

# Mixed hotel, residential and retail development 33 Cross Street, Double Bay

August 2009

Prepared for Ashington



Major Project Application 08\_0100  
Preferred Project Report

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**Cover image:** View of piazza space looking south from the through site link from Galbraith Walkway

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**Quality Assurance**

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## Executive summary

This document is the Preferred Project Report to accompany the proposed Part 3A Project Application (08-0110) which seeks approval for a mixed use development including a new hotel, hotel residences and retail uses at 33 Cross Street, Double Bay. It is submitted by Architectus on behalf of the Proponent, Ashington, under part 3A of the *Environmental Planning and Assessment Act 1979*.

An Environmental Assessment was submitted with the Project Application, which was exhibited and notified for a period of 42 days ending on the 5 June 2009.

The purpose of this preferred Project Report is to provide responses to the key issues raised in the written submissions during the exhibition and notification period to the Department of Planning. In addressing the key issues raised in the submission, modifications have been made to the proposal in order to minimise any potential impacts from the proposal on neighbouring residents.

Detailed responses from specialist consultants to key issues are provided in the appendices of this report.

### **Response to key issues raised in submissions**

The Department of Planning, provided copies of submissions received pre-exhibition, during exhibition and post exhibition to the Proponent and asked that a Preferred Project Report be prepared including responses to the issues raised in the submissions.

This report addressed the issues raised by government agencies and the public and through amendments to the proposal seeks to minimise the environmental impacts of the proposal.

### **Additional options analysis**

In preparing this Preferred Project Report and in considering amendments to the Environmental Assessment proposal, three options were prepared (in addition to the options analysis already undertaken for the project). The options sought to provide alternatives to the form and massing of the tower forms including a reduction in the height and bulk of the towers.

### **Key aspects of the Preferred Project**

The Preferred Project Application seeks the Minister's consent for the following:

- Demolition of the existing hotel and associated retail arcade, down to ground level including the ground floor slab;
- Retention and reconfiguration of the two basement levels for 135 parking spaces, comprising 32 retail (public), 68 residential and 35 hotel parking spaces, residential storage space, bicycle parking, hotel back of house and plant equipment;
- Erection of a 3-5 storey podium level five storey tower to the north east corner, a 15 storey tower at the south western corner of the site and an 12 storey tower in the south east corner
- Luxury 5 star boutique hotel, comprising sixty six (69) hotel rooms,

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situated within the podium levels;

- Retail uses at ground floor level of 1395m<sup>2</sup> which is envisaged to be used for a mix of high quality specialty retail, food, bar and café/restaurant tenancies;
- A hotel bar/restaurant situated at Level 4;
- A pool situated on Level 4 for use by hotel guests. Residents and their visitors;
- A total of 44 hotel residences to be situated in the podium and in the three towers, comprising 8 x 1 bedroom, 12 x 2 bedroom and 24 x 3 bedroom apartments to be located within both the podium and the tower elements;
- A publicly accessible piazza with through site links from Cross Street (South) through to the Georges Centre at 45 Cross Street (West), Transvaal Avenue (East) and Galbraith Walkway (North).

Future applications for the proposed redevelopment include:

- Strata and stratum subdivision with easements for public access;
- Hotel fit-out; and
- Retail tenancy fit outs.

### **Revised Statement of Commitments**

A revised Statement of Commitments has been prepared to accompany this Preferred Project Report. In summary the following commitments are made by Ashington in addition to the exhibited Statement of Commitments:



## 1 Introduction

### 1.1 Preliminary

This report has been prepared on behalf of the proponent Ashington and forms the Preferred Project Report.

Following the initial Preliminary Environmental Assessment and Clause 6 request to the Minister for Planning, correspondence from the Executive Director – Strategic Sites and Urban Renewal, of the NSW Department of Planning, was received, with attached Director Generals Requirements under Section 75F of the *Environmental Planning and Assessment Act 1979*.

An Environmental Assessment (EA) for the proposed development addressing the DGRs were publicly exhibited for a period of approximately 6 weeks concluding on the 5 June 2009. In response to the public exhibition, the Department of Planning received written submissions from Government agencies and the public.

The Department of Planning wrote to the proponent to advise of its concerns with the proposed development and requested additional information in order to finalise its assessment of the project including additional options to minimise impacts of the development. (Refer to **Appendix C**).

Ashington prepared additional options and provided this to the Department for its consideration on the 23 June 2009. The Department wrote to the proponent on the 20 July 2009 requesting the preferred project be submitted.

This report provides a response to the key issues raised in the submissions, provides an analysis of the additional options prepared that show how the preferred project has been revised.

This report and appendices should be read in conjunction with the exhibited Environmental Assessment and accompanying information prepared by Architectus dated March 2009.

### 1.2 Site and local context

The site is located at 33 Cross Street, Double Bay at the midpoint between Bay Street and New South Head Road near the corner of Transvaal Avenue (Error! Reference source not found.).

The subject site has an area of 3,675sqm and was previously known as the Stamford Plaza hotel Double Bay. The Stamford Plaza hotel ceased operations in March 2009.

The site is located approximately 4kms from Sydney's CBD within Woollahra Local Government Area (LGA). Surrounding land uses include a mix of retail and commercial, with Bondi Junction (Major Shopping Centre) located approximately 2km to the south of the site.

A detailed description of the site location and local context was provided in the exhibited Environmental Assessment.

An analysis of the Preferred Project in terms of its contextual impact is provided at **Section 2: Response to Key Issues** of this report.

### 1.3 Consent authority

The site is located within Woollahra Local Government Area. The consent authority for this application is the Minister for Planning under the provisions of Part 3A, as determined under Schedule 6(1) of SEPP (Major Projects) 2005.

The Director General's Requirements (DGRs) were issued on 28 August 2008. The Environmental Assessment Report was accepted as adequate by the DOP and was prepared in order to consider the impacts of the proposal has been notified and exhibited in accordance with the requirements of the EPA&A Act 1979.

### 1.4 Consultation

Following the conclusion of the exhibition period the Department of Planning wrote to the Proponent to provide copies of the submissions received and outlined its preliminary issues and concerns with the proposal (Refer to **Appendix C**). The Department of Planning's letter signed by Richard Pearson dated 12 June 2009, advises that the Director General, pursuant to Section 75H(6) of the Act, requires that the Proponent provide a response to the issues raised in the submissions.

The Department's letter also requests that a Preferred Project Report (PPR) be prepared identifying how the Proponent have addressed the issues (including the issues raised by the Department) and how the PPR minimises the environmental impacts of the proposal.

**Section 2** of this report outlines a response to the key issues raised in submissions. Key issues raised by the Department of Planning, are summarised as follows:

1. Height, bulk and scale;
2. Overshadowing;
3. Amenity impacts;
4. Hours of access; and
5. Setbacks.

A response to the issues raised by the Department of Planning is provided at **Section 2** of this report.

The Department have requested a Statement of Commitments also be provided incorporating any amendments following the response to submissions.

The Department also required that additional information be provided to complete the assessment. The additional information requested and its location within this Preferred Project Report is provided in **Table 1**.

Table 1. Additional information requested by Department of Planning

Additional information	Reference
<p><b>Revised architectural plans and analysis of options</b> and designs reflecting the matters raised in the preliminary issues raised by the Department of Planning</p>	<p>Refer to revised architectural drawings at <b>Appendix A</b>.</p>
<p><b>Additional photomontages</b> from the north/south/east are required showing the proposed built form outcome from immediately adjoining the site in the Galbraith Walkway, Transvaal Avenue and Cross Street immediately opposite the site</p>	<p>Refer to revised Architectural drawings at <b>Appendix A</b> and the revised Visual Impact Assessment at <b>Appendix B</b>.</p> <p><b>Section 2.8</b> provides a response to the issues raised in submissions in relation to visual impact and view loss.</p>
<p>A set of <b>expanded elevation/section plans</b> 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</p>	<p>Refer to Architectural drawings at <b>Appendix A</b>.</p>
<p>An <b>amended visual analysis</b> to accompany any PPR</p>	<p>Refer to revised Visual Impact Assessment at <b>Appendix B</b>.</p> <p><b>Section 2.8</b> provides a response to the issues raised in submissions in relation to visual impact and view loss.</p>
<p><b>Additional visual analysis from positions on the escarpment</b> as identified in submissions</p>	<p>As above</p>
<p><b>Amended shadow diagrams</b> to accompany any PPR</p>	<p>Refer to Architectural drawings at <b>Appendix A</b>.</p>
<p>A <b>floor-by-floor breakdown of the existing GFA</b> of the former Stamford Plaza hotel and a set of plans detailing those areas included in the calculation of GFA</p>	<p>Refer to <b>Section 4.4</b> and <b>Appendix A</b>.</p>
<p>A <b>floor-by-floor breakdown of the GFA</b> allocated to each use within the development</p>	<p>Refer to <b>Section 4.4</b> and <b>Appendix A</b>.</p>

The Proponent met with the NSW Department of Planning officers, Richard Pearson Deputy Director and Michael Woodland, Director Urban Assessments on the 23 June 2009. The purpose of this meeting was to discuss the Department of Planning's letter of 12 June 2009 and to present three options which outlined the proponents preliminary response to the key issues raised in submissions as well as by the Department of Planning. The Department of Planning

A numerical summary of the three design options prepared at the 23 June 2009 meeting was provided, in relation to the height, bulk and scale of the proposed development was provided to the Department of Planning on the 23 June 2009, as well as our justifications why Option 1 was considered to be the preferred option to be the best option in terms of overall urban design outcomes to progress to the preferred project stage.

Option 1 was considered the best in terms of overall urban design outcomes, as it achieves the following:

- A significant reduction in height to the eastern tower by 3 stories, providing an 11 storey tower plus plant room;
- Setback 6.3 metres from Cross Street frontage;
- No increase in the size (width) of the eastern tower;
- No increase in height to the north eastern tower. This minimises impacts to the adjoining residents and provides a better transition in height to the residential zone.
- The western tower retains the existing height (14 stories plus plant room), thereby minimising the increase in width of the tower;
- Achieves a transition in height of the tower elements, particularly when viewed from Transvaal Avenue;

The Department of Department of Planning wrote to the Proponent on the 20 July 2009 (Refer to **Appendix D**). The letter confirmed receipt of the three options in response to the 12 June 2009 letter and 23 June 2009 meeting. The Department requested the full response, including additional information, which forms this Preferred Project Report.

The Department's letter states that:

*"The Preferred Project Report should include a comprehensive analysis of the design options tabled at the meeting in the context of the Department's concerns and the strong community concern about height, bulk and scale of the tower elements of the proposal. Your PPR should also include your preferred final development option for the site for assessment by the Department and determination by the Minister".*

A comprehensive analysis of the three options presented to the Department of Planning is provided at **Section 3** of this report.

Architectus met with the department of Planning on the 19<sup>th</sup> August 2009 to discuss the content of the PPR and to outline the changes from the Environmental Assessment scheme.

## 1.5 Format of this report

The report comprises the following four sections as outlined below:

- **Section 2** addresses key issues raised in the submissions received to the exhibition and notification of the proposal and forwarded to the proponent. Modifications undertaken in response to submissions are outlined and explained.
- **Section 3** provides an analysis of the three (3) additional options requested by the Department of Planning that were explored to address concerns about the height, bulk and scale and contextual relationships of the Environmental Assessment Scheme.
- **Section 4** deals with the modifications to the project design which have been incorporated since the exhibition of the Environmental Assessment. These modifications are also supported by additional consultant's reports in the appendices to this report and shown in the revised project application drawings at **Appendix A**.
- **Section 5** provides the revised Statement of Commitments for the Project Application taking into account the modifications to the proposal.
- **Section 6** provides a conclusion.

## 1.6 Consultant team

The following consultants were engaged to work on this project:

Architect	Architectus
Urban Design and Planning	Architectus
Landscape architect	McGregor + Partners
Community Consultation	Urban Concepts
Retail and economic impact assessment	Hill PDA
Hotel consultant	Jones Lang LaSalle Hotels
Surveyor	Project Surveyors
Acoustics	Acoustic Logic
Transport, traffic and access	Halcrow MWT
Ecologically Sustainable Development	Advanced Environmental
Structural engineering	Taylor Thomson Whitting
Civil and hydraulic engineering	Taylor Thomson Whitting
Services engineer	Lincolne Scott
Wind analysis	WindTech
Solar light reflectivity analysis	WindTech
Accessibility	Morris Goding
Construction management	Architectus
Waste management	JD Macdonald
Quantity Surveyor	Davis Langdon
BCA Consultant	Davis Langdon
Model maker	Model Craft

## 1.7 Submissions

Submissions in response to the public exhibition of the Project Application documents were received from Woollahra Council, State Government agencies and authorities, community groups and members of the public.

Submissions were received from the following State and local authorities and agencies include:

- NSW Department of Planning
- NSW Ministry of Transport
- NSW Roads and Traffic Authority (RTA)
- NSW Department of Water and Energy
- Sydney Water Corporation
- Woollahra Municipal Council

**Section 2** provides a response to the issues received including a description of how the Preferred Project has been amended in response to the key issues. **Section 5** provides a revised Statement of Commitments which proposes management and mitigation measures to minimise the impact of the proposed development on the environment.

## 1.8 Outline of Preferred Project

The following section provides an outline of the proposed modifications to the project as previously described in the Environmental Assessment Report. On the basis of the submissions received and consultation with the Department of Planning and other government agencies, the following amendments have been made to the project.

The Preferred Project Application seeks the Minister's consent for the following:

- Demolition of the existing hotel and associated retail arcade, down to ground level including the ground floor slab;
- Retention and reconfiguration of the two basement levels for 135 parking spaces, comprising 32 retail (public)/hotel, 68 residential and 35 hotel parking spaces, residential storage space, bicycle parking, hotel back of house and plant equipment;
- Erection of a 3-5 storey podium level five storey tower to the north east corner, a 15 storey tower at the south western corner of the site and an 12 storey tower in the south east corner
- Luxury 5 star boutique hotel, comprising sixty six (69) hotel rooms, situated within the podium levels;
- Retail uses at ground floor level of 1395 m<sup>2</sup> which is envisaged to be used for a mix of high quality specialty retail, food, bar and café/restaurant tenancies;
- A hotel bar/restaurant situated at Level 4;
- A pool situated on Level 4 for use by hotel guests. Residents and their visitors;
- A total of 44 hotel residences to be situated in the podium and in the three towers, comprising 8 x 1 bedroom, 12 x 2 bedroom and 24 x 3

bedroom apartments to be located within both the podium and the tower elements;

- A publicly accessible piazza with through site links from Cross Street (South) through to the Georges Centre at 45 Cross Street (West), Transvaal Avenue (East) and Galbraith Walkway (North).

Figure applications for the proposed redevelopment include:

- Strata and stratum subdivision with easements for public access;
- Hotel fit-out; and
- Retail tenancy fit outs.

Error! Reference source not found. provides a numerical comparison between the Preferred Project and the Environmental Assessment.

## 1.9 Revised Statement of Commitments

In response to the issues raised in submissions, the draft Statement of Commitments has been revised to clarify and strengthen future planning and management actions. The revised Statement of Commitments is contained in **Section 4** of this report.

## 1.10 Changes from Environmental Assessment

### **Comparison between Clause 6 Request/Preliminary Environmental Assessment, Environmental Assessment and Preferred Project schemes**

**Figure 1, Figure 2 and Figure 3** provide 3D artists impressions of the Clause 6 Request/Preliminary Environmental Assessment, Environmental Assessment and the Preferred Project schemes. The view is an elevated view looking from the north and is provided to show the comparison between each scheme. Significance changes have occurred at each stage in the Major Project application process, either in response to issues raised by the Department of Planning, the urban design review panel, and in submissions received from government agencies and the public

A description of the key changes to each scheme are provided within the caption to the each 3D perspective.

## Clause 6 Request/Preliminary Environmental Assessment



Figure 1. Clause 6 design

The scheme submitted with the Clause 6 and Preliminary Environmental Assessment in May 2008 proposed three residential towers above a 4-5 storey podium surrounding a central piazza space. The three tower forms were 10, 12 and 14 storeys in height. The piazza space had an area of 1550sqm.

Concerns were raised by the Department of Planning about the height of the proposed development generally, but particularly the north eastern tower (closest this view) because of its impact on the adjoining Transvaal Avenue Conservation area and the low rise residential properties to the south. Concern was also raised with the length of the western tower at the right of this image and the effect it had of creating a wall along the eastern boundary. There was also concern with the southern 10 storey tower, being oriented east/west and its impact on the Cross Street streetscape and the overshadowing impacts this would have on the footpath on the southern side of Cross Street.



## Environmental Assessment



Figure 2. Environmental Assessment design

The Environmental Assessment scheme that was exhibited between April and June proposed two residential towers of 15 storeys in height located towards the Cross Street frontage to the south of the site.

The length of the western tower was shortened. The Northern eastern tower was reduced from 12 storeys to 6 storeys and effectively became more of the podium than a tower element providing a better transition in height to the adjoining lower rise residential area to the north and to the conservation area to the east. The south eastern tower was re-oriented to allow greater separation between the tower forms to achieve greater sunlight access to the southern side of Cross Street.

The podium on the northern side of the site was reduced in height from 4 storeys to 3 storeys to provide an improved transition in scale to the low-rise residential area to the north. A landscaping setback was introduced to the roof terrace and pool area to minimise overlooking opportunities to the north.

## Preferred Project Report



Figure 3. Preferred Project design

The following is an overview of the key changes made to the project application following the exhibition of the Environmental Assessment.

- A significant **reduction in height the eastern tower** by 3 stories, providing an 11 storey tower plus plant room (previously 14 stories plus plant room);
- The eastern tower will be **setback 6.3 metres** from Cross Street and a minimum of 3 metres from the eastern side boundary;
- The **size of the eastern tower remains the same**;
- Western tower has increased in size by 90m<sup>2</sup>;
- **Carparking spaces levels are increased from 107 to 135** carparking spaces, including 68 residential spaces, 35 hotel and 32 retail/restaurant parking spaces;
- Deletion of the ground level accessible courtyard adjacent to the

northern boundary and replacement with landscaping.

- An increase in the amount of hotel residences, from 39 residences (EA scheme) to 44 hotel residences, comprising 8 x 1 bedroom, 12 x 2 bedroom and 24 x 3 bedroom apartments.
- A security gate has been introduced to ensure no access is provided to the Galbraith Walkway (to the north) between 11pm and 6am, seven days per week;
- Amendments to the landscape plans, including additional landscaping to the northern boundary;
- Additional acoustic barrier at 2.5 metre high to the northern boundary on level 4 pool/terrace area.
- Deletion of the screening elements to the roof plant on both towers.

### 1.11 Numerical overview

**Table 2** provides a numerical overview of the Preferred Project and Environmental Assessment for comparison purposes.

**Table 2. Numerical overview**

		Environmental Assessment	Preferred Project
Site area		3,675m <sup>2</sup>	3,675m <sup>2</sup>
Maximum building height		52.44m (RL55.63 AHD)	52.15m (RL55.550 AHD)
Height of towers	N/E	6 storeys	6 storeys
	S/W	15 storeys	15 storeys
	S/E	15 storeys	12 storeys
Gross floor area		19,545m <sup>2</sup>	19,545m <sup>2</sup>
Floor Space Ratio		5.32:1	5.32:1
Open Space area		800m <sup>2</sup> (22% of the site)	800m <sup>2</sup>
Hotel rooms		66	69
Hotel residences	1 bed	8	8
	2 bed	12	12
	3 bed	19	24
	<b>Total</b>	<b>39</b>	<b>44</b>
Car parking	Residential	74	68
	Hotel	33	35
	Retail		32
	<b>Total</b>	<b>107</b>	<b>135</b>
Bicycle parking spaces		30	30

## 2 Response to key issues

### 2.1 Public submissions

This section provides a summary of the key issues raised in the submissions, provides a response and where it is considered necessary a description of how the Preferred Project has been amended in response to these issues. The specialist consultant team for the project have assisted in preparing responses to the key issues. The Department of Planning provided the Proponent with copies of submissions received pre-exhibition, during exhibition and post exhibition and its letter dated 12 June 2009 requested the Proponent to provide its response in the form of this Preferred Project report.

Tables are provided at **Appendix I** that identify key issues raised in the public submissions using a numerical code that appeared on each submission. This information was used to determine the number of submissions that raised each key issue to determine the significance of the issue to the public and to ensure that each issue in each submission was identified and responded to in accordance with the EP&A Act 1979.

**Table 3** provides a summary of the submissions received pre-exhibition, during exhibition and post-exhibition, which have been considered in preparing this response and Preferred Project Report.

**Table 3. Summary table of submissions**

Issue	Pre-exhibition	Exhibition	Post exhibition	Total
1. Context	199	436	19	654
2. Precedent and non-compliance with controls	128	472	20	620
3. Height/bulk/scale	47	437	17	501
4. Overshadowing	67	324	11	402
5. Should not be Part 3A	71	296	14	381
6. Traffic and parking	91	281	7	379
7. Visual impact/view loss	89	231	8	328
8. Poor community consultation/not in the public interest	75	168	10	253
9. Tourism and tourism related jobs	32	171	7	210
10. Architecture/design	25	116	4	145
11. Financial viability /Retail viability and economic impact	24	106	7	137
12. Wind impact	12	75	1	88
13. Ecologically sustainable development	10	46	3	59
14. Public benefit of piazza space	4	54		58
15. Construction impacts		53	1	54
16. Preference for using existing building	5	46	2	53
17. Excavation may impact water table/flooding	18	18	2	38
18. Noise/safety and security/ Impacts on immediately surrounding neighbours	9	62	2	73
19. Transvaal Avenue/heritage	9	8	1	18
20. Investigate alternative uses	1	12		13
21. Lack of local resources and infrastructure to support Increase local population	11	4		15
22. Landscaping	1		1	2
23. Reflectivity		1		1

### Summary of numbers of public submissions

The following number of submissions were received pre-exhibition, during exhibition and post-exhibition:

- Pre-exhibition – 258 submissions
- During exhibition – 728 submissions
- Post exhibition – 32 submissions
- Total – 1018 submissions

Of the total 1018 public submissions received 1000 submissions were opposed to the development and 18 submissions supported the development.

A summary response to each of the key issues is provided in the following sub-sections in order of significance in terms of numbers of times the issues were raised in submissions.

Responses to submission received from public agencies are included in **Section 2** of this report.

The specialist consultant team have assist in preparing responses to the key issues raised in submissions. Relevant specialist consultant reports that were exhibited with the Environmental Assessment have been updated to reflect the Preferred Project and some have prepared responses to specific key issues, where were technical merit was warranted including: wind environment, light reflectivity, acoustic, traffic, BCA, services and utilities, stormwater management, and accessibility.

## 2.2 Context

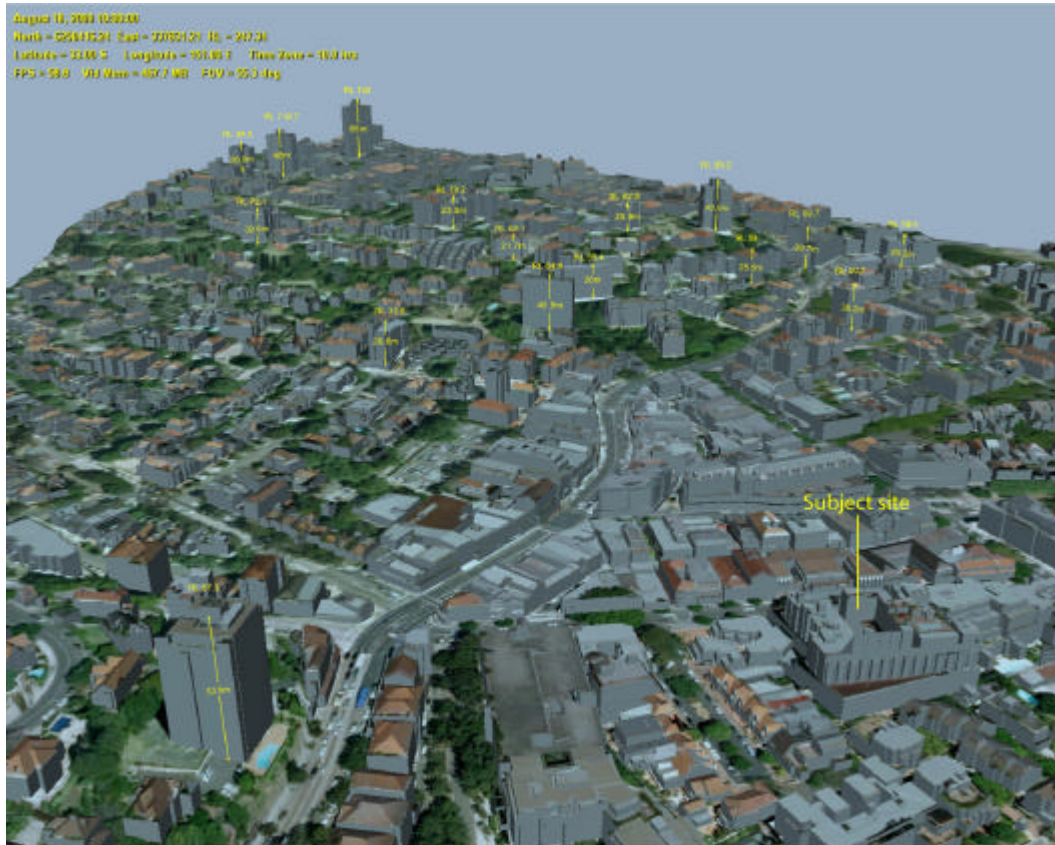
A large proportion of submissions expressed concern that the proposed development is out of context with the Double Bay Town Centre. The key concerns in regards to context include:

- The proposed development will ruin the village atmosphere of Double Bay.
- The proposed development will ruin the boutique nature Double Bay.
- The proposal is out of character and context with existing development in and around Double Bay.
- Double Bay is characterised by its low-rise character. This development detracts from the low-rise character of the centre.
- Sense of community will be lost.
- This proposal will repeat the mistakes made in other harbour suburbs, and will adversely impact Double Bay.
- Architectural style is not sympathetic to its context.

