

Local Planning Panel

30 April 2025

Application details

Address: 169-173 Victoria Street and 90-98 Brougham Street, Potts Point

Application: D/2024/947

Applicant: Harrphil Pty Ltd c/- Urbis

Owner: Harrphil Pty Ltd

Architect: Jet Geaghan c/- Woods Bagot

Planning consultant: Sophy Purton c/- Urbis

Heritage consultant: Allie Cornish c/- Urbis

Proposal

Mixed use development including:

Victoria Street

- former Golden Apple brothel reuse as a single dwelling
- Piccadilly Hotel food and drink premises at ground level (subject to separate DA) and single dwelling above

Brougham Street

- No. 90 demolish secondary dwelling, alts/adds to main dwelling
- No. 92-94 alts/adds and consolidation into a single dwelling
- No. 96-98 demolish flat building (3 units) at no. 96, alts/adds and consolidation into a single dwelling
- central private gated driveway to access on-site parking

Recommendation

Approval subject to conditions

Proposal





Photomontage - Brougham Street

Reason reported to LPP

Application is reported to the LPP for determination as:

- it exceeds the height of building development standard by more than 10%
- it exceeds the floor space ratio (FSR) development standard by more than 10%

Background

The site (excluding 90 Brougham Street) is subject of an existing approval - D/2021/927:

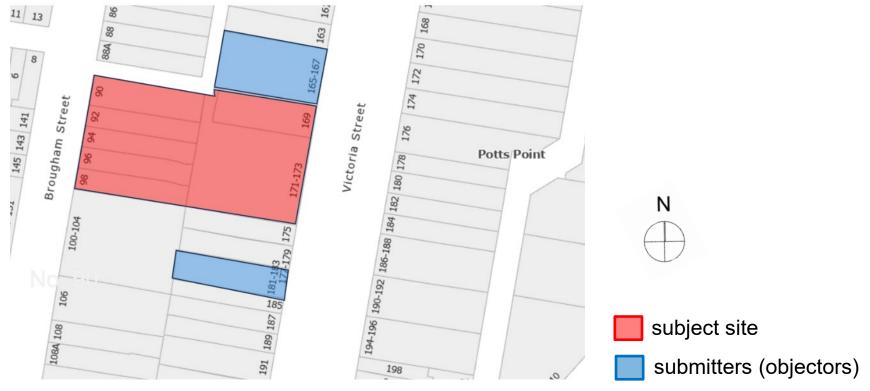
- approved by LPP 14 December 2022
- adaptive reuse of Piccadilly Hotel and Brougham Street terraces for hotel accommodation
- including associated alterations and additions

Notification

- exhibition period 4 November 2024 to 3 December 2024
- 1,087 owners and occupiers notified
- 8 unique submissions received
- 6 objections and 2 in support

Submissions

- derelict state of buildings
- manoeuvring in laneway
- disturbances from vehicles
- visual and acoustic privacy
- loss of views
- loss of natural light and amenity
- decrease in property values
- loss of housing



