

Item No: R3 Recommendation to Council

Subject: **REVISED PLANNING PROPOSAL FOR 374 AND 376-382 NEW SOUTH HEAD ROAD, DOUBLE BAY (SC2873)**

Author: Brendan Metcalfe, Strategic Planner

Approvers: Anne White, Acting Team Leader - Strategic Planning
Chris Bluett, Manager - Strategic Planning
Allan Coker, Director - Planning & Development

File No: 16/63652

Reason for Report: To update Council on the planning proposal for 374 and 376-382 New South Head Road, Double Bay.
To recommend deferral of the assessment of the revised planning proposal that has been submitted for this site until the review of planning controls for Double Bay is complete.

Recommendation:

That consideration of the revised planning proposal for 374 and 376-382 New South Head Road, Double Bay as reported to the Urban Planning Committee of 23 May 2016 be deferred until the review of planning controls in the Double Bay Centre is complete.

1. Background:

In June 2015 a request for a planning proposal (hereafter called the original planning proposal) related to the land at 374 and 376-382 New South Head Road, Double Bay (the site) was submitted to Council by Eeles Trelease Pty Ltd Architects in association with Tony Moody, Consultant Planner and Hill Thalys Architecture + Urban Planning Pty Ltd on behalf of the owner Fivex Pty Ltd. The original planning proposal facilitated a seven storey mixed use development this site which comprises Lot B in DP 162458 and Lot 11 in DP 608859.

The site is located in Double Bay at the western corner of New South Head Road and Knox Street as shown below in Figure 1: *Local area map*. An aerial of the site is shown in Figure 2.

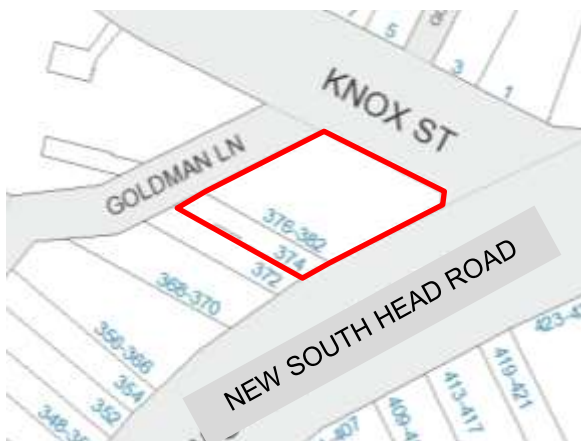


Figure 1: Local area map



Figure 2: Aerial

The original planning proposal was to amend the height and floor space ratio (FSR) controls applying to the site under Woollahra Local Environmental Plan 2014 (Woollahra LEP 2014) by:

- Increasing the maximum FSR from 2.5:1 to 5:1 on 374 New South Head Road
- Increasing the maximum FSR from 3:1 to 5:1 on 376-382 New South Head Road
- Increasing the maximum building height from 14.7m (4 storeys) to 26m (7 storeys) over the site

On 2 November 2015 the Urban Planning Committee (UPC) considered a report (**Annexure 1**) on the original planning proposal where staff recommended not supporting the planning proposal as it:

- sought height and floor space ratio controls that are inconsistent with the strategic review of controls in the Double Bay Centre being carried out by the Council.
- was inconsistent with the desired future character of the Double Bay Centre that is defined by objectives and development standards in Woollahra Local Environmental Plan 2014 and Chapter D5 Double Bay Centre of the Woollahra Development Control Plan 2015,
- would facilitate development that would have unacceptable shadowing impacts to the south side of New South Head Road,
- results in a building envelope which is inconsistent with building separation distances for 5 to 8 storey apartment development identified in the Apartment Design Guide (Department of Planning and Environment 2015) which supports State Environmental Planning Policy 65 – Apartment Design Quality (SEPP 65)

The UPC recommended that a decision on the planning proposal be deferred. At the Council meeting of 16 November 2015 Council considered the UPC recommendation and resolved:

That a decision on the planning proposal for 374 and 376-382 New South Head Road, Double Bay be DEFERRED until March 2016, in order to allow sufficient time for the Hill PDA report to be considered fully by Council and for further discussion to take place between Council Officers and the Applicant.

On 1 March 2016 the proponent submitted a revised planning proposal (**Annexure 2**) for the site (hereafter called the revised planning proposal) which reduced the height of the development by 2.5m (1 storey) and the proposed FSR by 0.5:1. On 15 March 2016 staff wrote to the proponent and advised that in light of Council's resolution from 16 November 2015, the assessment of any planning proposal for the site should be deferred until the review of the planning controls for Double Bay has been completed. Staff also requested that further documentation be submitted to support the revised planning proposal.

The final documentation for the revised planning proposal was submitted on 27 April 2016. The revised planning proposal is to amend the height and FSR controls applying to the site under Woollahra LEP 2014 by:

- Increasing the maximum FSR from 2.5:1 to 4.5:1 on 374 New South Head Road
- Increasing the maximum FSR from 3:1 to 4.5:1 on 376-382 New South Head Road
- Increasing the maximum building height from 14.7m (4 storeys) to 23.5m (6 storeys) over the site

The proponent has requested that staff assess and report on the planning proposal as soon as possible.

2. Review of planning controls in Double Bay

On 7 September 2015 the UPC considered a report on the Double Bay Economic Feasibility Study (the study). Hill PDA was engaged to prepare the study and provide advice on:

- An understanding of the existing demand for smaller dwellings by younger residents in the Double Bay Centre and Eastern Suburbs region and how this relates to affordability;
- The financial viability of providing smaller apartments with respect to the Centre's existing planning controls;
- Recommendations to support the provision of a mix of additional housing in the Centre.

Hill PDA recommended that Council consider a review of the planning controls to permit an FSR of between 3:1 and 3.5:1. The appropriate FSR, within this range, would be dependent on urban design testing and other environmental considerations. However, the economic viability of each site must be considered on its merits.

On 28 September 2015 Council resolved in part:

- B. THAT a further report be presented to the Urban Planning Committee, no later than the end of March 2016, containing the review of the planning controls to the Double Bay Centre, which is based on the recommendations and policy options presented to the Urban Planning Committee by Hill PDA Consulting on 7 September 2015.*

Based on Hill PDA's recommendations, Council's planning and urban design staff have been assessing the appropriateness of increasing the FSR controls in Double Bay to between 3:1 and 3.5:1. This has involved a fine-grain urban design review of the whole centre. The review has modelled building envelopes on a block by block basis to assess the built form implications, as some areas, locations or sites may be more suitable for increased FSRs.

On 29 March 2016 staff briefed the Mayor and UPC councillors on potential building envelope options which would accommodate an increased FSR. In response to councillor feedback the 3D modelling is being further refined and additional options are being developed. Once the modelling has been completed the options will be reported to a meeting of the UPC. It is anticipated that this report will be available in the near future.

As the work on the Double Bay building envelopes is not complete and the modelling for the site has not been finalised, it is premature to provide a recommendation on the merit of the revised planning proposal. The assessment of the revised planning proposal should take place once Council has formed a view on the merit of altering building envelopes for the whole of Double Bay.

3. Conclusion:

Council staff are currently finalising building envelope options to inform the review of planning controls in the Double Bay Centre. As the modelling of this site has not been finalised, it is premature to provide a recommendation on the revised planning proposal.

We recommend that consideration of the revised planning proposal is deferred until the review of planning controls has been completed.

Annexures

1. Report to UPC recommending refusal of the original planning proposal
2. Revised planning proposal for 374 and 376-382 New South Head Road, Double Bay

Woollahra Municipal Council
Urban Planning Committee Agenda

2 November 2015

Item No: R2 Recommendation to Council
Subject: **PLANNING PROPOSAL FOR 374 AND 376-382 NEW SOUTH HEAD ROAD, DOUBLE BAY (SC2873)**
Author: Brendan Metcalfe, Strategic Planner
Approvers: Chris Bluett, Manager - Strategic Planning
Allan Coker, Director - Planning & Development
File No: 15/82753
Reason for Report: To report on the request for a planning proposal prepared by Eeles Trelease Pty Ltd Architects, Tony Moody, Consultant Planner and Hill Thalys Architecture + Urban Planning on behalf of the land owner Fivex Pty Ltd.

Recommendation:

That the planning proposal prepared by Eeles Trelease Pty Ltd Architects, Tony Moody, Consultant Planner and Hill Thalys Architecture + Urban Planning Pty Ltd on behalf of Fivex Pty Ltd as contained in Annexure 1 of the report to the Urban Planning Committee meeting of 27 July 2015 is not supported. In summary the request:

- seeks height and floor space ratio controls that are inconsistent with the strategic review of controls in the Double Bay Centre being carried out by the Council.
- is inconsistent with the desired future character of the Double Bay Centre that is defined by objectives and development standards in Woollahra Local Environmental Plan 2014 and Chapter D5 Double Bay Centre of the Woollahra Development Control Plan 2015,
- would facilitate development that would have unacceptable shadowing impacts to the south side of New South Head Road,
- would result in a building envelope which is inconsistent with building separation distances for 5 to 8 storey apartments identified in the Apartment Design Guide which supports *State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development*.

1. Summary

In June 2015 a request for a planning proposal (hereafter called the planning proposal) was submitted to Council by Eeles Trelease Pty Ltd Architects in association with Tony Moody, Consultant Planner and Hill Thalys Architecture + Urban Planning Pty Ltd on behalf of the owner Fivex Pty Ltd (**Annexure 1**). The planning proposal would facilitate a seven storey mixed use development at 374 and 376-382 New South Head Road, Double Bay (the site) which comprises Lot B in DP 162458 and Lot 11 in DP 608859.