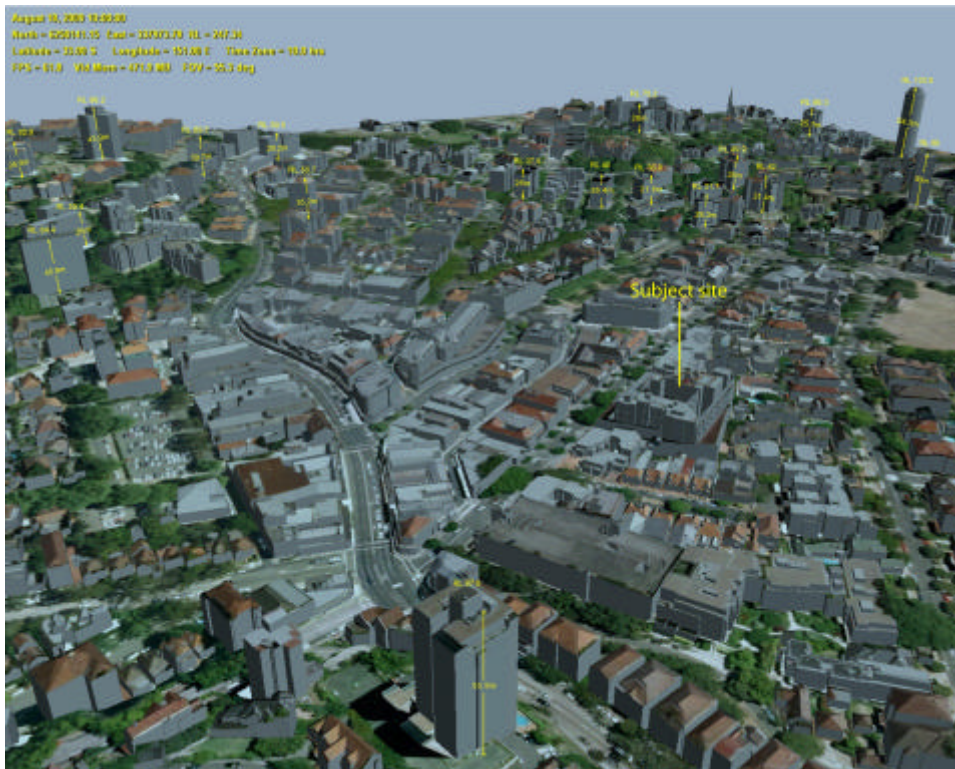
### Response

The development will be visible from various vantage points. The towers will act as a visual marker for Double Bay that defines the centre as a place of importance for commerce within the eastern part of Sydney.

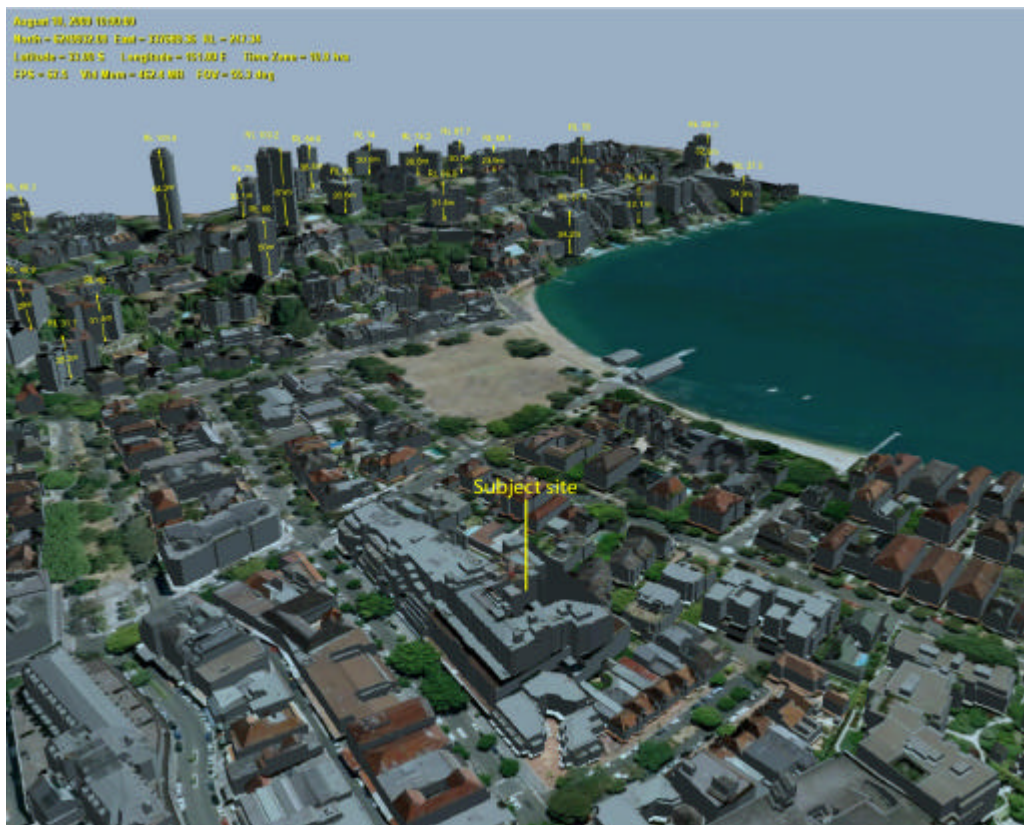
The contextual models shown in **Figure 5, 6** and **7** below which demonstrate the density of built form in the surrounding area, beyond the Double Bay town centre. There is a high concentration of taller buildings in the vicinity of the Double Bay town centre.



**Figure 4 Contextual model looking south west towards Edgecliff**  
The Edgecliff town centre and New South Head Road contain several high rise developments.



**Figure 5 Contextual model towards ridgeline south of Darling Point**  
 The backdrop to the Double Bay town centre looking west contains many high density, tall developments.



**Figure 6 Contextual model looking towards Double Bay**  
 There is a particularly high concentration of tall buildings located in Darling Point, located on the ridgeline and peninsula west of Double Bay.

The Visual Impact Assessment submitted with this Environmental Assessment defines the context of the site in terms of the immediate, local and regional views. The existing visual catchment is not simply the commercial centre of Double Bay but a wider visual catchment contained by the escapements and ridgelines of Darling Point, Edgecliff, Woollahra and Point Piper. In this wider visual catchment taller buildings are visible and are relevant to determining the suitability of the development to the context of the site.

The character of the Double Bay commercial centre is of fine grained laneways and streets of multiple shop fronts. The scale of development is generally 2-5 storeys, with Council's controls promoting a European style town centre with an open air shopping experience as distinct from the internalised malls at Bondi Junction.

These characteristics have been achieved in the development with the provision of a piazza space and through site pedestrian links with multiple retail frontages and lower building elements to the west, north and east.

The towers are established as separate elements to the building podium, which has a height of three to five storeys. The podium level to Cross Street has been reduced from five to four storeys in order to improve the relationship between the Cross Street frontage of the development and that of the surrounding developments.

The eastern tower has been setback from the street frontage in order to reduce its visual intrusiveness on Cross Street and reducing the perceived bulk of the building. This will also improve the proposed development's relationship with the surrounding area. This will also compliment the low-rise character of the streetscape of Double Bay by separating the podium and tower elements and setting the eastern tower back from the Cross Street frontage.

The proposed development will compliment the village and boutique nature of Double Bay with the introduction of an open piazza and pedestrian connections through the site. The piazza, pedestrian walkways and the street frontage will be activated through retail frontage, cafés/restaurants and hotel and residential lobbies. The mix of uses provided at ground floor will ensure that street activity is enhanced.

The piazza and the development overall will contribute positively to the community and village atmosphere of the Double Bay centre by creating public space in the heart of the centre. The overall building, the mix of uses and activity, the design quality and its relationship to the broader Double Bay centre will enhance and add to the boutique, community and village atmosphere that characterises Double Bay.

**Figures 7** provides a key of the cross sections through the Double Bay town centre through to Darling Point and Point Piper, **Figures 8** and **Figure 9** show an elevational cross section of Double Bay and surrounding suburbs, detailing RL height and context.



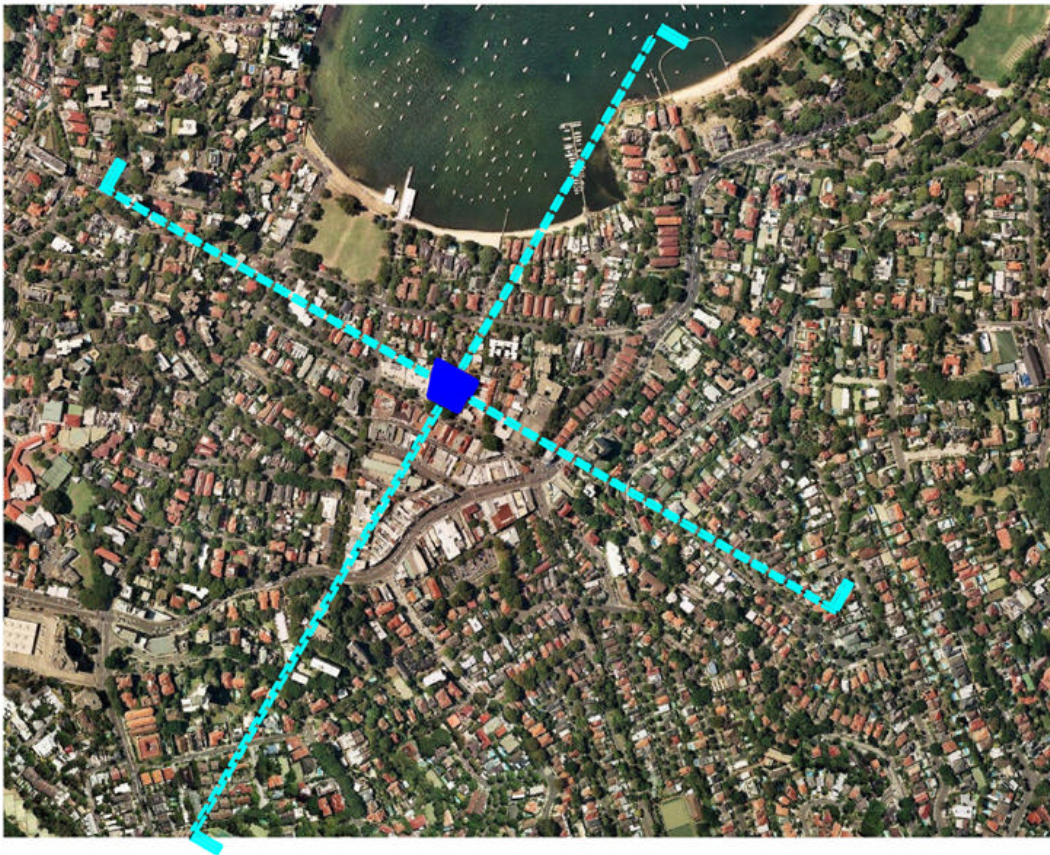


Figure 7 Key Plan of sections

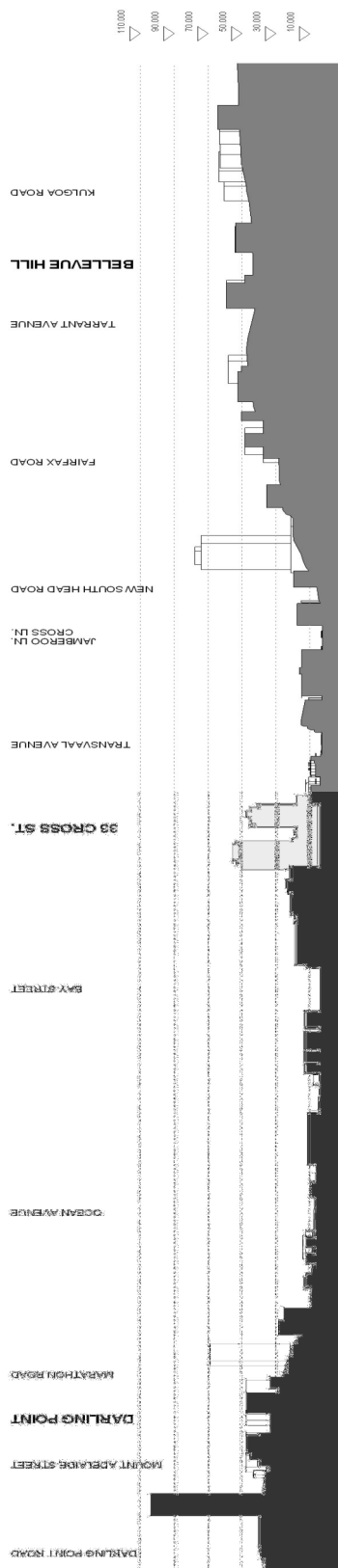


Figure 8 – Site Section East West

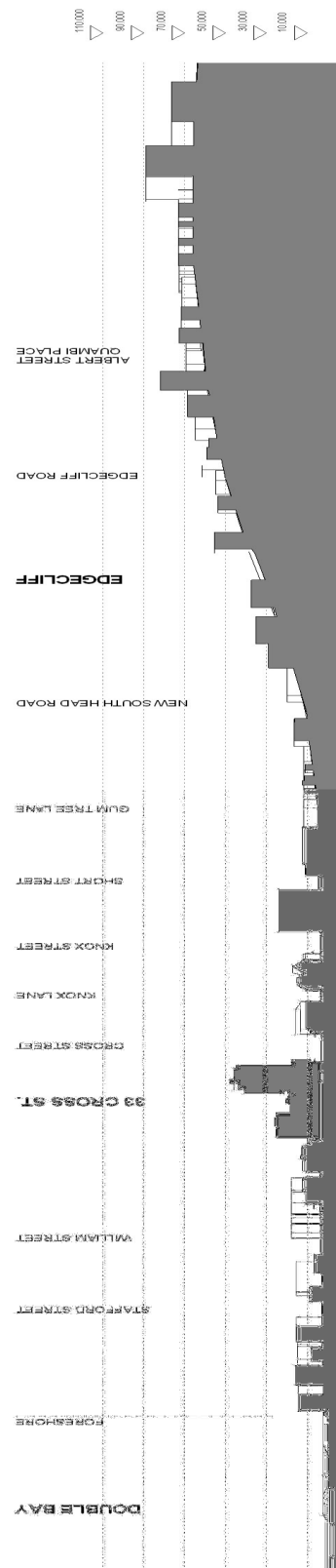


Figure 9 – Site Section North South



**The approval for this project will not result in a major planning change to Double Bay, because the subject site and the existing hotel is an anomaly. The site has a unique situation because it already has more than twice the amount of floor space than is permitted under the planning controls.**

The planning controls were prepared in 2002, 12 years after the hotel was built and the controls do not recognise the existing building. The controls mean a reduction in floor space ratio by 114%, from 5.32:1 to 2.5:1. Compliance with Council's controls means that the existing building will need to be demolished and only 47% of the floor space used in the redevelopment. Such a redevelopment will not be financially feasible, and provides a disincentive for redevelopment of the existing building, which does not positively contribute to the vitality and amenity of the Double Bay Town Centre.

Planning controls should maintain or improve the development potential of a site to encourage improvements and for sustainable revitalisation and urban renewal, not reduce development potential. The controls make no allowance for the substantial redevelopment needed to improve the urban design outcomes on the site, to renew the hotel and to better position the hotel in response to market conditions. Council have not indicated that they will change the planning controls to reflect the existing building or provide other redevelopment alternatives that deliver additional publicly accessible space, and additional retail uses that front onto streets, laneways and open space.

In circumstances where existing buildings breach planning controls, and where substantial redevelopment is desirable to enhance the Double Bay town centre and to reposition the hotel into a more integrated mixed-use and boutique hotel format it is appropriate to maintain the existing amount of development potential on the site. The retention of the existing floor space must be achieved by high quality urban renewal. A better urban design outcome with improvements for the Double Bay town centre than currently exists should be achieved if the existing floor space on the site can be expected to be retained.

The existing building is a monolithic structure built in 1990 and was suitable for that time. It however detracts from the Town Centre in design quality, with an outdated hotel format and internalised retail arcade and has a poor interface with adjoining properties.

Urban design improvements offered by the proposed development are:

- Enhancement of existing through site connections to the Georges Centre retail arcade to the west and Cross Street to the south, with open air connections to Transvaal Avenue shopping street to the east and Galbraith Walkway to the north, will enhance the pedestrian experience for people visiting the site and crossing through the site.
- An additional connection from Cross Street to enhance public accessibility to the site and north/south connections.
- 800sqm of publicly accessible piazza space which will be accessible 24 hours a day, 7 days a week and is at the heart of the new retail precinct.
- Retail activation of Cross Street, the through site connections and piazza space with a 206 metres of retail frontage compared to the 40 metres in the existing hotel building.

The proposed development will not create a precedent for taller buildings that requires wholesale changes to the planning controls for Double Bay.

This site is unique in Double Bay for the abovementioned reasons. The planning controls do not work for this site and it is therefore appropriate to look at alternatives because this site can deliver meaningful improvements to the town centre.

## 2.4 Height, bulk and scale

This section of the report provides responses to key issues raised in relation to the height of the proposed development. The Department of Planning in their letter of the 12 July 2009, raised concern with the built form of the proposal, specifically the 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 the 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.*

The Department also raised the issue of setbacks to Cross Street and the setbacks of the eastern tower to the eastern side boundary:

*“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.”*

Concerns were also raised in the public submissions in relation to the height of the proposal:

*“The application is an ambit claim to exceed the height limit of the Double Bay development controls by 300%”.*

*“The fundamental purpose of the application is to distribute the floor area of the existing hotel buildings into a high-rise development so residents of large luxury apartment can enjoy harbour views”.*

*“The proposed twin high rise towers are equivalent to 16 storey buildings”.*

*“high-rise development should be located on the ridgelines, not in low-lying areas such as the Double Bay Town Centre”.*

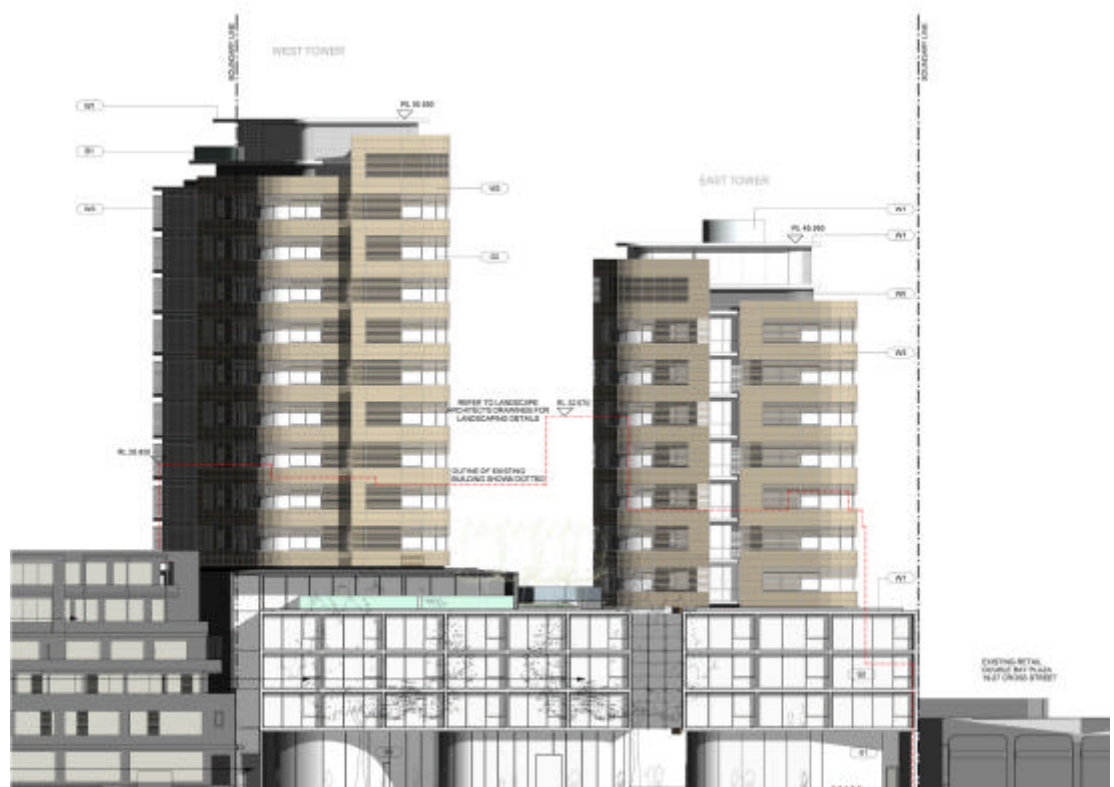
*“The height is excessive”*

*“The height is not consistent with Council planning controls”*

**Response**

The majority of the submissions raised concerns with the height of the proposed development. The Department of Planning also raised concerns with the height, bulk and scale of the development as outlined above.

It is important to consider the proposed reduction in height with the overall bulk and scale of the development. It is desirable to minimise the size of the tower floor plates. The larger the floor plates the more bulky they would appear. The overall objective is to minimise the bulk of the development, to maintain separation between the towers and to sit the taller elements appropriately to maintain a 4 storey street wall height to Cross Street.



**Figure 10: Cross Street elevation showing the reduced height and the four storey podium to Cross Street**

In response to the Departments concerns and the issues raised in the submissions. The proponent re-considered the height of the development, with a focus on significantly reducing the overall height of the eastern tower to create a better relationship with Transvaal Avenue. Three re-design options were presented to the Department of Planning at a meeting on the 23 June 2009. These options are outlined in detail in **Section 3** of this report.

The Department of Planning asked the proponent to consider which option out of the three presented we thought would have the best overall urban design outcome. Out of the three options presented, we believe that Option 1 presents the best overall urban design outcomes for the following reasons:

- A significant reduction in the height of the eastern tower, reducing the height by 3 storeys, providing an 11 storey tower (plus plant room);
- The eastern tower is setback 6.3 metres from Cross Street;
- No increase in width of the eastern tower;
- No increase in height to the north eastern tower, thereby minimising the impact of the north eastern tower to the adjoining residents to the north and provides a better transition in height to the residential zone.
- The western tower retains the existing height (14 stories plus plant room), thereby minimising the increase in width of the tower;
- Achieves a transition in height of the tower elements, particularly when viewed from Transvaal Avenue.

Furthermore it should be noted that the height of the proposal has been determined following a thorough and lengthy process of analysing various re-development options over the past two years (**see Section 3 of the EA**). It was considered that any redevelopment scheme should incorporate the following central principles:

- Retain the existing floor space to deliver an economically sustainable project, in order to make the project feasible.
- Provide a better distribution of floor space to open up the ground plane;
- Provide high quality public space and public activation;
- Promote outdoor active space and not internal malls;
- Embellish existing through site linkages;
- Minimise additional impacts on the amenity of adjoining properties in terms of overlooking and privacy, wind, traffic and overshadowing;
- Design must be world class, a landmark development.

The proposal continues the principle of redistributing the existing amount of floor space on the site into a new design format within a new development, that allows for additional benefits in terms of pedestrian permeability throughout the site and also provide for a central public piazza space.

It is considered that a new development on the site should be able to maintain the current FSR (in a better alternate format), and if not, progressive urban improvements would be stifled due to the limited and restrictive planning controls that currently govern the site, notably height and FSR, that permit less development opportunity than currently exists. The result will be a refurbishment of the current building, which have limited public benefits and a poorer overall design quality and amenity.

