



THE COUNCIL OF THE
MUNICIPALITY OF WOOLLAHRA

**ANNEXURE
B**

ALL CORRESPONDENCE TO
THE TOWN CLERK
BOX 61 PO DOUBLE BAY N.S.W. 2028
DX 3607 DOUBLE BAY

COUNCIL CHAMBERS
536 NEW SOUTH HEAD ROAD,
DOUBLE BAY
TELEPHONE 326 0222
FAX NO 327 1925

REF NO

YOUR REF NO

Environmental Planning and Assessment Act, 1979

NOTICE TO APPLICANT OF DETERMINATION OF A DEVELOPMENT APPLICATION

SAHBEN GROUP OF COMPANIES,
SUITE 107, EDGECLIFF CENTRE,
203 NEW SOUTH HEAD ROAD,
EDGECLIFF. N.S.W. 2027.

being the applicant in respect of development application No. 88/176

Pursuant to Section 92 of the Act notice is hereby given of the
determination by the consent authority of the development application No.
88/176 for hotel and retailing relating to the land described as follows:-

29-43A CROSS STREET, DOUBLE BAY.

The development application has been determined by granting of consent
subject to the conditions specified in this notice.

The conditions of the consent are set out as follows:-

1. Development to be carried out generally in accordance with Plans
No. 1096-DA-01, 02a, 03d, 04b, 05b, 06a, 07a, 08a, 09a, 11b dated
August, 1988 and drawn by Leffler Simes Pty. Ltd.
2. The provision of 223 car parking spaces on-site and further,
stack parking by a valet service being provided if required.
3. Loading and unloading being confined within the property.
4. No display or sale of goods in the concourse or mall.
5. No display or sale of goods on the footpath.
6. The development to be landscaped to the satisfaction of the
Council and a landscape plan being submitted to, and approved by
the Council at a scale of not less than 1:100, such to conform to
the Council's Landscaping Code.
7. The colour, texture and substance of all external materials being
to the satisfaction of the Council.
8. Full details being submitted to and approved by the Council
regarding the proposed method of garbage, transport, storage and
disposal and where necessary, a written undertaking from the
owner accepting responsibility for the proper storage and removal
of all trade waste arising from the premises and the payment to
the Council for such removal.

9. Mechanical ventilation being installed within the premises, the plans of such ventilation system being submitted to the Council as a Building Application and approved by the Council prior to the commencement of any works.
10. The use not commencing until such time as the conditions of this development consent have been carried out.
11. All services to the property are to be placed underground and should an electrical substation be required, it is to be situated within the boundaries of the property and suitably screened. The developer must bear all costs arising from any road and footpath reinstatements made necessary during the installation of these services.
12. Any damage to Council's footpath, kerb and gutter or road during the course of construction must be repaired or reconstructed and the cost of such works being borne by the developer.
13. At least one drainage point being provided to each shop or tenancy.
14. All signs within the mall being of a standard module and being to the satisfaction of the Council.
15. Storage to be provided for retail shops in accordance with Council's Facilities and Storage Code.
16. The porte-cochere being signposted, to the satisfaction of Council, to indicate "Entry Only", "Exit Only", or similar, at the respective ingress/egress points.
17. The area designated as Palm Court not to be permanently covered or enclosed at any level.
18. The plans being amended to indicate the Reduced Level of each floor to Australian Height Datum.
19. Legal agreements being entered into between the applicant and the owners of adjoining properties subject to the proposed inter-site links, specifically the Georges Centre and properties in Transvaal Avenue, so as to provide for the establishment of easements permitting right-of-way, upon completion of the building. Such easements specifying that they shall not be varied without the consent of the Council first being obtained.
20. Redesign of the eastern facade of the development, to the satisfaction of Council, to provide for advanced vegetation to the landscaping areas with access being provided for maintenance only thereto, architectural detailing of wall surfaces and additional fenestration at levels 2 to 5 in order to relieve the impact of the facade wall and lowering of the podium landscaping area by at least 1.6 metres.
21. The northern sides of balconies facing north at levels 3 - 5 to be made of solid material to minimize overlooking and maintain privacy.