The planning proposal is to amend the height and floor space ratio (FSR) controls applying to the site under Woollahra Local Environmental Plan 2014 (Woollahra LEP 2014) by:

- Increasing the maximum FSR from 2.5:1 to 5:1 on 374 New South Head Road
- Increasing the maximum FSR from 3:1 to 5:1 on 376-382 New South Head Road
- Increasing the maximum building height from 14.7m (4 storeys) to 26m (7 storeys)

In summary, we do not support the amendment to the planning controls as the planning proposal:

- seeks height and floor space ratio controls that are inconsistent with the strategic review of controls in the Double Bay Centre being carried out by the Council.
- is inconsistent with the desired future character of the Double Bay Centre that is defined by objectives and development standards in Woollahra Local Environmental Plan 2014 and Chapter D5 Double Bay Centre of the Woollahra Development Control Plan 2015,

- would facilitate development that would have unacceptable shadowing impacts to the south side of New South Head Road,
- results in a building envelope which is inconsistent with building separation distances for 5 to 8 storey apartment development identified in the Apartment Design Guide (Department of Planning and Environment 2015) which supports *State Environmental Planning Policy 65 – Apartment Design Quality* (SEPP 65)

2. The site

The site is located in Double Bay at the western corner of New South Head Road and Knox Street. The site is approximately 650m from the Edgecliff Bus and Rail Interchange which is located in the Edgecliff Commercial Core and adjacent to the Edgecliff Commercial Corridor as shown below in Figure 1: *Local area map*. An aerial of the site is shown in Figure 2. It comprises two properties at 374 and 376-382 New South Head Road with a total area of 669.8m².



Figure 1: Local area map (refer to Figure 2 for site details)



Figure 2: Aerial photo of the site

Existing local environmental plan development standards

The height and floor space ratio controls that currently apply to the site are identified in the table below.

	FSR	Height
Woollahra LEP 2014	374 New South Head Road - 2.5:1 376- 382 New South Head Road - 2.5:1 with 3:1 under clause 4.4A <i>Exceptions to floor space ratio (Area 1—Double Bay)</i>	14.7 (4 storeys)

Clause 4.4A

Generally land in the Double Bay Commercial Centre has an FSR of 2.5:1. However, clause 4.4A *Exceptions to floor space ratio (Area 1—Double Bay)* allows an FSR of 3:1 on 17 corner sites, including 376-382 New South Head Road. The 3:1 FSR is permitted if:

the consent authority is satisfied that the development will be compatible with the desired future character of the zone in terms of building bulk and scale.

Although these corner sites may be granted additional FSR, no additional building height is permitted.

Existing built form

Commercial buildings currently occupy both properties which have no off-street parking. No. 374 New South Head Road is the eastern half of a pair of one storey Inter-War shops. The building, shown below in Figure 3, is approximately 7m high with an FSR of approximately 0.74:1. The property has frontages to New South Head Road and Goldman Lane and is currently occupied by the pizzeria "Crust". An electricity substation is located on the property at the Goldman Lane frontage.

Nos. 376-382 New South Head Road contain a four storey retail and commercial building which is bounded on three sides by Knox Street, New South Head Road and Goldman Lane. The building, shown in Figures 3 to 6 below, has a maximum height of 15.3m and an FSR of 3.12:1. Each frontage is activated at the ground floor by shops or a business use. An office and a health services facility operate on the floors above, with the fourth floor currently vacant. There is a roof terrace that houses mechanical plant and equipment as well as lift access.



Figure 3: View of the site from New South Head Road looking north



Figure 4: View of the site from New South Head Road looking north west.



Photos of existing context. Figure 5 (Left image): View from New South Head Road looking north east, Figure 6 (right image): View from Knox Street looking south east.

3. Existing consent for 376-382 New South Head Road

On 7 July 2014 Council approved alterations and additions to the existing building on 376-382 New South Head Road under DA 568/2013. The consent is for a change of use of level 4 from commercial to residential and an additional fifth level for residential use. Thirteen dwellings would be provided in the form of studio/1 bedroom dwellings.

The approved building has a maximum height of 19.4m and an FSR of 4.42:1. The development exceeds the current Woollahra LEP 2014 height control by 4.7m and maximum floor space ratio control by 1.42:1. The consent does not apply to 374 New South Head Road which forms part of the planning proposal site.

A comparison of the existing Woollahra LEP 2014 controls, the approved DA and the proponent's suggested controls for the site is provided in a table in section 4.1 below.

4. The proponent's planning proposal

In summary, the objective of the planning proposal is to increase the height and FSR controls applying to the site. The changes would allow an additional two storeys of development above the five storeys approved for Nos. 376-382 New South Road and an additional three storeys above the existing maximum building height that applies to both No.374 and Nos 376-382 New South Head Road. The existing B2 Local Centre zoning would remain unchanged.

To support the planning proposal the proponents submission included:

- A concept for a 7 storey mixed use building with four levels of commercial development and three levels of residential apartments
- Photomontages of the concept
- Shadow modelling of the concept
- Comment on views from the immediate surroundings
- An urban design opinion from Philip Thalys Architecture + Urban Projects Pty Ltd
- A planner's report prepared by Tony Moody, Consultant Planner

4.1 Proposed controls

A summary of the height and floor space ratios permitted under Woollahra LEP 2014, approved under DA568/2013 and proposed for the site are shown in the table below:

	FSR	Height
Woollahra LEP 2014	2.5:1 on 374 New South Head Road 2.5:1 with 3:1 under clause 4.4A on 376- 382 New South Head Road	14.7 (4 storeys)
Approved DA (568/2013)	4.42:1 (47% increase)	19.4m (5 storeys) (32% increase)
Planning proposal	5:1 over the site under clause 4.4A 100% increase on 2.5:1 control and 66% increase 3:1 control	26m (7 storeys) 77% increase
Note: All percentage increases are from the existing Woollahra LEP 2014 controls.		

Compared to the existing Woollahra LEP 2014 controls, the proponent seeks an increase of:

- 11.3m to maximum building height and
- 2.5:1 over 374 New South Head Road and 2:1 in FSR over 376-382 New South Head Road.

4.2 Proponent's concept

The proponent's documentation included a concept for the site under the proposed controls. The building shown is a seven storey mixed use development comprising four levels of commercial development from the ground floor to level 4 and three levels of residential development on levels 5 to 7. No parking is proposed within the development.

The floor plate of the existing building at Nos. 376-382 New South Head Road would be extended laterally to the west to include No. 374. The concept building does not have setbacks on any side.

The ground floor would remain as retail and levels 2 to 4 would be commercial. A total of fifteen residential apartments are shown over levels 5 to 7. Levels 5 and 6 each contain six studios/one bedroom apartments with balconies to all street frontages. Level 7 shows three, one bedroom dwellings set against Goldman Lane. A roof garden is shown at the corner of New South Head Road and Knox Street with a cutaway roof. The proponent's photomontage of the concept is shown below in Figure 7 and the proponent's oblique view of the concept is shown in Figure 8.



Figure 7: Proponent's photomontage of a seven storey mixed use building constructed to a height of 26m as viewed from New South Head Road looking west.

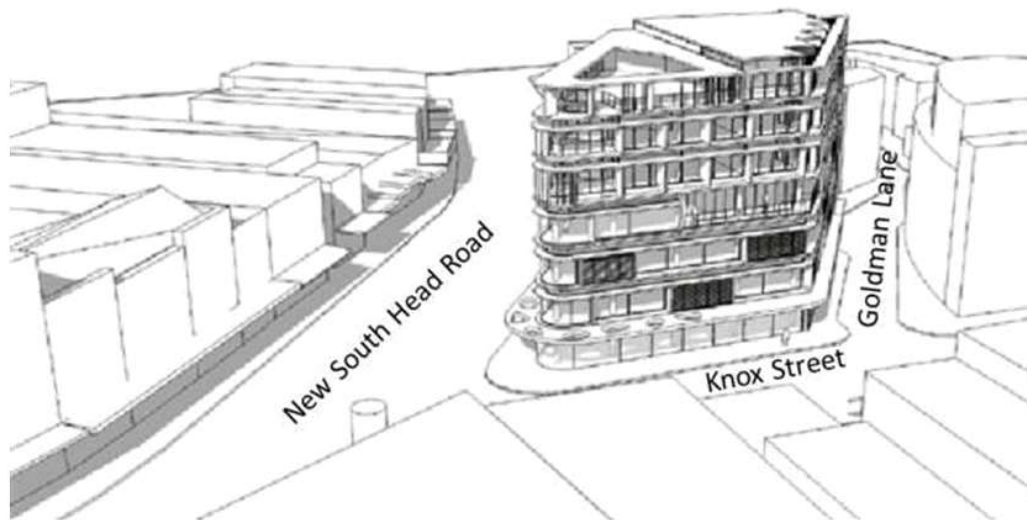


Figure 8: Proponent's oblique view of concept looking west

Figures 9 and 10 below show the proponent's concept in elevation at the New South Head Road frontage and Knox Street frontage. The existing building on Nos. 376-382 New South Head Road is shown in white, the alterations and additions approved under DA568/2013 are shown in green and the proponent's proposed concept is shown in blue.