The design of the development incorporates a part three to part five storey podium levels and orientates the two tower elements of the building towards the Cross Street frontage, away from the residential properties situated to the north of the site along Galbriath Walkway. A smaller 5 storey residential tower is located towards the rear of the site, on the north eastern corner, which will be less overall height than the existing hotel building in this same location.

In terms of the location of the development, it is considered that this site presents a landmark development for Double Bay. There are no other sites in Double Bay that exhibit the same amount of existing floor space on such a large site. When the site is viewed in terms of the wider visual catchment area, it is clear that there are other tall buildings within the nearby vicinity of the site, i.e. Darling Point and Edgecliff and New South Head Road. Two towers (being the 15 and 11 storey elements) do not appear out of context in this wider visual catchment of the town centre environment including the valley slopes and ridgelines as illustrated in the visual impact assessment.

## 2.5 Overshadowing

The Department of Planning, in their letter of the 12 July 2009, raised concern regarding the overshadowing impacts of the proposal particularly upon the footpath and building facades on the southern alignment of Cross Street. The Department requested that:

*“A more detailed overshadowing analysis is required, including shadow diagrams at a larger scale (i.e. 1 to 100) with elevational shadow diagrams on adjacent properties.”*

Concerns about overshadowing were also raised in the submissions

- *The development will cast long shadows over Double Bay.*
- *There will be an increased overshadowing of the southern side of Cross Street.*
- *Overshadowing of the Double Bay Town Centre.*
- *Loss of sunlight to outdoor café seating and public space.*
- *Increase in overshadowing and solar access impacts compared to the existing building.*

### Response

Revised shadow diagrams are provided at **Appendix A**

The proposed development will maintain more than 3 hours of sunlight during midwinter to residential properties in the surrounding context, which is a generally accepted standard and in accordance with Council's development controls for sunlight.

Shadows on public domain areas have also been considered. There will be some additional overshadowing to the southern side of Cross Street and Knox Lane in the afternoon at midwinter, however it should be noted that this is a mixed use zone and that currently there are currently no residential properties in this area.

The proposed development has been designed with a wide separation between the two towers to maintain sunlight access to parts of Cross street footpath during the middle of the day in midwinter. Shadowing of Transvaal avenue footpaths has been reduced when compared to the existing building.

In summary, although the proposed development will increase overshadowing to some areas of the Double Bay Town Centre, it will also result in improved solar access to Transvaal Avenue, particularly in September. Also, it is considered that an appropriate level of solar access



is maintained in the Town Centre between 9am and 3pm on 21 June.

Figures 9 through to Figures 22 below, compare the EA and PPR shadows at June and September.

**June Shadows (Figures 9 through to 18 below)**

Specifically it can be seen from the shadow diagrams below, the Preferred Project has improved the level of shadowing cast, particularly by the eastern tower, to Knox Lane. In comparison with the Environmental Assessment scheme, the reduction in the height of the eastern tower will shorten the extent of the shadowing over the commercial premises to the south.

**September Shadows (Figures 19 through to 26)**

In comparison with the EA scheme, the Preferred Project shows a improvement in the level of shadowing, particularly to the southern side of Cross Street, which will now achieve at least 3 hours solar access to these properties and to the corner of Transvaal Avenue and Cross Street in the afternoon.

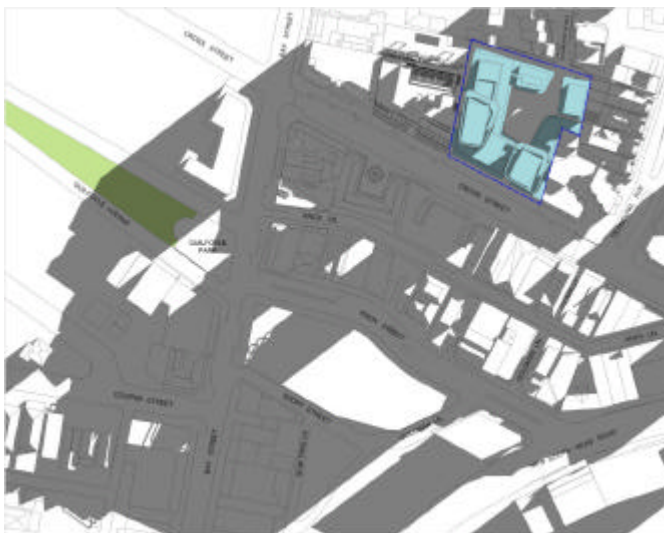


Figure 11. EA shadow diagram June 21 9.00am

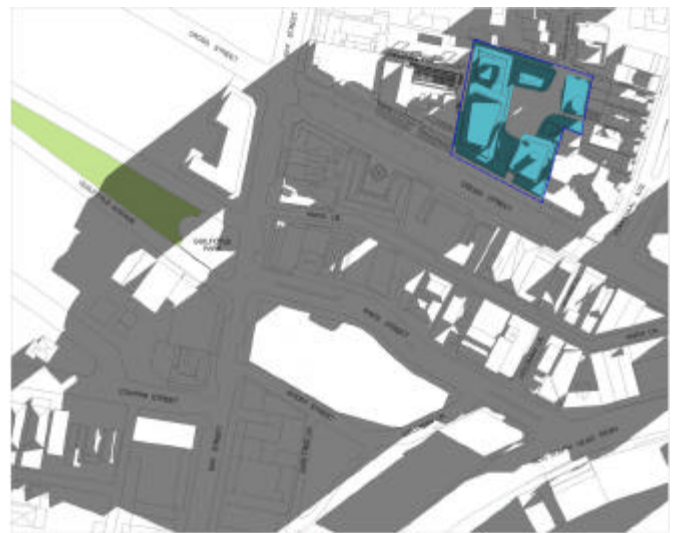


Figure 12. Preferred Project shadow diagram June 21 9.00am



Figure 13. EA shadow diagram June 21 12.00pm

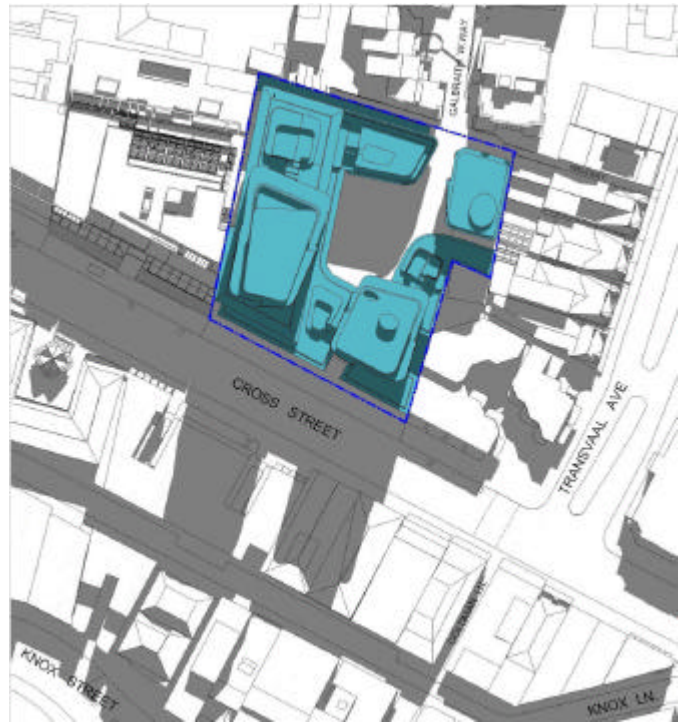


Figure 14. Preferred Project shadow diagram June 21 12.00pm

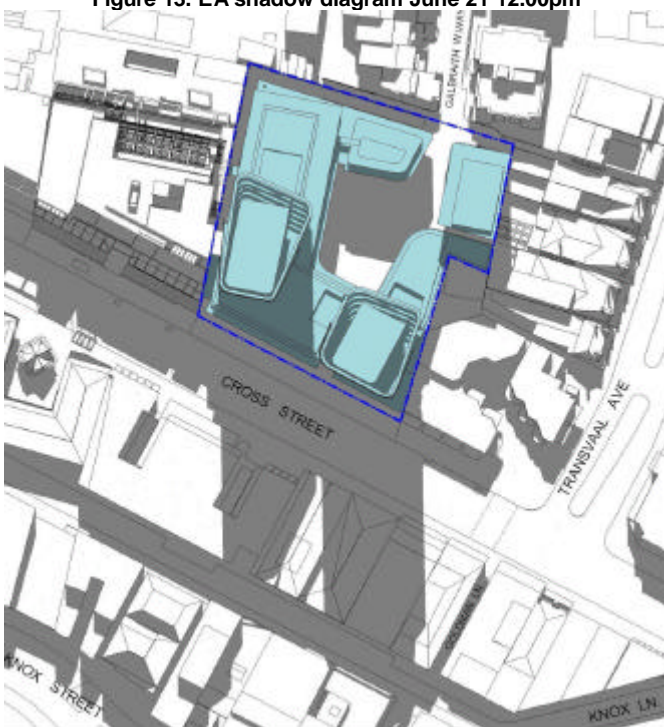


Figure 15. EA shadow diagram June 21 1.00pm

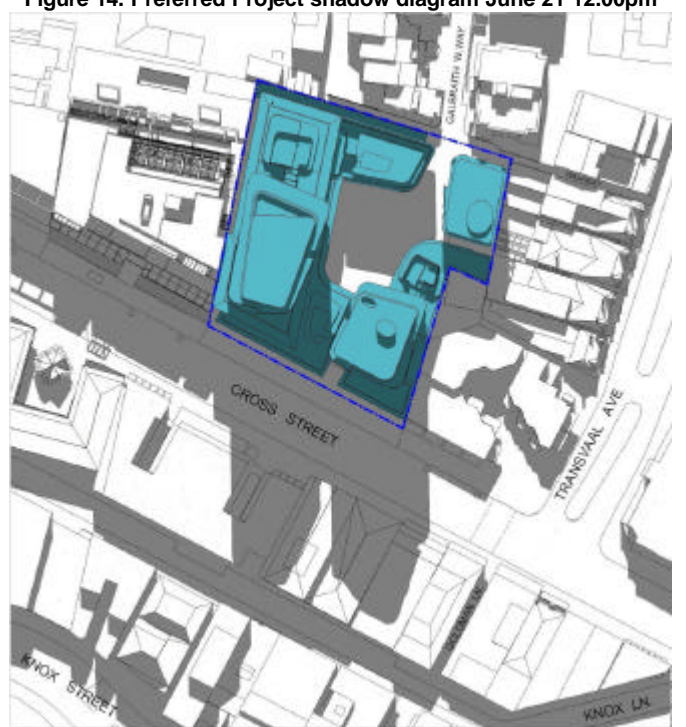


Figure 16. Preferred Project shadow diagram June 21 1.00pm



Figure 17. EA shadow diagram June 21 2.00pm



Figure 18. Preferred Project shadow diagram June 21 2.00pm



Figure 19. EA Shadow diagram June 21 3.00pm



Figure 20. Preferred Project shadow diagram June 21 3.00pm



Figure 21. EA Shadow diagram September 21 12.00pm

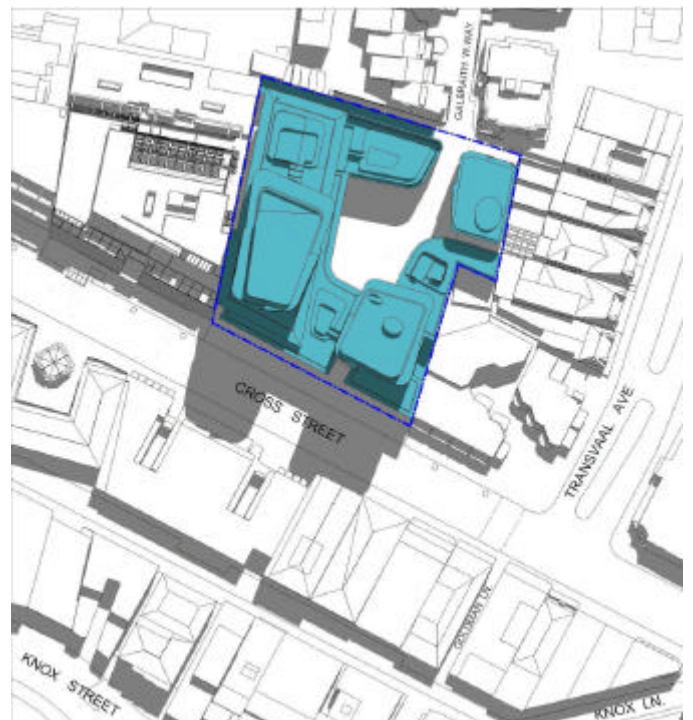


Figure 22. Preferred Project shadow diagram September 21 12.00pm



Figure 23. EA Shadow diagram September 21 1.00pm

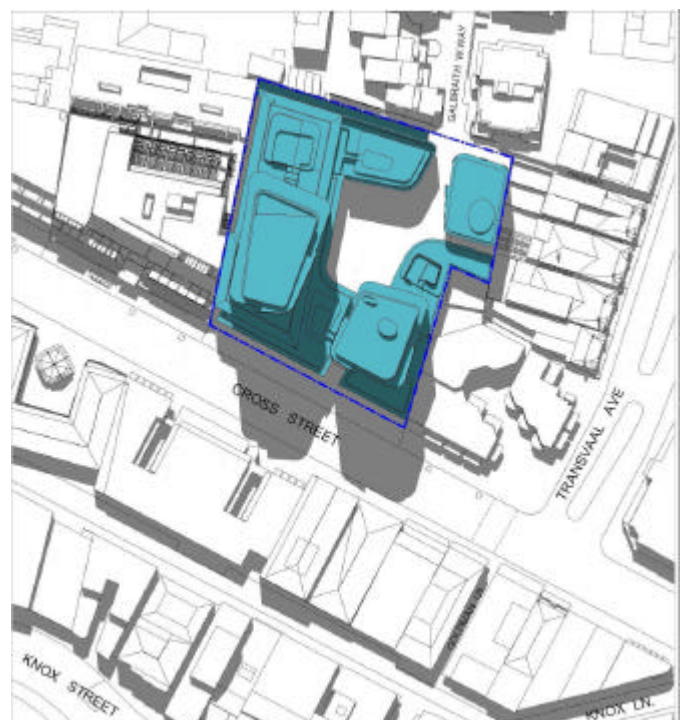


Figure 24. Preferred Project shadow diagram September 21 1.00pm



Figure 25. EA Shadow diagram September 21 2.00pm

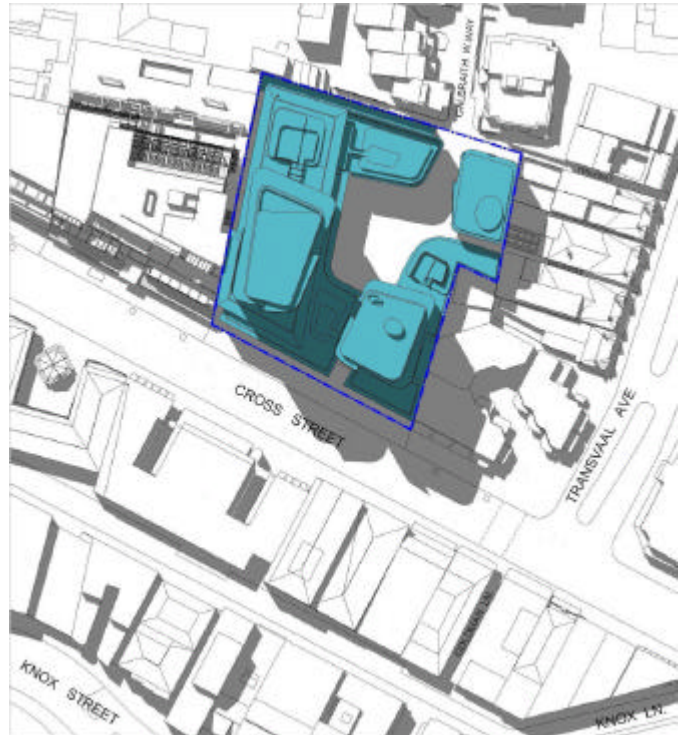


Figure 26. Preferred Project shadow diagram September 21 2.00pm



Figure 27. EA Shadow diagram September 21 3.00pm

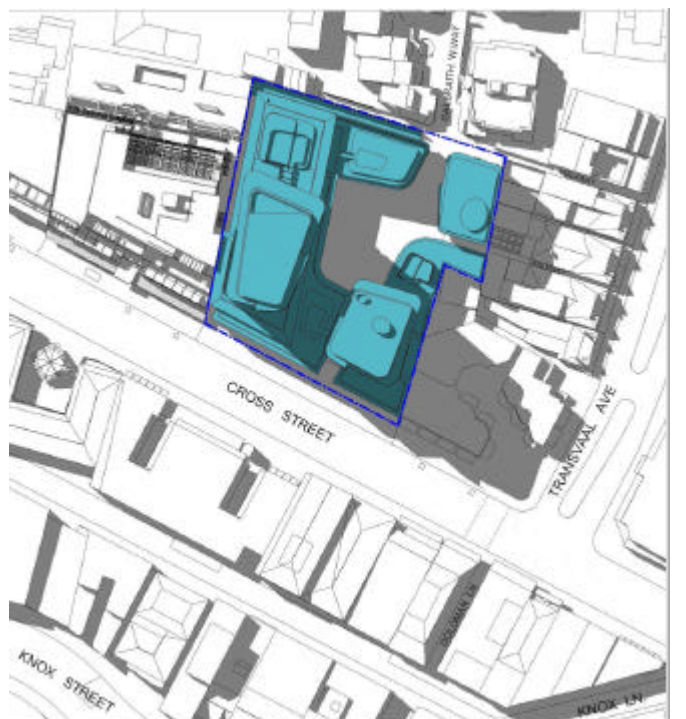


Figure 28. Preferred Project shadow diagram September 21 3.00pm

## 2.6 Should not be Part 3A

A third of respondents raised the issue that the proposed development should not be assessed as a Part 3A application, but rather, it should be assessed by Woollahra Council. In summary, the concerns raised include:

- The proposal should be determined by Woollahra Council.
- The proposal should not bypass Woollahra Council.
- The Part 3A process is unfair and undemocratic.
- The proposed development does not really classify as a Major Project.
- Questioning the justification for the declaration of the project as a Major Project.
- Woollahra Council have adequate resources to assess the application.
- Development has been snatched off Woollahra Council.
- Ashington has made misrepresentations to the Department of Planning.
- The proposal does not meet local, regional or State planning objectives.
- Makes a joke of the DA process within Council.
- Hotel is only a minor part of the development, and will probably be turned into residential apartments. Accordingly, should not be a Part 3A project.
- Ashington have bribed or misled the NSW Government.

### Response

Many respondents were of the opinion that the development should be determined by Woollahra Council and should not be considered a Part 3A Major Project. Initial consultation was undertaken with Woollahra Council in the preliminary design stage of the development. Council were of the opinion that a project that proposed departures from the current Double Bay planning controls could not be supported. As discussed in the Preliminary Environmental Assessment and the Environmental Assessment, the current planning controls for Double Bay do not recognise the existing floor space ratio or height of the building. As such, it would be unfeasible to undertake any significant improvements to the site that are necessary, thus halting much needed investment in the Double Bay centre.

The State Environmental Planning Policy (Major Projects) 2005 contains certain criteria to which development proposals may be considered under the Part 3A planning assessment process. As demonstrated in the Preliminary Environmental Assessment, and approved by the NSW Department of Planning, the proposed development satisfies the relevant criteria for being considered a Part 3A project. The Part 3A process requires the consideration of public submissions received during the exhibition period, allowing for community input and comments. The revised scheme lodged with this Preferred Project Report takes into consideration the concerns and issues raised by the community and other

stakeholders.

At the time of application, the proposed development met the following criteria to be classified a Major Project:

- Clause 13 – Residential, commercial and retail projects with a capital investment value (CIV) of over \$50 million that the minister determines are important in achieving State or regional planning objectives; and
- Clause 17 – Development for the purpose of tourist related facilities, major convention and exhibition facilities or multi-use entertainment facilities that have a CIV over more than \$100 million or employ 100 or more people.

The proposed development has a CIV of \$146 million, and will provide 162 operational jobs, including 103 tourist related jobs, meeting the threshold for employment of over 100 people. Accordingly, in meeting these thresholds, the proposed development was correctly considered a Major Project.

The above CIV and employment figures have been generated by appropriate specialised and experienced consultants. It is not considered that any part of the application is misleading or has made misrepresentations of the proposal the NSW Department of Planning. Moreover the Department of Planning reviewed the Environmental Assessment and considered it was adequate prior to exhibition.

The proposed development will support the objectives of the State Plan, Sydney Metropolitan Strategy and the Draft East Subregional Strategy in:

- Providing additional retail uses to compliment the Double Bay town centre;
- Providing additional local employment opportunities;
- Providing additional residential dwellings and increasing local housing choice in an established area of Sydney, in close proximity to Central Sydney and other key employment locations.
- Contributing to a 24 hour, lively town centre.
- Maintaining tourist facilities in a desirable Sydney Harbour side destination.

The Draft Subregional Strategy recognises the specialised retail role of the Double Bay town centre and the impact development in Bondi Junction has had on retail in Double Bay. The proposed development will assist in meeting the objections of the Draft Subregional Strategy through the following aspects of the development:

- The development will compliment and further enhance the specialised retail role of Double Bay, bringing much needed investment into the centre, acting as a catalyst for centre revitalisation.
- The 162 operational jobs potentially provided by the proposed development will assist in meeting the target of 300 additional jobs in the Woollahra Local Government Area by 2031.
- The proposed development will support the increase in densities in centres with good public transport, creating more vibrant centres and increasing housing choice.
- The proposed development will assist in meeting the target of 2900 additional residential dwellings within the Woollahra Local

#### Government Area.

- The proposed development will increase residential density in the Double Bay town centre, increasing the centres activity and adding to its vibrancy.
- Double Bay is readily serviced by buses, ferries and the rail network (Edgecliff Station), making it a highly accessible centre, able to accommodate additional residential and retail floor space.
- Urban squares and pedestrian walkways are encouraged in town centres. The proposed development will provide a central piazza and walkways connecting to adjoining streets and developments, improving the permeability and accessibility of the centre.

A number of respondents raised the concern that the hotel will be turned into residential apartments and subsequently sold off. This application seeks consent for part of the development to be used as a hotel. This does not allow the use of this part of the development for residential apartments. Accordingly, any future change in use will require separate development consent.

All political donations have been disclosed in accordance with lodgement requirements.

In summary, the development application has been prepared in accordance with the Part 3A planning assessment process under the criteria established under State Environmental Planning Policy (Major Projects) 2005. The Environmental Assessment has been prepared in accordance with the Director-General's Environmental Assessment Requirements. All reports and figures have been prepared by specialised, experienced and qualified consultants.

## 2.7 Traffic and parking

Traffic and parking concerns relating to the proposed development were raised by a large proportion of respondents. The key concerns with respect to traffic and parking include:

- *Increased traffic generation as a result of proposed development.*
- *Increased traffic will impact on the safety of school children.*
- *Concerns for lack of car parking.*
- *No separate area for deliveries, which will make Cross Street a loading zone.*
- *No sufficient public transport or timetabling (buses, ferries and trains) to reduce traffic impacts.*

### Response

Many of the issues raised in relation to traffic and parking have been addressed through the provision of additional parking to the basement levels.

The PPR scheme provides a total of 135 on-site parking spaces. This is an additional 28 carparking spaces from the EA scheme. In accordance with the DCP parking requirements, the total amount of carparking that is required is 132 spaces; therefore the PPR scheme is compliant with this amount.



The carparking provision will be split between the uses as follows:

- Retail/restaurant use – 32 spaces;
- Hotel – 35 spaces;
- Residential tenants – 59 spaces; and
- Residential visitor – 9 spaces.

Taking into account the credit the site enjoys (50 spaces), the proposed provision of 135 spaces complies with Council's DCP minimum requirement and therefore it is considered to be satisfactory.

The DCP parking requirements and breakdown in regards to the PPR development are outlined and discussed in **Section 4.7** of this report.

It is considered that vehicles will not need to use Cross Street section of where the school is located, as there are alternative streets, i.e. via Bay Street through to New South Head Road.

The amended scheme is expected to generate less traffic than the existing use on the site. Overall, from a traffic perspective, the amended scheme is considered to be an improvement on the original scheme.