3 objector's addresses unknown

Site









Piccadilly Hotel

former Golden Apple

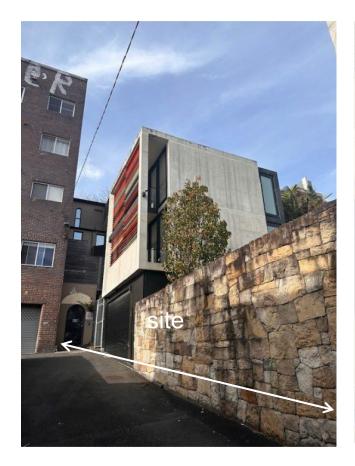




existing dwellings (nos. 90-98) Brougham Street



Brougham Street looking north



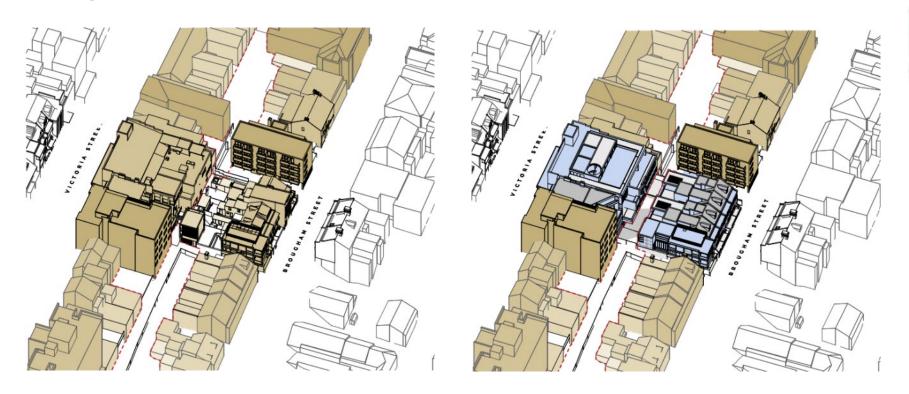


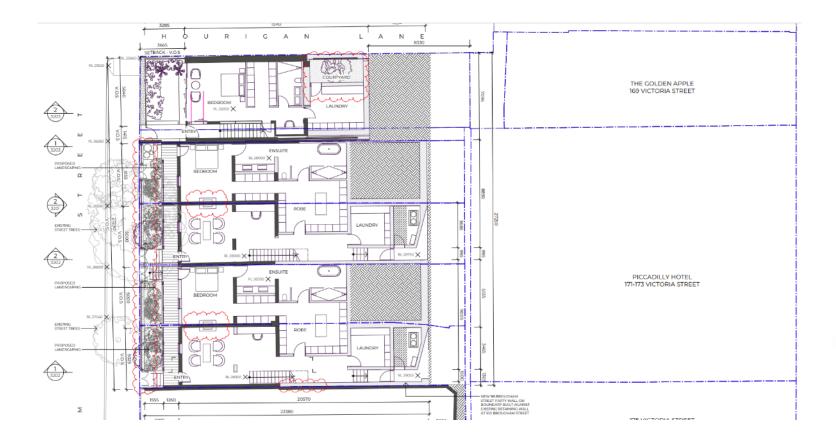
site viewed from Hourigan Lane



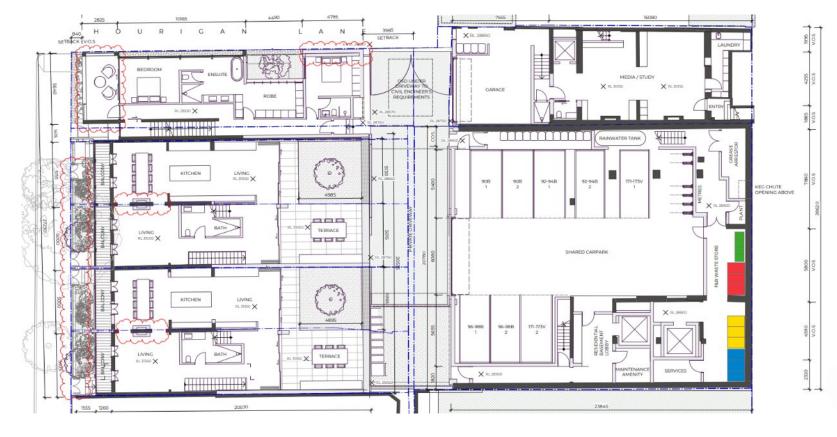
no. 90 Brougham Ave and secondary dwelling viewed from Hourigan Lane

