



NSW PLANNING ASSESSMENT COMMISSION

25 September 2009

REVIEW OF RECOMMENDATION IN THE DIRECTOR GENERAL'S REPORT STAMFORD PLAZA MIXED USE HOTEL REDEVELOPMENT, DOUBLE BAY

1.0 INTRODUCTION

On 23 September 2009, the Minister for Planning requested the PAC to undertake a review of the reasonableness of the recommendation for refusal in the Department of Planning's Assessment Report (DG's report) for the Stamford Plaza Mixed Use Redevelopment, Double Bay.

The Commission consisted of Ms Gabrielle Kibble (Chairman of the PAC), and Ms Janet Thomson (Member of the PAC). Ms Gabrielle Kibble chaired the Review.

2.0 REVIEW OF DOCUMENTATION AND DEPARTMENT BRIEFING

The PAC is familiar with the site and its location and were thoroughly briefed by senior staff of the Department. The PAC also reviewed the Director General's Environmental Assessment Report and the Proponent's shadow studies.

3.0 PROPOSAL

The proposal consists of:

- Demolition of the existing building and retention of the existing 2 level basement;
- The construction of a mixed use development including:
 - a 3 - 5 storey podium level with 1 x 6 storey tower in north-east corner;
 - 1 x 14 storey tower plus plant in the south-west corner and 1 x 11 storey tower plus plant in the south-east corner fronting Cross Street;
 - a total gross floor area (GFA) of 19,545 m² and FSR of 5:32:1;
 - a mix of uses comprising:
 - a 5-star boutique hotel consisting of 69 rooms contained within the podium level, with hotel facilities – ground floor restaurant and bar, level 4 restaurant, bar and pool;
 - 44 hotel residences in total comprising 8 x 1 bedroom, 12 x 2 bedroom, and 24 x 3 bedroom apartments contained within the podium and tower elements;
 - 1,511m² GFA for retail use at the ground floor;
 - car parking for 135 vehicles within 2 levels of existing basement car parking with vehicular access via the existing right-of-way over 44 Cross Street;
 - A publicly accessible ground floor open air piazza with pedestrian links through to Cross Street, Georges Centre, Transvaal Avenue and Galbraith Walkway.

4.0 BACKGROUND TO THE PROPOSAL

The Proposal was declared a Major Project in June 2008 as was found to fall within the category of tourist development employing more than 100 people in the Major Projects SEPP. The Director General's Environmental Assessment Requirements were issued in August 2008 and raised concern with the height, scale and massing of the proposal. In March 2009, the Proponent lodged their Environmental Assessment Report.

The Proposal was exhibited for 52 days including a mail out of 2,500 letters and newspaper notification. During this period the Department received five submissions from public authorities and in excess of 950 submissions including 12 submissions in support and two petitions of a total of 3013 signatures.

In response to the issues raised, the Proponent prepared a revised plan in the form of a Preferred Project Report (PPR). The Department commissioned the Government Architect to review the PPR. This review raised issues regarding:

- Overshadowing impacts of the proposed towers;
- Impact on the existing character of the Double Bay Centre;
- Internal and external amenity impacts regarding visual and acoustic privacy due to the location and mix of uses proposed within the podium;

In excess of 100 submissions were also received after the submission of the PPR.

5.0 KEY ISSUES

The Commission has identified the following key issues which are detailed individually below.

5.1 Built form, height and urban design impacts

The Government Architect acknowledged the positive aspects of the proposal, however stated that 'tower elements of the PPR proposal are inappropriate and intrusive upon the character of the Double Bay Centre'. The Government Architect noted that there were few examples of built form extending above the canopy height in the valley floor except on adjacent ridgelines where development dominated the landscape. The Department supported this view and noted that whilst their impact on the wider visual catchment was less intrusive, the towers were highly visible from some public areas and terminated some significant vistas.

The Government Architect also raised concerns regarding the proposed replacement of the eastern façade with a residential elevation which would increase activation at night time. The Department did not support this view given the immediate locality is predominantly commercial and retail and is already active at night.

In conclusion, the Government Architect stated that 'due to significant detrimental impact of the towers on the village character of Double Bay Town Centre, the development is not recommended for approval'. This conclusion was supported by the Department.