## 2.8 Visual impact/View loss

### Main points raised

*“The high-rise towers will have a material negative impact on views from houses and public spaces”.*

*“Views to and from the harbour will be significantly altered”.*

In summary, the key issues raised with regards to view loss include:

- *Impact on views from private properties.*
- *Negative visual impact from surrounding area.*
- *Visual impacts on view of Sydney Harbour.*
- *Visual impacts on views from Sydney Harbour towards Double Bay and the foreshore.*
- *Development will present as blight on the landscape.*
- *The development will impact on the skyline of Double Bay and the surrounding area.*

### Response

The proposed development will be visible from various vantage points. The Double Bay landscape is characterised by a contained landscape bowl with ridgelines of Edgecliff, Bellevue Hill, Point Piper and Darling Point. Views from the public domain have been assessed including Sydney Harbour in the EA. From the 15 public domain views selected, which were agreed to by the Department of Planning in accepting the Environmental Assessment, the proposal development does not appear to have a significant adverse impact on views to Sydney harbour or significant landmarks.

Views from private property were not assessed in the Environmental Assessment as this was not instructed by the DGRs. It is considered that there will be some view loss from private properties, however because the

landscape of Double Bay town centre is low lying it will be properties on the slopes and ridges that surround the centre and of some distance from the site that will be impacted. Views from these properties are expected to be generally wide angle broad views and the proposal will likely appear in the context of this wider view, which means that generally views of Sydney Harbour, the Point Piper and Darling Point headlands and the North Shore will likely be visible (i.e depending on the location of private properties views, the proposal will not block all of the view to Sydney Harbour and important landmarks).

Substantial reductions to the height of the proposal will have little material effect on view loss. The reduction in building height will result in increased bulk to the towers and potentially a lower 'street wall' type building to Cross Street, which will have a greater effect on overshadowing and views, than the taller narrower buildings proposed. The proposal will appear as a landmark building of high architectural quality, within its town centre context.

When viewed from Sydney Harbour, the proposed development will be visible. However, as indicated in the Visual Impact Assessment provided at **Appendix B**, the proposed development is absorbed into the existing landscape and is not out of context given the backdrop of other taller buildings in the surrounding area. The visual impact is therefore considered low or low-moderate.

## 2.9 Poor community consultation/not in the public interest

A large number of respondents stated that the proposed development was not in the public interest, and that community consultation not undertaken to a satisfactory level. Key issues raised include:

- *The proposed development will result in a loss of amenity and reduce the quality of life of the local community.*
- *The proposed development is not in the public/community's interest.*
- *There has been a lack of community consultation undertaken.*
- *The community consultation undertaken mislead the community and was insufficient.*
- *There is no support for the development amongst local businesses, residents or Council.*
- *The consultation was undertaken over Christmas period, which results in distorted community views.*
- *Ashington have not considered the communities input into the final proposal.*
- *Ashington have not undertaken consultation in accordance with the relevant guidelines.*

### Response

The proposed development is considered to significantly enhance the amenity of the Double Bay town centre, improving local services and enhancing the permeability and accessibility of the centre. This will enhance the quality of life of the local community and enhance the experience of users of the Double Bay town centre. The following aspects

of the development will result in enhanced amenity and quality of life:

- The proposed development is of high architectural and urban design quality and will enhance the overall character and fine urban grain of the Double Bay town centre.
- A publicly accessible central open air piazza is provided as part of the development, with pedestrian linkages to the north, south, east and west. This will significantly enhance accessibility and cross-centre pedestrian permeability as well as provide a local urban square with active ground floor uses.
- Attract tourist expenditure to the Double Bay town centre and surrounding area, improving local business activity and providing tourist facilities close to Sydney City and Sydney Harbour.
- Creating a high quality public domain with a central Piazza which will provide a local meeting point and create a unique sense of place in the Double Bay town centre.
- Improve cross-centre connectivity by providing a pedestrian network linking Cross Street, the Galbraith Walkway, Transvaal Avenue and adjoining developments.

The proposed development will be built upon the local character of Double Bay and enhance the fine grain urban structure of the town centre. A key aspect of Council and community consultation noted was the desire to include hotel uses in the development. The hotel aspect of the development has been retained and forms an integral part of the proposal.

The concerns raised by the community, particularly through the public submissions received, have been addressed as part of the revised design of the development. The height of the south eastern tower to Cross Street has been reduced, and the tower setback from Cross Street so as to reduce the visual intrusion of the proposed development on the streetscape and character of Cross Street. Other amendments have also been made to ensure the community concerns are addressed. These concerns are addressed in this section of the report.

A comprehensive community consultation program was undertaken by Urban Concepts on behalf of Ashington. The community consultation involved opening up a 1800 information line, inviting correspondence by postage and email, establishing a community website, displaying advertisements in the local Wentworth Courier and releasing three press releases, twice sending 7500 community newsletters and holding stakeholder and community briefings and forums as well as undertaking market research, surveys and questionnaires.

The community consultation was undertaken in accordance with the 'Guidelines for Major Project Community Consultation' as required by the Director General's Environmental Assessment Requirements. The Community Consultation Report prepared by Urban Concepts outlines in detail the responses to community concerns and the methods of community consultation.

There has been several submissions of support and throughout the community consultation process, a number of participants expressed support for aspects of the proposal. Key points of support included the need for the rejuvenation of the Double Bay town centre, general support for the proposed concept, the economic benefits of the proposal.

The community consultation process commenced in April 2007 and has occurred in stages until the lodgement of the Environmental Assessment.

Some stages of the community consultation were conducted over the Christmas/January holiday period, however, several meetings were held over this period to ensure that interested members of the community could be available for at least one form of community consultation.

It is considered that the community consultation undertaken has been sufficient and was undertaken in accordance with the relevant community consultation guidelines for Part 3A developments. All comments have been noted and taken into consideration. The development has again been revised as part of the Preferred Project Report application to take into account the concerns of the community raised during the exhibition of the Environmental Assessment.

## 2.10 Tourism and tourism related jobs

*“The claim that this is a high-rise luxury residential development is a tourist precinct is a cynical misuse of Part 3A Major Projects legislation designed to bypass Woollahra Council’s Planning Controls.”*

A large number of respondents expressed concerns regarding the tourism-nature of the development. These concerns include:

- *The development will actually result in negative tourism impacts on Double Bay, reducing its attractiveness.*
- *There will be no tourism benefit presented by this development.*
- *The proposal will result in a reduction in hotel rooms and tourist facilities.*
- *The existing hotel is sufficient.*
- *Double Bay is not a tourist destination.*
- *Hotel will be turned into residential suites.*
- *The proposal will reduce government revenue due to lost tourism income.*
- *The proposal will reduce the number of tourism jobs given the reduction in hotel rooms and tourist facilities.*

### Response

The proposal is for a hotel, hotel residences and a retail precinct. The Minister declared the project to be one to which part 3A applies, because it is a tourism related development that will employ more than 100 people. The proposal will employ 81 people in the hotel as well as provide 22 retail jobs associated with the hotel use of the site and the tourism destination of Double Bay.

It is logical that tourism related retail floor space is linked to the hotel and its operators within the courtyard. Retail will specifically cater for tourists not only from the hotel but also the wider catchment area. A comparable example of a hotel and centre where this occurs is the Crown Plaza, Terrigal, where the ground floor retail uses cater for the hotel guests as well as tourists visiting the Terrigal Town Centre.

It should also be noted that no hotel is currently in operation on the subject site. The former Stamford Plaza Hotel was closed prior to Ashington purchasing the site. There has therefore been no tourism activity, or tourism jobs, on the subject site for some time. Accordingly, the proposed development will increase the number of tourist-related jobs

from zero, to 103.

Ashington held a Stakeholder Briefing Session with the Transport and Tourism Forum on 28 January 2009. The Transport and Tourism Forum were generally supportive of the proposed redevelopment, and identified that the Eastern Suburbs are underserved in the 4-5 star hotel market. The proposed redevelopment will provide for five star hotel rooms in an area underserved by such facilities, as well improving the overall amenity and public domain within Double Bay.

The existing hotel is considered outdated and too large to serve the current market demand. It is not a viable option to maintain the hotel operation of the existing development. A refurbishment of the existing building will result in a residential development, and a complete loss of hotel rooms. The existing hotel does not serve as a sufficient development to meet current tourism trends. The proposed hotel will better reflect the existing tourism market and provide smaller, high end functions and a range of travellers.

Double Bay is a tourist destination for overseas, domestic and local visitors. Double Bay is marketed as a tourist destination by Tourism NSW as a vibrant retail precinct, known for pavement cafés, exclusive boutiques, jewellery shops, hair salons and beauticians. It is also marketed as a tourist destination for its proximity to Sydney Harbour. The proposed development, in providing a boutique hotel, high-end retail and restaurant uses and a publicly accessible piazza will enhance the vibrancy of the centre and its image as a tourist destination.

The hotel suites are specifically being designed as hotel rooms, not residential apartments. Any change in use of the hotel rooms will require development approval, however this application seeks consent for 66 hotel rooms and it is the Ashington's intention that these rooms be used as hotel accommodation.

It is considered that the proposed development will increase tourism expenditure in Double Bay and in surrounding areas. The proposed development will also result in an increase in employment, providing 103 tourism-related jobs as well as 162 operational jobs. The proposal is considered a tourism and job generating development for Double Bay and the region, and may potentially result in increased government revenue through increased tourism, residential and local expenditure. Notwithstanding this, it is outside the scope of this proposal to comment on State budget income and this does not form part of this assessment.

In conclusion, the proposed development is considered to have a positive impact on Double Bay as a tourist destination, and will result in an increase in local tourism-related employment.

## 2.11 Retail viability and economic impact/financial viability

*The proposed retail space is located on the edge of the Double Bay shopping centre and will have marginal or no effect on the viability of the Double Bay centre.*

A number of submissions raised concerns regarding the retail viability of the proposed development and its impact on the Double Bay centre. These issues raised include:

- *The development will have negative impacts on local shops.*
- *The development will negatively impact the local economy.*
- *There is no demand for more retail space in Double Bay.*
- *Development will not revitalise Double Bay.*

Furthermore, a number of respondents raised concerns regarding the financial viability of the proposed development. The key issues raised include:

- *There is no demand for additional retail floor space in Double Bay.*
- *The retail uses will fail.*
- *Hotel aspect of the proposal is not viable.*
- *It is viable to refurbish the existing hotel.*
- *The towers are unnecessary to the viability of the project.*

### Response

As demonstrated in the Hill PDA Retail and Economic Impact Assessment, the proposed development will generate an estimated \$3.3 million worth of expenditure per annum in the Double Bay centre, which includes \$2.7 million in tourist-related expenditure. This provides a net positive impact for local retailers. It is also estimated that the proposed development could make a direct contribution to the subregional tourist market in the order of \$12 million per annum with additional economic multiplier effects. Refer to Hill PDA Retail and Economic Impact Assessment in the EA documentation.

The Retail and Economic Impact Assessment provides retail demand and supply analysis for Double Bay. At present, Double Bay consists of a retail supply of 23,000sqm of floor space. The retail demand generated by existing household expenditure, demand generated as a result of the hotel related tourist expenditure and demand generated as a result of additional residential development forming part of the proposal, totals 37,660sqm or retail floor space. Accordingly, there is a shortfall of retail floor space within the centre of between 14,000-15,000sqm.

The proposed development will provide for a total 1,375sqm of retail floor space. This will satisfy part of the demand for additional floor space. The redevelopment of the subject site is a unique opportunity to increase the demanded retail floor space within the Double Bay centre and should therefore be considered favourable in terms of retail and economic impact.

Giving consideration to the above factors, it is clear that the proposed development will revitalise the Double Bay town centre. With the reintroduction of hotel and tourism facilities, additional retail space and a new public piazza in the centre of the development.

Hill PDA prepared a Double Bay Retail and Economic Impact Assessment (Appendix BB of Environmental Assessment). This included an assessment of the demand for retail floor space in Double Bay. The assessment found that the demand for retail is as follows:

- Demand for retail floor space by existing households within the Double Bay Trade Area is 37,000sqm.
- Demand generated as a result of the proposed hotel and related tourist expenditure is 540sqm.
- Demand generated as a result of the proposed residential dwellings is 122sqm.
- In total, the demand for retail floor space is 37,600sqm.

At present, there is a total retail supply of 23,000sqm in the Double Bay town centre. This presents a retail floor space undersupply within the town centre of 14,000 to 15,000sqm. Accordingly, there is demonstrated demand for the proposed retail floor space. There is therefore no evidence that suggests retail uses associated with the proposed development will fail.

The hotel is also considered a viable operation. The Transport and Tourism Forum raised the point that 4-5 star accommodation in the Eastern Suburbs is currently undersupplied. This point was raised during consultation with stakeholders. As part of the Preliminary Environmental Assessment, an Economic Implications of the Proposed Development was prepared by Hill PDA. The study shows that seven (7) hotels, motels or serviced apartments in the Woollahra Local Government Area. This is considered modest considering its close proximity to Sydney Harbour and Central Sydney.

As stated in the Environmental Assessment, the refurbishment of the existing hotel will not result in a desirable and viable option. Refurbishing the existing building will not allow for a viable hotel operation. In order for a viable refurbishment, the whole building will need to be modified to only accommodate residential apartments. This will result in a complete loss of tourism operations on the site, and is not considered a best practice urban design outcome.

The tower elements of the proposal have been reduced. As emphasised throughout the Environmental Assessment, the proposed development will not result in an increase in floor space compared to the existing development. The tower elements allow for the opening up of the ground floor to accommodate the central piazza and pedestrian walkways. This will significantly enhance the public domain and streetscape of the Double Bay town centre. This also ensures that hotel operations remain on the subject site.

In summary, the proposed development is financially viable, and the appropriate specialist advice has been obtained to verify the demand for additional retail floor space and for hotel uses. The proposed development will result in a significantly enhanced town centre.

## 2.12 Wind impact

A number of objectors raised concerns regarding the wind impacts of the proposed development, particularly the impacts of the tower elements on the pedestrian environment.

- *The development will have a potentially disruptive impact on wind in Double Bay.*
- *Study points should have been located on Galbraith Walkway which is located to the north of the site.*

### Response

An updated Pedestrian Wind Environment Study was prepared by Windtech Consultants Pty Ltd and is provided at **Appendix H** of this report. The Wind Environment Study made recommendations to ensure that the proposed wind impacts of the proposed development will be mitigated or reduced.

In regards to the study points the wind environment states that study point 15 in the wind environment study submitted with the EA was located at the entrance to Galbraith Walkway and wind conditions at this location were found to be acceptable for long duration stationary activities. Based on these measurements wind conditions along Galbraith walkway are not expected to be impacted by the proposed development.

## 2.13 Ecologically sustainable development

A number of submissions received related to community perception that the proposed development does not adhere to the principles of Ecologically Sustainable Development. These concerns include:

- Concerns regarding potential for impacts to the environment – ecology, water table, demolition impacts.
- Global warming, and increase in greenhouse gas production and carbon footprint.
- More sustainable to retain existing building.
- Proposed development is generally not considered ecologically sustainable development.

### Response

The retention of the existing structure will not deliver the urban design improvements necessary for the site. Demolition of the existing building will be undertaken in accordance with the Draft Construction Management lodged at Appendix H of the Environmental Assessment. The Draft Construction Management Plan provides provisions seeking maximisation of recycling of demolition waste. This will ensure minimal demolition impacts.

Ecologically sustainable development performance should be a key factor of any development, whilst at the same time, be balanced with other planning objectives and considerations.

The proposed development provides a mix of ecologically sustainable



development principles including passive solar design, natural ventilation, efficient building services and renewable energy generation. In doing so, the proposed development will result in a strong, commercially viable ecologically sustainable development outcome.

The proposed development will achieve all BASIX targets for energy, water and thermal comfort. Refer to BASIX Certificate at **Appendix L**.

## 2.14 Public benefit of piazza space

A number of objections were raised with regards to the public benefit and use of the piazza space. Objections with regards to the piazza space include:

- No benefit to the public.
- Piazza is a poor use of space.
- Proposed Piazza will be soulless.
- Proposed Piazza is not really public space, it will be privately owned.
- Piazza be overshadowed by the towers and is enclosed, resulting in an unpleasant environment.

### Response

The proposed piazza will be publicly accessible and be linked to pedestrian walkways between Cross Street (south), the Georges Centre (west), Transvaal Avenue (east) and Galbraith Walkway (north). The Piazza itself and the linking walkways will be open-air space with active frontage, enhancing the pedestrian experience within Double Bay.

The development, in linking the surrounding walkways to the north, south, east and west will form a central meeting point and enhance the pedestrian connectivity of the Double Bay town centre, which has been otherwise fragmented or disconnected. This will enhance the fine grain urban environment that characterises the Double Bay centre.

The design configuration and the materials proposed for the piazza and the connecting pedestrian links have been carefully considered in the overall design process. The piazza will provide 800sqm of publicly accessible space as well as public seating on a sculptural design element, and a large canopy tree to provide shade. This will provide a high quality, centrally located public space, potentially becoming a key focal and meeting point of the Double bay town centre.

The piazza space will be publicly accessible 24 hours, seven days a week. Public access will not be restricted at any time during the day or night. It has been designed, and will be constructed and maintained to a high standard, and provide a high quality 24 hour, seven day a week publicly accessible, active space.

The piazza is also designed to maximise accessibility. Outdoor dining will only include temporary furniture, strategically located, so as to not inhibit pedestrian access or sight lines. The piazza will also allow for easy access for pedestrians with limited mobility or special needs.

The space will receive solar access along the east of piazza. The piazza will be screened from undesirable wind conditions by the podium. The piazza will also be softened in its appearance through the planting of a large canopy tree. Accordingly, the piazza will become a comfortable and

pleasant central urban environment in the Double Bay centre.

Safety of the centre will be ensured through the 24-hour active nature of the site. With a mix of residential, hotel, retail, café and restaurant uses, the site will remain active during the day and night. This will enhance the liveliness of the Double Bay centre, as well as enhancing the centres safety and security. The safety and security is also ensured through passive surveillance of the space from the upper level hotel and residential uses.

A key target of the East Region Draft Subregional Strategy is to provide for urban civic space in centre, creating more vibrant and interesting places for people to gather. Such spaces are considered enhancements to a centre. The proposed development, in providing a central piazza, satisfies this objective of the strategy.

In summary, the proposed piazza will enhance the fine grain urban form of the Double Bay town centre and provide an attractive, safe, pleasant and well designed public open space. The piazza will be accessible to the public 24 hours a day, seven days a week and will significantly enhance the amenity of the Double Bay centre.

## 2.15 Construction impacts

Several submissions were received regarding the potential construction impacts of the proposed development. The key concerns include:

- General concerns regarding construction and pollution.
- Inconvenience to the community.
- Effect on elderly during the construction period.
- Further disrupting an area already suffering a downturn in business.

### Response

A Draft Construction Management Plan was prepared and lodged as part of the Environmental Assessment (Appendix H). The Draft Construction Management Plan is to be used by the builder to undertake construction in an appropriate manner whilst minimising the impacts of construction on surrounding residents, the Double Bay town centre and the community.

All construction and demolition works will be undertaken in a safe and environmentally efficient manner, in accordance with the Draft Construction Management Plan.

Several elements of the Draft Construction Management Plan will ensure that there is minimal inconvenience and that traffic, pedestrian movement and impacts on the town centre are minimised. These measures include:

- The protection of all footpath reserves through the provision of suitable hoarding or fencing.
- The footpath and roadway is to be kept clear at all times and is not to be obstructed by any demolition vehicle or material.
- Safe access to and from adjoining buildings is to be maintained at all times.

## 2.16 Preference for reusing existing building

A number of the submissions commented that the existing hotel should be refurbished for the following reasons:

- Less cost and less disruption;
- Less environmental impact due to not having to demolish an existing building;
- Will comply with Council controls;
- Loss of Stamford Plaza Hotel – a significant function venue.

### Response

As explained in the Environmental Assessment report, the existing building is out of date and out of character with the urban structure and character of the Double Bay town centre and is considered to detract from the Double Bay area and is not worthy of conservation let alone refurbishment. The building structure has a problematic layout in terms of its connections with the surrounding Town Centre, which is characterised by a fine urban grain of interconnected laneways for pedestrians that create intimate spaces for retail activities and socialising.

The internalised shopping arcade has no street presence with the desired external shopping experience that gives Double Bay its alternative feel to Bondi Junction, which is currently more popular as a place for shopping, dining and entertainment. It is clear that the existing hotel has experienced a low level of occupancy which has been a continuing trend since the change from the 5 star Ritz Carlton to the 4 Star Stamford Plaza.

The Environmental Assessment summarised the constraints and opportunities presented by the existing development and the proposed development as follows:

### Constraints

- The poor aesthetic appearance of the existing building, which is out of character and detracts from the surrounding streetscapes.
- The below 5 star standard of outdated fit-out.
- The poor relationship of the existing building to the Transvaal Avenue Conservation Area.
- The internalised retail arcade detracts from the open and interconnected retail shopping experience that characterises Double Bay.
- Ground Water and acid sulphate soils are present below the site.
- Porte Couture interrupts retail frontage to Cross Street.
- Poor interface to the north, east and west with time limitations on the through site public access to Galbraith Walkway.

### Opportunities

- Enhance pedestrian connections between Cross Street and Galbraith Walkway and between the Georges Centre and Transvaal Avenue.

- To improve the aesthetic appearance of development on the site.
- To provide additional publicly accessible open space on the site.
- To activate Cross Street with high quality retail uses.
- To increase the retail frontage to the public domain.
- To retain a high quality hotel on the site.
- Maintain and improve the amenity of residential properties to the north through inclusion of appropriate uses, hours of operation and built form setbacks.
- Balance the impacts of the development on the amenity of adjoining properties with best practice urban design principles in terms of public access through the site.
- Retain existing trees in the Cross Street frontage which softens the appearance of the development in the streetscape and provides shade and weather protection.
- The retention of the lower basement floor slab will minimise potential impacts on ground water and acid sulphate soils.

It is acknowledged that there will be less environmental impact through refurbishing the existing building, it will also cost less to refurbish, and there will be less disruption in terms of construction impacts, however we consider that a new development, as proposed, will provide the community with significant public benefits, as outlined above, as well as modern, high quality, environmentally sustainable development.

## 2.17 Excavation impacts on water table and flooding

Concern was raised in regards to the impact on the water table and flooding.

- Double Bay is a flood basin, not structurally fit for Ashington Development;
- Double Bay is sinking;
- Restrictions should be placed on the project as it was for Woolworths proposal, i.e. remediation to acid sulphate soil and the water.

Further advice has been provided by TTW in regards to the water table and acid sulphate soils and this advice is provided at **Appendix M**.

The advice from TTW at **Appendix M** states the following:

*“Since the basement is not changing the development will have no effect on water flows or the water table in the vicinity of the development. The existing perimeter wall acts as a cur off wall, isolating the site from the surrounding areas. Drilling the piers will not change the water table within the site as the water table is below the existing slab.”*

*“There is no excavation other than some material from the drilled piers. The effect of any acid sulphate soil is not anticipated to be great. Any spoil from the piers as required by authorities will be tested and will be treated appropriately.”*

## 2.18 Impacts on the immediately surrounding neighbours

The Department in their letter dated 12 July 2009 at **Appendix D** raised concerns regarding 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.*

The Department also raised 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 adjoining residential uses”.*

A number of respondents raised concerns with regards to the impact of the proposed development on neighbours immediately surrounding the development. These concerns include:

- Privacy and overlooking from the development into neighbouring dwellings and private open space.
- Noise/acoustic impacts to surrounding dwellings.
- Generally negative impacts on surrounding residents.

Submissions also raised concerns with potential noise impacts from the development, in particular:

- Hours of operation of the bar/restaurant/pool should be limited;
- Restaurant bar should not be right near the residential dwellings to the north due to noise impacts;
- Thoroughfare through to Galbraith Walkway will be open 24 hours, seven days per week, which is a major concern to the residents of the Galbraith Walkway, exit doors and operating hours should remain the same as is.

### **Response:**

With regards to visual privacy, screening in the form of planting and the proposed aluminium façade screen system to the external building façade have been incorporated into the building design to maintain visual privacy to adjoining dwellings.

The northern façade is screened with 1.2 metre high balustrades and balconies where necessary in order to maintain visual privacy to adjoining dwellings to the north.

Also to protect the visual privacy of adjoining dwellings, the hotel communal pool will be setback at least 1.5 metres from the edge of the building and 4.7 metres from the rear boundary. Patrons of the pool will be unable to stand on the edge of the pool to ensure there is no opportunity

for overlooking into dwellings to the north.