Figure 9: Proponent's concept - New South Head Road elevation

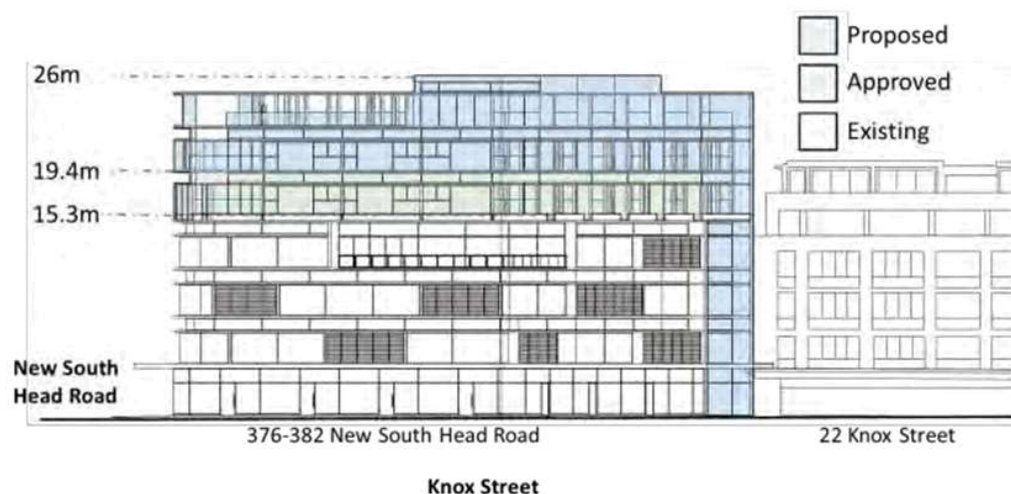


Figure 10: Proponent's concept - Knox Street elevation

5. Review of the planning proposal

Section 55 of the *Environmental Planning and Assessment Act 1979* (the Act) sets out what information a planning proposal is to include when submitted for a gateway determination. The Department of Planning and Environment has prepared *A guide to preparing planning proposals* (the guidelines) dated October 2012 to help proponents meet the requirements of the Act. We have reviewed the proponent's request for a planning proposal in accordance with section 55 of the Act and the guidelines. The review identified that the proposed height and FSR for the site are excessive and are not supported.

The assessment has been conducted in two parts; consideration of the strategic merit of the proposal and review of the proponent's concept and requested planning controls.

5.1 Strategic merit

The strategic merit of increasing the height and FSR is assessed below. The review considered the consistency of the planning proposal with:

- A Plan for Growing Sydney (Department of Planning and Environment 2014)
- the Draft East Subregional Strategy (Department of Planning 2007)
- the Double Bay Place Plan which is Council's vision for the Double Bay Centre

5.1.1 A Plan for Growing Sydney and the Draft East Subregional Strategy

The planning proposal is consistent with A Plan for Growing Sydney and Draft East Subregional Strategy. The proposed planning control changes would increase the site's development potential for residential or commercial floor space in the Double Bay Centre.

The Centre provides a broad range of services and jobs and is well serviced by public transport. Increasing housing choice within and around existing centres through urban renewal is considered best planning practice for the efficient use of resources and existing infrastructure.

Woollahra Municipal Council
Urban Planning Committee Agenda

2 November 2015

Whilst acknowledging that the planning proposal would meet the broad objectives and outcomes in the two State Government planning strategies in so far as facilitating additional housing and employment, it should be noted that the quality and design of development and its impact on the overall character of centres is also an important consideration. The Draft East Subregional Strategy recognises the need for improved design quality.

A Plan for Growing Sydney is a high level strategic planning document and deals with urban design and design quality in a very superficial manner. These are matters which are taken up by SEPP 65 and Council's development control plan.

5.1.2 Double Bay Place Plan

The Double Bay Place Plan sets out a series of strategies, priorities and actions aimed at achieving a new vision and place story for Double Bay. It introduces a placemaking approach to the management, future planning and development of Double Bay to ensure that the vision and place story are achieved.

Strategy 3.2 of the Double Bay Place Plan is to provide increased housing opportunities for people to live in Double Bay. Action 3.2.1 is to create a more diverse housing mix in Double Bay to make housing more affordable for young people and to increase the residential population of the village. Action 3.2.1 contains four parts:

1. Commissioning an economic study to examine the opportunities for an additional residential population accommodated in Double Bay in smaller apartments with car share
2. Reporting the outcome of that study to Council
3. Amendment of Council's planning controls in the Woollahra LEP 2014 and Woollahra Development Control Plan 2015 as required to encourage new moderate scale housing
4. Working with and providing assistance to landowners to implement the revised planning controls

Stages one and two of this action are complete. The Double Bay Economic Feasibility Study prepared by Hill PDA was reported to the Urban Planning Committee meeting of 7 September 2015. On 28 September 2015 Council resolved to receive and note the report, conduct a review of planning controls in the Double Bay Centre and prepare a community engagement strategy. The review will be based on the recommendations and policy options presented to the Urban Planning Committee by Hill PDA Consulting on 7 September 2015.

The key recommendation from Hill PDA Consulting is to review Council's existing planning controls in the Double Bay Centre to facilitate redevelopment. This review should have particular regard to FSR. On the basis of economic feasibility only, the study identified that most sites in the Centre require an FSR of at least 2.8:1 and generally more than 3:1 for viable development to occur. Hill PDA recommend that Council considers a review of the planning controls to permit an FSR of between 3:1 and 3.5:1¹. The appropriate FSR, within this range, would be dependent on urban design testing and other environmental considerations.

Council's planning and urban design staff will now carry out a fine-grain urban design review of the built form implications of permitting an FSR of between 3:1 and 3.5:1.

¹ Page 71 of the Double Bay Economic Feasibility Study 2015

Woollahra Municipal Council
Urban Planning Committee Agenda

2 November 2015

Proponent's comments

The proponent's consultant, MD Planning, states that the Hill PDA study "in effect, recommends increased development yield for properties within the Double Bay Town Centre to encourage increased growth". MD Planning also notes that the Urban Planning Committee recommended that a further report be prepared based on the policy options identified in the Hill PDA study. MD Planning suggests that both Hill PDA and the Urban Planning Committee support increased development yields in the Double Bay Centre to encourage growth. MD Planning also states that the additional housing that could be provided under the proposed planning controls is a desirable outcome that would add to the vitality and economic impetus of the Centre.

Staff response

Whilst the proponent's request would increase the development potential of the site, amending the height and FSR as suggested is not supported as:

- the proponent's request for an FSR of 5:1 is 1.5:1 greater than the maximum FSR identified by Hill PDA to facilitate viable redevelopment
- a seven storey height limit would not be required to accommodate a 3.5:1 FSR which is the maximum FSR identified in the Hill PDA report.

To complete Stage 3 of Action 3.2.1 of the Double Bay Place Plan, Council will be carrying out a review of the planning controls for the Centre over the coming months. That review should not be driven by ad-hoc requests to amend planning controls on individual sites. Rather, future planning control changes for the subject site should have regard to the broader strategy for the Double Bay Centre. In this respect the proposed planning control changes are not supported. The review will incorporate public participation with stakeholders in Double Bay which the owners of this site can take part in.

The existing consent under DA568/2013 would provide an additional 13 dwellings on Nos. 376-382 New South Head Road at an FSR of 4.42:1. The proponent's concept submitted with the planning proposal yields just three additional units despite:

- proposing an FSR of 5:1
- extending the site laterally to include No. 374 New South Head Road
- increasing maximum building height to 26m which would allow three additional storeys

Only an extra three dwellings are provided under the concept submitted with the planning proposal as level 4 of the existing building would not be converted to residential use. Whilst increasing residential density is desirable, the three additional units would have a negligible impact on the vitality and economic impetus of the Centre.

5.1.3 Approval history in the Double Bay Centre

Proponent's comments

The proponent's consultant, MD Planning, states that over recent years Council has approved development that exceeded the height and FSR controls for the Centre. The approvals for the Cosmopolitan Centre at 2-22 Knox Street and Kiaora Lands were specifically identified as two examples.

Staff response

The approval for the Cosmopolitan Centre was for alterations and additions to an existing six storey building. The maximum height of the building remained at 20.7m.

The approval for the Kiaora Lands development was for a new building which had a maximum building height of 19.9m. The non-compliance was for the plant equipment which was setback from New South Head Road and did not contribute to building bulk. The maximum height of the building at the New South Head Road frontage is 16.8m which complies with the current 18.1m Woollahra LEP 2014 control. The approved building also delivers a public benefit by providing a new public library.

These heights were assessed and considered to be suitable on individual merit. Neither development application exceeded the maximum building height control by the 77% margin requested by the proponent.

5.2 Review of proponent's concept and requested planning controls

The review of the proponent's concept considered the following matters:

- SEPP 65 and its supporting document the Apartment Design Guide,
- the objectives of Woollahra LEP 2014 and
- relevant controls in Chapter D5 Double Bay Centre of the Woollahra Development Control Plan 2015 (Woollahra DCP 2015).

The review identified a range of issues that have been addressed below in order of significance. Specifically:

- Consistency with the desired future character of the centre
- The need for additional height and FSR on corner sites
- Shadowing impacts
- Privacy impacts

The review concludes that based on the proponent's concept plans and shadow diagrams the proposed planning control changes are not appropriate in this location.

5.2.1 Consistency with desired future character of the Double Bay Centre

The desired future character of the Double Bay Centre is defined by a number of components of the Woollahra LEP 2014 and Chapter D5 Double Bay Centre of the Woollahra DCP 2015. The Woollahra LEP 2014 contains objectives and development standards and Woollahra DCP 2015 contains objectives, strategies, character statements and control drawings.

A building envelope for this site is defined using the maximum building height in Woollahra LEP 2014 and the setbacks in Chapter D5 Double Bay Centre of the Woollahra DCP 2015.