Proposal



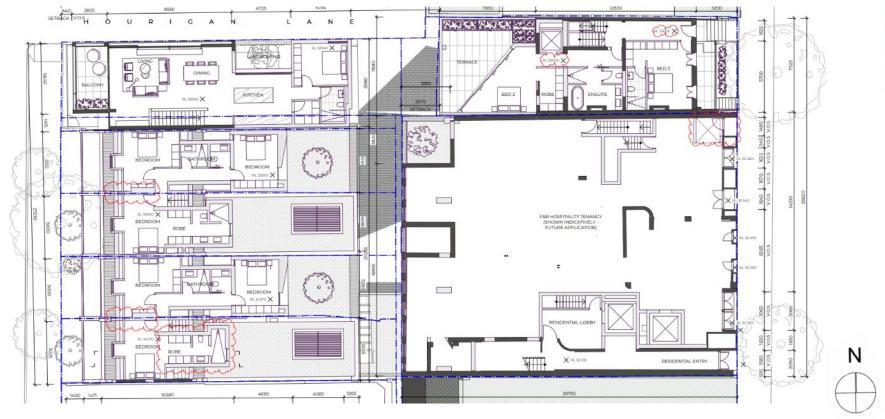




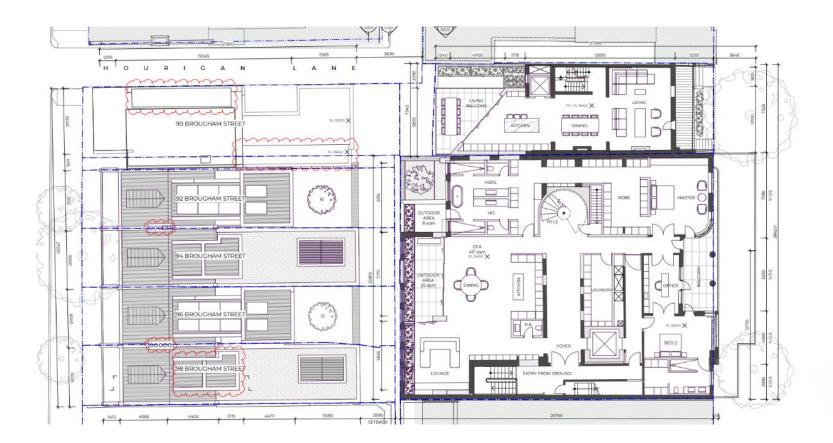




first and lower ground floor plans

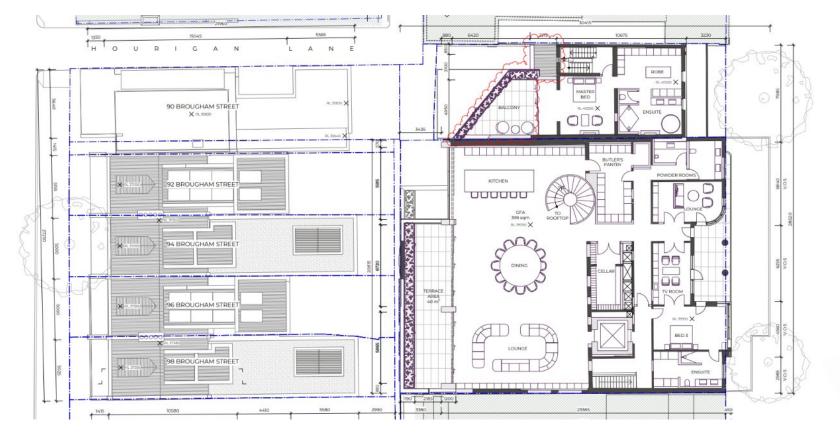


Brougham Street second floor and Victoria Street ground floor plan



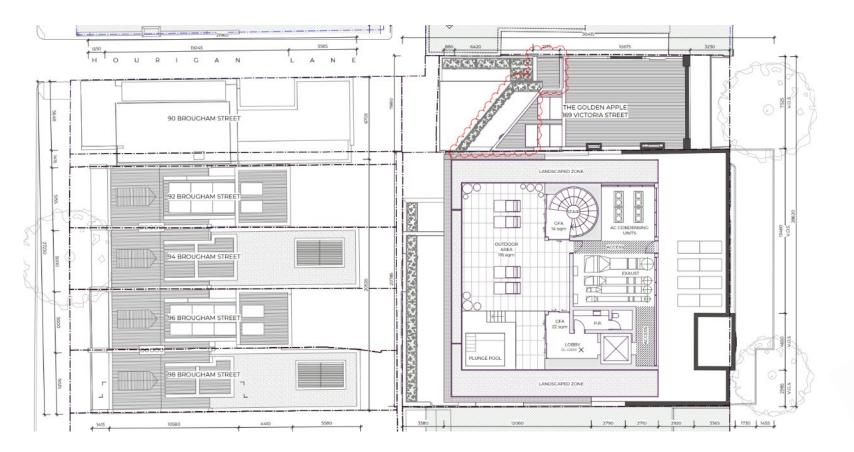


roof and first floor plans

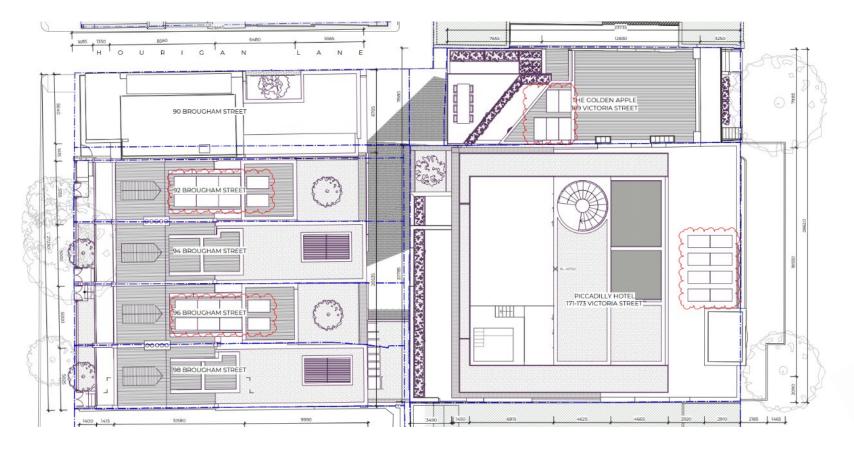




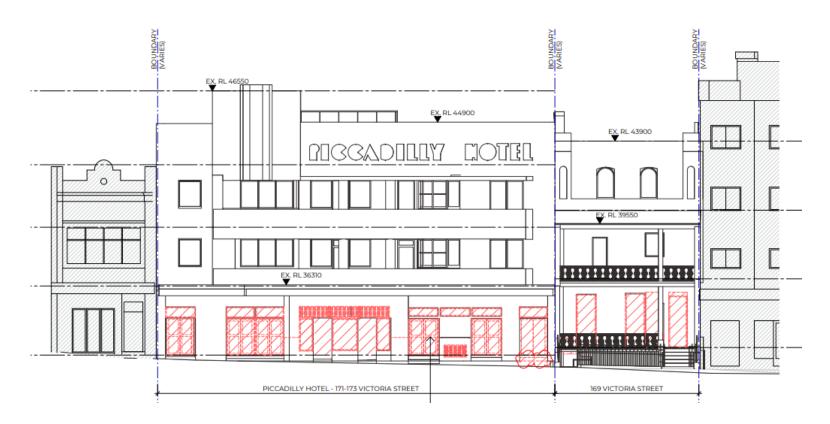
second floor plan



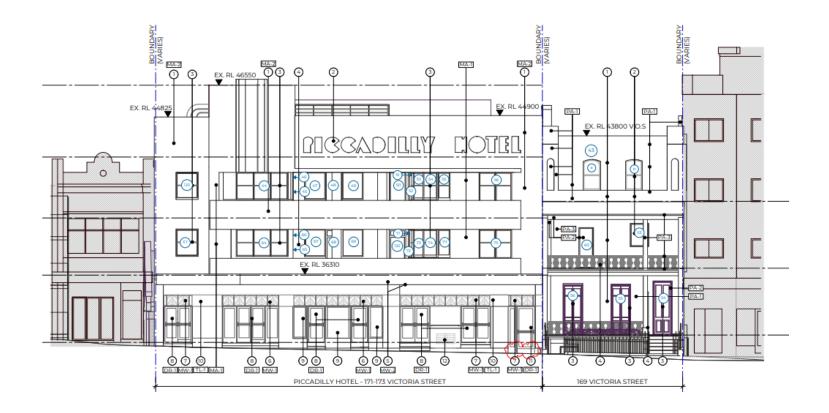
rooftop level plan



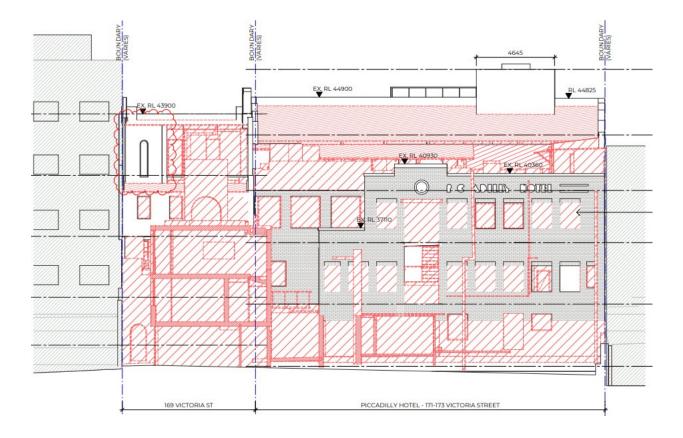




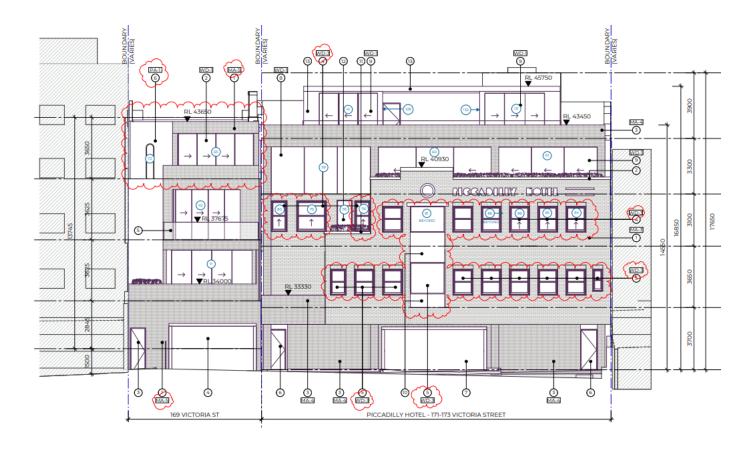
existing Victoria Street (east) elevation showing proposed demolition