In regards to acoustic controls from potential noise sources, recommendations include:

### Management Controls

- The hotel swimming pool will be closed at 9pm every night.
- No live or amplified music (other than background music to be played externally or internally when the facade is open on ground floor or level 4.
- Amplified music and speech to be played internally within the ground floor and level 4 area during period when the external facade is closed. All amplified music and speech to be limited to a low level sound pressure of 75-80 dB(A).
- The northern facade of the ground floor and level 4 areas to remain closed at all times. Openable areas of the facades include:
  - Ground floor restaurant/bar – southern and eastern openings.
  - Level 4 restaurant/bar – Eastern opening.
- As the restaurant bar may not reach capacity all the time the following management controls are required for times when the restaurant/bar filled to various capacities:
  - 25% capacity – all patrons to be inside with the external facade closed at 9pm
  - 50% capacity – all patrons to be inside with the external facade closed at 8:30pm
  - 100% capacity – all patrons to be incised with the external facade closed at 8pm.
- Management controls should be utilised to manage patron departure particularly at night and at closing times to ensure that patrons leaving development in a prompt and orderly manner.
- Prominent notices shall be placed to remind patrons that a minimum amount of noise is to be generated when leaving the premises.
- All garbage shall be retained within the premises and removed after 7am on the following day.

### Recommended Treatments

- Install a minimum 2.5 metre high barrier at the northern edge of the building. Barrier to be constructed from a solid material such as a 10.38mm laminated glass.
- All bar and restaurant areas on level 4 within a closable facade constructed from 10.38mm laminated glazing and doors. All doors and junctions to be sealed using acoustic seals similar to Q-lon type
- All bar and restaurant areas on the ground floor to be within a closable facade constructed from 10.38mm laminated glazing and doors. All doors and junctions to be sealed using acoustic seals similar to Q-lon type.

In summary, appropriate noise and privacy mitigation measures have been incorporated into the development to ensure the protection of privacy and the minimisation of acoustic impacts to immediately surrounding dwellings and residents.



Figure 29. Section through Northern podium

KEY PLAN

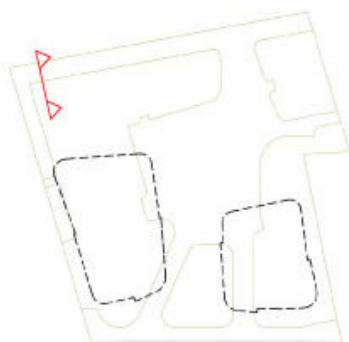


Figure 29, Figure 30, Figure 30, Figure 31 show sections through the development and its relationship to the adjoining residential properties to the north. In comparison to the Environmental Assessment scheme.

The additional screening on the northern elevations will assist in mitigating direct overlooking opportunities.

Additional landscaping is introduced along the boundary and access from the restaurant space has been deleted from the preferred project.

An acoustic screen of 2.5 metres in height has been introduced to the 4 roof terrace to mitigate acoustic impacts from the use of this space associated with the hotel bar/restaurant.



Figure 30. Section through northern podium

KEY PLAN

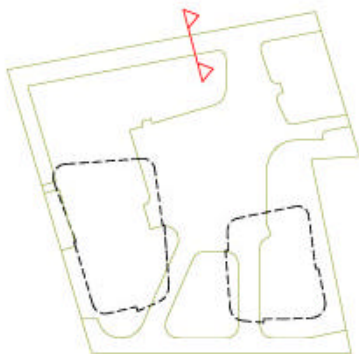
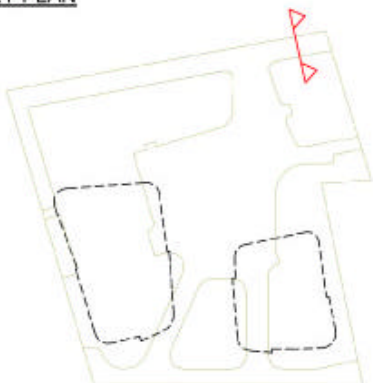






Figure 31. Section through northern podium

**KEY PLAN**



## 2.19 Impacts on Transvaal Avenue Heritage Conservation Area

The Department of Planning raised concerns about the transition in height to the Transvaal Conservation Area.

Submissions also raised concerns about the appearance and impact of the development on the Transvaal Conservation Area.

### Response

In response to the Departments concerns and public submissions, the proponent has reduced the overall height of the eastern tower, to eleven storeys plus plant to provide a better transition and back-drop to the heritage conservation area.

Out of the three modified options that have been explored and are provided in **Section 3** of this report, Option 1 is the only option that retains the height of the north western tower (five storeys) which sets as a backdrop to the Conservation Area and also provides a significant reduction in height to the eastern tower (previously 14 storeys plus plant, now 11 storeys plus plant).

The existing building has a large bulky blank wall façade fronting the Transvaal Conservation Area, which is considered to be imposing on the character and significance of the conservation area. The proposed design integrates different façade treatments, thereby breaking up the façade of the development. The proposal will improve the setting of the conservation area as the height of the proposed development immediately adjacent is lower than the height of the existing building.

Refer to Visual Impact Assessment at **Appendix B** for existing and preferred project views of the site from Transvaal Avenue.

## 2.20 Investigate alternative uses

Twelve submissions question the mix of landuses proposed and ask if any alternate land uses have been investigated.

### Response

Ashington have undertaken a significant amount of research into what land uses are appropriate on this site. It is considered that a retail/hotel/residential scheme is the most appropriate mix of land uses for a site such as this, which is located in a town centre, highly accessible to Sydney CBD and public transport.

## 2.21 Lack of local resources to support population

A few submissions mention that there is a lack of local resources and infrastructure to support an increase in local population.

### Response

It is considered that Double Bay is highly accessible by Public Transport, though ferry, train (at Edgecliff) and bus services and also has a high level of local resources.

We believe that Double Bay can easily support a further increase in local population, which in turn will support the retail centre

## 2.22 Landscaping

Concern was raised in regards to privacy and the amount of landscaping provided on site.

Amended landscaping plans have been provided which include additional landscaping throughout the site (see **Appendix K**). The main inclusion is the provision of additional landscaping to the northern boundary. This will help to provide for an additional privacy and amenity to the residences to the north of the site.

The amount of landscaping is considered to be sufficient. To provide additional screening to the residential properties to the north and balances those objectives of maintaining privacy whilst being a suitable landscape response to this urban town centre site.

## 2.23 Insufficient information provided

A comment was raised in the public submissions that there was insufficient information provided in the Environmental Assessment documentation.

### Response

The level of documentation provided in the Environmental Assessment was deemed adequate by the Department of Planning.

## 2.24 Reflectivity impacts

Two submissions raise concern with the reflectivity impacts from the glass facade.

### Response

A light reflectivity study has been prepared by Windtech and is provided at **Appendix J**. The report concludes that to avoid any adverse glare to drivers and pedestrians on the surrounding streets of the proposed development site, and to comply with the requirements of the City of Sydney DCP October 2003, Section 4.5: reflectivity the following recommendation has been made on the reflectivity properties of the glazing to be used on the façade to satisfy minimum comfort levels for the occupants of the neighbouring buildings:

- *All areas of the façade of the development should have a maximum normal specular reflectivity of visible light of 20 percent.*

This has been recommended in the statement of commitments.

## 2.25 Government agency submissions

Submissions were received from the following State and local authorities and agencies include:

- NSW Ministry of Transport (MOT)
- NSW Roads and Traffic Authority (RTA)
- NSW Department of Water and Energy (DWE)
- Sydney Water Corporation (SWC)
- Woollahra Municipal Council (WMC)

Details responses to the key issues raised in the government agency submissions are provided in the follow sub-sections of this report.

### NSW Department of Planning

The Department's letter of the 12 June 2009 requests that a Preferred Project Report (PPR) be prepared identifying how the Proponent have addressed the issues raised by the Department and how the PPR minimises the environmental impacts of the proposal.

The Department of Planning's letter outlines their issues following their preliminary review of the Environmental Assessment and their consideration of the submissions. **Table 4** outlines the issues raised by DoP and provides our response as to how these issues have been addressed in the Preferred Project.

**Table 4. NSW Department of Planning issues**

DoP Issues	Response
<p>1. Height, bulk and scale</p> <p><i>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).</i></p> <p><i>Any redesign options should give consideration to the following principles:</i></p> <ul style="list-style-type: none"> <li>(a) <i>Address setbacks of any tower to the Cross Street boundary to ensure a better human scale relationship to the street.</i></li> <li>(b) <i>Ensure a fully resolved design outcome for the tower elements particularly in terms of height and scale;</i></li> <li>(c) <i>Address the height and bulk of roof top areas, plant and screening structures;</i></li> </ul> <p><i>A further analysis of design options</i></p>	<p>The height, bulk and scale of the preferred project development has been addressed in Section 2.4 of this report.</p> <p>As discussed in Section 2.4, following the Departments letter of the 12<sup>th</sup> June 2009, three re-design options were presented to the Department, which all focused on reducing the height of the eastern tower and increasing the setback of this tower to Cross Street. we believe that Option 1 presents the best overall urban design outcomes for the following reasons:</p> <ul style="list-style-type: none"> <li>• A significant reduction in the height of the eastern tower, reducing the height by 3 storeys, providing an 11 storey tower (plus plant room);</li> <li>• The eastern tower is setback 6.3 metres from Cross Street;</li> <li>• No increase in width of the eastern tower;</li> <li>• No increase in height to the north eastern tower, thereby minimising the impact of the north eastern tower to the adjoining residents to the north and provides a better transition in height to the residential zone.</li> <li>• The western tower retains the existing height (14 stories plus plant room), thereby minimising the increase in width of the tower;</li> <li>• Achieves a transition in height of the tower elements, particularly when viewed from Transvaal Avenue.</li> </ul> <p>In terms of the roof top areas, the modified proposal includes the deletion of the aluminium framed screening around the plant roof areas. This lessens the visual impact of these areas, with the roof plant appearing as a light weight pod structure on the roof.</p>

DoP Issues	Response
<p><i>addressing the above issues is required. It is necessary to provide full justification for the proposed height of the development (in particular the tower elements) in the PPR.</i></p>	
<p>2. Overshadowing</p> <p><i>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 (e.g. 1 to 100) with elevational shadow diagrams on adjacent properties.</i></p>	<p>Overshadowing has been discussed in Section 2.5 of this report.</p> <p>The proponent has prepared detailed shadow diagrams, including elevational shadows which detail the impact of the existing shadow and the preferred project shadow on adjacent properties.</p> <p>As discussed in <b>Section 2.5</b>, it is considered that the impact of the shadow has improved from the EA scheme, particularly in September.</p>
<p>3. Amenity impacts</p> <p><i>The Department has concern regarding the amenity impacts on the adjoining residences to the north of the proposal including:</i></p> <p>(a) <i>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.</i></p> <p>(b) <i>The design and proximity of the apartments (and external balconies) at Levels 1 and 2, and the resultant noise and visual impacts.</i></p>	<p>Section 2.19 discusses the Departments and submissions concerns regarding the potential impacts of the development to adjoining properties to the north.</p> <p>The design, layout and uses at Level 4, (pool, bar terrace area) has been amended to include a 1.2 metre? high glass fence and planter boxes along the northern boundary. This will provide an additional level of buffer and privacy to the adjacent properties to the north. Furthermore, the pool is a 'wet edge' so will be not accessible.</p> <p>Acoustic noise impacts from level 4 are discussed in <b>Section 2.18</b>.</p>
<p>4. Hours of access</p> <p><i>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.</i></p>	<p>To address the Departments concern regarding the hours of access of along the Galbraith Walkway. The proponent has provided a sliding gate (as shown on the ground floor plan) which will be closed and locked by hotel security between 11pm and 6am, seven days per week, this commitment has been outlined in Section 5.4 below. This gate will be 1.8 metres high and permeable.</p> <p>Hours of access has been addressed in <b>Section 2.19</b> of this report.</p>
<p>1. Setbacks</p> <p><i>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</i></p>	<p>The Department has raised concern with the setback of the eastern tower to the eastern (side) boundary and the matter of equity in the event that this site is redeveloped at 19-27 Cross Street (Double Bay Plaza).</p> <p>The proponent has included a plan of how this site may be re-developed in accordance with the DCP controls (<b>See Appendix A</b>). It should be noted that this site does not have the same development potential as 33 Cross Street, as it does not have the amount of floor space existing on the site; currently the site contains</p>

DoP Issues	Response
<p><i>redeveloped with a residential development. Further consideration should be given to ensure that future separation distances of habitable areas can achieve SEPP 65 compliance.</i></p>	<p>a two storey building.</p> <p>In regards to the development potential of the site situated on the corner of Cross Street and Transvaal Avenue. The Double Bay DCP 2002 Envelope Control indicates that the site is to be developed in an L shape, comprising four (4) storeys, with a general courtyard and two (2) storeys to the rear of the site. Refer to <b>Appendix A</b>.</p> <p>It is considered that in terms of separation distance, the podium has been slightly increased from the eastern side boundary providing a three metre setback, whilst still being built to the eastern boundary at the front to retain a continuous retail street frontage. The podium level comprises 3 storeys with hotel rooms situated in this section, with no balconies provided to the eastern boundary from the podium level.</p> <p>The eastern tower (levels 4 to 11) maintains the 3 metre side setback along the eastern boundary. It is considered that the adjacent site at 19-27 Cross Street, will not be developed over four storeys in height, due to the four storey height limit. The site does not benefit from the amount of existing floorspace that 33 Cross Street, therefore is not in the same predicament as the subject site in terms of retaining the existing amount of floorspace on site.</p>

### NSW Ministry of Transport (MOT)

The MOT wrote to the DoP on 19 May 2009 to provide their comments on the Environmental Assessment. **Table 5** outlines the issues raised by DWE and provides our response as to how these issues have been addressed in the Preferred Project. Halcrow MWT Transport and Traffic consultants for the Major Project have prepared a response to the issues raised by the MOT (refer to **Appendix F**), which are reproduced here for convenience.

**Table 5. NSW Ministry of Transport issues and response**

MOT Issues	Response
<p>1. On-site car parking</p> <p>Encourages a further reduction in on-site car parking spaces given the site's proximity to public transport.</p>	<p>Although we acknowledge the support by NSW Ministry of Transport to reduce the amount of carparking. The amount of carparking was raised as an issue by Woollahra Council and in the public submissions, as a consequence, the preferred project has increased the level of carparking from 107 to 135.</p>
<p>2. Travel demand management measures</p> <p>Recommends the following measures:</p> <ul style="list-style-type: none"> <li>▪ Car share scheme;</li> <li>▪ Potential for assistance for employees to access work by public transport through salary packaging options and other incentives;</li> <li>▪ The provision of adequate and secure bicycle storage facilities and</li> </ul>	<p>Bicycle storage facilities for staff, residents and visitors is provided at the Woollahra Council does not have any specific requirement for bicycle parking. However, it is proposed to provide 30 parking spaces for bicycles. Approximately 25 of these spaces would be located on the upper basement level for use of tenants and visitors. There would be an additional six bicycle racks on the ground floor for easy access by visitors.</p>

amenities for staff, residents and visitors.	
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### NSW Roads and Traffic Authority (RTA)

The RTA wrote to the DoP on 7 May 2009 to provide their comments on the Environmental Assessment. **Table 6** outlines the issues raised by DWE and provides our response as to how these issues have been addressed in the Preferred Project. Halcrow MWT Transport and Traffic consultants for the Major Project have prepared a response to the issues raised by the RTA (refer to **Appendix F**), which are reproduced here for convenience.

**Table 6. NSW Roads and Traffic Authority issues and response**

RTA Issues	Response
<p>1. General comments</p> <p><i>Raises no objection to the proposed development and considers that the additional traffic generated by the proposal will have a minimal impact on the surrounding road network.</i></p>	Noted.
<p>2. Servicing</p> <p><i>If a loading/servicing area cannot be provided on-site Council should consider providing a loading zone at the front of the site with appropriate signage.</i></p> <p><i>Council should consider provide additional area at the front of the site to accommodate a hotel/guest customer drop off and pick up area.</i></p>	Noted.
<p>3. Traffic Management and Parking Plan</p> <p><i>To be prepared to the satisfaction of the DoP to address the issue of a deficiency in on-site car parking spaces and the on site provision for a loading/service area.</i></p>	A traffic management and parking plan has been prepared by Halcrow MWT and is provided at <b>Appendix F</b>
<p>4. Pedestrian safety</p> <p><i>Consideration should be given to ensuring pedestrian safety.</i></p>	Noted.
<p>5. Pedestrian Management Plan</p> <p><i>The footpath and pedestrian provisions should be designed to cater for pedestrian movements between the basement car park and pedestrian access to the building and retail area.</i></p>	Lift access is now provided from both basement areas to the retail piazza area.

RTA Issues	Response
<p>6. On-site and on-street car parking</p> <p><i>On-site and on-street parking arrangements must be to Woollahra Council's satisfaction.</i></p>	<p>Woollahra Council has made comments in relation to the provision of on-site and on-street carparking arrangements, this is discussed below.</p>
<p>7. Car parking layout</p> <p><i>Car parking layout should be in accordance with AS2890.1-2004 and AS2890.2-2002.</i></p>	<p>The carparking layout has been designed in accordance with the Australian Standards.</p>
<p>8. Signage at entry/exit points</p> <p><i>Signage at entry/exit points to be clearly delineated through marking and signage.</i></p>	<p>Noted.</p>
<p>9. Vehicle entry and existing</p> <p><i>All vehicles are to entry and leave the site in a forward direction.</i></p>	<p>Noted.</p>
<p>10. Vehicle movement</p> <p><i>All vehicles should be wholly contained within the site before being required to stop.</i></p>	<p>Noted.</p>
<p>11. Street lighting</p> <p><i>Appropriate street lighting shall be provided at the driveway entry and exit in order to provide adequate visibility at night.</i></p>	<p>Adequate lighting will be provided as part of our development.</p>
<p>12. Demolition/construction traffic management plan</p> <p><i>Details of vehicle routes, numbers of truck, hours of operation, access arrangements and traffic control should be submitted to Woollahra Council for approval prior to the issue of a construction certificate.</i></p>	<p>Noted and will be provided prior to the issue of a Construction Certificate.</p>
<p>13. Cost of works/regulatory signposting</p> <p><i>All works/regulatory signposting associated with the proposed development are to be at no cost to the RTA</i></p>	<p>Noted.</p>



**Department of Water and Energy (DWE)**

The DWE wrote to the DoP on 14 May 2009 to provide their comments on the Environmental Assessment. **Table 7** outlines the issues raised by DWE and provides our response as to how these issues have been addressed in the Preferred Project.

**Table 7. NSW Department of Water and Energy issues and response**

DWE Issues	Response
<p>1. Ground water</p> <p><i>A shallow water table exists at a depth of 2m below Cross Street and is below the lowest basement slab of the existing building. The EA states there will be no changes to the existing basement floor therefore the development will not affect water flows or the watertable in the vicinity of the development. There appears to be minor excavation with some material being removed from the site as a result of drilling the piers. It is a bit unclear if the watertable will be intercepted by drilling the piers. The proponent will be required to determine if the works will intercept the watertable prior to undertaking any excavation. If the watertable will be intercepted as a result of these works, the proponent should be made aware that a dewatering licence is required from DWE prior to any excavation on the site.</i></p>	<p>The basement levels will remain as is, therefore the development will have no effect on water flows or the water table in the vicinity of the development. The existing perimeter wall acts as a cut off wall, isolating the site from the surrounding areas. Drilling the piers will not change the water table within the site as the water table is below the existing basement slab. (refer to TTW report at <b>Appendix M</b>)</p>
<p>2. Acid-sulphate soils</p> <p><i>The environmental assessment states that the effect of any acid sulphate soil is not anticipated to be great. The EA also outlines some materials will be removed from the site as a result of drilling the piers. Therefore, acid sulphate soils, if present may be disturbed as a result of drilling the piers. The proponent will need to refer to the Acid Sulphate Soil Manual for identification and appropriate management of these soils. The DWE is concerned about potential effects of disturbed acid sulphate soils on the water quality of the shallow groundwater table.</i></p>	<p>There is no excavation other than some material from the drilled piers. The effect of any acid sulphate soil is not anticipated to be great. Any spoil from the piers as required by authorities will be tested and will be treated appropriately. (refer to TTW report at <b>Appendix M</b>)</p>
<p>3. Stormwater</p> <p><i>The proposal involves the redevelopment of the current site, with a new building partially replacing the existing building. The proposed development will use the existing connection to the stormwater mains. Also the EA outlines the stormwater system will be upgraded to</i></p>	<p>Since the building partially replaces an existing building, the stormwater methodology will be same as the existing. The existing connection to the grounds stormwater will be used. (Refer to <b>Appendix M</b> for stormwater concept plans).</p>

DWE Issues	Response
<p><i>meet a 10% increase in rainfall due to climate change by increasing the pipe diameter, pipe grade and pipe capacity.</i></p> <p><i>DWE considers all stormwater management should be designed in accordance with Managing Urban Stormwater – Soils and Construction Volume 1 (Landcom 2004). Appropriate stormwater management will need to be implemented to minimise impacts on surface water and ground water quality, downstream environments, infrastructure and adjoining land.</i></p>	

### Sydney Water Corporation

The SWC wrote to the DoP on 24 April 2009 to provide their comments on the Environmental Assessment. **Table 8** outlines the issues raised by DWE and provides our response as to how these issues have been addressed in the Preferred Project.

**Table 8. Sydney Water Corporation issues and response**

Sydney Water Corporation Issues	Response
<p>1. Mains water supply</p> <p><i>Water main is undersized and requires undersized for the development.</i></p> <p><i>The preferred point of connection will be determined by Sydney Water Corporation as part of the Section 73 process.</i></p>	<p>Noted.</p>

### Woollahra Municipal Council

WMC wrote to the DoP on 14 May 2009 to provide their comments on the Environmental Assessment. **Table 9** outlines the issues raised by WMC and provides our response as to how these issues have been addressed in the Preferred Project.