Relevant objectives of Woollahra LEP 2014 are objective (a) of clause 4.3 *Height of Buildings*:

- (a) *to establish building heights that are consistent with the desired future character of the neighbourhood,*

and objective (b) of clause 4.4 *Floor space ratio* for development in the B2 zone:

- (b) *for buildings in Zone B1 Neighbourhood Centre, Zone B2 Local Centre, and Zone B4 Mixed Use—to ensure that buildings are compatible with the desired future character of the area in terms of bulk and scale.*

In Chapter D5 Double Bay Centre, section D5.4 Street Character describes the desired future character of each street in the Double Bay Centre. This site is bounded by three streets, each of which have their own character statements:

- D5.4.3 New South Head Road
- D5.4.6 Knox Street
- D5.4.12 Goldman Lane

These statements identify that the desired future character of the site is a maximum of four storeys. Figure 11 is an extract from Council's 3D block model of the Double Bay Centre.

The model illustrates the building envelope for the north and south side of New South Head Road and the proponent's suggested maximum building height for the site. The envelope is based on the maximum building heights in Woollahra LEP 2014 and the setback controls in Chapter D5 Double Bay Centre.

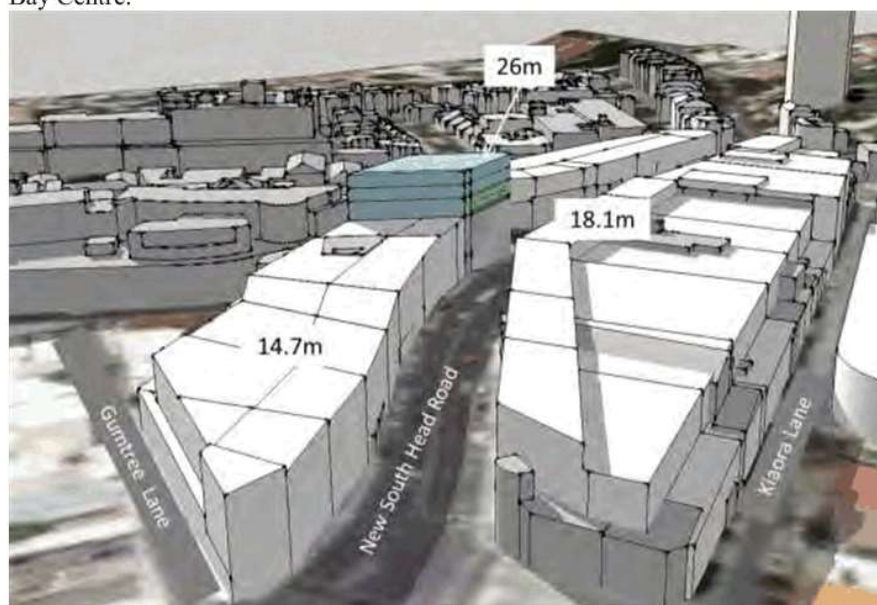


Figure 11: Council's 3D model of existing building envelopes on the north and south side of New South Head Road and the proponent's proposed building envelope.

Proponent's comments

The proponent's documentation states that the 26m height (7 storeys) would balance the future proportions of New South Head Road and Knox Street and is 'eminently reasonable'. The documentation refers to the planning principle *compatibility in the urban environment* which is outlined in the Land and Environment Court appeal *Project Venture Developments v Pittwater Council* [2005] NSWLEC 191.

Under this planning principle, two questions are posed to determine compatibility:

1. Are the physical impacts on the surrounding development acceptable?

The proponent states that there will not be unreasonable impacts on adjoining properties and includes comment on overshadowing and privacy.

Woollahra Municipal Council
Urban Planning Committee Agenda

2 November 2015

2. Is the concept's appearance in harmony with the buildings around it and the street?
The proponent states that:
 - significant weight must be put on the future built form permitted under Council's planning controls, and that many adjoining buildings are underdeveloped,
 - the appearance of the foreshadowed development will be consistent with the existing building on 376-382 New South Head Road,
 - that corner sites require strong corner buildings above the prevailing planning controls,
 - that a seven storey building reflects the unique characteristics of this site.

Staff response

Planning principle: compatibility in the urban environment

1. Are the physical impacts on the surrounding development acceptable?

The physical impacts of the proponent's concept are addressed in detail in sections 5.2.3 and 5.2.4 of this report.

2. Is the concept's appearance in harmony with the buildings around it and the street?

The model in Figure 11 above shows that the requested 26m (7 storeys) height limit is inconsistent with the desired future character of the location. The model shows the maximum future built form on the north and south side of New South Head Road under Council's planning controls and what is requested for the subject site.

The requested height is an increase of 77% on the current controls that apply to the site and northern side of New South Head Road. The requested control would allow a building which is two storeys and 43% higher than the 18.1m (5 storeys) applying to the south side of New South Head Road. More broadly, the 3D model demonstrates that the requested height is inconsistent with the maximum building height of 18.1m (5 storeys) permitted in the Double Bay Centre. In this context, it cannot be concluded that the proponent's requested controls will result in a built form that is compatible with the Double Bay Centre.

The appearance of the proponent's concept is of similar design to the existing façade of the building at Nos. 376-382 New South Head Road. However, the requested height control is not in harmony with the buildings surrounding it as outlined above.

The need for a building which is 'above the planning controls' because the site is a corner site is assessed in detail below in section 5.2.2 of this report. In summary, the existing building on Nos. 376-382 New South Head Road exceeds the current maximum height and FSR controls, as does the consent for DA568/2013. The existing and approved building more than adequately enhance the corner presence and no further increase to height and FSR controls are necessary on this basis.

The site's characteristics include:

- being located at the corner of two important streets in the Double Bay Centre,
- having three frontages and
- being highly visible from Knox and New South Head Road.

Woollahra Municipal Council
Urban Planning Committee Agenda

2 November 2015

This site is not the only site in the Centre with similar characteristics. There are nine other sites with similar characteristics along New South Head Road which are nominated for bonus FSR under Woollahra LEP 2014. No additional height and floor space ratio is required on this basis.

The requested FSR of 5:1 is an increase of more than 66% on the maximum FSR for this site and Double Bay generally. Such an increase is incompatible with the desired future character of the site and Double Bay Centre. It is also 1.5:1 greater than the maximum FSR identified by Hill PDA to facilitate viable redevelopment.

After comparing the requested controls to the maximum built form in this part of Double Bay it is evident that the building envelope created would be incompatible with the urban environment and the desired future character of the Centre. Further comment on the desired future character of the centre and objectives of Woollahra LEP 2014 is provided below.

Controls in Chapter D5 Double Bay Centre which define the desired future character

Chapter D5 of Woollahra DCP 2015 contains objectives, strategies and controls that help define the desired future character of the Double Bay Centre. Comment is provided on the relevant sections of Chapter D5 in the table below.

DCP Section	Comment on consistency
Objectives of Chapter D5	
<i>O7 To ensure that new development is compatible with the existing built form, and streetscape and village character.</i> Note: Objectives 1 to 5 are not relevant and the requested controls are not inconsistent with objectives 6, 8 and 9.	The planning proposal is inconsistent with objective 7 as the requested maximum building height is: - incompatible with the existing built form and streetscape of the block the site is located in and the north side of New South Head Road. - inconsistent with the desired future character of the site which is four storeys and the Double Bay Centre which is a maximum of five storeys.
Strategies for the Double Bay Centre	
<i>Improve Double Bay's built form to provide appropriate definition to the public domain</i>	The planning proposal is inconsistent with this strategy for the reasons outlined below.
a) Provide direction and certainty of outcome in relation to built form to ensure: - a coherent street scale; - compatibility with existing urban fabric; - a variety of building types; - a high level of environmental amenity. b) Promote high quality architectural design throughout the centre that positively contributes to the streetscape.	The requested maximum building height would not provide a coherent street scale on the north side of New South Head Road and would be incompatible with the existing urban fabric on the north and south side of New South Head Road. The requested height would therefore not positively contribute to the streetscape.
c) Ensure that new development is compatible with the existing built form, streetscape and village character.	The requested maximum building height is a 77% increase on the existing control and would be incompatible with the existing built form, existing streetscape and desired future character of the north and south side of New South Head Road.

Woollahra Municipal Council
Urban Planning Committee Agenda

2 November 2015

DCP Section	Comment on consistency
d) Establish building envelopes that define building height and building lines (at lower and upper levels) to provide coherent street definition.	The requested controls will create inconsistent maximum building heights along the north side of New South Head Road, particularly at the east and west corners of Knox Street. This change will reduce the coherency of upper levels of the street.
e) Reinforce continuous active retail frontages along street boundaries.	The planning proposal is not inconsistent with this point.
f) Reinforce the presence of corner buildings addressing the public domain, recognising their importance in the centre in terms of street vistas, urban scale and identity.	Whilst the presence of the corner of Knox Street and New South Head Road would be increased, the requested height and FSR would result in a building that is inconsistent with the scale of development envisaged for this site and the Double Bay Centre as a whole. The existing building and the building approved under DA568/2013 sufficiently reinforce the presence of this corner site.
g) Encourage view sharing and privacy.	This point is addressed below in section 5.2.4 Privacy impacts
5.6.3.1 Building envelopes	
The building envelopes in Chapter D5 were established to allow development that maintains the environmental amenity of buildings and the public domain with regard to building bulk, overshadowing, access to natural light and ventilation and views. Objective O1 states: <i>Development should contribute to the desired future character of streetscapes with appropriate and consistent building forms.</i>	As outlined above, the planning proposal is inconsistent with the building envelope for the north side of New South Head Road and the Double Bay Centre generally. The impacts on amenity in terms of privacy and overshadowing are addressed in sections 5.2.3 and 5.2.4 below.