22. Planter boxes having a minimum width of 700mm being placed on the northern edges of the terraces to Rooms 10-13 on Level 2 and on the eastern edge of Room 1 on Level 2.
23. Redesign of the spaces 80-83 on the Upper car park level to improve clearance for vehicles exiting into the Georges Centre car park.
24. All ramp grades and vertical clearances are to comply with Traffic Authority requirements.
25. The access to Galbraith Walkway being of solid, automatic-closing, double air lock and security design and the access being secured to prohibit public access between the hours of 6.00pm and 8.00am Monday to Saturday and closed all day Sunday; a signpost to this effect is to be placed, at the applicant's cost, at the William Street entrance to Galbraith Walkway in consultation with the Council's Engineering Department; and further, the Council reserves the right to require, at any time, the closure of the access into the development, either permanently or by further limiting hours of access, if any nuisance arises in relation to its use.
26. The Function Room on Level 1 to be used only after 5.00 p.m. on Saturdays in order to ensure adequate parking is available on-site during retail hours.
27. The car parking levels not being operated as a parking station charging a fee or other payment without the consent of the Council.
28. Two spaces per car parking level being designated and designed for disabled persons parking adjacent to lift facilities.
29. A free car parking valet service for on-site parking being available, from the porte-cochere entry to the development, during the Hotel's operating hours, in order to facilitate use of the on-site parking.
30. Line marking to be placed in the access driveway between the joint parking areas in order to channelize incoming and outgoing vehicles.
31. Noise emission from the premises, including all plant associated with the development not exceeding the background noise level at any time as measured at the boundaries of the premises.
32. The disposal of stormwater from the premises to the satisfaction of Council's Engineer's Department. In this regard, the Developer would be required to extend Council's existing underground drainage system to the front of the subject site so that ground water from the basement can be drained directly into it. The developer is to consult with Council's Engineering Department prior to the commencement of work on-site.
33. Restaurants, bars, kitchen and other food facilities shall be built and fitted in accordance with Council's Food Premises Code.
34. Development applications being lodged for each separate retail occupancy.

35. Redesign of the loading dock so as to provide adequate manoeuvring area for vehicles entering and exiting the dock; access to the dock by service vehicles is not to occur by reversing from Cross Street.
36. Submission of a geotechnical report prior to any excavation works, assessing impacts on the water table and proposing measures to safeguard construction and foundation stability of adjoining properties including the public road.
37. Coach buses visiting the premises are to discharge and load all passengers from within the porte-cochere area and not at the Cross Street footpath; and further, the porte-cochere is to be designed to accommodate such requirement.
38. Redesign of the approach the service elevators at the upper car park level to provide adequate access to the lifts adjacent to parking space No. 57.
39. The loading dock being provided with a gate or other movable screen enclosure, designed to be in sympathy with the architecture of the rest of the building to the satisfaction of the Council, in order to obscure the dock area and vehicles parked therein when viewed from Cross Street.
40. THAT in lieu of the provision of 50 car parking spaces on site, the Council accept a monetary contribution, such being paid at the applicable rate at the time of payment (presently \$10,500 per space) and in any event the contribution being paid prior to the release of approved building plans.

The reasons for the imposition of the conditions are set out as follows:-

To safeguard the present and future amenity of the neighbourhood.

Endorsement of date of consent, 28th November, 1988.

NOTES:

- (1) To ascertain the date upon which the consent becomes effective refer to Section 93 of the Act.
- (2) To ascertain the extent to which the consent is liable to lapse refer to Section 99 of the Act.
- (3) Section 97 of the Act confers on an applicant who is dissatisfied with the determination of a consent authority a right of Appeal to the Land and Environment Court exercisable within twelve (12) months after receipt of this Notice.

Signature on behalf of consent authority

...*M.R. Regnis*.....
M.R. REGNIS,
TOWN CLERK.

PER: *gpn*

DATE: 30TH NOVEMBER, 1988.