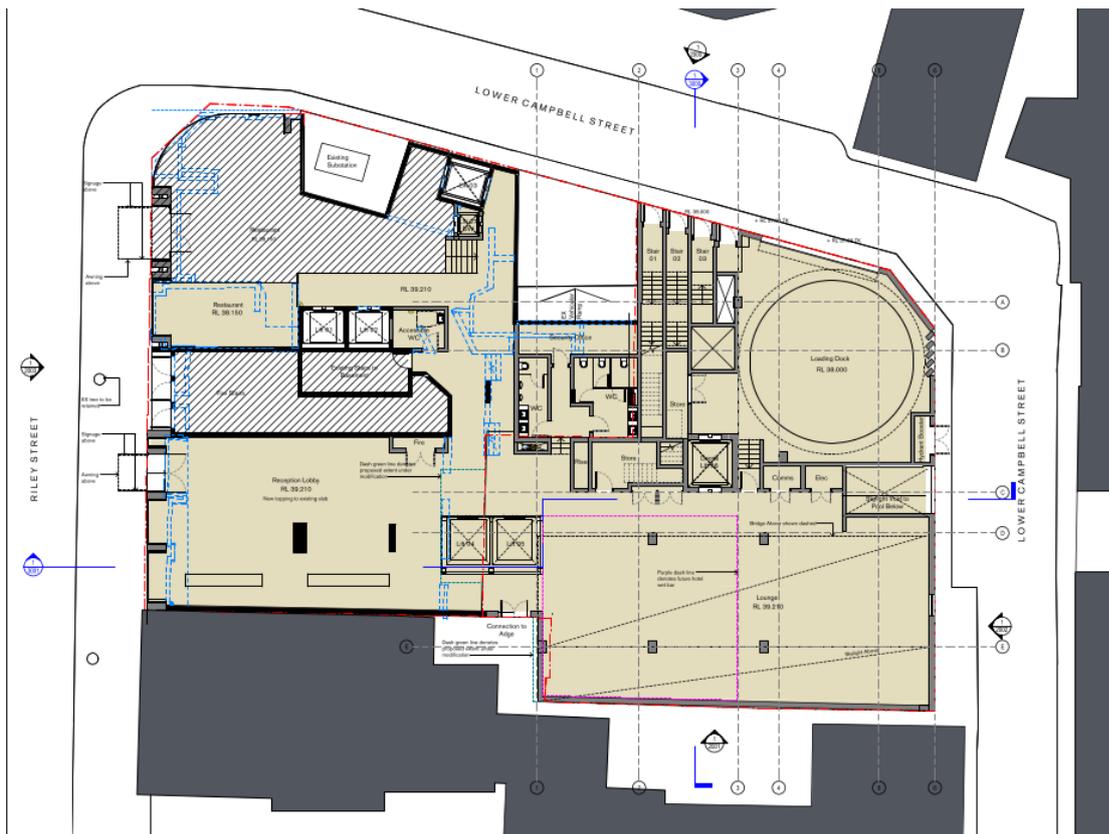


Figure 12: The proposed ground floor

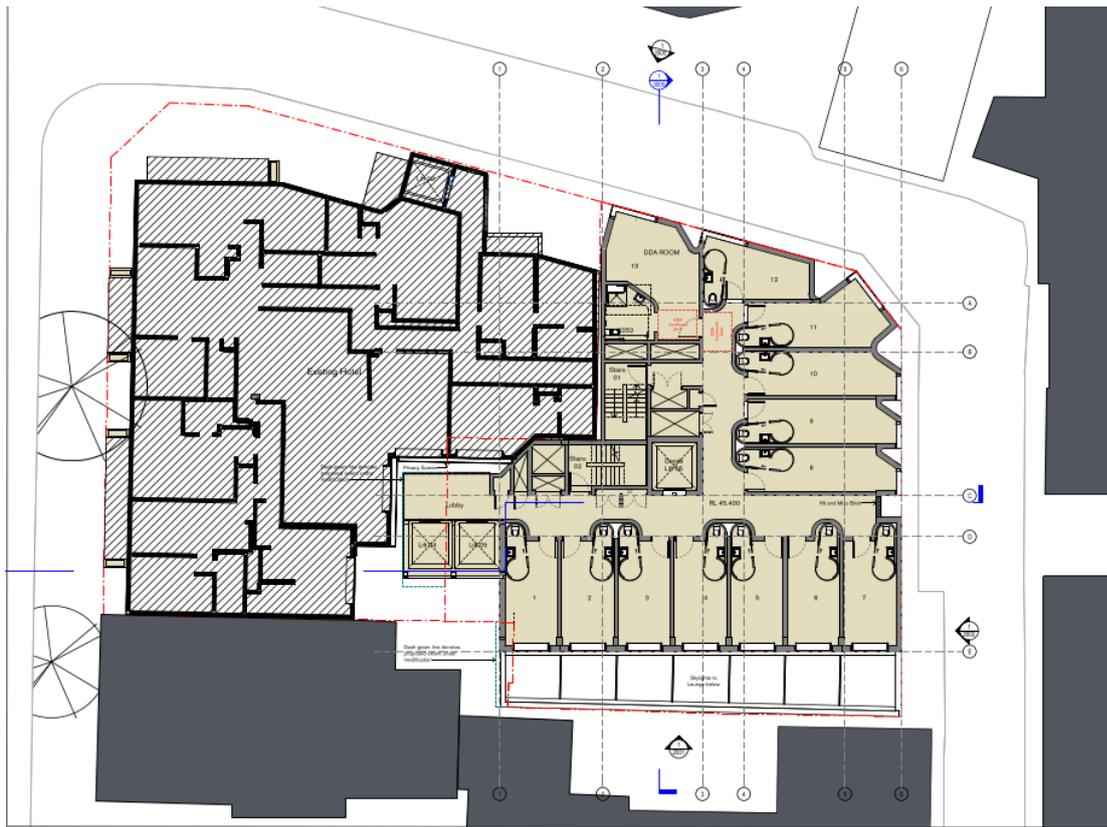


Figure 13: Typical podium levels 2-3

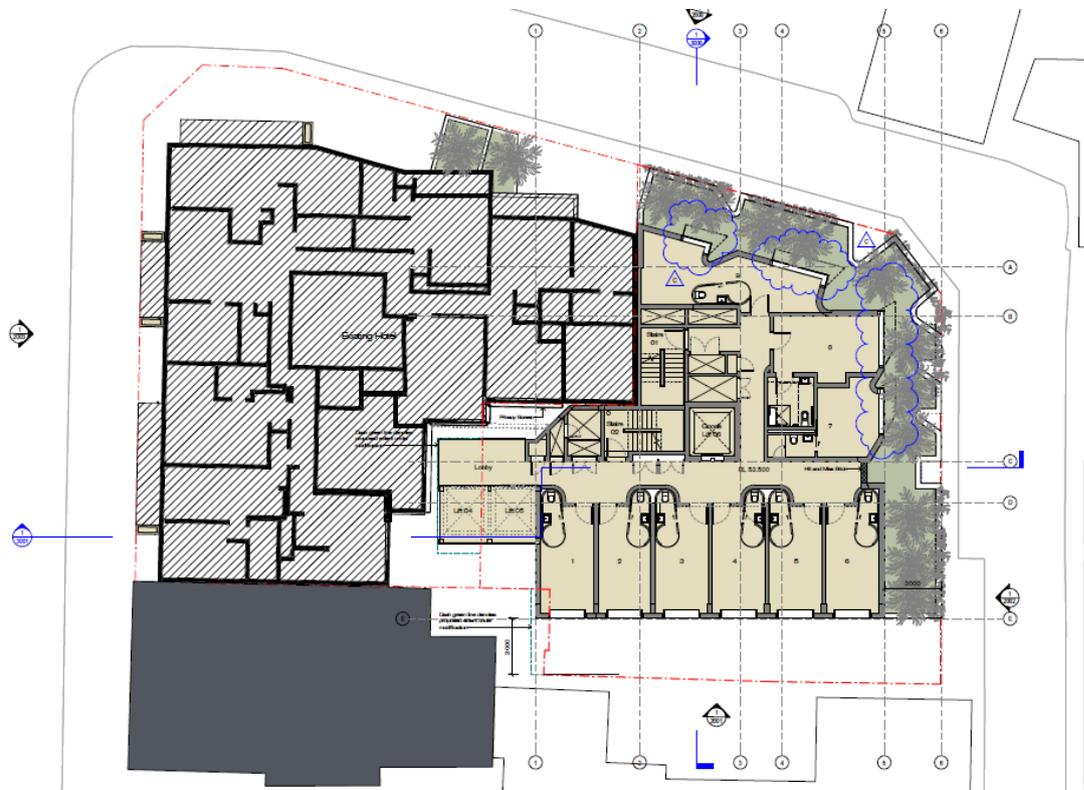


Figure 14: Typical tower levels 4-6

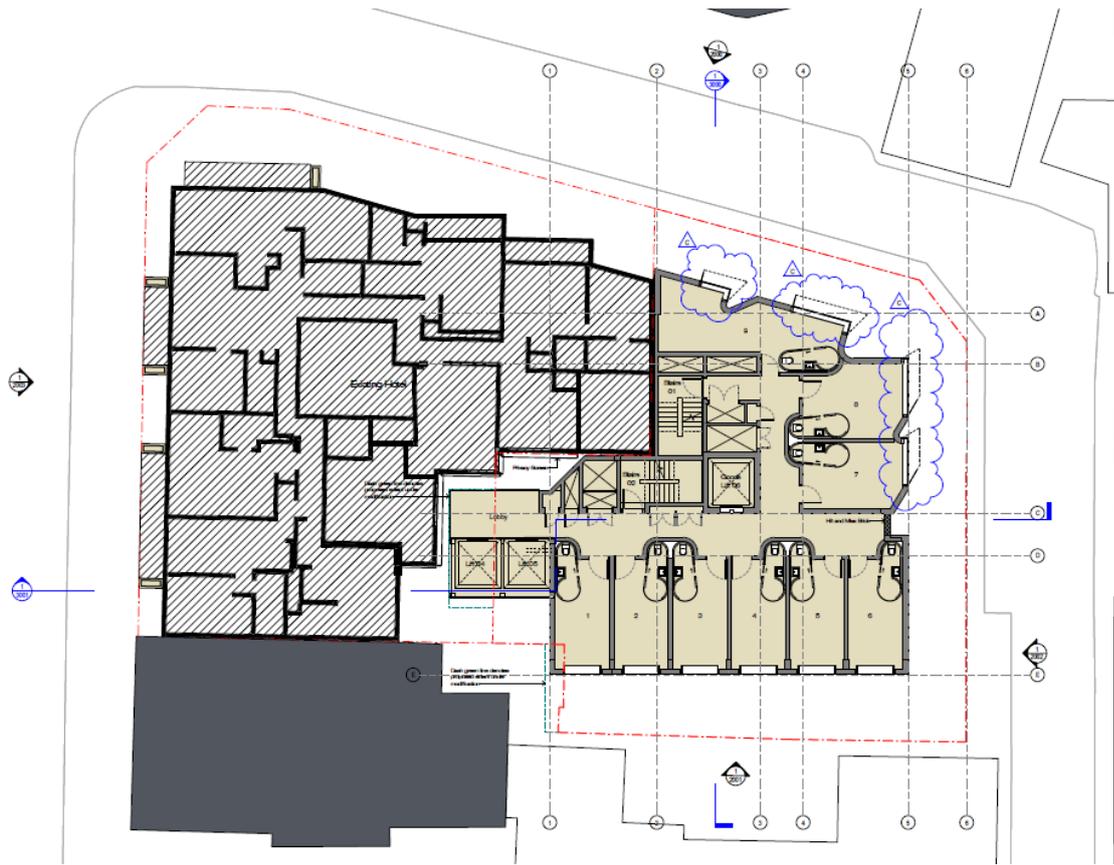