Consistency with relevant Woollahra LEP 2014 objectives

The planning proposal is inconsistent with objective (a) of clause 4.3 *Height of buildings* of Woollahra LEP 2014 as the proposed controls are incompatible with the desired future character of the Double Bay Centre.

The requested 5:1 FSR is inconsistent with objective (b) of clause 4.4 *Floor space ratios* as it will result in a building with a bulk and scale that is not compatible with the desired future character of the area for the reasons outlined above.

Planning conclusions

The requested planning controls are inconsistent with the desired future character of Double Bay and relevant objectives of Woollahra LEP 2014. The building envelope created by the planning proposal would be incompatible with the maximum built form permitted on the north and south side of New South Head Road and is not supported.

Woollahra Municipal Council
Urban Planning Committee Agenda

2 November 2015

5.2.2 The need for additional height and FSR on corner sites

Chapter D5 Double Bay Centre, clause 5.6.3.5 *Corner buildings* encourages strong corner buildings for 17 sites in the Double Bay Centre as discussed in section 2 above. Nos. 376-382 New South Head Road is one of these sites. The proponent argues that the current building at the corner of New South Head Road and Knox Street lacks presence and prominence and does not take the opportunity to enhance the corner and strengthen the position of the Double Bay Centre.

The introduction of clause 5.6.3.5 *Corner buildings* states:

Corner buildings are highly visible and provide the opportunity for notable design solutions. Strong corner buildings can provide valuable street definition. Existing buildings within the study area that provide this definition include the buildings on the corners of Knox Street and New South Head Road, and Coopers Corner on the intersection of Bellevue Road and New South Head Road (emphasis added).

As demonstrated by this extract and contrary to the proponent's submission, there is no need to increase the maximum height and floor space ratio on the site to enhance the street definition.

Further, the existing consent under DA568/2013 permits an additional storey of development above the existing maximum building height which will give the site prominence compared with any other building on the north side of New South Head Road.

The requested FSR control of 5:1 is 66% over the 3:1 FSR that is offered under clause 4.4A *Exceptions to floor space ratio (Area 1 – Double Bay)* in Woollahra LEP 2014. There are no characteristics of this site which warrant such an increase to FSR.

The purpose of clause 4.4A is to allow additional FSR on corner sites so that buildings can provide a continuous streetwall on each frontage. As the existing building already provides a continuous streetwall on all four levels to New South Head Road and Knox Street, additional FSR is not required to give the building prominence.

The planning proposal also seeks to increase the maximum building height on this corner site to increase prominence. Although corner sites may be permitted additional FSR, additional height is not granted to increase prominence. As the site is already identified as having a strong corner building, the site does not warrant additional height to increase its presence or prominence.

Council's Urban Designer provided advice on the planning proposal regarding the need to increase the prominence of the building on this site. The advice notes that neither Eeles Trelease nor Hill Thalys actually promote the necessity for height when producing strong corner buildings despite the proposed 11.3m increase to the maximum building height. The referral states:

In my opinion, along streets the width and character of those in Double Bay, the height of buildings required to create a strong corner expression need not be any higher than the adjacent buildings.

Regarding the review of heights and floor space ratios in the Centre as part of the Double Bay Place Plan, Council's Urban Design Planner states that:

The current height limits of four and five storeys are being reviewed. The height that is determined to be appropriate for the street height will, in my opinion, also be appropriate for corners.

The height and floor space ratio for this site can be considered in the context of the review of height and FSR controls of the entire Centre. As stated above, the owners of this site will have opportunity to participate as stakeholders in this review.

The prominence of this corner site is acknowledged and the quality and modulation of the existing building should, and indeed does, reflect its position in the Centre. However, prominence is not dependant on the building being higher than those adjoining it.

Planning conclusions

The existing building appropriately defines this corner as noted in Chapter B3 of the Woollahra DCP 2015. The building approved under DA 568/2013 will further increase this site's prominence. Increasing height and floor space ratio controls for this site as proposed is not required to create a strong corner building on this site.

5.2.3 Shadowing

A 14.7m height limit applies to the north side of New South Head Road, partly to provide solar access to existing buildings and the public domain on the south side of New South Head Road.

Objective (c) and (d) of clause 4.3 *Height of Buildings* of Woollahra LEP 2014 are:

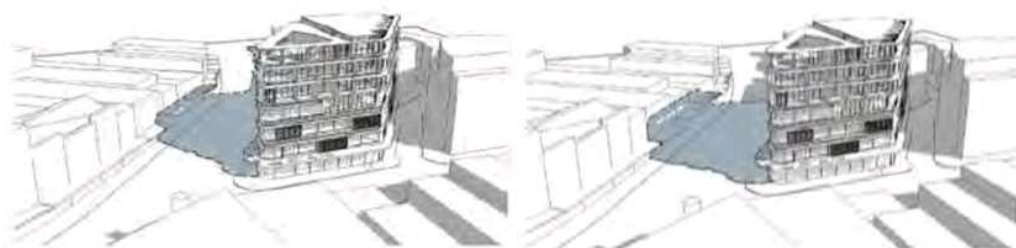
- (c) *to minimise the loss of solar access to existing buildings and open space,*
- (d) *to minimise the impacts of new development on adjoining or nearby properties from disruption of views, loss of privacy, overshadowing or visual intrusion,*

In the Woollahra Development Control Plan 2015, Chapter D5 Double Bay Centre addresses solar access in clause 5.6.6.1 *Solar access*. Objective O1 and control C1 of that clause are:

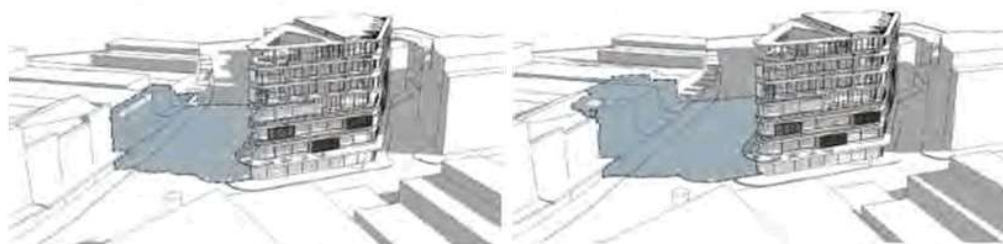
- O1 Minimise overshadowing of adjoining properties or publicly accessible spaces.*
- C1 Preserve solar access to Guilfoyle Park and the footpath on the south side of Knox Street, Cross Street, and New South Head Road between 12 noon and 2pm on 21 June.*

Proponent's comments

The proponent submitted shadow modelling of their concept for the site which is shown below in Figures 12 to 15.



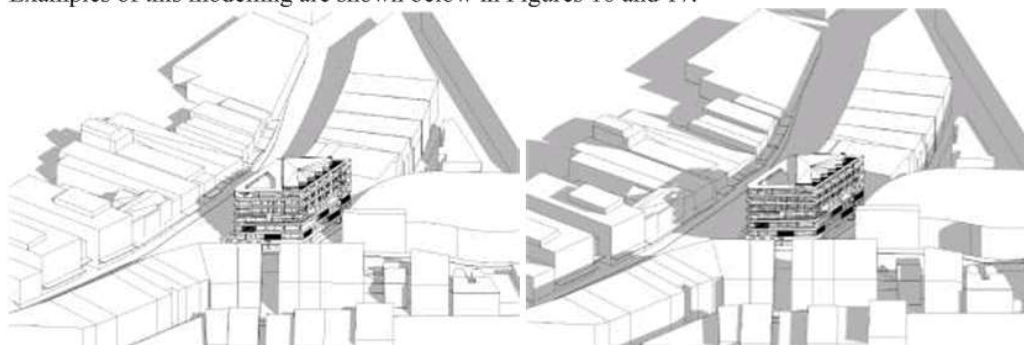
Proponent's shadow modelling of the concept submitted with the planning proposal on 21 June - Figure 12 (left): 12:00pm and Figure 13 (right) 1:00pm



Proponent's shadow modelling of the concept submitted with the planning proposal on 21 June – Figure 14 (left): 2:00pm and Figure 15 (right): 3:00pm

Further shadow diagrams were included in the proponent's planning report which compare the shadowing created by the concept for the site and the 14.7m maximum building height that applies to the north side of New South Head Road.

This modelling shows that at 3pm, buildings constructed to a height of 14.7m would completely overshadow the footpath and part of the buildings on the southern side of New South Head Road. Examples of this modelling are shown below in Figures 16 and 17.



Proponent's shadow modelling of the concept and submitted with the planning proposal on 21 June – Figure 16 (left): 12:00pm and Figure 17 (right): 3:00pm

Staff response

As the shadow diagrams in Figures 12 to 15 above show, the planning proposal will not preserve solar access to the south side of New South Head Road between 12 noon and 2pm on June 21. Staff have verified the proponent's shadow modelling and identified that part of the southern side of New South Head Road opposite the site will be in shadow from 10am on 21 June onwards.

Public domain solar access is seen as a critical control within the Double Bay Centre. Council staff have consistently sought compliance with clause 5.6.6.1 *Solar access* of Chapter D5 Double Bay Centre. The proponent's submission shows a 26m height limit does not:

- minimise overshadowing as required by objective O1,
- maintain solar access to the south side of New South Head Road as required by control C1.

