

# **Attachment A**

**Summary of and Responses to Matters  
Raised in Submissions**

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Summary of submission	Response to submission
<p><b>Noise – outdoor areas</b></p> <p>The use of the courtyards or any outdoor area between the existing Piccadilly Hotel and the buildings at 92-98 Brougham Street will impact on the acoustic privacy and amenity of the residents at 100-104 Brougham Street.</p> <p>This space would be used as a gathering place for guests from early afternoon to late evening.</p> <p>Clarification should be provided as to the ‘end use’ intention for the courtyard before any approval of the planning proposal.</p> <p>It would be more suitable for conditions to be placed on the planning proposal to ensure that this outdoor courtyard is to be a passive space, without food and beverage services.</p>	<p>The proposal is limited to whether or not the buildings on site, or future proposed buildings, can be used for the purposes of hotel or motel accommodation subject to the assessment and approval of a specific proposal.</p> <p>The proposal does not extend to outdoor areas, uses that may be ancillary to a hotel proposal, or the arrangement of hotel and ancillary uses onsite. These would be the subject of a future development application.</p> <p>The resident’s concerns are potentially valid and will require justification and assessment at development application stage.</p> <p>By permitting hotel accommodation at 92-98 Brougham Street, a larger consolidated piece of land under one ownership, including the Piccadilly Hotel, is made available. This provides for more flexibility in the arrangement of uses onsite in order to mitigate any potential acoustic impacts.</p> <p>In relation to the future development application, the owner should seek to improve the current acoustic privacy of neighbouring residents, rather than derogate from it. Some residents indicated that the existing residential courtyards created noise issues for them.</p> <p>The existing DCP controls that apply to the site can be used to manage the impacts and include:</p> <ul style="list-style-type: none"> <li>• if permitted, any outdoor areas would be restricted in hours of operation to 8pm as base hours, or 10pm, but only on a trial basis;</li> <li>• a Noise Impact Assessment prepared by a qualified acoustic consultant must be submitted with any development application;</li> <li>• a Plan of Management and Noise Management Plan must be submitted with any development application;</li> <li>• an onsite manager is required when guests have access to the premises.</li> </ul> <p><b>Recommended action: no change</b></p>

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<p><b>Noise – general</b></p> <p>Brougham Street is a narrow residential street. The introduction of a hotel use will be dramatic. Noise associated with occupants constantly arriving at all sorts of hours compared to the current use means more noise than usual. It means more people arriving late at night. Hotel occupants will also have noisy parties. It should be kept a quiet street in an already noisy city.</p>	<p>Any potential acoustic impact of a hotel use at 92-98 Brougham Street, including occupants use of rooms and coming and going of occupants, are considered manageable.</p> <p>The existing DCP requires the submission of a Plan of Management and Noise Management Plan with any hotel application and an onsite manager is required when guests have access to the premises.</p> <p>By permitting hotel accommodation at 92-98 Brougham Street, a larger consolidate piece of land under one ownership is made available. This provides for more flexibility in regards to how the site is accessed and serviced.</p> <p>Resident’s concerns are potentially valid and any future development application should seek to concentrate all access and servicing to the site’s Victoria Street frontage.</p> <p>It is noted that permitting tourist and visitor as an additional permitted use in the R1 General Residential zone already occurs in the City including at 120 Victoria Street, Potts Point (Spicers Potts Point, 20 rooms), 83-105 Kent Street, Millers Point (The Langham, 96 rooms).</p> <p>In the last five years the City has received a total of two complaints in relation to the operation of these hotels. Both complaints related to deliveries and garbage collection before 7am disturbing the sleep of residents. Both complaints were resolved promptly by the hotels following discussions between their onsite managers and City staff.</p> <p><b>Recommended action: no change</b></p>
<p><b>Privacy and overlooking</b></p> <p>The creation of openings in the rear facade of the Piccadilly Hotel, or any new windows at 92-98 Brougham Street, will create unreasonable overlooking and privacy impacts for the residents of 100-104 Brougham Street and 147 Brougham Street.</p>	<p>The proposal is limited to whether or not the buildings on site, or future proposed buildings, can be used for the purposes of hotel or motel accommodation.</p> <p>The proposal does not extend to changes to any existing building fabric. As such the proposal does not result in any changes to the existing relationship between the subject site and neighbouring properties.</p>