Figure 15: Typical tower levels 7-10

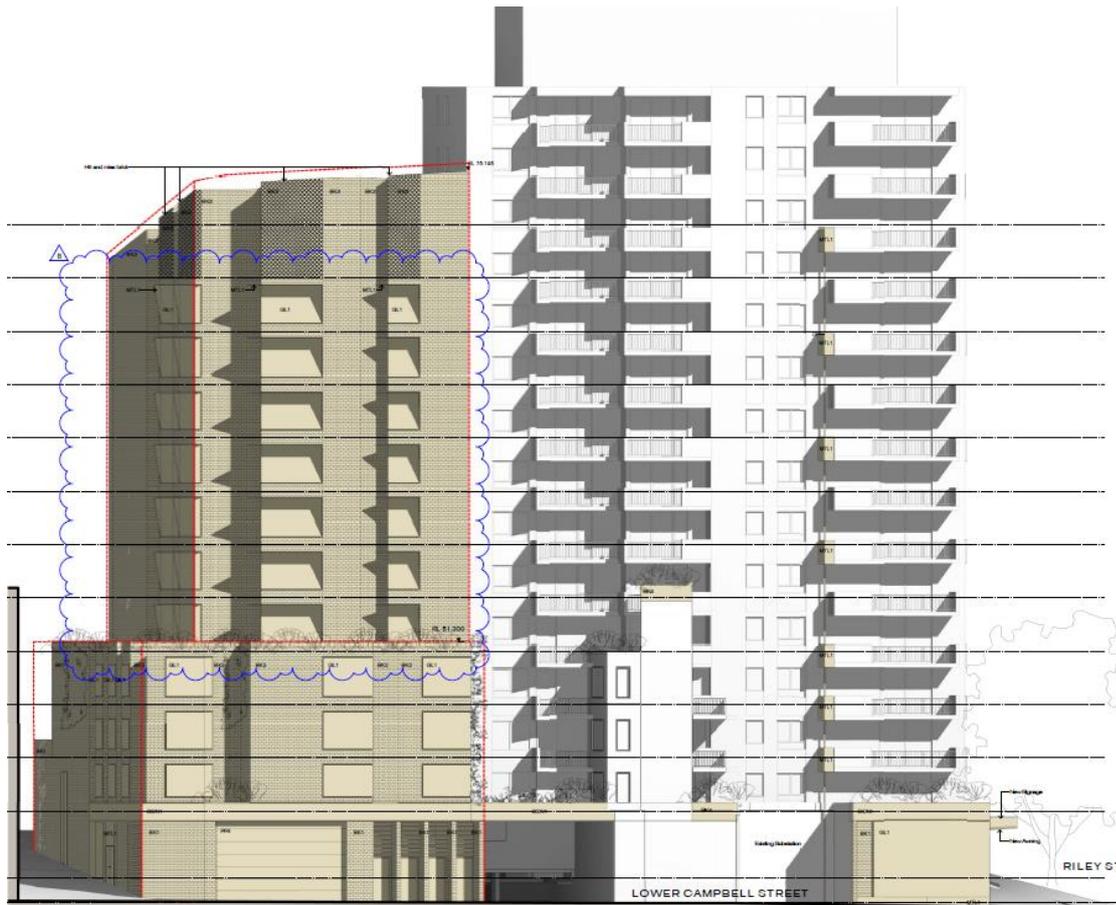


Figure 16: North elevation (Lower Campbell Street)

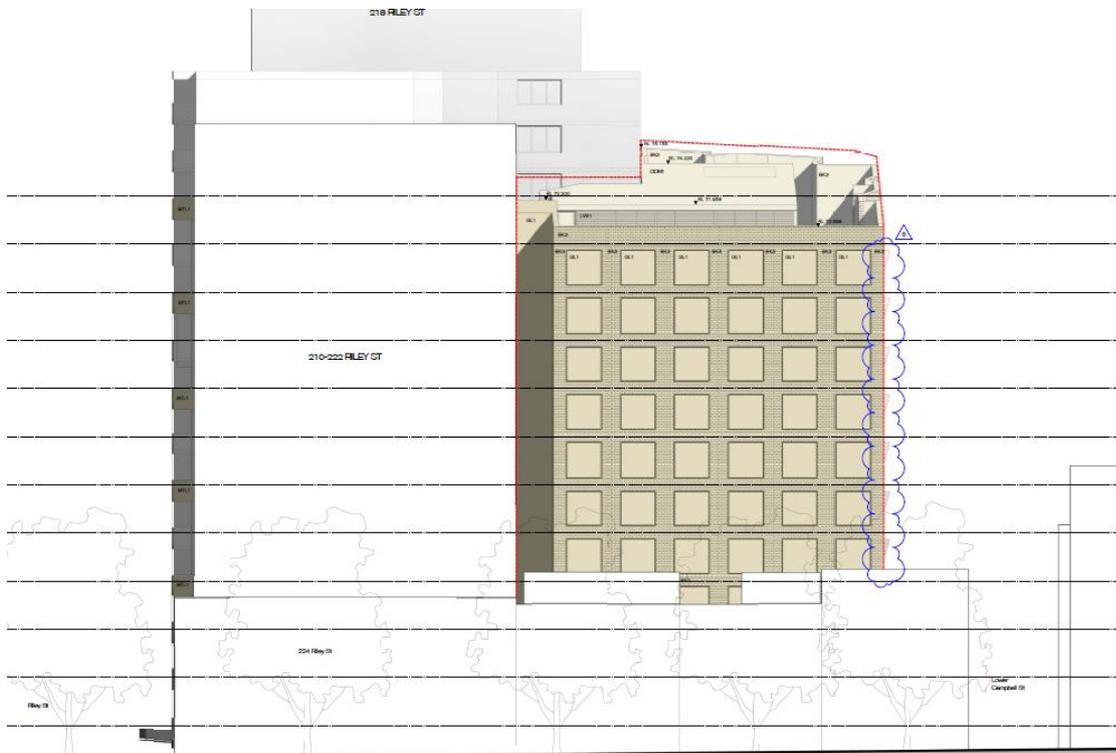


Figure 17: South elevation (viewed from Campbell Street)

History Relevant to the Development Application

15. On 11 December 2017, development consent D/2016/1177 granted concept approval for a 12 storey tower and podium fronting Lower Campbell Street and adjoining the existing Cambridge Hotel. Works to the lower levels of the Cambridge Hotel facade formed part of the concept approval.