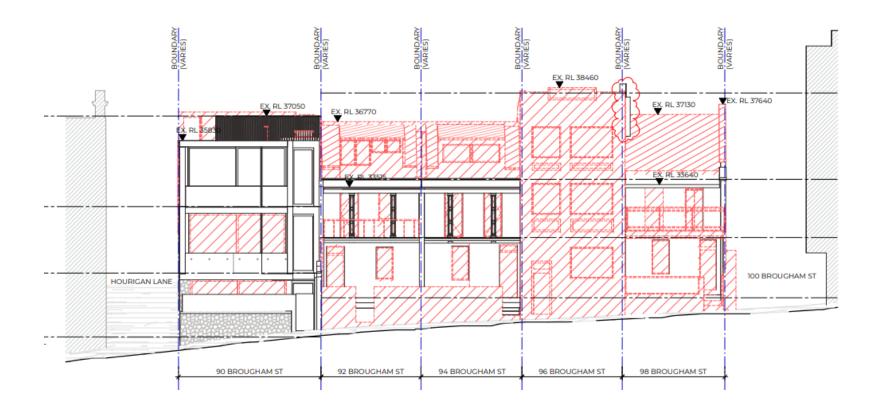
proposed Victoria Street elevation



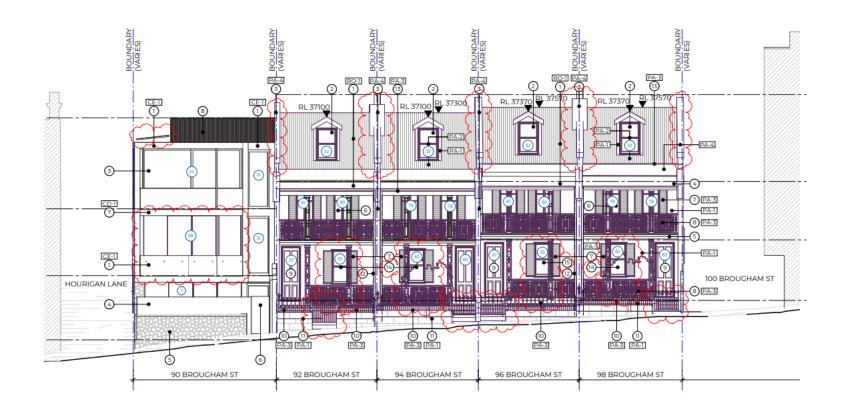
existing rear elevation (adjoining internal driveway) showing proposed demolition