Regarding the shadowing potentially created by the current 14.7m height control, the maximum building heights in the Double Bay Centre were increased from 13.5m to 14.7m with the introduction of Woollahra LEP 2014.

Woollahra Municipal Council
Urban Planning Committee Agenda

2 November 2015

The increase allows new development in the Double Bay Centre to provide floor to ceiling heights consistent with those identified in the Apartment Design Guide. The increase encourages more liveable buildings in the Centre by allowing more light to penetrate into buildings and for better noise insulation between floors.

The shadowing created by the increase from 13.5m to 14.7m is minimal. The south side of New South Head Road is partially affected by additional shadowing after 1pm, with the majority of footpath being in shadow at 1:30pm. By contrast, the proponents concept will overshadow the southern side of the road opposite the site in the peak period of activity between 10am and 2pm.

Consistency with relevant Woollahra LEP 2014 objectives

A 26m height limit is inconsistent with objectives (c) and (d) of clause 4.3 *Height of Buildings* of Woollahra LEP 2014, as it:

- does not minimise the loss of solar access to existing buildings,
- does not minimise the impacts of new development on adjoining or nearby properties in terms of overshadowing, and
- will have unacceptable overshadowing impacts on the public domain on the south side of New South Head Road.

Planning conclusions

The planning proposal does not meet the objectives of Woollahra LEP 2014 or the overshadowing objective and control in Chapter D5. The planning proposal will result in shadowing on the opposite side of the road three hours earlier than under the 14.7m maximum building height permitted by the current controls. For these reasons the proposed maximum building height of 26m is not supported.

5.2.4 Privacy impacts

State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development (SEPP 65) seeks to improve the design quality of residential apartment development in New South Wales. SEPP 65 is supported by the Apartment Design Guide which provides greater detail on how residential development proposals can meet these principles through good design and planning practice.

The Apartment Design Guide was prepared, in part, to assist planning professionals in local government with strategic planning and in the preparation of local controls. Part 2 of the Apartment Design Guide explains the application of building envelopes and primary controls including height, floor space ratio, building depth, separation and setbacks. It provides tools to support the strategic planning process when preparing planning controls.

On the issue of privacy, Part 2F *Building separation* of the Apartment Design Guide outlines minimum distances between apartments to improve amenity and provide acoustic and visual privacy. These distances vary depending on building height as outlined in the table below.

Minimum separation distances for buildings are: <i>Up to four storeys (approximately 12m):</i> 12m between habitable rooms/balconies 9m between habitable and non-habitable rooms 6m between non-habitable rooms
<i>Five to eight storeys (approximately 25m):</i> 18m between habitable rooms/balconies 12m between habitable and non-habitable rooms 9m between non-habitable rooms
<i>Nine storeys and above (over 25m):</i> 24m between habitable rooms/balconies 18m between habitable and non-habitable rooms 12m between non-habitable rooms

Woollahra LEP 2014 objectives

Clause 4.3 *Height of Buildings* of Woollahra LEP 2014 includes one objective regarding privacy:

- (d) *to minimise the impacts of new development on adjoining or nearby properties from disruption of views, loss of privacy, overshadowing or visual intrusion,*

Proponent's comments

The proponent states that:

- the issue of SEPP 65 would be the subject of a further assessment under a future DA,
- there is an intervening laneway which provides spatial separation between the site and the Cosmopolitan Centre at 2-22 Knox Street, and
- the issue of privacy can be resolved with 'appropriate privacy measures'.

Council response

It is relevant to consider the Apartment Design Guide during the assessment of the planning proposal as apartments may be provided in new development on this site. Building separation is a relevant consideration as the planning proposal would increase the maximum building height for the site from 14.7m (4 storeys) to 26m (7 storeys).

The Apartment Design Guide identifies that in five to eight storey apartment buildings, consideration should be given to a minimum separation distance of 18m between habitable rooms/balconies.

The Cosmopolitan Centre is located to the north west of the site. The upper levels of the Centre are residential dwellings with windows facing towards the site. The dwellings are between 10.5m and 14.5m from the western boundary of the site on Goldman Lane.

The proponent's concept includes apartments on levels 5 to 7. The proponent suggests that obscure privacy screens would be used between main living rooms and bedrooms on the western boundary. The apartments on level 5 and 6 are shown with balconies on Goldman Lane.

Figure 18 below shows the concept with balconies within 10.5m of the Cosmopolitan Centre and windows from primary living areas within 12m of the Cosmopolitan Centre. The separation distances are well below the 18m building separation identified in the Apartment Design Guide.

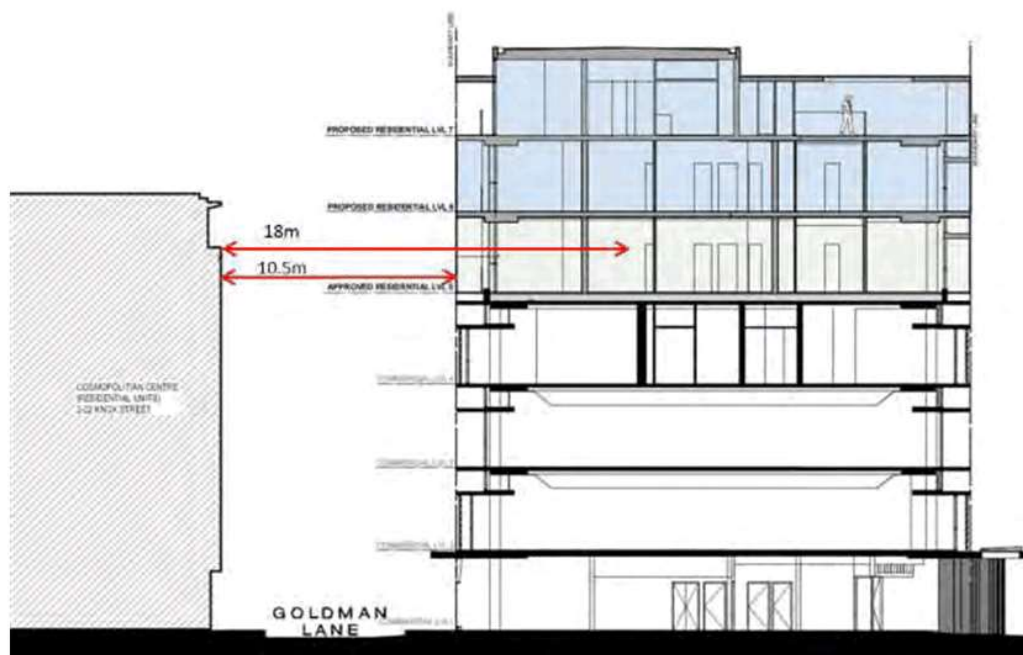


Figure 18: Section of proponent's concept and separation distances

Staff do not support the planning proposal as:

- the building envelope created by the maximum building height and existing setbacks in Chapter D5 Double Bay Centre are inconsistent with building separation distances in the Apartment Design Guide,
- the proponent's concept for the site is inconsistent with building separation distances in the Apartment Design Guide,
- no DCP amendments were suggested by the proponent to establish setbacks on levels 5 to 7 which are consistent with the Apartment Design Guide, and
- the use of privacy screens to manage acoustic and visual privacy between dwellings is an inferior alternative to building separation.

Consistency with relevant Woollahra LEP 2014 objectives

The planning proposal and proponent's concept do not minimise the impacts of new development on the privacy of 2-22 Knox Street by providing building separation that is consistent with the Apartment Design Guide. For this reason, the planning proposal is inconsistent with objective (d) of clause 4.3 *Height of Buildings*.

Planning conclusions

The building envelope created by the planning proposal does not provide adequate building separation between the site and 2-22 Knox Street Double Bay and is inconsistent with the relevant objective in clause 4.3 *Height of Buildings* in Woollahra LEP 2014.

6. Options

There are four options for responding to the planning proposal:

1. Prepare a planning proposal and submit it to the Department of Planning and Environment.
2. Prepare an amended version of the planning proposal and submit it to the Department of Planning and Environment.
3. Defer consideration of the planning proposal until the review of planning controls in the Double Bay Centre is complete.
4. Notify the proponent that the planning proposal is not supported.

Option 1: Prepare a planning proposal based on the proponent's requested planning controls and submit it to the Department of Planning and Environment requesting a gateway determination. A gateway determination would be requested under section 58(2) of the Act. The Minister, or delegate, will then issue a gateway determination specifying whether the planning proposal is to proceed and, if so, in what circumstances. The gateway determination would confirm the information and consultation required before the planning proposal can be publicly exhibited. Under section 59 of the Act, if a planning proposal is solely of local significance Council can seek the delegation of the plan-making steps. This planning proposal is considered to have local significance only. We consider that if the Council decides to proceed with the planning proposal, it should request the delegation of the plan-making steps. This delegation will be to the position of General Manager. It is sub-delegated to the position of Director, Planning and Development as provided in Council's resolution of 29 November 2012. Delegation of a planning proposal removes duplication and streamlines the plan-making process.

Option 2: Prepare an amended planning proposal based on the proponent's requested planning controls and submit it to the Department of Planning and Environment requesting a gateway determination. We would again request a gateway determination and seek delegation of the plan making steps.

Option 3: Defer consideration of the planning proposal until the review of planning controls for the Double Bay Centre is complete. The planning proposal could then be reconsidered in the context of recommendations on height and FSR for the Double Bay Centre generally.

Option 4: Notify the proponent that the planning proposal is not supported. This is our preferred approach.

For the reasons outlined in this report, the proponent would be notified that the planning proposal is not supported. If Council does not support the planning proposal or does not indicate its support within 90 days, the proponent can ask the Department of Planning and Environment for a pre-gateway review. Under this review mechanism, the Joint Regional Planning Panel will undertake an independent review of the planning proposal.