Figure 21: A model of the approved tower and podium envelope (northeast corner on Lower Campbell Street). The maximum 45 metre height plane is illustrated

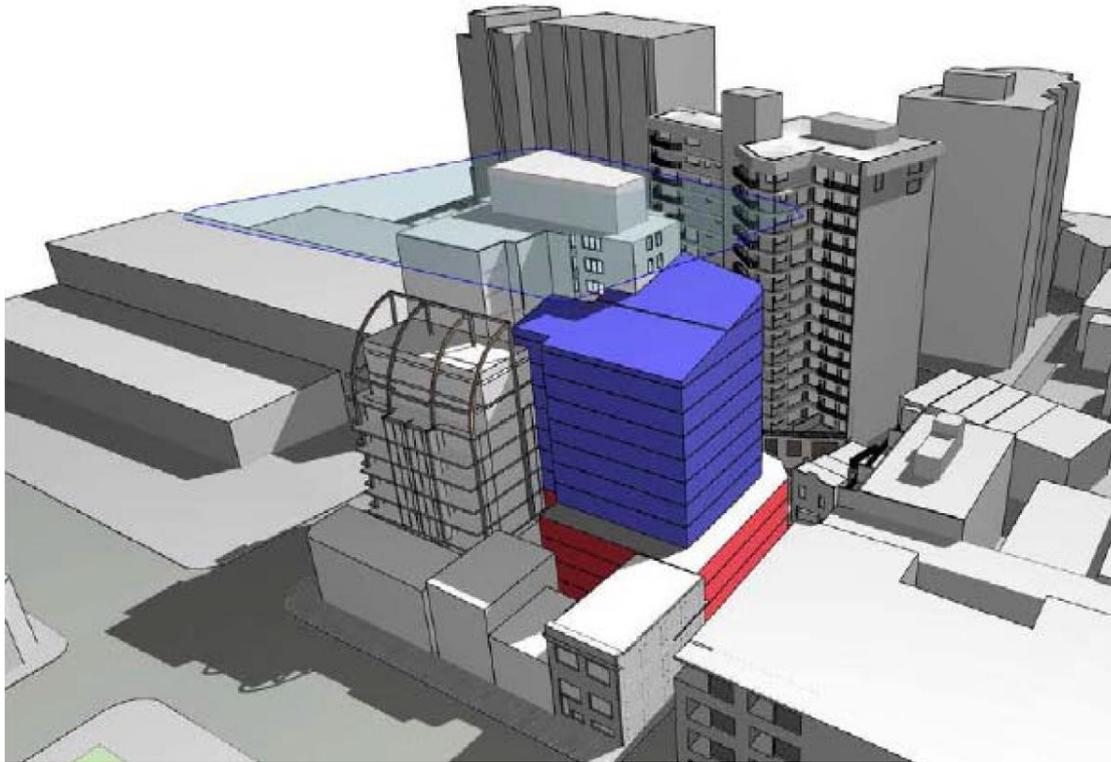


Figure 22: A model of the approved tower and podium envelope (southeast corner on Lower Campbell Street and as viewed from Campbell Street)

16. The application was substantially amended during the assessment of the application, reducing the maximum height of the tower from 45 metres and 15 storeys to 38 metres and 12 storeys; relocating the pedestrian entrance from Lower Campbell Street to Riley Street; and removing the proposal to convert Lower Campbell Street to a shared zone.
17. The applicant has undertaken a competitive design alternatives process prior to submitting the subject application in accordance with Clause 6.21 of the Sydney Local Environmental Plan 2012, the Sydney Development Control Plan 2012 and the City's Competitive Design Policy 2013. The competition was held in accordance with the design excellence strategy approved under D/2016/1177. Of the three firms participating in the competition, Tzannes was announced as the winner.
18. A copy of the competitive design alternatives report, including the selection panel recommendations, is provided at Attachment C.



Figure 23: An artist's render of the proposed building submitted during the competition

19. Development application D/2018/1305 seeks permission for early works including demolition of the existing four storey building at the rear of the Cambridge Hotel and excavation to accommodate the proposed basement. The application is presented to the Local Planning Panel for determination concurrently.
20. On 17 June 2019, Section 4.55(1A) application D/2016/1177/A was approved to modify the concept approval to accommodate the lift shaft on the western elevation.

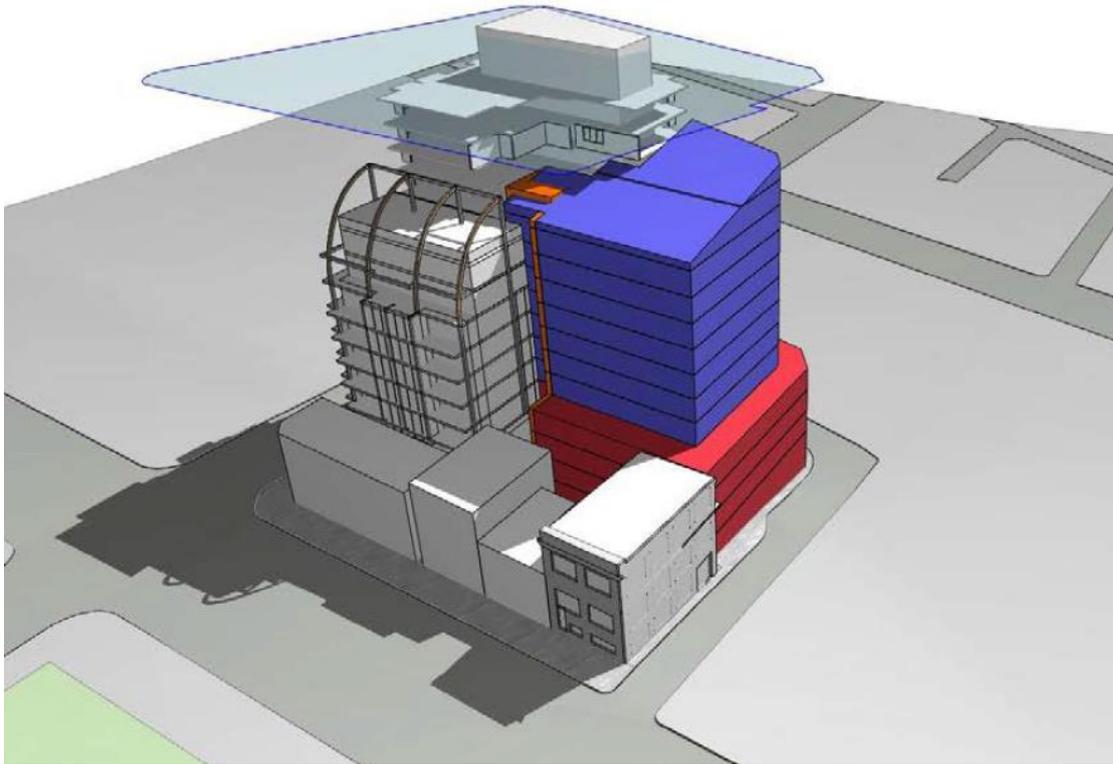


Figure 24: A model of the rear of the proposed tower, with the additional height for the lift core on the west elevation in orange

21. The site has been used as a hotel (currently the Cambridge Hotel) with ancillary restaurant and function spaces since 1979.