**Table 9. Woollahra Council issues and response**

Woollahra Municipal Council Issues	Response
<p>1. Inconsistency of proposal with Double Bay context.</p> <ul style="list-style-type: none"> <li><i>The development proposal, with its two 15 storey towers, provides an imposing vertical built form which will punctuate the low rise character</i></li> </ul>	<p>Council raise concern with the proposal in regards to context, stating that the proposal when viewed from Sydney Harbour, development in the Double Bay valley, which includes the commercial centre, displays a low rise foreground setting for the hills of Darling Point, Edgecliff and Bellevue Hill.</p> <p>We have considered Councils concerns regarding context and provided a photomontage of the view from 372 A Edgecliff Road, an objector's property,</p>

Woollahra Municipal Council Issues	Response
<p><i>of the valley floor when viewed from the Harbour and the valley sides. The proposal is excessively scaled and clearly inconsistent with the natural context and the current and desired built context.</i></p>	<p>which is situated on the escarpment in Edgecliff. This view provides an accurate depiction of how the development will appear in context of Point Piper and Darling Point.</p> <p>Although we acknowledge that the visual impact is high from the escarpment, we believe that when viewed in context with Point Piper and Darling Point, which contain a number of tall residential buildings, albeit taller than the proposal, the development appears consistent when considered in context.</p>
<p>2. Inconsistency of proposal with Draft East Subregional Strategy.</p>	<p>Councils submission states that the proposal is inconsistent with the Draft East Subregional Strategy and made the following comments in their submission:</p> <p><i>“...The proposed high-rise building would be inconsistent with this aspect of the State Governments proposed East Subregional Strategy. There is a potential for the development proposal to set a precedent for additional high rise buildings. This would further change the nature of Double Bay Centre to a type of commercial centre which is inconsistent with the State Government’s proposed East Subregional Strategy.”</i></p> <p><i>“The provision of additional jobs to meet the employment target figure will be taken up across the Municipality in commercial centres and as home based employment. There is no requirement or current planning strategy to concentrate a major proportion of additional jobs within Double Bay”.</i></p> <p>We disagree with Councils comments as stated above and interpretation of the Draft East Subregional Strategy for town centres. We consider that the proposal is consistent with the Strategy as outlined in Section 5.1 of the Environmental Assessment report and is further re-iterated below.</p> <p>The East Subregional strategy provides that Woollahra LGA has an employment capacity target of an additional 300 jobs in the area by 2031. The proposal will provide employment opportunities for 162 people, which in turn will help Woollahra LGA meet its employment capacity targets.</p> <p>The Strategy identifies the need for increasing residential densities in Centres, ranging from Neighbourhoods to Major Centres, with good public transport; this will help to create more vibrant places with greater housing opportunity. The East has a target of 20,000 new dwellings by 2031; with Waverley having a dwelling target of 2200 additional dwellings by 2031.</p> <p>The Strategy encourages the provision of a mix of housing, particularly providing for different types of seniors living accommodation and aged care facilities. The East Subregion is expected to increase the mix of housing types, especially in centres with good accessibility which can support higher density forms of residential development.</p> <p>The proposal will increase residential densities in the Double Bay Town Centre which will assist in improving the vibrancy of the area. Additionally, the hotel residences will offer a new form of serviced accommodation which is currently unavailable. This will provide added housing choice for the aging population by providing a type of suitable accommodation that offers assistance particularly by providing aid with the labour intensive household tasks, as provided through the services of the hotel and which will allow an elderly resident to age in a comfortable and convenient environment.</p>
<p>3. Inconsistency of proposal with key local planning controls and objectives including the following:</p> <p>(a) <i>Background to local planning controls and objectives for the Double Bay Centre</i></p> <p>(b) <i>Non-compliance with maximum</i></p>	<p>Council’s submission outlines a number of objections to the proposal based on inconsistency with the Double Bay DCP 2002. Below is a response to each of the objections raised by Council in relation to non compliances with the Double Bay DCP 2002.</p> <p>In terms background to the local planning controls and objectives for the Double Bay Centre, as discussed in Section 4.3.1 of Councils submission. It should be noted that the current planning controls do not reflect the existing situation for this site, which comprises an existing building with a gross floor area of 19,545sqm, giving it a floor space ratio (FSR) of 5.32:1 (calculated in accordance with the</p>

Woollahra Municipal Council Issues	Response
<p><i>building height</i></p> <p>(c) <i>Substantial overshadowing</i></p> <p>(d) <i>Failure to meet desired future character</i></p> <p>(e) <i>Negative Impact on view corridors.</i></p>	<p>WLEP 1995 definition of gross floor area) and a maximum height of 29.77m above the Cross Street frontage (RL 32.57 AHD). This maximum height equates to almost 10 standard residential storeys. The Double Bay DCP downgrades the site to allow for a 4-5 storey building, which not realistic or reflective of the site.</p> <p>In terms of the developments non compliance with the height limit (16.5 metres). Some of the comments in Councils submission in relation to height state:</p> <p><i>“The demonstrated disadvantages of high rise towers outweigh the perceived public benefits of a piazza”.</i></p> <p><i>“Double Bay is already strongly characterised by its small public and private squares, a pedestrian network of laneways, arcades and other through site links and a diversity of footpath cafes and restaurants. Though the proposed piazza would contribute to this network it is not essential for the ongoing vitality of the Centre.”</i></p> <p><i>“Due to the height of the towers and their position to the south of the piazza, it is evident that the private development is gaining solar advantage at the expense of the public domain and private land to the south of Cross Street.”</i></p> <p>We believe that the public piazza and embellished through site linkages provide significant public benefit to Double Bay. Although we are proposing a taller building, we feel that the public benefits at the ground floor level, i.e. retail floorspace at the ground floor level, a consistent retail frontage and public piazza are significant enough to warrant a relaxation in the height controls.</p> <p>Detailed shadow diagrams are provided at <b>Appendix A</b>. Included in the PPR are elevation shadow diagrams as well as plan shadow diagrams.</p> <p>Generally, the PPR shadow diagrams depict a moderate improvement in the amount of shadow cast on the southern side of Cross Street, in mid winter, due to the decrease in height of the eastern tower. <b>Section 2.5</b> provides a detailed analysis of the overshadowing impacts of the development and comparison of the existing shadow, EA shadow and PPR shadow.</p> <p>Council state that the proposed development is incompatible with the desired future character for Double Bay. The Council submission states that:</p> <p><i>“To be an acceptable landmark there is a reasonable expectation that the building adds to the character of the location in a positive manner. The towers will be intrusive elements in the Double Bay Centre context and the valley floor. Whilst they will be very obvious, they will not make a positive contribution to the visual identity of the locality.”</i></p> <p>As it stands currently, the existing hotel building presents as a single monolithic mass and its uniformity is inconsistent with the urban structure and character of the Double Bay town centre. The building structure has a problematic layout in terms of its connections with the surrounding Town Centre, which is characterised by a fine urban grain of interconnected laneways for pedestrians that create intimate spaces for retail activities and socialising.</p> <p>The internalised shopping arcade has no street presence with the desired external shopping experience that gives Double Bay its alternative feel to Bondi Junction, which is currently more popular as a place for shopping, dining and entertainment.</p> <p>Although the tower elements will be highly visible, we feel that the development as a whole will make a significant positive contribution to the character of Double Bay, by creating a vibrant and active town centre, which Double Bay lacks currently, through the creation of a public piazza space, embellished through site linkages and a prominent retail frontage along Cross Street.</p> <p>A detailed visual impact assessment provided at <b>Appendix B</b> assesses the view of the PPR from various vantage points.</p>

Woollahra Municipal Council Issues	Response
<p>4. Not compliant with SEPP 65 – Design quality principles, in relation to the following:</p> <ul style="list-style-type: none"> <li>▪ Context</li> <li>▪ Scale</li> <li>▪ Built Form</li> <li>▪ Density</li> <li>▪ Resource energy and water efficiency</li> <li>▪ Amenity</li> <li>▪ Social dimensions and housing affordability</li> <li>▪ Aesthetics</li> </ul>	<p>Council's submission assesses the proposal against the ten design quality principles set in SEPP 65 – design quality of residential flat development.</p> <p><b>Context:</b></p> <p>Councils submission states that:</p> <p><i>“The development proposal would be dominating an excessively scaled building within the context of the Centre and its surrounding residential areas.”</i></p> <p>The tower forms sit on a podium, which, when viewed from Cross Street appears as a four storey podium, with the tower forms sitting above. We consider that the development when viewed from Cross Street does not appear dominating, but rather, a four storey podium, (see <b>Figure 2 below</b>). Which is compliant with the Double Bay DCP height controls.</p>



**Figure 32: Photomontage of the PPR scheme, view from Cross Street**  
 The development appears as a three storey podium, with the tower elements sitting above.

	<p><b>Scale:</b></p> <p>Councils submission states:</p> <p><i>“the proposed towers are grossly out of scale with the Centre’s desired future character”</i></p> <p>The PPR has resolved to reduce the height of the eastern tower to eleven storeys plus plant, which provides a better transition in height to Transvaal avenue to the east. As stated in the EA report, we maintain the belief that larger sites can better accommodate taller elements of height.</p> <p><b>Built Form:</b></p>
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Woollahra Municipal Council Issues	Response
	<p>Councils submission raises concern with the built form of the development:  <i>“the proposed towers sit on a five storey podium and are placed on the southern edge of the development. Together they occupy over 50% of the frontage. Including the podium, the towers rise to over 15 storeys..... this produces an imposing wall of building on the northern side of Cross Street”</i></p> <p>The PPR scheme presents a four storey podium to Cross Street, with the tower elements situated further back from Cross Street, so that the development does not appear as one wall. The building is well articulated and resolved. The towers are not situated along the street frontage. (Refer to <b>Figure 30 above</b>)</p> <p><b>Density:</b></p> <p>Councils submission raises concern with the density of the development. Stating that <i>“ultimately these oversized units provide little benefit in meeting longer term residential density requirements.”</i></p> <p>The density of the development is considered to be appropriate for the site (a large town centre site) and its context within the Double Bay Town Centre. The design development proposes a re-distribution of the existing amount of floorspace on the site into an alternative form that will provide a central public piazza at the ground floor level.</p> <p>The density of the development does not compromise amenity of future residents or adjoining properties through the design of the development ensuring that the bulk and height of the development is orientated towards Cross Street and privacy and amenity is maintained.</p>
	<p><b>Resource energy and water efficiency</b></p> <p>Councils submission raises concerns with the issue of cross ventilation to some of the units in the podium element and that the proposal will <i>“cast shadows across other parts of the Centre, thereby affecting the ability of those areas to utilise the benefits of sun....”</i></p> <p>The majority of the units within the podium and all of the units in the tower elements achieve cross ventilation.</p> <p>Overshadowing is addressed in Section 2.5 of this report.</p> <p><b>Amenity</b></p> <p>Councils submission raises concern with the separation distance between the two towers and the orientation of the units, which they consider will impact on the privacy of a significant number of dwellings and back gardens.</p> <p>The submission again raises concern with overshadowing, stating that the proposal will affect a substantial portion of the block south of the development bounded by Cross Street, Knox Street, Bay Street and New South Head Road. Furthermore that this area will not achieve at least two hours sunlight between 9am and 3pm during mid winter.</p> <p>We consider that the PPR scheme is consistent with the SEPP 65 principles for amenity for the following reasons:</p> <ul style="list-style-type: none"> <li>• The majority of the residential units have been provided with a private open space area (balcony or terrace) that has a configuration and area conducive to recreational use.</li> <li>• All residential units have appropriate access to natural ventilation and sunlight.</li> <li>• Privacy between balconies and neighbouring properties, particularly Galbraith Walkway, has been carefully considered in terms of overlooking and privacy.</li> <li>• The development will adhere to the recommendations of the acoustic consultants will result in compliance with Australian Standards internal noise</li> </ul>

Woollahra Municipal Council Issues	Response
	<p>criteria for living and sleeping areas.</p> <ul style="list-style-type: none"> <li>• The depth of the dwellings has been restricted to maintain good access to natural daylight to all rooms therein, and the taller buildings are situated to the south of the site, to ensure greater solar access to all the residential units and to the landscaped piazza.</li> <li>• There is very little possibility of overlooking from balconies or living room windows of dwellings within the development to the windows or balconies of other residential units, with appropriate separation distances and screening provided.</li> </ul> <p>Overshadowing is addressed in Section 2.5 of this report. It is demonstrated that the majority of the area bounded by Cross Street, Knox Street, Bay Street and New South Head Road will achieve at least two hours of sunlight during mid winter.</p> <p><b>Social Dimensions and Housing Affordability</b></p> <p>Councils submission states:</p> <p><i>“The remaining 19 units in the development are situated in the podium and range from 1-3 bedrooms. These apartments have the potential to provide greater housing choice, but fail to meet basic amenity requirements such as cross ventilation and balconies”.</i></p> <p>The PPR scheme includes balconies for all residential apartments, with the majority of units in the podium achieving cross ventilation. The PPR scheme provides a range of housing choice including:</p> <ul style="list-style-type: none"> <li>▪ 8 x 1 bedroom;</li> <li>▪ 12 x 2 bedroom;</li> <li>▪ 24 x 3 bedroom.</li> </ul> <p>With 10% of the residential units can be adapted for accessibility purposes.</p> <p>It is considered that even through the residential units will be luxury style accommodation, the variation in unit sizes and orientation should result in greater affordability particularly the one bedroom units, reflective of the local market.</p> <p><b>Aesthetics</b></p> <p>Councils submission does not raise concern with the aesthetics of the towers stating that “the tower elements are well mannered with a considered composition and use of materials” However states that “these qualities cannot compensate for the building being unwelcome in this context...”</p> <p>It should be noted that Hill Thallis submission at Annexure 2 of Councils submission states that:</p> <p><i>“In my opinion, the project is well designed, integrating good amenity throughout with considered architectural, urban and environmental design.”</i></p>
<p>5. Impact on the Transvaal Heritage Conservation Area</p>	<p>Councils submission raises concerns with the impact of the proposal on the Transvaal Heritage Conservation Area, stating that:</p> <p><i>“the proposed buildings will dominate the historic and picturesque street. The proponents argument, that the proposal will have less impact on Transvaal Avenue than the existing structure, is flawed, as the proposal’s greater height and bulk will form more a substantial and overwhelming backdrop to the heritage streetscape than the existing.”</i></p> <p>The PPR design has been amended to reduce the height of the eastern tower to provide a better transition in height to the heritage conservation area.</p>

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	<p>We still maintain that the proposal will present less impact on the Transvaal Conservation area in terms of its setting and backdrop to Transvaal Avenue than the existing building. (Refer to <b>Appendix</b> _ view 14b in the visual assessment drawings) This shows the clear comparison between the existing and the proposed development from Transvaal Avenue.</p> <p>We don't agree with Councils view that the proposal will form a more substantial and overwhelming backdrop to the heritage streetscape than the existing, as clearly demonstrated in the visual impact assessment, the proposed development uses a variety of materials and treatments to articulate the façade, as well as the separation between the individual tower elements, so that the building does not appear as one monolithic block, which currently exists on the site.</p>
6. Parking and Traffic impacts	<p>Council engaged SKM to review the traffic and transport assessment prepared by Halcrow MWT, as submitted in the EA documentation.</p> <p>Councils submission raises the following issues:</p> <ul style="list-style-type: none"> <li>▪ <i>There is a shortfall in parking spaces by 12 spaces, with no retail parking.</i></li> <li>▪ <i>Council considers that the proposed fourth level bar and restaurant is effectively a function room and would generate parking.</i></li> <li>▪ <i>All parking should be accommodated on site.</i></li> <li>▪ <i>Significant undersupply on the subject site will exacerbate current conflicts between cars using the Cross Street car park and cars queuing at the intersection of Cross Street and New South Head Road.</i></li> <li>▪ <i>No discussion or agreement between Ashington and Council that the development should rely on the existing capacity in the Cross Street car park, which is owned by Council.</i></li> <li>▪ <i>Any capacity in the Cross Street carpark should not be taken up by this single major development.</i></li> <li>▪ <i>Most service vehicles cannot access the basement level loading docks. This will require loading zones on the street in front of the development which will have undesirable street character consequences.</i></li> <li>▪ <i>The traffic impacts associated with this development on the surrounding road network or intersection has not been properly assessed.</i></li> <li>▪ <i>Council is not satisfied that the Halcrow Report has adequately identified the likely parking and traffic impacts arising from the proposal.</i></li> </ul> <p>The proponent has increased the amount of carparking spaces by a further 28 spaces in the PPR by introducing stackers to the residential parking spaces at the lower basement level. The overall provision of carparking is now 135 spaces.</p> <p>Halcrow MWT has provided a response to the issues raised by Council and this is contained in their amended report at <b>Appendix H</b>.</p>
7. Double Bay Business Management Strategy	<p>Council submission states that the proposed development is in conflict with the Double Bay Business Management Strategy by virtue of "its out of character vertical scale." The following reasons were given:</p> <p>Have a negative impact on the centres moderate scale village character:</p> <ul style="list-style-type: none"> <li>▪ <i>Produce substantial overshadowing of public spaces which will diminish pedestrian amenity and have a negative impact on business activities that rely on the use of or interaction with, public spaces.</i></li> <li>▪ <i>Produce substantial overshadowing of private properties which will impact on environmentally sustainable development practices which seek to maximise</i></li> </ul>



Woollahra Municipal Council Issues	Response
	<p><i>the use of natural light and introduce solar energy measures such as photovoltaic systems.</i></p> <p>We consider that the development is in accordance with the vision of the strategy which seeks to encourage growth, development and economic viability in the Double Bay Centre.</p> <p>As Council's submission letter quotes:</p> <p><i>"our vision for Double Bay is a vibrant and attractive centre that offers a unique living, working and shopping experience within a pedestrian friendly and attractive urban environment (Memorandum of understanding between Woollahra Council and the Double Bay partnership"</i></p> <p>We consider that the development does accord with the vision of the strategy, by providing a development which seeks to revitalise and rejuvenate the Double Bay town centre. Our development will offer a unique living, working and shopping experience for Double Bay, something which the town centre is requiring to enable it to compete against Bondi Junction. The development offers a public piazza space, with embellished through site linkages, creating an attractive urban environment.</p> <p>In regards to Councils third point outlined above, The PPR scheme provides solar photovoltaic panels on the roof of both of the towers for water heating of the residential component of the development.</p>
<p>8. Economic Impacts</p>	<p>Council raised concern in relation to the Hill PDA preliminary economic assessment, and claims that the report cannot be used as economic evidence to support the proposed development for the following reasons:</p> <ul style="list-style-type: none"> <li>▪ The Economic Assessment report is limited to only providing an assessment of the economic impacts of the development proposal itself.</li> <li>▪ The report does not provide a comparative analysis of the economic impacts that may be achieved from any other possible redevelopment options, such as those that may fully comply, or substantially comply, with Councils local planning controls.</li> </ul> <p>We consider that the Economic Impact Assessment prepared by Hill PDA was a thorough assessment of the impacts of the proposed retail use of the site. It should be noted that this was not required to be prepared as part of the Director Generals Requirements.</p> <p>In regards to the existing situation, the hotel was trading at low levels of occupancy; hence it has subsequently closed down. The retail arcade has also closed down. Stamford Hotels sold the site to Ashington due to the hotel and retail arcade trading so poorly. The existing economic 'base case' situation assumed by Hill PDA is zero, as the hotel and retail arcade have closed.</p> <p>In regards to the second point raised by Council above, an advisory letter on the proposed retail layout and mix has been provided by BC Retail Development Consultants and was provided as part of the EA documentation. BC concludes that the proposed retail layout and concept is consequently based upon sound established principles. Accordingly the retail strategy for the site is the most suitable for the site and provides the basis for the best possible enhancement to the immediate retail environment and the overall Double Bay character and profile.</p>
<p>9. Unacceptable precedent for high rise development</p>	<p>Council has raised concerns about precedent in terms of the effect that it have on Councils planning controls for Double Bay Centre in regards to height.</p> <p>Precedent is discussed in detail in Section 2.3 of this report.</p> <p>It is considered that the proposed development will not create a precedent for taller buildings that requires wholesale changes to the planning controls for Double Bay. This site is unique in Double Bay for a number of reasons outlined in Section</p>

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	2.3 of this report. The planning controls do not work for this site and it is therefore appropriate to look at alternatives because this site can deliver meaningful improvements to the town centre.

### 3 Options analysis

#### 3.1 Preliminary

Department of Planning in its letters dated 12 June 2009 and requested the Proponent provide a further analysis of design options addressing the issues raised by the Department of Planning following their preliminary assessment of the Environmental Assessment. The Department of Planning's letter of 12 June 2009 outlines the key issues with the proposed development and requested redesign options address the following issues in relation to height, bulk and scale:

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

Related to the issues of height, bulk and scale is the issue of overshadowing and visual impact also raised by the Department of Planning. These issues as well as the issues of amenity impacts, hours of access and setbacks are addressed in detail in **Section 2** of this report, as to how the project has been modified.

The Proponent provided three design options to the Department of Planning which sought to address the issues raised particularly in relation to height, bulk and scale. The above issues of concern relate to the tower elements above the four (4) storey podium and courtyard. The options presented in this section seek to investigate the optimum form, configuration height and scale of the towers to address these concerns.

These design options were illustrated with plans and elevations illustrating the massing and form of the towers with a comparison to the proposal that was exhibited. Refer to **Appendix R**.

This section of the report provides a description of each option previously presented to the Department of Planning, in terms of the changes compared to the Environmental Assessment proposal. Also provided is a comprehensive analysis of the options in terms of addressing the Department of Planning's issues of concern, as listed above.

There are some common changes proposed in all design options, which are described below:

- Increasing the setback of the south eastern tower from Cross Street from 3.3 metres to 6.3 metres;
- Maintaining a 12 metres separation distance between the south eastern and south western towers;

The options included in this section of the report present the final analysis of options for the Major Project, which commenced early on in the design process. Architectus has developed numerous design options throughout the preparation of this Project Application in response to the Proponent's objectives for delivering a high quality urban design and architectural response to the site and its town centre context.

Options were developed and presented to Woollahra Council in early consultations ranging from refurbishment of the existing hotel for apartments, to partial demolition of the upper levels, additional levels added to the existing hotel structure through to demolition and. These

options were presented in the Preliminary Environmental Assessment/Clause 6 request to the DOP.

Options were also prepared in response to the Urban Design Review Panel's comments, an urban design review panel was established by the Department of Planning to review the preliminary concept (Clause 6/Preliminary Environmental Assessment) established by the Department of Planning on the preliminary design concepts. An analysis of these options was presented in the Environmental Assessment.

### 3.2 Options Evaluation

The Department of Planning and other submissions received raise concern with the height, bulk and scale of the exhibited environmental assessment scheme, particularly in relation to:

- The height of the development in the immediate context of the adjoining Transvaal Avenue Conservation Area;
- The locations of the south eastern corner to Cross Street to ensure a better human scale to the streetscape;
- The roof top elements which excessively added to the bulk and scale of the tower forms.

#### **The podium design**

The focus of the three options is amending the tower forms both in height and width (bulk) above the podium. The ground floor level and podium design up to level 4, is considered to be well resolved in its scale and edge conditions presenting as a positive addition to the Double Bay public domain. The four storey podium to Cross Street is consistent with the Double Bay DCP, to the east the four storey podium and 6 storey small floor plate building presents a significantly improved scale relationship to Transvaal Avenue Conservation Area. Architecturally the treatment to this elevation recognised the future development potential under the Double Bay DCP for the adjoining corner site.

The building in the north eastern corner presents a neutral backdrop to the conservation area so the attention of passersby will be to the lower scale historic buildings.

The podium on the northern side of the site has a height of 3-5 storeys which provides an appropriate scale relationship to the low density residential area to the north and is an improvement when compared to the scale of the existing building. Additional screening has been introduced along this northern boundary with landscape at ground level, shutters and screens to the residential levels and additional screens to the level 4 terraces.

To the west the 5 storey podium height is lower than the existing building and additional screening is introduced to minimise privacy impacts on adjoining properties at 45 Cross Street.

#### **The ground floor and Piazza Space**

The piazza space has maintained its size from the Environmental Assessment. The piazza space was reduced in size from the Clause 6/Preliminary Environmental Assessment scheme in order to

accommodate more floorspace in the lower podium levels. It is considered that the size and configuration of the piazza is now well resolved and further reductions to its area will compromise the amenity and usability of the space.

Given the above comments on the ground level and podium design, options from design amendments to address height, bulk and scale are therefore limited to the tower forms, mass and location on the site.

The design of the podium and piazza space are important to the successful achievement of better urban design outcomes for the site. These elements are necessary in any significant redevelopment of the site and overall make a positive contribution to the town centre. The piazza is publically accessible and provides through site links as connections to the surrounding area. The podium provides an appropriate scale relationship to the immediate context.

The focus is therefore on the height, bulk and location of the tower forms, in relation to the following considerations in relation to the impacts of these elements on the immediate and local context.

- Proximity to lower scale residential properties to the north and to the west having regard to sunlight access and visual privacy.
- Proximity to the Cross Street frontage and the need to maintain a human scaled podium to the streetscape.
- Overshadowing impacts on the public domain including the footpath on Cross Street, Knox Street and Knox lane.

Overshadowing impacts are considered in **Section 2.5** of this report.

The options analysis undertaken during the preparation of the Clause 6 request/preliminary environmental assessment as well as the Environmental Assessment illustrated that the optimum location for taller building elements above the podium was towards the southern Cross Street frontage. Refinements in the options presented aim to improve the relationship of development to the adjacent Transvaal Avenue conservation area and to the Cross Street streetscape with increased setback and a substantial reduction in height. The options look at different variations of these general modifications with the aim of addressing the concerns raised in submissions as well as avoiding significant increases in the bulk, width and mass of the tower elements. It remains desirable to achieve small slender and fine grained nature of development.

### 3.3 Option 1

In addition to the common changes introduced for all options described above, option 1 includes the following design amendments when compared with the Environmental Assessment proposal:

- Reduction in the height of the south eastern tower from 15 storeys to 11 storeys plus plant room;
- The south eastern tower will remain the same floor plate size as the Environmental Assessment proposal.
- No change is proposed to the height or bulk of the north eastern tower.
- No change is proposed to the height or bulk of the south western tower.