proposed rear elevation of Piccadilly Hotel and former Golden Apple

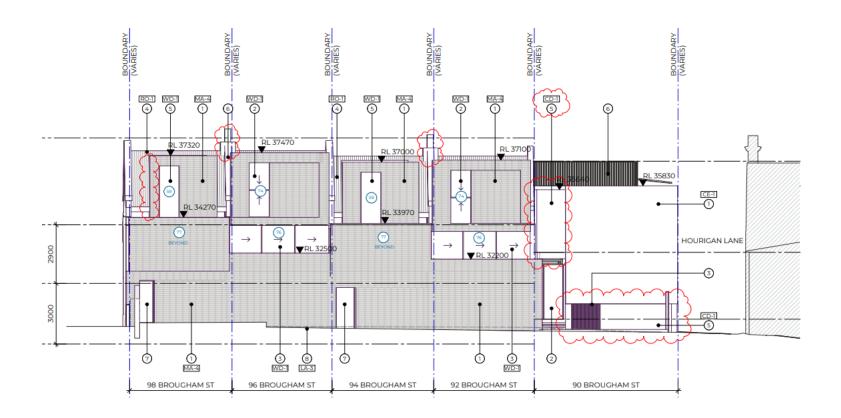


existing Brougham Street (west) elevation showing proposed demolition

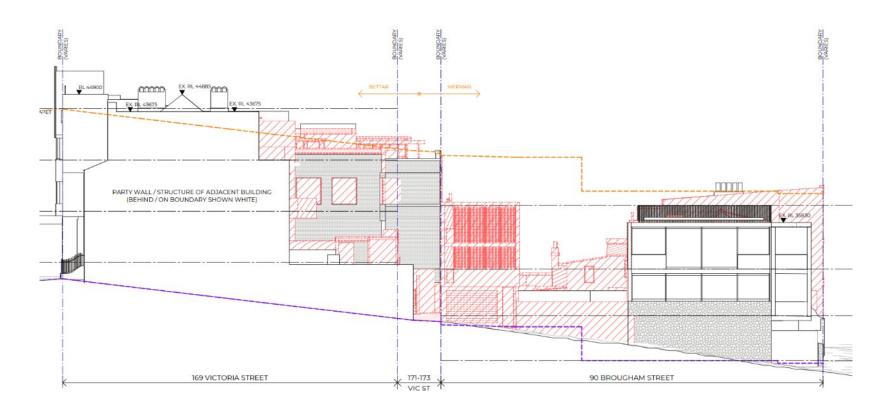




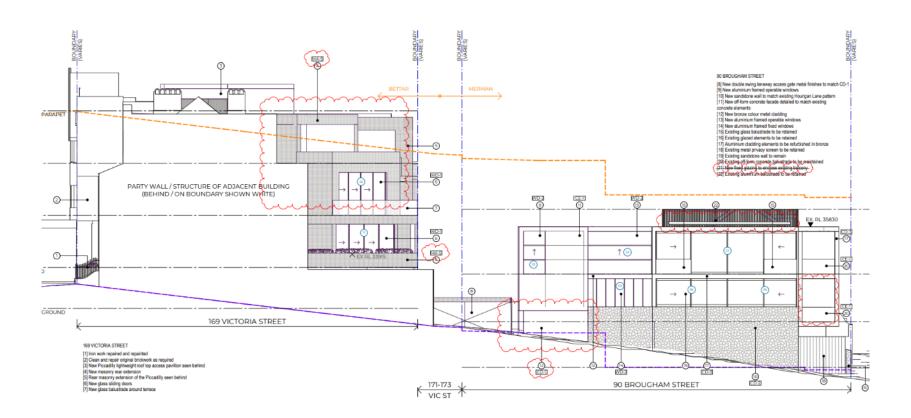
existing rear elevation (adjoining driveway) showing proposed demolition



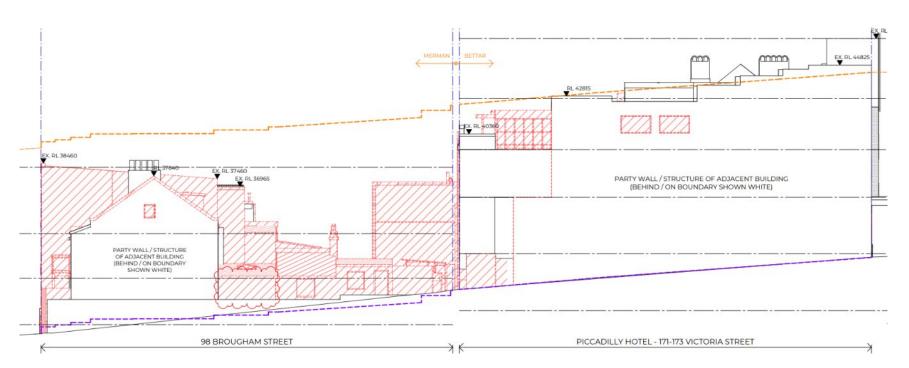
proposed rear elevation of Brougham Street terraces



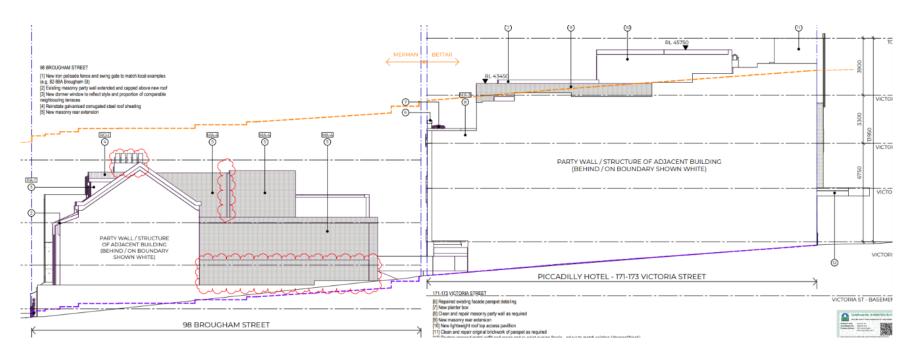
existing north (Hourigan Lane) elevation showing proposed demolition

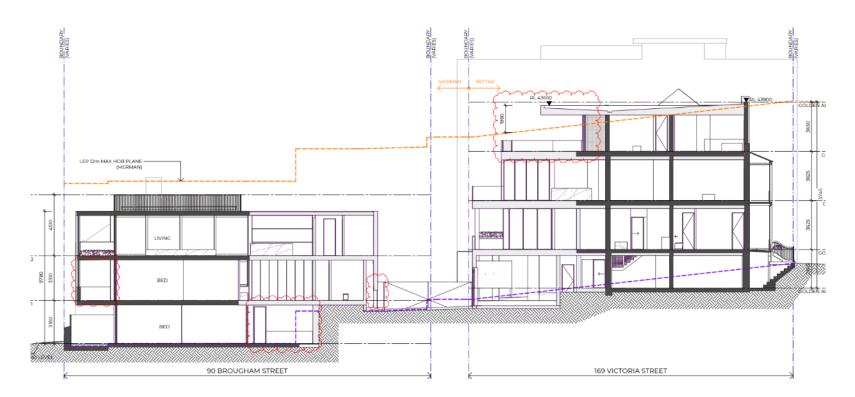


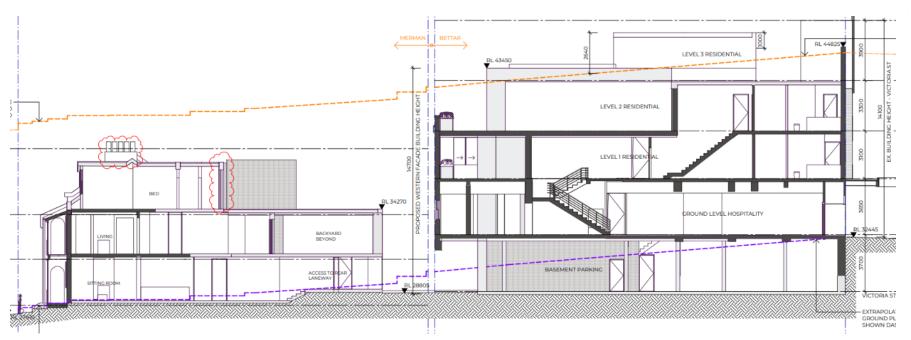
proposed north (Hourigan Lane) elevation