5.1.1 Suitability of the proposal

The Government Architect found that elements of the proposal such as the podium, the proposed square and the landscape elements contribute positively to the immediate context at ground level. However, concluded that the 'towers have a negative impact on the immediate and wider context' and that they were 'intrusive and overpowering to the context of the Double Bay Town Centre, so the proposal is unsuitable in this context'.

5.2 Environmental and residential amenity

The Government Architect raised issues regarding the internal and external amenity impacts of the proposal namely future internal and external privacy issues, internal noise issues and overshadowing of café seating on Cross St and the internal courtyard. The Government Architect found that the majority of these issues regarding internal amenity related to the proximity an mix of different landuses, in particular the clustering of 'sensitive receptors'.

The Government Architect concluded that whilst screens and noise policies would ameliorate privacy impacts, these would have an impact on internal amenity as would the proposed mix of uses and that internal and external solar access would be negatively impacted by the proposed towers.

The findings of the Department regarding amenity impacts were consistent with that of the Government Architect, however, the Department considered that these issues may be satisfactorily resolved through an amended design.

5.3 Redistribution of existing floorspace

As identified by the Government Architect, this proposal is based on the premise that the existing GFA of the site is available for distribution and proposed to distribute this floorspace in the proposed towers. The Government Architect also identified that this redistribution would be beneficial in accommodating uninterrupted views and would be desirable in terms of investment, however would be inconsistent with the current floorspace and height controls in the DCP.

The Government Architect stated that the 'towers are intrusive elements out of scale with the town centre, therefore any development which includes the towers is not optimal in terms of impact on the surrounding context' and went on to state that given the towers are intrusive elements, 'the only option would be to redistribute the floorspace to the podium or retain and modify the existing building'. The Department supported this position and formed the view that the proposed towers could not be supported

The Commission notes the complexities surrounding the definitions of FSR and GFA in this case and consider that these issues need be thoroughly reviewed and resolved by Council through detailed study.

5.4 View impacts

Views to the proposal

The Government Architect undertook a comprehensive visual impact analysis of the proposal and found that the towers were 'intrusive from the various identified local catchments of Steyne Park, Bellevue Road and Greenoaks Avenue' and that the 'tower forms extend above the prevailing foreground of built form and mature tree canopy and would inappropriately dominate those important vistas'. This view was supported by the Department.

Views of surrounding properties

The Government Architect concluded that the proposed towers would protrude above the existing skyline, when viewed from public and private areas and the Department recognised that the proposal would modify views for a number of properties. However, the Department's views analysis concluded that the proposed tower elements would only intrude into a portion of the view catchment from those properties that could see across the Double Bay Centre and did not consider that this impact was unreasonable.

5.5 Impacts on adjoining Transvaal Heritage Conservation Area

The subject site is adjacent to the existing locally listed Transvaal Heritage Conservation Area. The Government Architect raised concerns regarding the impact of the proposal on the existing character of the area particularly given the residential dwellings and balconies proposed which have the potential to generate noise and light spill impacts particularly at night time.

The Department advised that whilst elements of the proposal complement the traditional building materials of the existing conservation area, the height/bulk and scale of the existing built form presents a poor interface with the heritage conservation area and the towers are imposing and overpowering and will have an adverse impact on the heritage conservation area.

6.0 OTHER ISSUES

The Commission notes that the Department has considered other issues relating to public domain, transport access and parking, design quality, potential changes to the proposal and the principles of ecologically sustainable development. The Commission's review indicates that the Department has adequately addressed these issues.

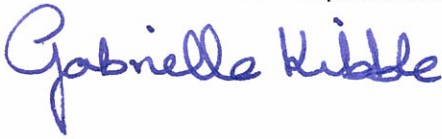
7.0 CONCLUSION

The Commission considers the Department's recommendation for refusal is reasonable as it is supported by a thorough evaluation including specialist advice from the Government Architect and a detailed list of reasons for refusal.

8.0 RECOMMENDATIONS

The Commission recognises the strategic nature of the site and considers that Council should investigate the potential for future development on the site and appropriate planning controls for the site and the surrounding area.

In this regard, the Commission recommends that the Minister request Council to undertake studies to determine possible future use for the site, resolve issues surrounding the definitions of GFA and FSR and investigate the future planning controls for the area and the role of tourist development in Double Bay.



Gabrielle Kibble
Chairman



Janet Thomson
PAC member