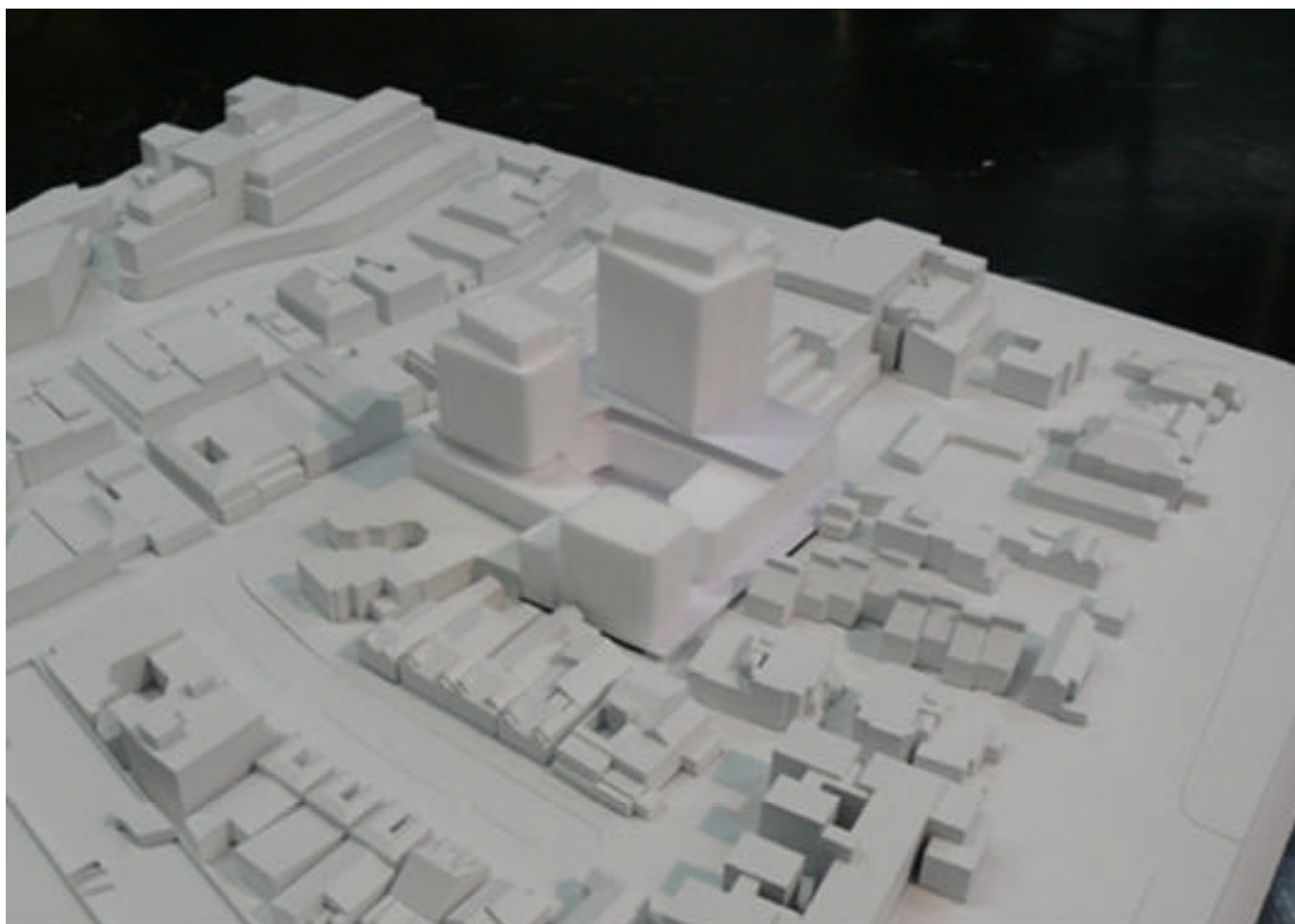


Figure 33. Photo of the model - South Eastern elevation of Option 1

### 3.4 Option 2

Option 2 includes the following design amendments in addition to the common design amendments when compared with the Environmental Assessment proposal:

- A reduction in the height of the south western tower from 15 storeys to 13 storeys plus plant and an increase in the floor plate size;
- A reduction in the height of the south eastern tower from 15 storeys to 11 storeys plus plant and an increase in the floor plate size;
- An increase in the height of the north eastern tower from 6 to 7 storeys.



Figure 34. Photo of the model - South Eastern elevation of Option 2

### 3.5 Option 3

Option 3 includes the following design amendments in addition to the common design amendments when compared with the Environmental Assessment proposal:

- No change to the height of south western tower at 15 storeys with an increase to the floor plate size;
- A reduction in the height of the south eastern tower from 15 storeys to 10 storeys plus plant and no increase in the floor plate size;
- An increase in the height of the north eastern tower from 6 to 7 storeys.

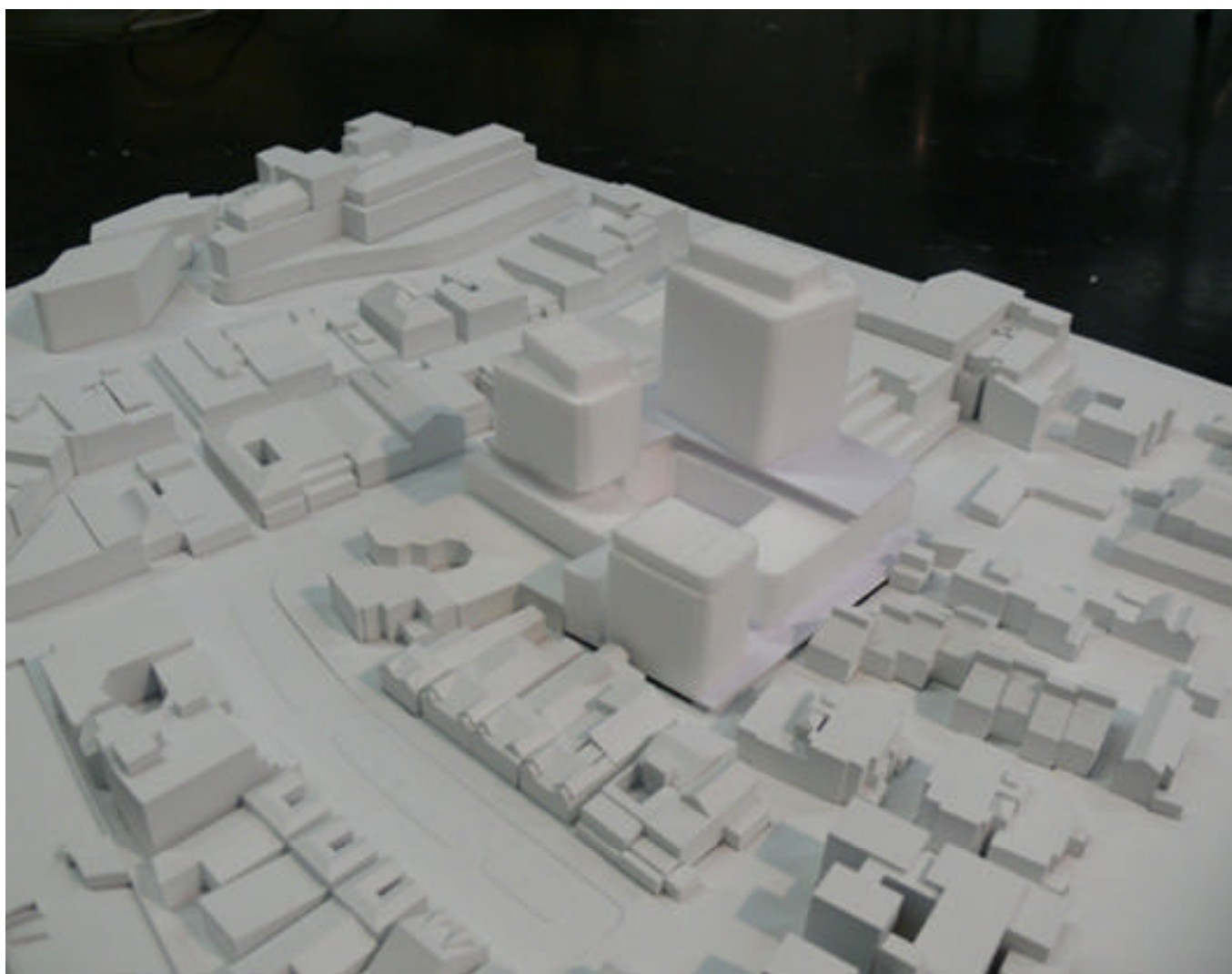


Figure 35. Photo of the model - South Eastern elevation of Option 3



### 3.6 Conclusion

Option 1 was considered to be the best in terms of overall urban design outcomes and in addressing the Department of Planning's concerns in relation to height, bulk, scale and overshadowing, as it achieves the following:

- A significant reduction in height to the eastern tower by 3 stories, providing an 11 storey tower plus plant room;
- Setback 6.3 metres from Cross Street frontage;
- No increase in the size/bulk (width) of the eastern tower;
- No increase in height to the north eastern tower. This minimises impacts to the adjoining residents and provides a better transition in height to the residential zone to the north.
- The western tower retains the existing height (14 stories plus plant room), thereby minimising the increase in width and bulk of the tower; and
- Achieves a transition in height of the tower elements, particularly when viewed from Transvaal Avenue;

Option 1 was the Proponent's Preferred option and has been progressed as the Preferred Project, which is described in detail in the following section of this report.

## 4 Preferred Project

### 4.1 Preliminary

On the basis of the submissions received and consultation with the Department of Planning and other government agencies, a number of minor amendments have been made to the project. Accordingly, the Environmental Assessment Report and the amendments described below comprise the Preferred Project. A summary description of the Preferred Project as well as a numerical overview is provided in **Section 1** of this report.

**Table 10** provides a schedule of architectural drawings prepared by Architectus that illustrate the Preferred Project. Plans of the Preferred Project are included in **Appendix A**.

**Table 10. Preferred Project Architectural Drawings**

Drawing number	Description	Revision
DA00-00	Cover sheet and drawing list	B
DA00-01	Site analysis plan	B
DA00-03	Site plan	D
DA00-04	Site Context Sections	-
DA00-11	Demolition lower basement plan	B
DA00-12	Demolition upper basement plan	B
DA00-13	Demolition ground floor plan	B
DA01-20	Elevated perspective view	B
DA01-25	Piazza perspective view 3	-
DA01-26	Cross Street perspective view	-
DA02-01	Lower basement floor plan	L
DA02-02	Upper basement floor plan	L
DA02-03	Ground floor plan	G
DA02-04	Level 1 floor plan	I
DA02-05	Level 2 floor plan	I
DA02-06	Level 3 floor plan	J
DA02-07	Level 4 floor plan	J
DA02-08	Level 5 floor plan	I
DA02-09	Level 6-10 floor plan	H
DA02-10	Level 11 floor plan	G
DA02-11	Level 12-13 floor plan	G
DA02-12	Level 14 – floor plan (plant/roof terrace)	G
DA02-13	Roof Plan	B
DA03-01	North elevation	D
DA03-02	South elevation	D
DA03-03	East elevation	D
DA03-04	West elevation	D
DA03-11	Section A-A	F
DA03-12	Section B-B	F
DA03-13	Section C-C	F
DA03-14	Section D-D	E
DA03-21	Detailed section 1-1	B
DA03-22	Detailed section 2-2	B
DA03-23	Detailed section 3-3	B
DA03-24	Detailed section 4-4	B
DA03-25	Detailed section 5-5	B

Drawing number	Description	Revision
DA03-26	Detailed section 6-6	B
DA03-27	Detailed section 7-7	B
DA03-28	Detailed section 8-8	-
DA04-63	Typical adaptable apartment 1	B
DA13-10	Gross floor area	F
DA13-11	Gross floor area	F
DA13-12	Gross floor area (Woollahra LEP)	B
DA14-40	Shadows immediate impact– 21 <sup>st</sup> June 9am	-
DA14-41	Shadows immediate impact– 21 <sup>st</sup> June 9am	-
DA41-41-1	Shadows immediate impact– 21 <sup>st</sup> June 9am	-
DA14-42	Shadows immediate impact 21 <sup>st</sup> June 12pm	-
DA14-42-1	Shadows immediate impact 21 <sup>st</sup> June 12pm	-
DA14-43	Shadows immediate impact 21 <sup>st</sup> June 1pm	-
DA14-43-1	Shadows immediate impact 21 <sup>st</sup> June 1pm	-
DA14-44	Shadows immediate impact 21 <sup>st</sup> June 2pm	-
DA14-44-1	Shadows immediate impact 21 <sup>st</sup> June 2pm	-
DA14-45	Shadows immediate impact 21 <sup>st</sup> June 3pm	-
DA14-45-1	Shadows immediate impact 21 <sup>st</sup> June 3pm	-
DA14-50	Shadows immediate impact 21 <sup>st</sup> Sept 9am	-
DA14-51	Shadows immediate impact 21 <sup>st</sup> Sept 9am	-
DA14-51-1	Shadows immediate impact 21 <sup>st</sup> Sept 9am	-
DA14-52	Shadows immediate impact 21 <sup>st</sup> Sept 12pm	-
DA14-52-1	Shadows immediate impact 21 <sup>st</sup> Sept 12pm	-
DA14-53	Shadows immediate impact 21 <sup>st</sup> Sept 1pm	-
DA14-53-1	Shadows immediate impact 21 <sup>st</sup> Sept 1pm	-
DA14-54	Shadows immediate impact 21 <sup>st</sup> Sept 2pm	-
DA14-54-1	Shadows immediate impact 21 <sup>st</sup> Sept 2pm	-
DA14-55	Shadows immediate impact 21 <sup>st</sup> Sept 3pm	-
DA14-55-1	Shadows immediate impact 21 <sup>st</sup> Sept 3pm	-
DA14-60	Shadows immediate impact 21 <sup>st</sup> Dec 9am	-
DA14-61	Shadows immediate impact 21 <sup>st</sup> Dec 9am	-
DA14-61-1	Shadows immediate impact 21 <sup>st</sup> Dec 9am	-
DA14-62	Shadows immediate impact 21 <sup>st</sup> Dec 12pm	-
DA14-61-1	Shadows immediate impact 21 <sup>st</sup> Dec 12pm	-
DA14-63	Shadows immediate impact 21 <sup>st</sup> Dec 1pm	-
DA14-63-1	Shadows immediate impact 21 <sup>st</sup> Dec 1pm	-
DA14-64	Shadows immediate impact 21 <sup>st</sup> Dec 2pm	-
DA14-64-1	Shadows immediate impact 21 <sup>st</sup> Dec 2pm	-
DA14-65	Shadows immediate impact 21 <sup>st</sup> Dec 3pm	-
DA14-64-1	Shadows immediate impact 21 <sup>st</sup> Dec 3pm	-
DA14-70	Shadow analysis Cross Street Key Plan	A
DA14-71	Shadow analysis Cross St – 21 June 9am	-
DA14-72	Shadow analysis Cross St – 21 June 12pm	-
DA14-73	Shadow analysis Cross St – 21 June 1pm	-
DA14-74	Shadow analysis Cross St – 21 June 2pm	-
DA14-75	Shadow analysis Cross St – 21 June 3pm	A
DA14-80	Shadow analysis Cross St – 21 Sept 9am	-
DA14-81	Shadow analysis Cross St – 21 Sept 12pm	-
DA14-82	Shadow analysis Cross St – 21 Sept 1pm	-
DA14-83	Shadow analysis Cross St – 21 Sept 2pm	-
DA14-84	Shadow analysis Cross St – 21 Sept 3pm	-
DA14-90	Shadow analysis Cross St – 21 Dec 9am	-
DA14-91	Shadow analysis Cross St – 21 Dec 12pm	-
DA14-92	Shadow analysis Cross St – 21 Dec 1pm	-

<b>Drawing number</b>	<b>Description</b>	<b>Revision</b>
DA14-93	Shadow analysis Cross St – 21 Dec 2pm	-
DA14-94	Shadow analysis Cross St – 21 Dec 3pm	-
DA15-00	Visual Assessment Key Plan	B
DA15-01	Visual Assessment 1	B
DA15-02	Visual Assessment 2	B
DA15-03	Visual Assessment 3	B
DA15-04	Visual Assessment 4	B
DA15-05	Visual Assessment 5	B
DA15-06	Visual Assessment 6	-
DA15-07	Visual Assessment 7	B
DA15-08	Visual Assessment 8	B
DA15-09	Visual Assessment 9	B
DA15-10	Visual Assessment 10	B
DA15-11	Visual Assessment 11	B
DA15-12	Visual Assessment 12	-
DA15-13	Visual Assessment 13	B
DA15-14	Visual Assessment 14a	B
DA15-15	Visual Assessment 14b	-
DA15-16	Visual Assessment 15	B
DA15-17	Visual Assessment 16	B
DA15-18	Visual Assessment 17	B
DA15-19	Visual Assessment 18	-
DA15-20	Visual Assessment 19	-
DA16-01	External Finishes	-

## 4.2 Urban design and planning objectives

The Urban Design and Planning principles which were developed for the site and the proposed development, and exhibited with the Environmental Assessment continue to apply. This are reproduced here with a description of how these principles apply to the Preferred Project:

This section of the report outlines the key urban design and planning objectives and principles that form the basis of the Project Application.

### Urban Design and Planning objectives

The key objectives that have guided the design are to provide a high quality integrated hotel development with retail and residential uses, which:

- Employs a **high level of design and amenity**;
- **Demonstrate leadership in ecologically sustainable development** for a mix of uses through energy and water efficiency initiatives;
- Posses **exemplary town centre development** characteristics that will make a positive contribution to Double Bay by:
  - Opening up the site to provide a **central piazza space with open air entries** to the site's street frontages that will enhance the pedestrian experience along Cross Street and through the site;
  - Promoting a development that will have **positive economic benefits for the Double Bay commercial area** through employment generation and positive flow on effects to local business;
  - **Retention of the existing amount of floor space** to ensure a hotel is sustainable and is supported by adequate retail uses and a mix of hotel residences in an integrated fashion;
  - Providing a **better distribution of floor space** providing a finer grain development that opens up the existing enclosed monolithic building;
  - Providing a high quality development that is world class and that will **attract tourism expenditure to Double Bay and the broader Sydney Region**. The retention of the hotel on site has been supported by both Council and the community.
  - Manage and mitigate impacts on the amenity of the surrounding area

### Urban Design and Planning principles

In order to achieve the urban design and planning objectives of the Project Application, the following principles have guided the Project Application design, as follows:

- Sense of Place
- Meaningful Character
- Quality Built form
- Pedestrians
- Usable Open Space – Public & Private
- Mixed Use
- Diversity
- Appropriateness and Context

- High Quality Streets
- Landscape and the Natural Environment
- Sustainability
- Safety
- Privacy and amenity

An explanation of how the proposed redevelopment of the Stamford Plaza Hotel satisfies these Urban Design and Planning principles is provided as follows:

### **Sense of Place**

#### **Create a unique 'sense of place' through excellence in design and delivery.**

Urban design should aim to create a 'sense of place' within each project, particularly for large sites within town centres. This will ensure the new development presents as a memorable and important place in its own right as well as contributing to the local context. Each project has the ability to become unique as it responds to the particular context, its use and this can be translated into the sense of place.

A strong sense of place is a fundamental characteristic of Double Bay. The regional context of Eastern Sydney, the Double Bay Town Centre as well as the Cross Street location all contribute to creating a strong sense of place for the proposed development. The proposed development builds on this broader sense of place. When considering the best locations in the world to live, work at and to visit, Double Bay's sense of place is key to its attraction. The Double Bay sense of place is influenced by its proximity to Sydney Harbour, its high quality streetscape and public domain, its vibrant mix of uses and activation of buildings at street level which creates a human scale.

The proposed development will make a positive contribution to the Double Bay Town Centre through the proposed mix of uses, high architectural and public domain design and fine grained network of pedestrian links to adjoining properties to improve connectivity to adjoining properties. The retention of a hotel in Double Bay is a desirable inclusion in the project. The design of the hotel with entries from Cross Street and from the piazza space and the activation of the space with retail tenancies is characteristic of the open laneways.



Figure 36 Figure ground image of Double Bay Town Centre

### Appropriateness and Context

Create places which are appropriate and responsive to their context.

*The appropriateness of a new urban design to its context is a crucial factor in determining how successfully it will sit in its surroundings. The nature and character of the spaces created need to suit the location and the intended users. A design can blend into the existing urban fabric or deliberately stand out to be noticed as an iconic feature in the urban landscape and both directions can be equally appropriate when all the aspects of the context and project have been well considered.*

### Quality Built Form

Incorporate highest quality urban design and architectural design.

Design excellence is essential for creating places of the highest quality, and this applies to urban design, building design and landscape design. Built elements of the urban design ground plane such as plazas, street fronts, interfaces with adjacent development, pedestrian links and through roads all require high level attention to detail. Quality materials, detailing, construction and maintenance are also all fundamental to achieving the best results.

Architectus is a multi-disciplinary design based practice that has been highly awarded for excellence in Architectural design, urban design and planning by industry bodies including the Australian Institute of Architects (AIA) and the Planning Institute of Australia (PIA). The landscape

architects for the project McGregor + Partners bring to the design team excellence in public domain design and landscape architecture.

The project delivers a landmark response to the site, in recognition of the highly prominent town centre location. The prominence of the site and the height of the proposed tower forms require careful attention to the architectural quality. The proposal is visible from areas within and because of the height of the towers from outside the tower centre and therefore must be a high quality architectural response.

The design configuration and materials proposed for publicly accessible piazza, as well as the location of through site links have been given careful consideration. The scale of the open space at 800m<sup>2</sup> equates to 22% of the site area. In addition the public seating which have a sculptural design and the large canopy tree will provides shade for people visiting the site. The public space will also have sunlight areas along its eastern side. The through site links follow pedestrian desire lines and enhance existing site connections.

### **Mixed Use**

#### ***Ensure there is a mix of uses within the new development where possible and appropriate.***

Providing a well considered mix of uses in an area will activate the public domain throughout the day and at night. Different uses will attract a range of people to an area at different times thereby maximising the attractiveness and the value to the community it serves. Generally in urban areas the aim is to create places that are vibrant and active by day, and still well enough populated with pedestrians in the evening and night for safety and amenity.

Residential, retail, commercial, entertainment and recreation uses all draw people through an area at different times of the day and night, and together create a 24 hour economy. Not all developments can include all uses but a careful needs analysis of the local area can identify opportunities which could be included in the development or be assisted to establish nearby, and would be successful as well as being an asset to the community. Financially sustainable developments with the right mix of uses can be catalysts for urban renewal and sustain employment for long term success which potentially flow on to the surrounding area.

The proposed mix of hotel, retail and residential uses are complementary to the role that Double Bay plays in the East subregion of Sydney. There is a recognised shortage of quality hotels in eastern Sydney, however the existing hotel is struggling to sustain its capacity and is in decline. Furthermore Double Bay retail precinct has been adversely affected by the regional shopping centre at Bondi Junction. The addition of new high quality specialty shops, cafes and restaurants on the northern edge of the town centre can enliven this part of Double Bay and be a catalyst for renewal. The inclusion of residential uses will provide for additional residents to live in the Double Bay town centre which is desirable.

The potential for the proposed mix of uses to renew, enliven and add to the vitality of Double Bay is supported by retail and economic specialist's HillPDA, who prepared a recent study of the Double Bay Town Centre for Woollahra Council.



## ***Diversity***

### ***Provide diversity to add interest and complexity to the urban environment.***

Providing a series of changing experiences along a pedestrian route or around a piazza space can add significantly to the enjoyment of the space. As well as appealing to a wider range of people, as every community is diverse in its character and needs, diversity provides stimulus to the senses. Not only can the visual landscape change, but sounds and smells can also vary. Spaces can be enclosed then open up as a person moves through a particular development or neighbourhood. Diversity adds richness to life experiences.

A signature restaurant is located of the north western corner of the piazza space. Cafes, delis and providores are also envisaged to surround the piazza. High quality retail fit outs will be sought to provide a visually stimulating shopping experience, which builds on the outdoor and open characteristics of the town centre.

## ***Pedestrian access***

### ***Create an urban environment where the pedestrian is prioritised.***

Optimising pedestrian access where possible means promoting the ability to be able to move through a place easily and avoiding creating urban barriers which break down the fine grained urban environment so admired in established urban centres such as Double Bay. The attractiveness of Double Bay is in the fine grained network of streets and laneways, which are open air and provide interesting meandering opportunities for shoppers. The fine grained pedestrian structure of the town centre and the highly permeable characteristics provide a pedestrian focus for the development.

**Figure 34** shows the ground floor plan of the proposed development. The retail uses will include a complementary mix of specialty retail as well as food premise such as delis and providores. Also at ground level is a restaurant, which will be associated with the hotel use but will be open to the public. Access through the Georges Centre will remain between the retail entry and the restaurant/bar. The subdivision of the retail tenancies is indicative only and will be subject to future applications.

Pedestrian links are clear and obvious and the publically accessible areas and entries are clearly distinguishable from the private and residential, hotel and retail entries. Each of these private use entries is distinguishable for pedestrians.

## ***Usable Open Space – Public & Private***

### ***Create a highly usable and versatile open space network.***

It is essential when designing any open space, whether within the public or private realm, that it be highly useful and usable. This involves designing the space with an understanding of how the space will be used in mind, and accommodating that in the best possible way. Well designed spaces should be flexible and adaptable as demand and needs can change over time.

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The provision of an 800m<sup>2</sup> piazza will provide a space that is desirable for a diverse range of users. This generous open central area seeks to allow maximum solar access to the space. The permanent sculptural seating elements and temporary restaurant and cafe tables are to be strategically located not to inhibit pedestrian access and site lines.

The open space is designed to be accessible and usable by those who are less mobile or have special needs. The piazza space will have good amenity afforded through solar access. The height of the building podium surrounding the space will screen undesirable wide effects from the south and allowing for desirable north easterly breezes. The design of the space and the diversity of uses in the buildings surrounding it will optimise its safety. be a safe place during the day and at night. A large canopy tree is proposed at the centre of the piazza space that will provide shade and also soften of the built form.

Key components of the public realm are the spaces which connect other places and spaces. Best practice urban design looks to define and enhance these linkages across sites and through neighbourhoods. These connections must have amenity and be safe. They should also be legible and attractive in their own right in order to draw people through the site, contributing to the permeability of the area.

Through site links in five directions are provided, which build on and enhance existing connections and will be desirable spaces for pedestrians to meet and walk thorough.

