



Mr Murray Donaldson
Architectus Sydney
Level 3
341 George Street
SYDNEY NSW 2060

Our ref: MP08_0100
File: S08/00819-1

Dear Mr Donaldson,

Mixed use hotel, residential and retail development and associated car parking (MP08_0100) - 33 Cross Street, Double Bay.

I refer to your Environmental Assessment (EA) for the proposed redevelopment of the former Stamford Plaza Hotel at 33 Cross Street Double Bay. As you are aware, the Department publicly exhibited the application for an extended period from 22 May 2009 until 5 June 2009.

I have enclosed a copy of the submissions received to date, pursuant to Section 75H(5) of the *Environmental Planning and Assessment Act, 1979*. These submissions include responses from relevant Government agencies and Woollahra Municipal Council.

The Department has reviewed the submissions received and considered the proposal as detailed in the EA. The Department has identified a number of key issues with the proposal relating to height, bulk and scale, overshadowing, amenity impacts (acoustic and visual privacy), hours of access and setbacks. These issues are outlined in **Attachment 1**.

The Department will also require additional information to complete our assessment as outlined in **Attachment 2**.

The Director General, pursuant to Section 75H(6) of the Act, requires that you provide a response to the issues raised in these submissions. It is considered that a Preferred Project Report (PPR) be prepared identifying how you have addressed these issues (including those raised by the Department) and how the PPR minimises the environmental impacts of the proposal.

A revised Statement of Commitments is also to be provided incorporating any amendments following your response to the submissions.

It is recommended that you meet with Departmental Officers to discuss the issues raised in the public submissions and in this letter. In this regard, please contact Michael Woodland, Director, Urban Assessments on (02) 9228 6150 or michael.woodland@planning.nsw.gov.au.

Yours sincerely

Richard Pearson
Deputy Director General
Development Assessment & Systems Performance

ATTACHMENT 1 – DEPARTMENT OF PLANNING KEY ISSUES

1. Height, Bulk and Scale

The Department has concern with the built form of the proposal, specifically the height, bulk and scale of the tower elements. In particular, concern is raised with the proposed eastern tower in regard to its relationship with Cross Street, overshadowing and the transition in height to adjacent areas (Heritage Conservation Area).

Any redesign options should give consideration to the following principles:

- (a) Address setbacks of any tower elements to the Cross Street boundary to ensure a better human scale relationship to the street
- (b) Ensure a fully resolved design outcome for the tower elements particularly in terms of height and scale
- (c) Address the height and bulk of roof top areas, plant and screening structures

A further analysis of design options addressing the above issues is required. It will also be necessary to provide full justification for the proposed height of the development (in particular the tower elements) in the PPR.

2. Overshadowing

The Department has concern regarding the overshadowing impacts of the proposal, particularly upon the footpath and building facades on the southern alignment of Cross Street. A more detailed overshadowing analysis is required, including shadow diagrams at a larger scale (eg 1 to 100) with elevational shadow diagrams on adjacent properties.

3. Amenity Impacts

The Department has concern regarding the amenity impacts on the adjoining residences to the north of the proposal including:

- (a) The design, layout and uses at Level 4 (bar, pool area and adjacent terraces) and resulting noise impacts. Options should be investigated to ameliorate potential noise impacts, and may include the deletion or relocation of some uses and/or introduction of screening devices.
- (b) The design and proximity of the apartments (and external balconies) at Levels 1 and 2, and the resultant noise and visual impacts.

4. Hours of access

The Department has concern regarding the hours of access to the proposal along the Galbraith Walkway and the potential for noise impacts and anti-social activities during late night/early morning periods. Further consideration should be given to addressing this issue in terms of impacts on the adjoining residential uses.

5. Setbacks

In addition to the issue of setback to Cross Street, the Department has concern regarding the setbacks of the eastern tower to the eastern (side) boundary and the matter of equity in the event that the adjacent site is redeveloped with a residential development. Further consideration should be given to ensure that future separation distances of habitable areas can achieve SEPP 65 compliance.

ATTACHMENT 2 - ADDITIONAL INFORMATION REQUIRED / COMMENTS

In addition to any revised architectural plans and analysis of options and designs reflecting the matters raised in **Attachment 1**, the following information is also required:

- additional photomontages from the north/south/east are required showing the proposed built form outcome from immediately adjoining the site in the Galbraith Walkway, Transvaal Avenue (see Figure 59 of EA), and Cross Street immediately opposite the site
 - a set of expanded elevation/section plans to provide a wider streetscape/height context for the assessment of the amended tower heights and setbacks generally bisecting the site on axis between New South Head Road to the east and Ocean Avenue to the west and the northern alignment of William Street to New South Head Road to the south
 - an amended visual analysis to accompany any PPR
 - additional visual analysis from positions on the escarpment as identified in submissions
 - amended shadow diagrams to accompany any PPR
 - a floor - by - floor breakdown of the existing GFA of the former Stamford Plaza hotel and a set of plans detailing those areas included in the calculation of GFA
 - a floor - by - floor breakdown of the GFA allocated to each use within the development.
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