Economic/Social/Environmental Impacts

22. The application has been assessed under Section 4.15 of the Environmental Planning and Assessment Act 1979, including consideration of the following matters:
 - (a) Environmental Planning Instruments and DCPs.

State Environmental Planning Policy No 55 - Remediation of Land

23. The aim of SEPP 55 is to ensure that a change of land use will not increase the risk to health, particularly in circumstances where a more sensitive land use is proposed.
24. The aim of SEPP 55 is to ensure that a change of land use will not increase the risk to health, particularly in circumstances where a more sensitive land use is proposed.
25. An archival search of the site's history does not reveal a risk of contamination as the site has been used for a hotel since c.1979 and for residential premises prior to that. There is therefore no requirement for a preliminary site investigation in accordance with Clause 7.
26. Council's Environmental Health officer has raised no objections to the proposal with regard to the SEPP. As such the site is considered to be suitable for the proposed development and satisfies the provisions of the SEPP.

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Deemed SEPP)

27. The site is located within the designated hydrological catchment of Sydney Harbour and is subject to the provisions of the above SREP.
28. The Sydney Harbour Catchment Planning Principles must be considered in the carrying out of development within the catchment. The key relevant principles include:
- (a) protect and improve hydrological, ecological and geomorphologic processes;
 - (b) consider cumulative impacts of development within the catchment;
 - (c) improve water quality of urban runoff and reduce quantity and frequency of urban run-off; and
 - (d) protect and rehabilitate riparian corridors and remnant vegetation.
29. The site is within the Sydney Harbour Catchment and eventually drains into the Harbour. However, the site is not located in the Foreshores Waterways Area or adjacent to a waterway and therefore, with the exception of the objective of improved water quality, the objectives of the SREP are not applicable to the proposed development. The development is consistent with the controls contained with the deemed SEPP.

Sydney Local Environmental Plan 2012

30. The site is located within the B4 - Mixed Use zone. The proposed hotel use is permissible in the zone with consent.
31. The relevant matters to be considered under Sydney Local Environmental Plan 2012 for the proposed development are outlined below.

Compliance Tables

Development Control	Compliance	Comment
4.3 Height of Buildings	Yes	The site is permitted a maximum height of 45 metres. The maximum proposed building height is 37.16 metres.
4.4 Floor Space Ratio	Yes	A maximum FSR of 8:1 is permitted. A FSR of 7.89:1 is proposed.

Part 6 Local Provisions - Height and Floor Space	Compliance	Comment
6.21 Design excellence	Yes	<p>The development is located outside of Central Sydney, exceeds 25 metres in height and follows the granting of a concept approval under Clause 7.20.</p> <p>A competitive design process has been held with the winning scheme designed by Tzannes Architects, who were engaged to design the building proposed under the subject application. The proposal is generally consistent with the winning scheme and has adequately addressed the recommendations of the competitive design selection panel.</p> <p>The development achieves a high standard of architectural design, materials and landscaping, contributing positively to the public domain with a contemporary and distinct choice of brick to reference the character of the surrounding area. The development will improve the presentation of the ground floor facade of the existing Cambridge Hotel and be complemented by public art, details to be confirmed prior to the issue of a Construction Certificate. The development achieves the principles of ecologically sustainable development and has an acceptable environmental impact with regard to the amenity of the surrounding area and future occupants. The development therefore achieves design excellence.</p> <p>A condition is recommended requiring Tzannes to be employed during further design and construction.</p>

Part 7 Local Provisions - General	Compliance	Comment
7.9 Car parking other land uses	Yes	<p>The development and existing Cambridge Hotel are permitted a maximum of 56 car spaces.</p> <p>The development reduces the existing number of car spaces from 60 to 52 and complies.</p>
7.15 Flood planning	Yes	Amended plans have been received demonstrating that the site complies with the City's Interim Floodplain Management Policy.
7.19 Demolition must not result in long term adverse visual impact	Yes	The concurrent proposal of early works and construction of a replacement building satisfies the control.
7.20 Development requiring preparation of a development control plan	Yes	<p>The proposed building is located outside Central Sydney and exceeds 25 metres in height.</p> <p>This is a detailed design application submitted in accordance with concept approval D/2016/1177. Pursuant to Section 4.23 of the EP&A Act, the concept application was approved in lieu of a site specific development control plan to satisfy the control.</p> <p>The development is consistent with the concept approval and therefore satisfies the provisions of the control.</p>

Sydney Development Control Plan 2012

32. The relevant matters to be considered under Sydney Development Control Plan 2012 for the proposed development are outlined below.

2.11.3 Surry Hills North Locality

The subject site is located in the Surry Hills North locality. The proposed tower is compatible with the tower form that characterises the northern section of the locality and the retail and commercial setting.

3. General Provisions	Compliance	Comment
3.1.5 Public art	Yes	A public art strategy has been reviewed by Council's Public Art team and is supported, subject to a condition requiring a detailed public art plan prior to the issue of any Construction Certificate.
3.2 Defining the Public Domain	Yes	The renovated ground floor facade to Riley Street will improve the presentation and to the street, provide passive surveillance and street activation.
3.2.4 Footpath awnings	No	<p>Footpath awnings are to be between 3.2 and 4.2 metres above the footpath. The site is not identified on the footpath awnings map and as such is not required to contribute to a consistent awning along the full extent of the frontage.</p> <p>Two separate awnings are proposed on the Riley Street frontage above the entrance to the restaurant and the hotel lobby. The awning to the restaurant entrance will be approximately 3.3 metres above the footpath and complies. Due to the gradient along this section of Riley Street the awning to the hotel lobby will be between 2.4 and 2.6 metres above the footpath and does not comply.</p> <p>A variation to the control is acceptable in this instance as the awning is small (2 metres wide) and no under awning signs are proposed. Sufficient clearance is provided so as not to obstruct pedestrians, and will provide weather protection to guests.</p>
3.2.6 Wind effects	Yes	A pedestrian wind environment statement was submitted with the application, having subjected the proposed building to wind tunnel testing. The development complies with the provisions for wind effects on pedestrians on Lower Campbell Street, Campbell Street and Riley Street.