7. Planning agreement

The proponent has indicated that they would be open to negotiating a planning agreement with Council. We have not seen the terms of the proponent's offer. Should a planning agreement be submitted to Council it would be considered and reported to Council for consideration.

Woollahra Municipal Council
Urban Planning Committee Agenda

2 November 2015

Notwithstanding, the merit of the planning proposal should be considered separately to the terms of the planning agreement. If a draft planning agreement was accepted by Council, it could be advertised concurrently with the planning proposal. If the Council decides not to proceed with the planning proposal, a planning agreement would not be pursued.

8. Conclusion

We conclude that the planning proposal does not have strategic merit and should not proceed. We note that:

- Future planning control changes for this site should be informed by the broader strategy for the Double Bay Centre. In this respect the requested planning control changes are excessive and are not supported.
- The requested planning control changes are inconsistent with the scope of review for the Double Bay Centre controls recommended in the Hill PDA study.
- The requested planning control changes are inconsistent with the desired future character of the Centre.
- No additional height and FSR is required to create a strong corner building on this site. The existing building together with its approved additional level adequately defines the corner.
- The requested maximum building height will create unacceptable overshadowing impacts to the public domain and buildings on the south side of New South Head Road.
- The building envelope created by the planning proposal does not provide adequate building separation between the site and the Cosmopolitan Centre.
- The planning proposal is inconsistent with the relevant objectives of Woollahra LEP 2014.

The maximum height and FSR for this site will be considered as part of the strategic review of heights and FSR in Double Bay Centre. The framework for this review was set by Council's decision of 28 September 2015. The owner of the site will be able to comment as part of any public participation during the review process.

Annexures

1. 374 and 376 - 382 New South Head Road, Double Bay - Planning Proposal - Annexure 1 (*circulated under separate cover*)

**Revised Planning Proposal
No. 374 and Nos. 376-382 New South Head Road,
Double Bay**

15th MAY, 2015 - AMENDED 1st MARCH, 2016
- AMENDED 29th MARCH, 2016

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374-376-382 New South Head Road, Double Bay

CONTENTS

1.0 INTRODUCTION	page 01		
1.1 Introduction, objectives and intended outcome			
2.0 PRECINCT STUDY	page 02		
2.1 Subject Precinct			
2.2 Subject Sites			
3.0 COUNCIL CONTROLS	page 04		
3.1 Woollahra Local Environment Plan 2014			
3.2 Woollahra Development Control Plan 2015 - Double Bay Centre			
4.0 REVISED PLANNING PROPOSAL	page 05		
4.1 Revised Planning Proposal			
4.2 Terms of Revised Planning Proposal: explanation of provisions			
5.0 JUSTIFICATION	page 12		
5.1 Revised Planning Proposal Requirement			
5.2 Relationship to Strategic Planning Policy			
5.2.1 Sydney Metropolitan Strategy			
5.2.2 Woollahra 2025 - Our Community, Our Place, Our Plan			
5.2.3 SEPP 65 - Design Quality of Residential Flat Development 2002			
5.3 Amenity Impacts			
5.3.1 Streetscape			
5.3.2 Assessment of Existing Character of the Site			
5.3.3 Assessment of Proposed Impact on the Site			
5.3.4 Future Precinct Analysis			page 26
5.3.5 Overshadowing			
5.3.6 New South Head Road Solar Access			
5.3.7 Privacy			
5.3.8 Social			
6.0 VIEW LOSS			page 26
6.1 Valleys and Ridges			
6.1.2 Neighbouring Views			
7.0 CONCLUSION			page 28
7.1 Conclusion			
APPENDIX A			page 29
A.1 Philip Thais Report 12 May 2015			
A.2 Philip Thais Report: Addendum to Urban Design Opinion of 12 May 2015, dated 19 th February 2016			
APPENDIX B			page 37
B.1 Philip Thais CV			
B.2 Eeles Trelease CV			
ADDENDUM			page 47
Revised Planning Proposal Matrix			

Job ref: 0412

Eeles Trelease pty ltd

1.1 INTRODUCTION

This report dated 1st March 2016 is a revision of the Planning Proposal for 7 levels dated May 2015. The Applicant has decided to proceed with a 6 Level Revised Planning Proposal. Eeles Trelease does not reside from it's support of the 7 Level Proposal, but acknowledges that the Revised Planning Proposal for 6 Levels is in response to a concern by the Officers of Woollahra Council.

This report has been prepared on behalf of the owner of No. 374 and Nos. 376-382 New South Head Road, Double Bay (subject sites), Fivex Pty Ltd, for consideration by Woollahra Council for a Revised Planning Proposal to amend the Woollahra Local Environment Plan 2014 (WLEP).

This report has been prepared by Eeles Trelease Pty Ltd Architects and Tony Moody, Consultant Planner with expert opinion by Philip Thalis of Hill Thalis Architecture + Urban Planning. Refer to Appendix B for Curriculum Vitae.

The Revised Planning Proposal seeks amendment of the WLEP in terms of Height and FSR over the subject sites.

This report supports a Revised Planning Proposal for the subject site as reflected in the concept plans attached to this report.

The report examines the impacts future development of the combined sites, No. 374 and Nos. 376-382 New South Head Road, Double Bay (subject sites), will have on the Double Bay Commercial Centre in terms of:

- Streetscape
- Social
- View Loss
- Overshadowing

A range of documents have been considered in the preparation of this revised report including, but not limited to, the following:

- Woollahra Local Environment Plan 2014 (WLEP)
- Woollahra Development Control Plan 2015 - Double Bay Centre
- State Environmental Planning Policy 65 (SEPP65)



2.1 SUBJECT PRECINCT

No. 374 and Nos. 376-382 New South Head Road, Double Bay are located within the heart of the Double Bay Commercial Centre on the corner of New South Head Road and Knox Street.

The area is mixed use: commercial, retail and residential varying from 2 storeys to 6 storeys, with taller (10+ storeys) buildings on the surrounding slopes of Edgecliff and Bellevue Hill.

The Double Bay Commercial Centre is well serviced by buses along New South Head Road, Edgecliff Train Station, a 15 minute walk from the Commercial Centre and ferries from Double Bay Wharf. The Kloria Lands development (Item D on Study Area Image) houses a large supermarket with extensive on site parking.

Open green space is a seven minute walk from the subject sites: Steyne Park, which has a large playing field, playground and access to the Harbour and Double Bay ferry wharf, and Guilfoyle Park on Bay Street, which provides a quiet sitting place within the Centre.

The subject precinct therefore enjoys a very high amenity.



2.2 THE SUBJECT SITES

No. 374 + Nos. 376-382 New South Head Road are located on the North side of New South Head Road within the Double Bay Commercial Centre. Nos. 376-382 New South Head Road are noted within the Woollahra DCP 2015 - Double Bay Centre as highly visible and (an) opportunity for notable design solutions, (refer 5.6.3.5 Corner Buildings, Figure 27).

No. 374 New South Head Road is the eastern half of a set of single storey shops, currently occupied by the pizzeria "Crust". At the rear of No. 374 New South Head Road is a substation 'kiosk' accessed off Goldman Lane.

Nos. 376-382 New South Head Road contain a 4 storey retail and commercial building on the corner of Knox Street and New South Head Road wrapping around in to Goldman Lane.

The building has been awarded for architectural excellence and sustainability, RAI NSW Commercial Award, RAI NSW Sustainable Architecture Commendation and AFI NSW Environmental Development Award among others. The building has also been referred to by numerous Councils throughout Sydney as an excellent example of treatment of the corner position.

Nos. 376 + 382 New South Head Road enjoy an active Development Consent, 568/2013, which allows for the conversion of the current L4 commercial floor to residential and an additional floor of studio and 1 bed apartments with no on site parking.

NO. 374 NEW SOUTH HEAD ROAD



FRONT NO. 374 NEW SOUTH HEAD ROAD

NO. 374 NEW SOUTH HEAD ROAD



REAR NO. 374 NEW SOUTH HEAD ROAD

NOS. 376-382 NEW SOUTH HEAD ROAD



NOS. 376 - 382 NEW SOUTH HEAD ROAD
VIEW TO THE CORNER OF NEW SOUTH HEAD ROAD AND
KNOX STREET



NOS. 376 - 382 NEW SOUTH HEAD ROAD
VIEW FROM KNOX STREET TO GOLDMAN LANE

NO. 374 + NOS. 376-382 New South Head Road, Double Bay

3.0 COUNCIL CONTROLS

3.1 WOOLLAHRA LOCAL ENVIRONMENT PLAN 2014 (WLEP)

The WLEP has been gazetted and came into force on 23d May 2015. Under WLEP, the following controls apply:

- Allowable FSR:
 - No. 374 New South Head Road - 2.5:1
 - Nos. 376 - 382 New South Head Road (item 4) 3:1 if the consent authority is satisfied that the development will be compatible with the desired future character of the zone in terms of building bulk and scale.

- Allowable Building Height:
 - No. 374 + Nos. 376-382 New South Head Road - 14.7m

The existing building currently occupying Nos 376 - 382 New South Head Road already exceeds the newly gazetted controls for Building Height and FSR.

- Height - 115.3m
- FSR - 3.12:1

The Development Consent 568/2013 granted on 7 July 2014 for Nos. 376-382 New South Head Road further exceeds these controls:

- Height - 19.4m
- FSR - 3.8:1

WLEP does not acknowledge the current approved envelopes for Double Bay Commercial Centre.