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	<p>Any future development application for the subject site will need to address the issue of privacy and overlooking for neighbouring properties in detail. This is especially the case for 100-104 Brougham Street where each of the 24 studio apartments have a single aspect across the subject site's side boundary.</p> <p>Any future development application should seek to improve the privacy for residents at 100-104 Brougham Street. Some residents indicated existing privacy concerns with the arrangement of buildings on site. A rearrangement of built form could address this as well the positioning of deep soil and landscaping on the subject site.</p> <p><b>Recommended action: no change</b></p>
<p><b>Overshadowing</b></p> <p>Any external alterations and additions at the site will create unreasonable additional overshadowing for residents at 100-104 Brougham Street and 147 Brougham Street, including to private open space, living room windows and communal open space.</p>	<p>The proposal is limited to whether or not the buildings on site, or future proposed buildings, can be used for the purposes of hotel or motel accommodation.</p> <p>The proposal does not extend to changes to any existing building fabric. As such the proposal does not result in any changes to existing overshadowing.</p> <p>Any future development application for the subject site will need to address the issue of overshadowing in detail. This is especially the case for 100-104 Brougham Street where each of the 24 studio apartments have a single aspect across the subject site's site boundary.</p> <p><b>Recommended action: no change</b></p>
<p><b>View loss and outlook</b></p> <p>Any external alterations and additions at the site could impact on existing views to the CBD and Harbour Bridge. Any external alterations and additions at the site would also impact on existing residents outlook.</p>	<p>The proposal is limited to whether or not the buildings on site, or future proposed buildings, can be used for the purposes of hotel or motel accommodation.</p> <p>The proposal does not extend to changes to any existing building fabric. As such the proposal does not result in any changes to existing views and outlook available.</p>

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	<p>Any future development application for the subject site will need to address the issue of views and outlook in detail. This is especially the case for 100-104 Brougham Street where each of the 24 studio apartments have a single aspect across the subject site's site boundary.</p> <p><b>Recommended action: no change</b></p>
<p><b>Parking</b></p> <p>On street parking in the area is already in high demand and at capacity. A large increase in patrons for the hotel will exacerbate this situation. There should be a compulsory requirement that all developments supply off street parking.</p>	<p>The City adopts maximum car parking rates to encourage alternatives to private motor vehicles, such as public transport, walking or cycling. It does not require on-site car parking for staff or patrons.</p> <p>The site is well served by Kings Cross train station and frequent bus services along William Street and Darlinghurst Road. There is also a significant local catchment that would provide patronage to ancillary uses in the hotel, who can walk and cycle and support sustainability goals.</p> <p>A taxi rank is located 100 metres from the Piccadilly Hotel on Victoria Street, car share bays are located opposite the site on Brougham Street and in close proximity on Victoria Street.</p> <p>The surrounding streets have time limited parking which would limit overnight hotel guests parking on street.</p> <p>Any car parking or servicing proposed on site as part of any future development application would need to address the site's heritage fabric with all but one building being listed as contributory.</p> <p><b>Recommended action: no change</b></p>
<p><b>Traffic</b></p> <p>Brougham Street is a one-way, narrow, residential street. Consideration should be given to the huge impact this development will have on traffic in the area during operation and construction.</p>	<p>A transport impact assessment prepared by GTA Consultants was submitted in support of the proposal and placed on public exhibition. The assessment concluded that the traffic generated by the proposed development to the surrounding road network would have a negligible impact on road network operation.</p> <p>This view was supported by the City's Transport Planner who identified broad support for the proposal in relation to potential traffic, transport and parking impacts.</p>

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	<p>Traffic, transport and parking impacts will be addressed in detail at development application stage when final parking numbers and access arrangements are known.</p> <p>The existing DCP and LEP are considered sufficient to manage potential future traffic, noise and air pollution generated by the proposal with controls already in place in relation to maximum car parking rates, restrictions on participation in on-street parking schemes and bike parking minimums.</p> <p><b>Recommended action: no change</b></p>
<p><b>Hotel servicing</b></p> <p>It is inconceivable that there is no parking available on site, nor any drop off or set down area provided, or even a waste collection point for truck access for waste, or drop off / collection of laundry service for 43 rooms, let alone deliveries of food and beverage for a hotel which is providing several floors for food &amp; drink services; nor parking for at least the manager on site for a 24/7 operation of a hotel. There will be 84 jobs for the operation of the hotel, with construction employing over 200 people, as stated in the reports.</p>	<p>The existing Piccadilly Hotel is serviced from Victoria Street. The transport impact assessment prepared by GTA Consultants in support of the proposal outlines that it is proposed for all loading activity to be accommodated in the existing Victoria Street loading zone which is expected to be more than sufficient to service forecast loading demands of the proposal.</p> <p>The City's Transport Planner has outlined that any changes required to the loading zone will require approval from Local Pedestrian, Cycling and Traffic Calming Committee. If changes are required these can be addressed part development application stage.</p> <p><b>Recommended action: no change</b></p>
<p><b>Heritage</b></p> <p>The Potts Point and Kings Cross Heritage and Residents' Society are concerned that the proposal will facilitate an inappropriate heritage response to the subject and Victoria Street sites. They are concerned that the proposal will result in an amalgamation of the sites, contrary to the existing fine grain subdivision pattern, that the proposal will encourage an inappropriate heritage redevelopment and that the redevelopment will do nothing to enhance the</p>	<p>The subject site and Victoria Street sites are within the Woolloomooloo Heritage Conservation Area (C71) and the Potts Point Heritage Conservation Area (C51) respectively. All of the buildings are contributory buildings except for 96 Brougham Street which is a neutral building. The Piccadilly Hotel is a locally listed heritage item.</p> <p>The proposal was supported by a Heritage Impact Statement and Conservation Management Plan for the Piccadilly Hotel prepared by Urbis. The Heritage Impact Statement states that the type of development facilitated by the proposal can be reasonably implemented</p>