3. General Provisions	Compliance	Comment
3.2.7 Reflectivity	Yes	A condition of consent is recommended limiting reflectivity to below 20% in accordance with the control.
3.3 Design Excellence and Competitive Design Processes	Yes	The development is consistent with the winning scheme of the competitive design process and has generally addressed the recommendations of the selection panel, a copy of which is provided at Attachment C.
3.5 Urban Ecology	Partial compliance	<p>The development covers the extent of the site and as such does not provide a tree canopy equal to 15% of the site area. A variation to the control is acceptable in this instance as the existing site does not provide any vegetation and deep soil.</p> <p>Landscaping will be provided to the podium and balconies, consistent with the winning competitive design process scheme and contributing to increased greenery on the site.</p>

3. General Provisions	Compliance	Comment
3.6 Ecologically Sustainable Development	Yes	<p>Condition 9 requires the detailed design development application to be accompanied by details demonstrating that the sustainability initiatives and environmental performance aspects set out in the Design Excellence Strategy have been incorporated into the design.</p> <p>The recommendations of the selection panel also requested sustainable design elements be investigated - see Attachment C.</p> <p>An ESD report accompanies the application and addresses issues regarding occupant comfort, energy and water efficiency, materials selection and waste reduction. It is noted that amended plans submitted include sun shades which doubled the energy efficiency gains of high performance double glazing. The development has adequately incorporated sustainable design provisions.</p> <p>It is noted that the applicant has not applied for a NABERS Green Star rating. Council is currently encouraging hotel developers to commit to a minimum Green Star energy rating of 4.5, however it is noted that recent updates to the National Construction Code will require the development to achieve energy efficiency equivalent to 5 star.</p>
3.7 Water and Flood Management	Yes	Conditions of consent are recommended to manage stormwater drainage.

3. General Provisions	Compliance	Comment
3.8 Subdivision, Strata Subdivision and Consolidation	Yes	Part of the new works for the hotel will encroach over the common (north-south) boundary between the subject property and 200-222 Riley Street. Both properties are in the same ownership. A condition is recommended requiring a boundary adjustment to take place so that all of the new development is wholly contained within the 208-218 Riley Street property. The adjustment is minor and will not affect the floor space ratio for the sites.
3.11.3 Cycle parking	Yes	The development is required to provide 23 bike parking spaces. Bike racks and accompanying lockers are provided to accommodate 24 bikes. Three showers and change rooms are provided adjacent to the bike racks.
3.11.6 Service vehicle parking (Schedule 7.8.1)	Partial compliance	The development is required to provide three service vehicle spaces. One loading bay is provided accommodating a medium rigid vehicle. A variation to the control is supported subject to the preparation of a Loading Management Plan. A condition of consent is recommended limiting access to the loading dock to between 8am and 6pm Monday to Saturday.
3.12 Accessible Design	Yes	A condition has been recommended for the proposed development to provide appropriate access and facilities for persons with disabilities in accordance with the DCP and the NCC.
3.13 Social and Environmental Responsibilities	Yes	The proposed development provides adequate passive surveillance and is generally designed in accordance with the CPTED principles. A condition is recommended requiring the installation of sensor lights to alcoves to deter loitering.

3. General Provisions	Compliance	Comment
3.14 Waste	No	<p>A waste management plan for demolition and construction has not been submitted.</p> <p>A condition of consent is recommended requiring a demolition and construction waste management plan in accordance with the City of Sydney Guidelines for Waste Management in New Developments.</p>
3.15 Late Night Trading Management	Yes	<p>The application proposes the restaurant and bar to operate from 6am to midnight every day. The capacity and fit-out of the restaurant and bar are not provided.</p> <p>The site is not located within a designated late night trading management area and the proposed use is low impact (Category B). As such the controls do not specify recommended trading hours. A revised Plan of Management was submitted during the course of the assessment with specific actions to monitor and mitigate patron behaviour, particularly with regard to the use of the existing balconies.</p> <p>Permanent trading is permitted from 7am to 10pm, with extended trading from 6am to midnight permitted for a one year trial. A condition of consent is recommended requiring the submission of a Plan of Management prior to the issue of an Occupation Certificate.</p>

4.2 Residential flat, commercial and mixed use developments	Compliance	Comment
4.2.1 Building height	Yes	<p>The site is permitted more than 15 storeys with a podium height of four storeys.</p> <p>The development provides a four storey podium and is overall 11 storeys.</p>

4.2 Residential flat, commercial and mixed use developments	Compliance	Comment
4.2.2 Building setbacks	Yes	The development provides a 3 metre setback above the podium as required.
4.2.3.1 Solar access	Yes	<p>Condition 10 of the concept approval required consideration of neighbour's solar access at 277-285 Crown Street and where possible to reduce overshadowing caused by the approved envelope. The building complies with the approved building envelope and as such will not overshadow neighbouring properties any greater than was given with the concept approval.</p> <p>The window hoods will not contribute to overshadowing of neighbouring properties and are supported.</p>
4.2.3.4 Design features to manage solar access	Yes	The development has been amended to incorporate sun shades which are projected to double the energy efficiency gains of high performance double glazing
4.2.3.5 Landscaping	Yes	The development incorporates landscaping to the podium and balconies of the existing and proposed buildings. This should be further developed by condition. A condition of consent is recommended regarding access and maintenance.

4.2 Residential flat, commercial and mixed use developments	Compliance	Comment
4.2.3.6 Deep soil	No	<p>The site is required to allocate 10% of the site area to deep soil. The development does not provide a deep soil area.</p> <p>The objectives of the control are to provide for tree planting and drainage.</p> <p>The existing site provides no deep soil and is constrained by large buildings to the north, east and west. The site cannot therefore reasonably accommodate a mature tree at ground level, and landscaping is provided on the building as an alternative. The development will not adversely impact Council's stormwater system. As such a variation to the control is acceptable.</p>
4.2.3.11 Acoustic privacy	Yes	<p>An acoustic report accompanies the application and demonstrates that the operation of the new hotel can be undertaken without adverse impacts to neighbouring properties. In particular it is noted that the new hotel rooms do not have openable windows or balconies.</p>
4.2.4 Fine grain, architectural diversity and articulation	Yes	<p>The combined frontage to Lower Campbell Street is less than 40 metres and as such the towers do not need to be separated. However, the towers are distinct in form, materials and scale and do not each exceed 25 metres in length as required. The proposed tower is vertically proportioned, will not adversely impact views and is consistent with the urban structure and street hierarchy.</p>
4.2.5.1 Tall buildings	Yes	
4.2.6 Waste minimisation	Yes	<p>An operational waste management plan accompanies the application and has been assessed by Council's Waste Management team. The plan complies with the City's Guidelines for Waste Management in New Developments 2018.</p>