### 4.3 Gross floor area

#### Former Stamford Plaza Hotel

The Department of Planning requested that a floor-by-floor breakdown of the existing Gross Floor Area (GFA) of the former Stamford Plaza hotel with a set of plans detailing those areas included in the calculation of GFA be provided. GFA plans prepared by John Reid Registered Surveyor is provided at **Appendix Q**. **Table 11** provides a floor by floor breakdown of the existing GFA.

**Table 11. Floor-by-floor breakdown of GFA within the former Stamford Plaza Hotel**

Floor level	Gross Floor Area (GFA) (m <sup>2</sup> )
Basement Level 02	135
Basement Level 01	1145
Ground floor level	2495
Level 1	3375
Level 2	3375
Level 3	2095
Level 4	2035
Level 5	2035
Level 6	2035
Roof	535
Balconies	285
<b>Total</b>	<b>19,545</b>

#### Preferred Project

The Department of Planning have asked for a floor-by floor breakdown of the GFA of each floor level within the development. Plans showing the floor-by-floor breakdown of the proposed development are provided at **Appendix A**. **Table 12** provides a floor-by-floor breakdown of the proposed development.

**Table 12. Floor-by-floor breakdown of GFA within the development**

Floor level	Gross Floor Area (GFA) (m <sup>2</sup> )
Basement Level 02	883
Basement Level 01	1336
Basement Mezzanine	17
Ground floor level	2108
Level 1	2319
Level 2	2310
Level 3	2073
Level 4	1379
Level 5	1048
Level 6	824
Level 7	824
Level 8	824
Level 9	824
Level 10	824
Level 11	736
Level 12	477
Level 13	477
Level 14	252
<b>Total</b>	<b>19,545</b>

**Gross floor area by use**

**Table 13. Floor-by-floor breakdown of each use within the development**

Floor level	Gross Floor Area (GFA) (m <sup>2</sup> )							
	Balcony	Core/void	Hotel	Plant	Residential	Restaurant	Retail	Store
Basement Level 02		92		741	50			
Basement Level 01		148	375	763	17			34
Basement Mezzanine		279	294	17				
Ground floor level		191	1234	34	77	280	1144	
Level 1		191	1234		894			
Level 2		202	1238		894			
Level 3		152	741	162	468			
Level 4		131			485			
Level 5		82			917			
Level 6		82			742			
Level 7		82			742			
Level 8		82			742			
Level 9		82			742			
Level 10		82			742			
Level 11	68	81		109	478			
Level 12		42			435			
Level 13		42			435			
Level 14		45		159	48			
<b>Total</b>	<b>68</b>	<b>2005</b>	<b>5117</b>	<b>1988</b>	<b>8909</b>	<b>280</b>	<b>1144</b>	<b>34</b>

**4.4 Building height**

The preferred project has reduced the overall height of the eastern tower by 7.8 metres (RL 47.750, 43.73 metres to the top of the plant roof). The previous height of the eastern tower was RL 55.650, 52.63 metres.

In Figure 11 and Figure 12 detail a comparison in terms of height of the development from the EA scheme to the PPR scheme. It is clear that the height of the eastern tower has been significantly reduced, whilst the height of the western and northern towers have been retained.

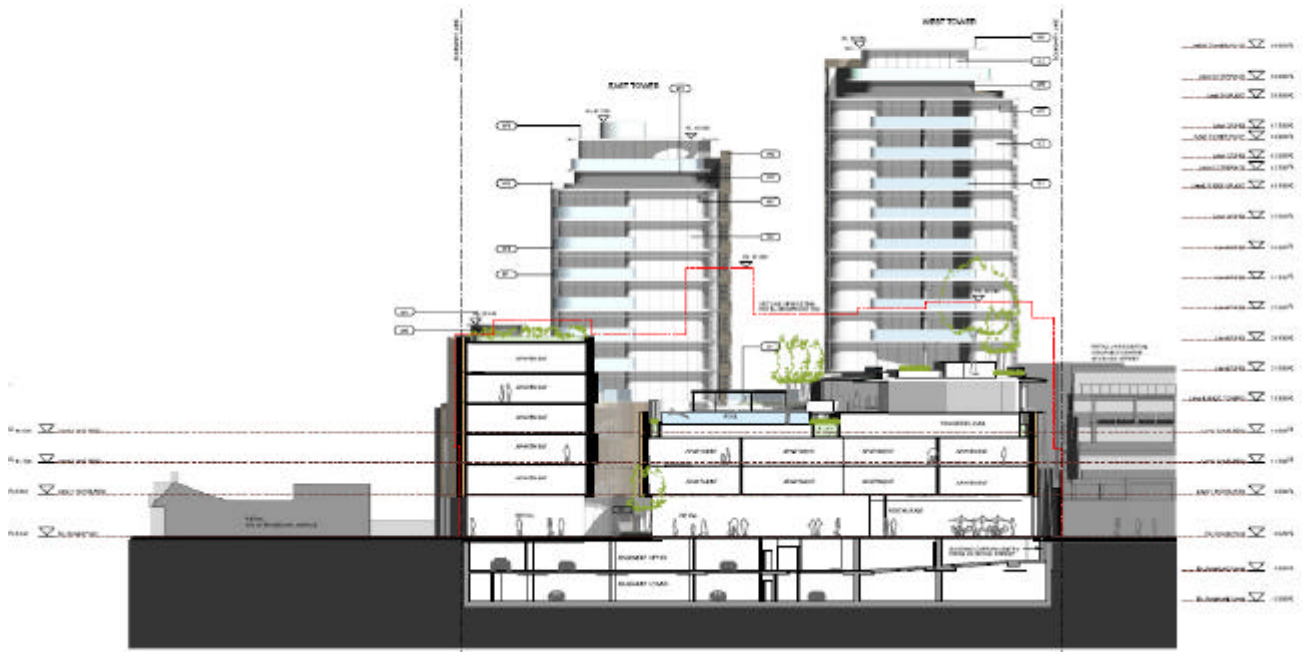


Figure 37 Preferred Project Section illustrating the varying height

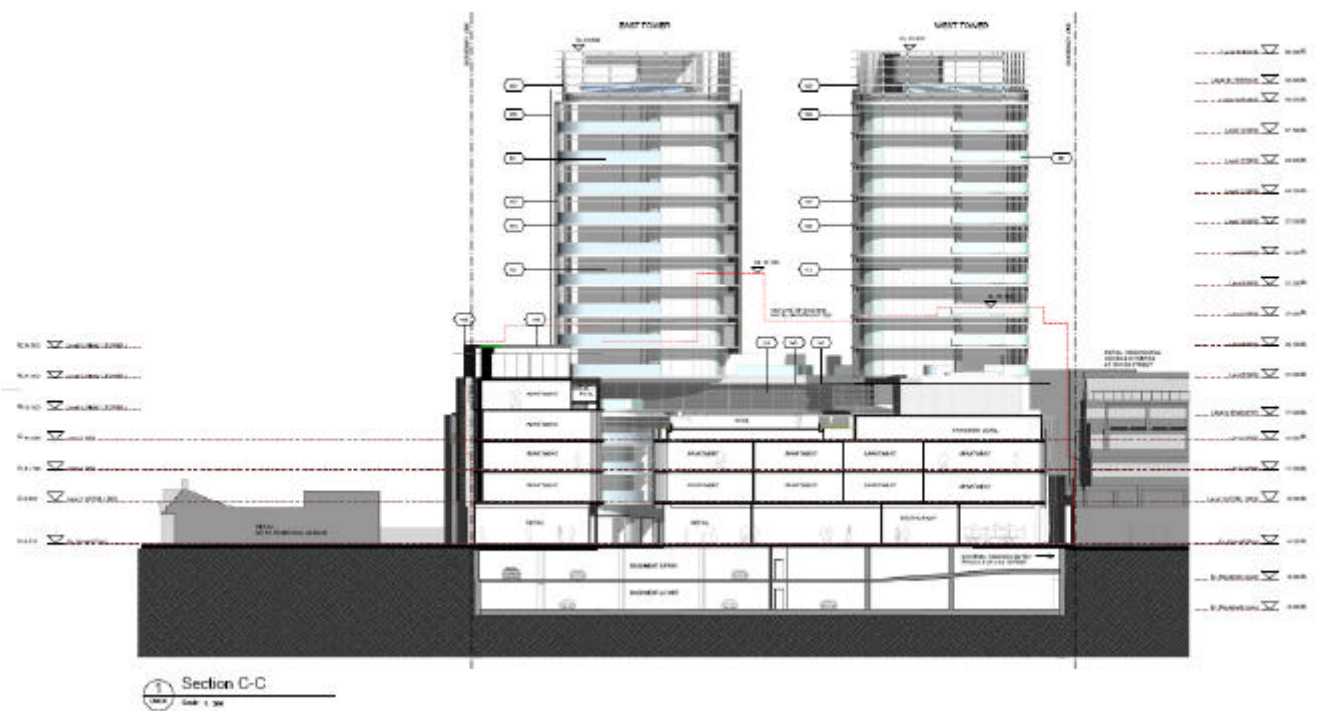


Figure 38 Environmental Assessment Section illustrating the previous height of the scheme

#### 4.5 Building materials and finishes

The Preferred Project provides to amendments to the architectural design of the exhibited Environmental Assessment including materials and finishes.

A revised materials and finishes sample board is submitted with the preferred project under a separate cover.

#### 4.6 Car parking

The Preferred Project proposes a total of 135 car spaces over two basement levels which comply with Councils requirements. This is an increase of 28 car spaces from the exhibited Environmental Assessment. Refer to revised traffic and parking report at **Appendix G**, Table 14 provides a detailed breakdown of the required and proposed car parking arrangements for the development.

Table 14 Car parking arrangements

Type of development	DCP Controls (Spaces per unit/per 100sqm GFA)	Floor space (m2)/No. of Rooms/units	Spaces required as per the DCP control	Spaces provided
Retail	3.5 spaces per 100sqm GFA	1,135m <sup>2</sup>	40	32
Restaurant	15 spaces per 100sqm GFA	311	47	included in above 32 spaces
<i>Retail/restaurant sub-total</i>	-		87	32
Hotel	1 space per 2 rooms	69	35	35
Residential 1 bed	0.5 spaces per unit	8	4	
Residential 2 bed	1 space per unit	12	12	
Residential 3 bed	1.5 spaces per unit	24	36	
Residential (visitors)	1 space per 5 units	44	9	9
<i>Residential sub-total</i>			61	68
<b>TOTAL</b>			182	135
<b>SUB TOTAL</b> (minus parking credit of 50 spaces)			<b>132</b>	<b>135</b>

#### 4.7 Vehicle access

No amendments are proposed to the existing vehicle access arrangement to the site, which are via the adjoining site at 45 Cross Street, which maintain the existing situation. Refer to revised traffic and parking report at **Appendix G**.

#### 4.8 Landscaping

The landscape drawings exhibited with the Environmental Assessment have been amended in response to architectural design amendments. McGregor + Partners have prepared the amended drawings at **Appendix K**.

#### 4.9 Pedestrian access

No amendments are proposed to the general pedestrian access arrangements to the site or through the site. A gate has been introduced to the through site link to restrict access between 11pm and 6am seven days per week to Galbraith Walkway to the north of the site.

#### 4.10 Stormwater management

No changes are proposed to general stormwater management concepts proposed in the exhibited EA. Revised stormwater concept plans are provided at **Appendix M**.

#### 4.11 Building services, BCA and fire safety

A revised BCA report is provided at **Appendix O**.

In summary the report states that compliance with the BCA will be achieved by a combination of compliance with the deemed-to-satisfy (DTS) provisions and the documentation of alternative solutions in accordance with Clause A0.5 of the BCA, suitably prepared by an Accredited Fire Safety Engineer to achieve compliance with the performance provisions of the BCA.

## 5 Statement of Commitments

The following statement of commitments have been compiled based on the environmental assessment undertaken in the preparation of this report and following review and consideration of the issues raised in agency and community submissions. Revisions to the Statement of Commitments have been made to introduce additional environmental management and mitigation measures in response to key issues raised in submissions

They provide a commitment by Ashington indicating the responsibilities to implement management measures to minimise potential impacts during the construction and operation phases of the development.

The statement of commitments relate to the following matters:

- Future applications
- Construction
- Construction vehicle management plan
- Acoustics
- Ecologically Sustainable Development (ESD)
- Waste Management
- Security Management Plan
- Car park management plan
- Wind and solar light reflectivity
- Building Code of Australia (BCA)
- Travel Demand Management

These commitments are outlined in the following sub-sections of this report:

### 5.1 Future applications

Ashington commit to preparing a separate project application for strata and stratum subdivision including all necessary easements to facilitate public access arrangements that have been agreed to by the consent authority in the determination of this Major Project Application MP 08\_0110.

The final subdivision plans are to be registered with the Lands Titles Office prior to the occupation of the site.

Separate applications for the hotel and retail tenancy fitouts will be made.

### 5.2 Construction

Prior to the issue of a Construction Certificate, the proponent commits to the following:

- A detailed Demolition and Construction Management Plan, including but not limited to, management measures as incorporated in the draft management plan will be prepared by Ashington for approval prior to the commencement of any demolition or construction works on site.



### 5.3 Construction vehicle management plan

A detailed construction traffic management plan will be prepared once a builder is appointed. This will allow the construction management plan to reflect the actual staging of development as it is proposed.

The management plan will be submitted to the Woollahra Local Traffic Committee for their agreement before the commencement of construction.

### 5.4 Acoustics

Acoustic Logic (see report at **Appendix G**) have recommended a number of controls in regards to the potential noise sources generated from the proposed development to surrounding properties.

Relevant noise goals have been set in accordance with the requirements of the relevant statutory/regulatory authorities including Woollahra Council DCP and the EPA.

In regards to acoustic controls from potential noise sources, recommendations include:

#### **Management Controls**

- The hotel swimming pool will be closed at 9pm every night.
- No live or amplified music (other than background music to be played externally or internally when the facade is open on ground floor or level 4.
- Amplified music and speech to be played internally within the ground floor and level 4 area during period when the external facade is closed. All amplified music and speech to be limited to a low level sound pressure of 75-80 dB(A).
- The northern facade of the ground floor and level 4 areas to remain closed at all times. Openable areas of the facades include:
  - Ground floor restaurant/bar – southern and eastern openings.
  - Level 4 restaurant/bar – Eastern opening.
- As the restaurant bar may not reach capacity all the time the following management controls are required for times when the restaurant/bar filled to various capacities:
  - 25% capacity – all patrons to be inside with the external facade closed at 9pm
  - 50% capacity – all patrons to be inside with the external facade closed at 8:30pm
  - 100% capacity – all patrons to be inside with the external facade closed at 8pm.
- Management controls should be utilised to manage patron departure particularly at night and at closing times to ensure that patrons leaving development in a prompt and orderly manner.
- Prominent notices shall be placed to remind patrons that a minimum amount of noise is to be generated when leaving the premises.
- All garbage shall be retained within the premises and removed after

7am on the following day.

### Recommended Treatments

- Install a minimum 2.5 metre high barrier at the northern edge of the building. Barrier to be constructed from a solid material such as a 10.38mm laminated glass.
- All bar and restaurant areas on level 4 within a closable façade constructed from 10.38mm laminated glazing and doors. All doors and junctions to be sealed using acoustic seals similar to Q-Ion type
- All bar and restaurant areas on the ground floor to be within a closable façade constructed from 10.38mm laminated glazing and doors. All doors and junctions to be sealed using acoustic seals similar to Q-Ion type.

## 5.5 Ecologically sustainable development (ESD)

A number of design initiatives; both passive and active, are proposed to reduce the overall environmental footprint of the proposed development and demonstrate compliance with the regulatory tools of the BCA Section J and BASIX.

The development commits to the requirements as detailed in the schedule contained in the BASIX certificate as provided at **Appendix L**.

Furthermore, pursuant to the provisions of Section J of the Building Code of Australia, Architectus commits to the design being in accordance with the following sections:

- Section J1-Building Fabric
- Section J2 – Glazing – glazing selections will be in accordance with the glazing performance requirements specified in the BASIX report prepared by Advanced Environmental
- Section J3 – Building Sealing
- Section J4 – Air Movement
- Section J8 – Access for maintenance

## 5.6 Waste Management

A Waste Management Plan by JD Macdonald is at **Appendix R** of the EA documentation.

The following waste equipment and quality recommendations have been made based on expected waste generation quantities.

### Residential

#### General Waste

The recommendations for waste handling equipment are as follows:

- A private contractor is to be engaged to provide a twice-weekly collection service for residential general waste. Therefore, utilising the previously calculated General Waste for the residential section, the following 240L Mobile Garbage Bins are required:

- Twelve (12) x 240L bins collected twice-weekly

### **Recycled Waste**

The recommendations for waste handling equipment are as follows:

- A private contractor to provide a weekly collection service for residential recycling. Therefore, utilising the previously calculated Recyclable Waste for the residential section, the following 240L Mobile Garbage Bins are required:
- Three (3) x 240L bins collected weekly for paper recyclables
- Five (5) x 240L bins for mixed bottle recyclables

### **Commercial Hotel**

#### **General Waste**

- A private contractor is to engaged to provide a twice-weekly collection service for residential general waste. Therefore, utilising the previously calculated General Waste for the residential section, the following 240L Mobile Garbage Bins are required:
- Ten (10) x 240L bins collected twice-weekly

#### **Recycled Waste**

- A private contractor to provide a weekly collection service for residential recycling. Therefore, utilising the previously calculated Recyclable Waste for the residential section, the following 240L Mobile Garbage Bins are required:
- Four (4) x 240L bins collected twice-weekly

### **Retail Space**

#### **General Waste**

- A private contractor is to engaged to provide a twice-weekly collection service for residential general waste. Therefore, utilising the previously calculated General Waste for the residential section, the following 240L Mobile Garbage Bins are required:
- Twenty (20) x 240L bins collected twice-weekly

#### **Recycled Waste**

- A private contractor to provide a weekly collection service for residential recycling. Therefore, utilising the previously calculated Recyclable Waste for the residential section, the following 240L Mobile Garbage Bins are required:
- Ten (10) x 240L bins collected twice-weekly

### **Garbage Rooms and Garbage Areas**

- Private contractors will collect general waste on a twice-weekly basis for all sections of the development.
- All recyclable waste will be collected on a weekly basis.
- All collections of waste will occur from the loading dock adjacent to the main refuse storage room at the upper basement level.

- Construction of both the garbage areas and garbage rooms is to meet all requirements set out in Typical Council Codes, BCA and Australian Standards.
- The floors of the garbage rooms shall be constructed of concrete at least 100mm thick or impervious material, graded and drained to an approved connection to the sewer.
- The floor shall be finished to a smooth even surface coved at the intersection with walls and plinths.
- Waste areas or bins shall be constructed to prevent the entry of vermin;
- An adequate supply of hot and cold water shall be provided to all waste areas and drainage to sewer;
- Hose cocks shall be located and protected so they cannot be damaged and fitted with an adequate length of hose;
- There is adequate ventilation either natural or mechanical;
- The waste area shall be appropriately signposted e.g. for recycling bins.

## 5.7 Security Management Plan

A Security Management Plan should be submitted to Woollahra Council for approval prior to the occupation of the building addressing, but not limited to the following list for recommendations to ensure that safety, security and crime prevention measures are provided for:

- Lighting should be maintained and faulty lighting should be replaced promptly in order to maintain safety, particularly to public domain areas.
- Plant areas and other services are not intended for public entry should be lockable and secure, only allowing for entry of authorised personnel;
- A CCTV security network should cover publicly accessible areas, including the piazza space and through site links as well as possibly concealed spaces, and car parking areas.
- Adequate infrastructure (electrical requirements etc), should be provided in the Construction Certificate documentation to ensure that full CCTV coverage of public domain areas and the car park is demonstrable; and
- Details of car park entry and security should also be specified in the Security Management Plan;
- Bicycle parking and storage areas should be able to be secured and locked.

## 5.8 Car park management plan

A Car Park Plan of Management is to be provided to the Consent Authority prior to the issue of a Construction Certificate.

## 5.9 Wind and solar light reflectivity

### Wind

The results of the wind study indicate that wind conditions at some of the outdoor areas of the proposed development will exceed the relevant criteria. The following treatments are recommended for the development:

- The existing trees along the Cross Street frontage are to be retained.
- 1.2 metre high impermeable balustrades around some of the terraces and balconies (see figures 7b, 7c, 7d in the Pedestrian Wind Environment Study at **Appendix E in the original EA documentation**)
- Densely foliating trees shall be incorporated onto the rooftops at Level 5.

### Solar Light Reflectivity

- The following recommendation has been made on the reflectivity properties of the glazing to be used on the façade to satisfy minimum comfort levels for the occupants of the neighbouring buildings;
- All areas of the façade of the development shall have a maximum normal specular reflectivity of visible light of 20 percent.

## 5.10 Building Code of Australia (BCA)

Matters pertaining to compliance with the Building Code of Australia (BCA) 2009 will be suitably assessed by the appointed Certifying Authority prior to the issue of a construction certificate in accordance with Clause 98 of the Environmental Planning and Assessment Regulations 2000.

## 5.11 Protection of Cross Street trees

The Proponent commits to provide adequate protection of the exciting trees immediately fronting the subject site in the Cross Street footpath during demolition and construction phases of the development.

## 5.12 Travel Demand Management

The Proponent commits to providing general information on public transportation on the Hotel website to encourage guests to use public transport usage.

## 6 Conclusion

The proposed development at 33 Cross Street, Double Bay offers substantial improvement to the existing development on the site. The proposal seeks development consent for the demolition and construction of a new five star boutique hotel comprising sixty six (69) rooms with 1395sqm of ground floor quality retail space and 44 hotel residences which seek to enhance and revitalise the Double Bay Town Centre.

The proposal will also include the creation of a central public piazza space comprising 800m<sup>2</sup>, (21% of the site) which is a significant benefit to Double Bay.

The proposal retains the existing amount of floorspace on the site (19,545m<sup>2</sup>) and redistributes it to achieve a better urban design outcome for the site through the provision of additional through site links and a publicly accessible piazza space.

Architectus has developed and tested a wide range of development options, including the three options presented in this report for the site to redistribute the existing floor space area in different forms and have investigated how each option meets urban design and planning principles for mixed use town centre developments.

The key principles that have driven the design are to provide a high quality integrated hotel development with retail and residential uses, which:

- Employ a high level of design and amenity.
- Create a landmark town centre development that will make a positive contribution to Double Bay by:
  - **Opening up the site to provide a central piazza space** with open air entries to the site's street frontages that will enhance the pedestrian experience along Cross Street and through the site.
  - **Provide a better distribution of floorspace by providing a finer grain development** that opens up the existing enclosed monolithic building.
  - **Promote a development that will have positive economic benefits for the Double Bay commercial area** through employment generation and positive spin off effects for local businesses.
  - **Retain the existing amount of floorspace to ensure a hotel is sustainable and is supported by adequate retail uses and a mix of apartments** in an integrated fashion.
  - **Provide a high quality development that is world class and that will attract tourism expenditure to Double Bay** and the broader Sydney Region.

The following is an overview of the key changes made to the project application following the exhibition of the Environmental Assessment.

- A significant **reduction in height the eastern tower** by 3 stories, providing an 11 storey tower plus plant room (previously 14 stories plus plant room);
- The eastern tower will be **setback 6.3 metres** from Cross Street and a minimum of 3 metres from the eastern side boundary;
- The **size of the eastern tower remains the same**;
- Western tower has increased by 90m<sup>2</sup> by lengthening the building in a

northerly direction;

- **Carparking spaces levels are increased from 107 to 135** carparking spaces, including 68 residential spaces, 35 hotel and 32 retail/restaurant parking spaces;
- **An increase in the number of hotel rooms from 66 to 69;**
- **Deletion of the ground level accessible courtyard** adjacent to the northern boundary and replacement with landscaping.
- **An increase in the amount of hotel residences**, from 39 residences (EA scheme) to 44 hotel residences, comprising 8 x 1 bedroom, 12 x 2 bedroom and 24 x 3 bedroom apartments.
- **A security gate has been introduced to ensure no access is provided to the Galbraith Walkway** (to the north) between 11pm and 6am, seven days per week;
- **Amendments to the landscape plans**, including additional landscaping along the northern boundary;
- **Additional glass balustrades to the pool on level 4 pool/terrace area** to mitigate potential acoustic impacts.
- **Deletion of the screening ring elements to the roof plant** to reduce the bulk of the roof tops of the buildings.

The Project Application is consistent with Part 3A of the *Environmental Planning and Assessment Act 1979*, the Director-Generals Requirements and other relevant provisions and guidelines. This report addresses all the Government Authority submissions and public submissions through a revised scheme as outlined in this report. Accordingly, it is recommended that the Minister for Planning approve the subject Project Application subject to the revised Statement of Commitments.