existing south elevation showing proposed demolition

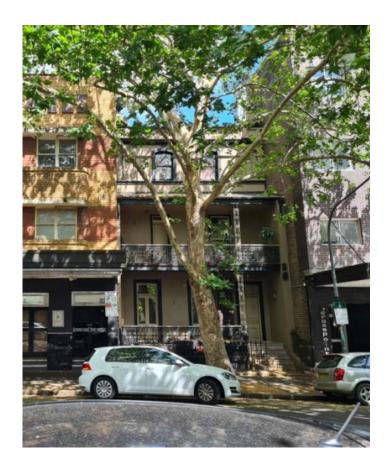


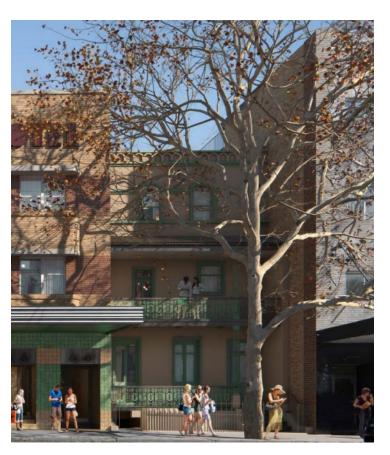






photomontage - Victoria Street





existing and proposed front elevation of no.169 (former Golden Apple)





existing and proposed rear elevation of the Piccadilly Hotel



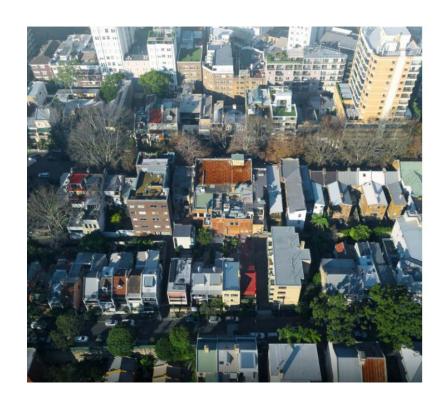


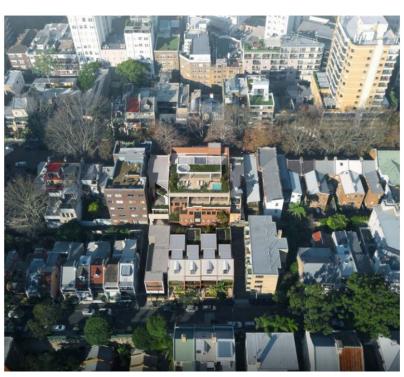
existing and proposed Brougham Street streetscape





existing and proposed rear elevation to the Brougham Street terraces





existing and proposed aerial view

Compliance with key LEP controls

	control	proposed	comply
height	12m	169 - 13.9m	no (15.8% variation)
		171-173 - 14.98m	no (24.8% variation)
		90-98 - <12m	yes
floor	169 - 1.75:1	169 - 2.10:1	no (20.28% variation)
space ratio	171-173 - 1.75:1	171-173 - 2.46:1	no (40.51% variation)
	90 - 1.5:1	90 - 1.47:1	yes
	92-94 - 1.5:1	92-94 - 1.31:1	yes
	96-98 - 1.75:1	96-98 - 1.29:1	Yes

Compliance with key DCP controls

	control	proposed	comply
height in storeys	4 storeys (Victoria Street) 2 storeys (Brougham Street)	169 – 4 storeys	yes
		171-173 - 5 storeys (presents as 3 storeys to street)	no
		90 – 3 storeys	no (existing)
		92-98 - 3 storeys at rear	No
street frontage height	2 storeys (Brougham St)	90 - 3 storeys	no (existing)
		92-98 - 2 storeys	yes

Compliance with key DCP controls

	control	proposed	comply
solar	2hrs in midwinter	90 - >2hrs	yes
access		92-98 - >2hrs	yes
		169 - <2hrs	no (existing)
		171-173 - >2hrs	yes
		neighbour - >2hrs	Yes

Compliance with key DCP controls

	control	proposed	comply
deep soil (no. 169 and Brougham St)	15% of site area (138.83sqm)	13.3% (123sqm) (excludes Piccadilly)	no but acceptable
deep soil (Picadilly)	10% of site area (57.95sqm)	0%	no but acceptable
private open	16sqm per dwelling	90 - <16sqm	no
space		92-98 - >16sqm	yes
		169 - >16sqm	yes
		171-173 - >16sqm	yes

Design Advisory Panel (Residential Subcommittee) • reviewed DA on 3 December 2024

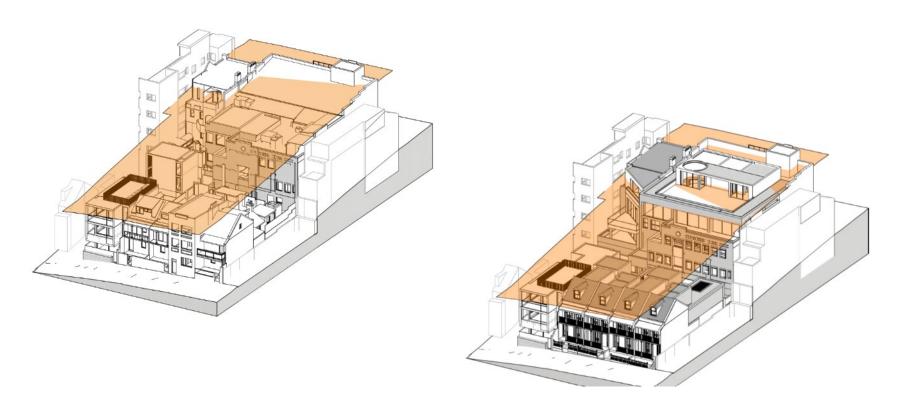
- panel generally supported the proposal. Raised the following issues:
 - heritage related matters
 - materiality
 - overshadowing
 - view impacts
 - visual connection between internal driveway and public laneway
- issues addressed by the amended plans or by conditions