4.2 Residential flat, commercial and mixed use developments	Compliance	Comment
4.2.7 Heating and Cooling Infrastructure	Partial compliance	Plant will be located within the basement and on the roof. Noise impacts have been considered and subject to recommendations within the acoustic report are acceptable.
4.2.9 Non-residential development in the B4 - Mixed Use zone	Yes	Condition 10 of the concept approval required consideration of neighbour's visual privacy. The development is designed to mitigate acoustic and visual privacy impacts on neighbouring properties. The pedestrian entrance and pick-up and drop-off are located on Riley Street, away from the adjoining residential properties on Lower Campbell Street.

4.4.8 Visitor accommodation	Compliance	Comment
4.4.8.1 General		
(1) New development must be self-contained with no common access ways with adjoining properties.	Yes	The development has a self-contained entrance.
(2) A site manager must be on site when guests have access to the premises. For premises with fewer than 20 residents, a resident caretaker may be acceptable.	Yes	24-hour reception will be provided with a manager on site at all times.
(6) A Plan of Management and a Noise Management Plan must be submitted with the development application.	Yes	A revised Plan of Management has been prepared and covers the operation of the hotel, bar and restaurant. In particular the revised Plan of Management includes measures to monitor and mitigate patron behaviour particularly as it regards the use of the existing balconies.

4.4.8.3 Additional provisions for hotels		
(1) The maximum number of persons accommodated in a bedroom or dormitory is to be determined on the basis of a minimum of: (a) 3.25sqm per person per sleeping room; and (b) 5.5sqm per person for rooms occupied by guests staying longer than 28 days.	Yes	The development complies with the control.
(2) The maximum permitted length of stay is 3 months.	Partial compliance	The application states that the development will comply with the control. The Plan of Management is to be updated to identify the maximum length of stay in accordance with the control.
(3) Where accommodation is provided for more than 28 consecutive days, no more than two adults and one child are permitted per room.	Yes	The application states that the development will comply with the control. The Plan of Management is to be updated to include references to the control.

Issues

Construction

33. A construction noise and vibration management plan prepared by Acoustic Group accompanies the application and has been drafted in accordance with Council's standard condition for such plans. The plan has been reviewed by Council's Environmental Health officer and identifies the use of high powered machinery during Council's standard construction hours.
34. It is noted that Council's standard hours differ to those recommended under the NSW Interim Construction Noise Guideline as shown below:

	ICNG	Council
Monday to Friday	7am - 6pm	7.30am - 5.30pm
Saturday	8am - 1pm	7.30am - 3.30pm
Sunday	No work	

35. Council's standard construction hours have been applied consistently across the City (outside of Central Sydney) and are appropriate in this instance. It is noted that the City's controls provide two fewer hours of construction during the week.
36. Furthermore, the use of heavy machinery is recommended to be restricted to between 8am and 3pm Monday to Saturday (within Council's standard hours of construction), with a one hour respite period from 11am to midday.
37. Council's Traffic Operations Unit reviewed the Construction Traffic Management Plan accompanying the application and raised concerns with medium rigid vehicles obstructing access on Lower Campbell Street. A revised CTMP was submitted during the assessment of the application which proposes work zones on Riley Street and a loading platform on the site so as to not obstruct traffic on Lower Campbell Street. A condition of consent is recommended requiring the CTMP to be resubmitted prior to the issue of any Construction Certificate once construction traffic management is confirmed.
38. A condition of consent is recommended requiring a permit for any crane to be used, which will be assessed by Council's Construction Regulation Unit to ensure the protection of the surrounding area.
39. It is acknowledged that the development will impact on residential amenity, however the recommended conditions ensure that the impacts are reasonable with regard to the scale of development. Reducing the hours in which construction is undertaken will lengthen the overall time it will take for the development to be completed.

Other Impacts of the Development

40. The proposed development is capable of complying with the NCC.
41. The proposal will have no significant detrimental effect relating to environmental, social or economic impacts on the locality, subject to appropriate conditions being imposed.

Suitability of the site for the Development

42. The proposal is of a nature in keeping with the overall function of the site. The premises are in a mixed surrounding and amongst similar uses to that proposed.

Internal Referrals

43. Council's Urban Designer, Landscape Specialist, Public Domain team and Transport Planner reviewed the application and recommended conditions, which have been included in the Attachment A.
44. The Design Advisory Panel reviewed the application and recommended additional information regarding the entrance to Riley Street, basement pool and spa, sun shading and materials. The matters have either been addressed through amended plans or by condition.

External Referrals

NSW Police

45. The NSW Police raised no objections to the proposal subject to appropriate CPTED provisions being incorporated. Conditions are recommended accordingly.

Notification, Advertising and Delegation

46. In accordance with Schedule 1 the Sydney DCP 2012, the proposed development is required to be notified and advertised. As such the application was notified and advertised for a period of 21 days between 7 December 2018 and 18 January 2019. As a result of this notification there were 18 objections and 11 submissions in support (five unique) received. The submissions objecting to the proposal raised the following concerns:

- (a) The proposed works with regard to construction hours, dust and noise will adversely impact the amenity of neighbouring properties.

Response - The development is required to comply with Council's standard hours of construction, which are consistent across the city with the exception of Central Sydney. As discussed above, Council's Environmental Health Officer has reviewed the construction noise and vibration management plan and recommended respite periods from the use of heavy machinery during the day.

The development will be required to comply with construction standards for managing dust.

- (b) What monitoring procedures will be in place to ensure compliance with stated mitigation measures during construction?

Response - The construction noise and vibration management plan states that ongoing noise and vibration monitoring will be undertaken during works. Council officers will be able to request proof of this ongoing monitoring and results and review the impact of development on neighbours.

- (c) The development will increase the frequency of waste truck movements, disturbing residential amenity.

Response - The development is required to comply with Council's Guidelines for Waste Management in New Developments and will limit the hours in which collections may be undertaken to protect residential amenity. A loading dock management plan is required.