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<p>heritage significance of the sites or area.</p>	<p>with no detrimental impact on the heritage significance of the sites or area.</p> <p>Council's Heritage Specialist has reviewed the proposal and concluded that from a heritage perspective, the proposal is considered acceptable. They note that the contributory terraces are capable of sympathetic adaptive reuse and that a future development application is capable of complying with the City's existing heritage controls in the Sydney LEP 2012 and Sydney DCP 2012.</p> <p>Including hotel accommodation as a permitted use does not predetermine the appropriateness of any future hotel development application or endorse the Heritage Impact Statement or Conservation Management Plan as they apply to a future development.</p> <p><b>Recommended action: no change</b></p>
<p><b>Dust</b></p> <p>Concerns that dust will impact on the amenity of residents during construction.</p>	<p>Any future development application will need to address the issue of demolition, excavation and construction management and the preparation of a demolition, excavation and construction management plan. The plan will need to include provisions for dust management in compliance with Australian Standards, the WHS Act and Regulation and Council policies.</p> <p><b>Recommended action: no change</b></p>
<p><b>Precedent</b></p> <p>Why are we allowing developers to change zoning as they require? How are we protecting residents? How does this protect the residents from the potential use of the site in the future?</p>	<p>Under the Environmental Planning and Assessment Act 1979, landowners have the ability to lodge a request to change planning controls and Councils have an obligation to assess these requests.</p> <p>The request was lodged with the City and assessed. In this instance the request is considered to have strategic merit as outlined in the proposal.</p> <p>Any future development application for a hotel will require justification by the applicant and a full assessment by the City's Planning Assessment unit.</p> <p>The City's existing DCP controls are considered sufficient to make an appropriate assessment around the acceptability of the proposal at development application stage.</p>

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	<p>Supporting this proposal now in no way indicates support for the indicative scheme or any a future hotel development application.</p> <p><b>Recommended action: no change</b></p>
<p><b>Litter</b> Increased litter associated with the hotel use.</p>	<p>Litter and the behaviour of patrons is required to be addressed in the future development application under a plan of management and waste management plan.</p> <p><b>Recommended action: no change</b></p>
<p><b>Rooftop</b> Objection to the use on any rooftop due to privacy and noise impacts.</p>	<p>The proposal is limited to whether or not the buildings on site, or future proposed buildings, can be used for the purposes of hotel or motel accommodation.</p> <p>The proposal does not extend to the arrangement of hotel and ancillary uses onsite. This would be the subject of a future development application.</p> <p>As such no rooftop use forms part of the proposal.</p> <p><b>Recommended action: no change</b></p>
<p><b>Access</b> I suggest that the proposed pedestrian access via Hourigan Lane be removed.</p>	<p>The proposal is limited to whether or not the buildings on site, or future proposed buildings, can be used for the purposes of hotel or motel accommodation.</p> <p>The proposal does not extend to pedestrian access arrangements. This would be the subject of a future development application.</p> <p>The indicative scheme proposes staff access to be retained from Hourigan Lane. The appropriateness of this can be addressed at development application stage.</p> <p><b>Recommended action: no change</b></p>
<p><b>Property values</b> The proposal will impact negatively on property values.</p>	<p>Any impact the property values in the area is not a planning consideration.</p> <p><b>Recommended action: no change</b></p>
<p><b>The indicative scheme</b> What measures are in place for the proposed plan to be maintained? Will the rezoning be approved based on the current proposal only?</p>	<p>An indicative scheme has been prepared by the applicant and submitted to illustrate the nature of a future hotel development. However, any future development application could depart from this. Notwithstanding, any future development application will require detailed justification and assessment on its own individual merits.</p>

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	<p>Supporting the proposed additional permitted use now in no way indicates support for the indicative scheme or any a future hotel application.</p> <p><b>Recommended action: no change</b></p>
<p><b>Tree loss and biodiversity</b></p> <p>I would encourage Council to stipulate the retention of the mature frangipani tree in the front garden of 94 Brougham Street. In a section of the street with limited planting, this tree provides a much appeal to residents and habitat for birds.</p>	<p>An arborists report will be required if any future development application includes tree removal or major pruning, unless the trees are exempt from the Sydney Development Control Plan.</p> <p>Any development application will also require a landscape plan for new landscaping or changes to existing landscaping.</p> <p>The existing DCP requires that any future development application needs to provide for at least 15% canopy coverage of a site within 10 years from the completion of development.</p> <p><b>Recommended action: no change</b></p>