Issues

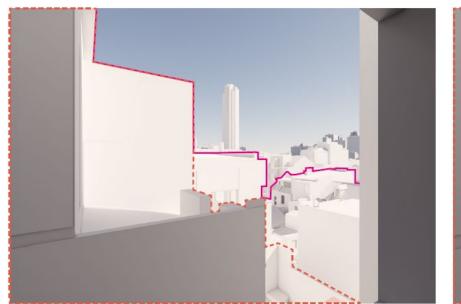
- height exceedance and view impact
- FSR exceedance
- loss of dwellings
- loss of privacy, daylight and outlook
- materials and finishes to 90 Brougham Street
- heritage benefits

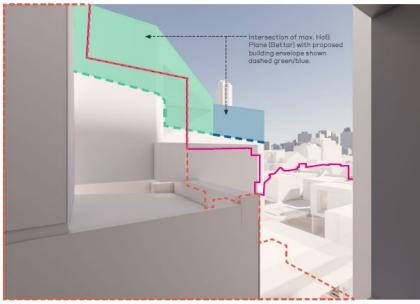
Height exceedance and view impact

- Clause 4.6 request supported. Non compliance:
 - is predominantly rooftop elements and services
 - provides private open space on rooftop
 - cannot be seen from the Victoria Street streetscape
- DCP non-compliance acceptable:
 - small non-habitable rooms to the Piccadilly Hotel
 - terrace row (no. 92-98) restored
 - terrace row presents as 2-storeys to street
 - no significant environmental impacts or view loss from non-compliances

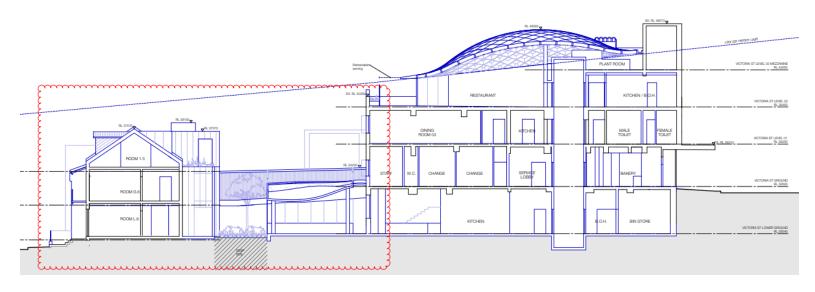


existing and proposed height plane diagram showing height exceedance





height exceedances shaded green (former Golden Apple) and blue (Piccadilly Hotel)



existing approval (D/2021/927) includes a height variation

FSR exceedance

- Clause 4.6 request supported.
- no.169: FSR increased by new rear additions at the ground and first-floor levels
- no 171-173: existing services area (non-GFA), being converted to habitable floor space at Level 2
 - Level 2 addition largely complies with height controls
 - providing non-habitable GFA at the roof level
 - providing new GFA at the ground level/basement
- no significant environmental impacts or view loss from non-compliances

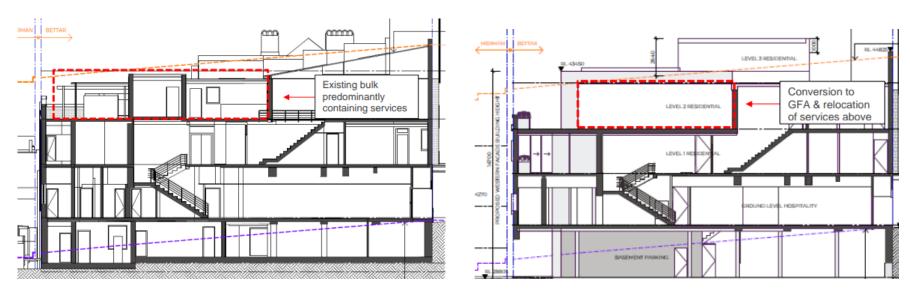
FSR exceedance

Site	Existing GFA	Permitted GFA	Proposed GFA	Variation
169 Victoria St (186.7sqm)	342sqm (1.83:1)	326.73sqm (1.75:1)	393sqm (2.10:1)	66.27sqm or 0.35:1 (20.28%)
171-173 Victoria St (579.5sqm)	1,045sqm (1.80:1)	1,014.13sqm (1.75:1)	1,425sqm (2.46:1)	410.87sqm or 0.71:1 (40.51%)
96-98 Brougham St (271.7sqm)	289sqm (1.06:1)	475.48sqm (1.75:1)	351sqm (1.29:1)	Nil
92-94 Brougham St (273.6sqm)	235sqm (0.86:1)	410.4sqm (1.5:1)	358sqm (1.31:1)	Nil
90 Brougham St (193.5sqm)	244sqm (1.26:1)	290.25sqm (1.5:1)	284sqm (1.47:1)	Nil

overall site has a combined maximum FSR of 1.67:1 - exceeds standard by 297.65sqm (i.e. 11.84% variation).



new additions to the ground and first-floor level of the former Golden Apple (outlined red)



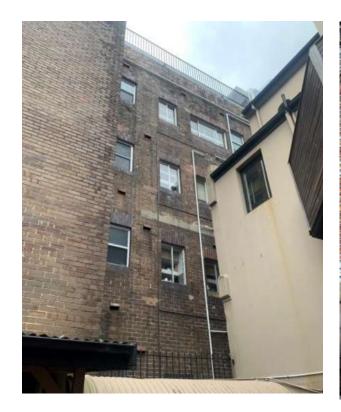
existing non-habitable floor space being converted to habitable GFA (outlined red)

Loss of dwellings

- strata title for the RFB at 96 Brougham Street was terminated in 2024
- Chapter 2 Part 3 'Retention of existing affordable rental housing' of the Housing SEPP now applies given RFB is in single ownership
- 2 of the 3 existing units defined as 'low-rental dwellings'
- conditions recommended:
 - developer to assist any existing low-rental dwelling tenants to find alternative comparable accommodation
 - developer pay a contribution of \$75,350 (subject to indexing)
- Council's dwelling retention planning proposal does not apply