- (d) The proposed works must not adversely obstruct vehicular and bicycle access on Lower Campbell surrounding streets.

Response - A revised Construction Traffic Management Plan is required to be submitted, prohibiting vehicles from parking and obstructing traffic on Lower Campbell Street. The majority of deliveries are to be undertaken from Riley Street.

- (e) The acoustic report incorrectly states that residences at 277-285 Crown Street are 10 metres from the site, when they are actually 7.7 metres away.

Response - The difference of 2.3 metres is not anticipated to adversely affect the results of the acoustic monitoring. As previously discussed, Council's Environmental Health officer has reviewed the construction noise and vibration management plan and is satisfied that residential amenity will be reasonably maintained.

- (f) The building height and scale are excessive and should be reduced.

Response - The development is below the maximum permitted height for the site, is below the height of the existing Cambridge Hotel and complies with the minimum setback requirements above the podium. The building is articulated with recesses to provide interest.

- (g) If approved, a condition of consent should be imposed requiring a dilapidation report for neighbouring properties.

Response - A condition of consent is recommended accordingly.

- (h) Concern is raised that the applicant has underquoted the cost of development to avoid the application/s being presented to the Central Sydney Planning Committee.

Response - The QS report for the detailed design was peer reviewed and found to be accurate.

- (i) The development will result in financial hardship for adjoining properties.

Response - This is not a matter for consideration under Section 4.15(1) of the Act.

- (j) Concern is raised regarding the swing of the crane over neighbouring properties.

Response - Council's Construction Regulation team have reviewed the application and advised that a Luffing crane, rather than a Hammerhead crane, can be used to avoid swinging over neighbouring buildings. This will be investigated further when the applicant seeks a crane permit.

- (k) The developer should be required to pay for the cleaning of dust incurred by neighbouring properties.

Response - The applicant will be required to comply with standards to mitigate dust during construction. However, it is reasonable to anticipate that some dust may reach neighbouring properties when living beside a construction site.

- (l) The development will result in loss of views to the Crown Street reservoir.

Response - The development complies with the approved building envelope, which discussed view loss and impacts on outlook at the concept stage. The impact to neighbour's outlook is acceptable.

- (m) The development will not improve pedestrian access on Lower Campbell Street.

Response - The development does not propose pedestrian access from Lower Campbell Street, and as such is not required to upgrade the kerbs into footpaths. It is noted that widening the footpaths would impact on vehicular manoeuvrability, and that the community previously objected to upgrading Lower Campbell Street.

- (n) The development will contribute to rodent issues in the surrounding area.

Response - The development is required to comply with the Council's Guidelines for Waste Management in New Developments which includes provisions to mitigate rodents.

- (o) The development will exacerbate anti-social behaviour from the existing hotel and surrounding area.

Response - A Plan of Management has been submitted to discuss managing patron behaviour from the new hotel and is supported. It is noted that the new hotel will not provide balconies and external spaces for guests.

- (p) The development will result in a loss of sunlight to neighbouring properties.

Response - The development complies with the approved building envelope, which discussed overshadowing and impacts on solar access at the concept stage. The development complies with the approved building envelope and therefore has an acceptable impact.

- (q) The development will result in a loss of visual privacy.

Response - The existing building is built to the street boundary and provides hotel room windows looking out towards neighbouring properties. As such the design will not have any greater impact on visual privacy than is currently experienced. The upper levels are sufficiently setback from neighbours and angled to avoid adverse overlooking.

- (r) Insufficient time was provided for neighbours to review the documentation over the holiday period and make submissions.

Response - In accordance with Schedule 1 of the Sydney DCP 2012, the exhibition period was extended to provide adjoining property owners and occupiers the opportunity to review the application. All submissions received up to the date this report was written were considered as part of the assessment.

- (s) Top of building signs should not be permitted to protect wildlife.

Response - The application does not propose top of building signs.

- (t) The provision of a rooftop bar will adversely impact the acoustic amenity of neighbours.

Response - The application does not propose a rooftop bar.

47. The submissions in support raised the following reasons which are noted:

- (a) The development will contribute to the vitality of Surry Hills' economy and atmosphere.

- (b) The development will provide passive surveillance and activity in the immediate vicinity.
- (c) The development is consistent with the concept approval.

Public Interest

48. The proposal will have no detrimental effect on the public interest, subject to appropriate conditions being proposed.

S7.11 Contribution

49. The development is not subject to a S7.11 development contribution as it is for a hotel with an average floor area below 45sqm/room key which is a type of development listed in Table 2 of the City of Sydney Development Contributions Plan 2015 and is excluded from the need to pay a contribution. A contribution is therefore not payable.

Relevant Legislation

50. The Environmental Planning and Assessment Act 1979.

Conclusion

51. The application proposes the construction of an 11-storey tower containing hotel rooms with five levels of basement accommodating car parking, back-of-house services and facilities, and alterations to the existing Cambridge Hotel. The new building will accommodate 95 rooms, increasing the number of hotel rooms within the Cambridge Hotel from 173 to 244. The number of car spaces will reduce from 60 to 52 and provide 24 bike parking spaces.
52. This is a detailed design application following the approval of a concept DA (D/2016/1177) and in association with an early works development application D/2018/1305 presented concurrently to the Local Planning Panel. The development applications are consistent with concept approval D/2016/1177.
53. The development complies with the maximum 38 metre height of building envelope approved under the concept DA D/2016/1177, which is below the maximum 45 metre height of building development standard applicable to the site. The development also complies with the maximum 8:1 floor space ratio for the site. The bulk of the building complies with the approved building envelope and will therefore not further reduce solar access to neighbours than was previously approved.
54. The development achieves a high standard of architectural design, materials and landscaping, contributing positively to the public domain with a contemporary and distinct choice of brick to reference the character of the surrounding area. The development achieves the principles of ecologically sustainable development and has an acceptable environmental impact with regard to the amenity of the surrounding area and future occupants. The development therefore achieves design excellence.

55. Construction impacts have been reviewed and, subject to conditions can be managed to prevent adverse impacts to the amenity of the surrounding area in accordance relevant policies.
56. The application was notified and advertised for 21 days and received 18 objections and 11 submissions in support (five unique). The concerns have been addressed and resolved within the report.
57. The development is therefore acceptable and recommended for approval.

GRAHAM JAHN, AM

Director City Planning, Development and Transport

David Zabell, Senior Planner