Loss of privacy, daylight and outlook

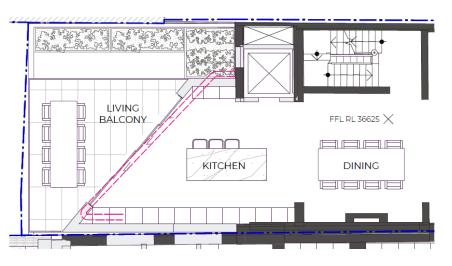
- neighbouring studio apartments setback approx. 1.8m from side boundary
- all light and outlook to these studio apartments currently available via a lightwell
- new building envelope and balconies to former Golden Apple chamfered to promote view sharing and help reduce amenity impacts
- proposed addition at level 2 of the former Golden Apple does not result in unreasonable amenity impacts





neighbouring studio apartments setback approx. 1.8m from side boundary - light and outlook via a light-well





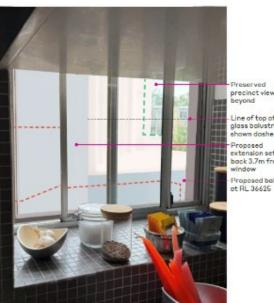
- new building extension and level 1 balcony (approx. 42sqm) are to replace existing balcony (approx. 6sqm)
- level 1 internal extension consistent with hotel DA approval (D/2021/927) and is supported
- size and location of balcony will result in reduced daylight access and will alter outlook from only living room windows of 2 adjoining units





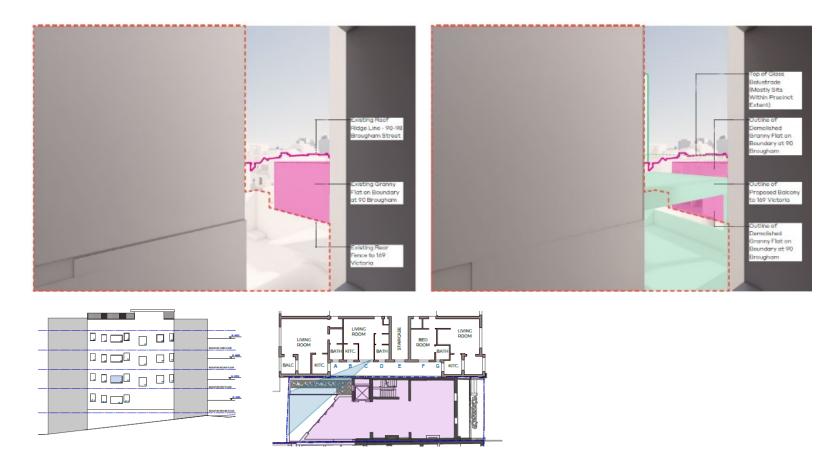




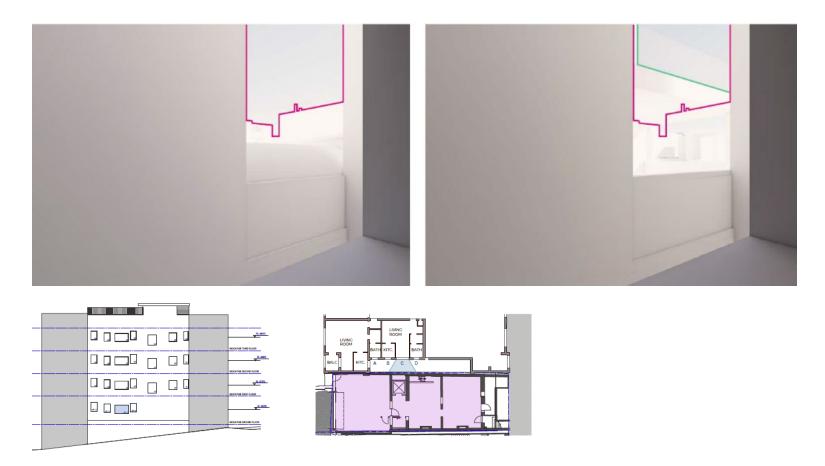


Preserved precinct view beyond Line of top of glass balustrade shown dashed Proposed extension set back 3.7m from window Proposed balcony

existing and proposed outlook from unit 5/165 Victoria Street



existing and proposed outlook from unit 5/165 Victoria Street



existing and proposed outlook from unit 1/165 Victoria Street

Loss of privacy, daylight and outlook



- replacement balcony is excessive in size, results in amenity impacts, and is inconsistent with section 4.1.8.1 of the DCP
- design modification condition recommended to reduce the balcony

Materials and finishes to 90 Brougham Street

- 90 Brougham Street award-winning development designed by Smart Design Studio
- key feature is the external-coloured metal louvres
- condition recommended requiring these distinctive features be retained (or like-forlike replacement)
- subject to this condition, proposal will achieve design excellence



Heritage benefits

- Victoria Street Potts Point heritage conservation area (C51)
- Brougham Street Woolloomooloo heritage conservation area (C71)
- Piccadilly Hotel local heritage item (I1192) currently in state of disrepair
- Victoria Street
 - residence above Piccadilly Hotel provides greater opportunities for heritage retention and removes need for fire sprinklers
 - Former Golden Apple to be returned to original residential use
 - existing fire hydrant booster to be removed
 - no need for substation (compared to existing hotel approval)

Heritage benefits

- Brougham Street
 - intrusive third floor at no. 96 to be removed
 - will turn a neutral building into a contributory building
 - no. 92-94 detracting front roof additions to be removed and replaced with DCP compliant dormers
 - highly altered and intrusive fabric being removed
 - original integrity of the row being restored

Recommendation

DA recommended for approval subject to conditions, including:

- design modifications including (but not limited to):
 - size of Level 1 balcony to former Golden Apple to be reduced
 - existing multi-coloured louvres to 90 Brougham Street to be retained
- affordable housing contribution pursuant section 48 of the Housing SEPP of \$75,350.00 to be paid resulting from demolition of no 96
- developer to assist any existing low-rental dwelling tenants to find alternative comparable accommodation