3.2 WOOLLAHRA DEVELOPMENT CONTROL PLAN 2015 - DOUBLE BAY CENTRE

The Woollahra Development Control Plan 2015 - Double Bay Centre acknowledges the importance of corner sites within the Centre.

5.6.3.5 Corner buildings

Corner buildings are highly visible and provide the opportunity for notable design solutions. Strong corner buildings can provide valuable street definition.

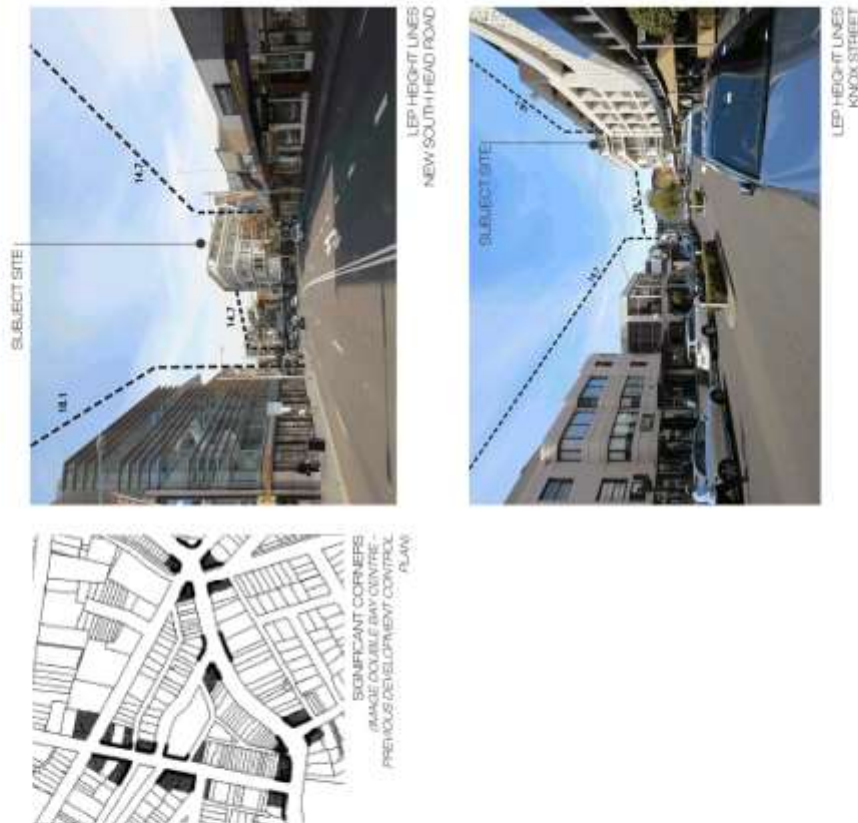
- Objective of - Encourage building massing and articulation that creates strong corner buildings

To achieve this desired streetscape outcome, additional height should be granted in the WLEP to the significant corner sites. There are a range of authoritative Planning and Architectural publications which stress the guideline of strong building elements on corner sites combined with the local Planning Controls.

Job ref: 0412

Eeles Trelease pty ltd

/04



NO. 374 + NOS. 376-382 New South Head Road, Double Bay

4.0 PLANNING PROPOSAL

4.1 THE REVISED PLANNING PROPOSAL

The Revised Planning Proposal for No. 374 and Nos. 376-382 New South Head Road recognises the accepted guidelines to strengthen built form on corner sites and establish a mixed use precinct comprising of both residential and commercial developments.

The Revised Planning Proposal seeks to add an additional storey to Nos.376-382 New South Head Road above the approved 5 storeys and extend that across to the adjoining property, No.374 New South Head Road, to create a combined 6 storey mixed use building. The ground floor across both sites would remain retail, the new L2 - L4 of No. 374 would remain commercial extending the floor plate of Nos. 376 - 382 and opening internal walls. The additional L5 and L6 is to be residential. L5 with 6 studios/1 beds with balconies along all street frontages. L6 with 5 studios/1beds with balconies and plant room. L6 would have the building bulk set against Goldman Lane and the corner of Knox Street taking advantage of northern orientation and views to Sydney Harbour. The prominent corner of New South Head Road and Knox Street would be highlighted by a roof garden on L6, with a cutaway roof allowing views through the corner to the sky.

The Revised Planning Proposal will create an iconic corner building in the heart of the Double Bay Commercial Centre.



NO. 374 + NOS. 376 - 382 NEW SOUTH HEAD ROAD
PHOTOMONTAGE OF PROPOSED VIEW TO THE CORNER OF NEW SOUTH HEAD ROAD

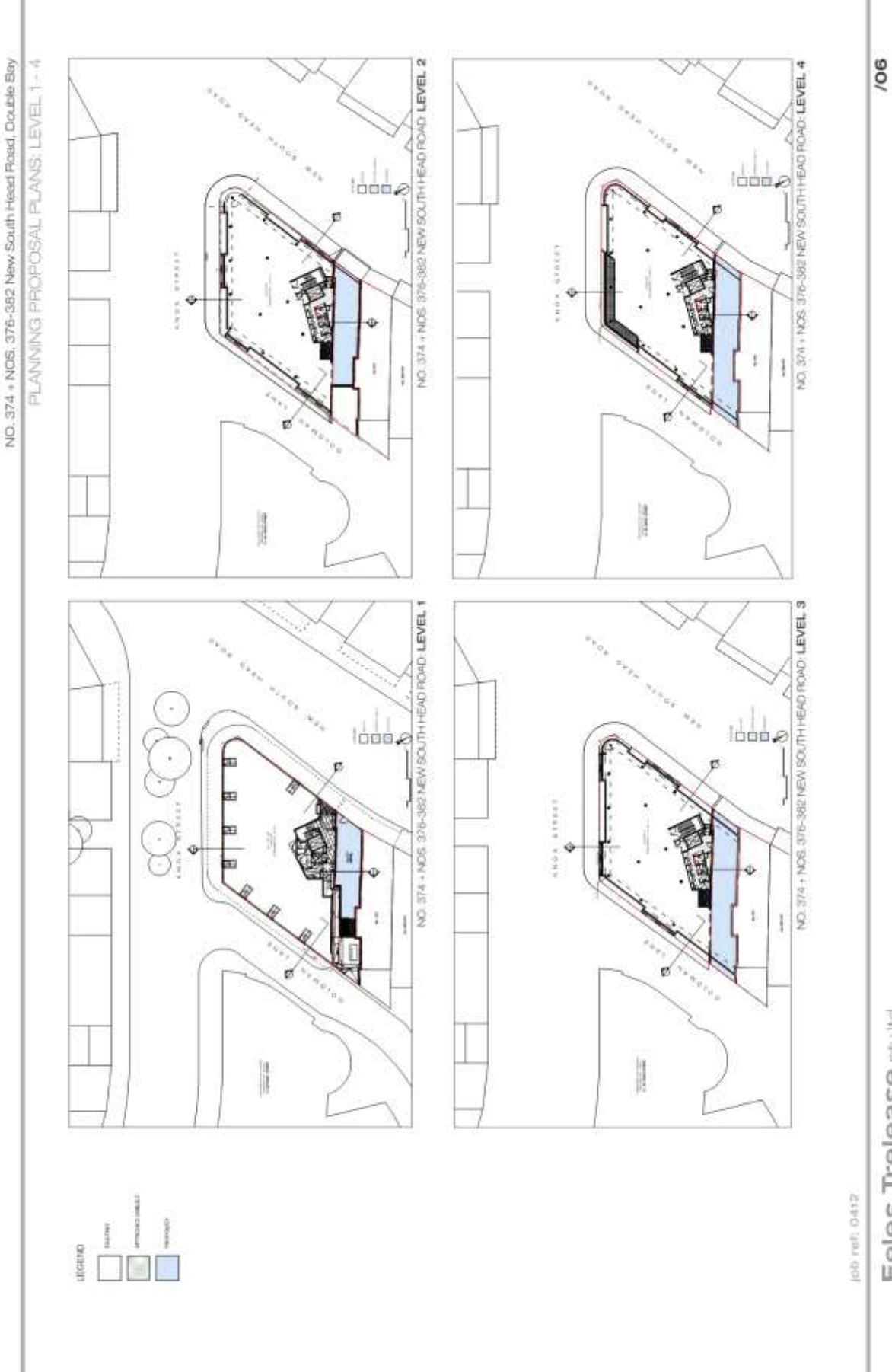


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PHOTOMONTAGE OF PROPOSED VIEW ALONG KNOX STREET

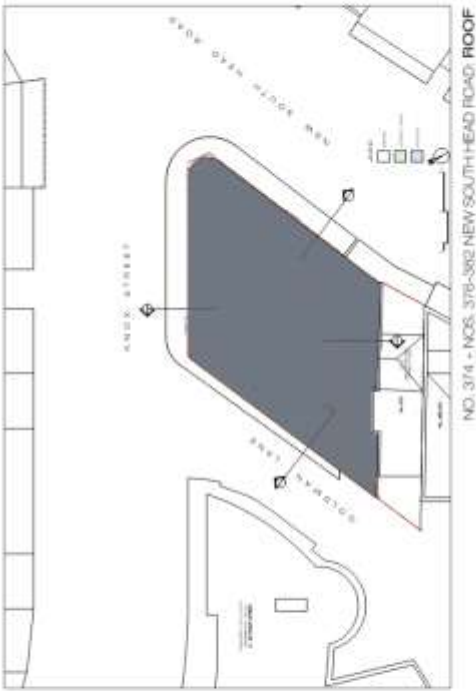
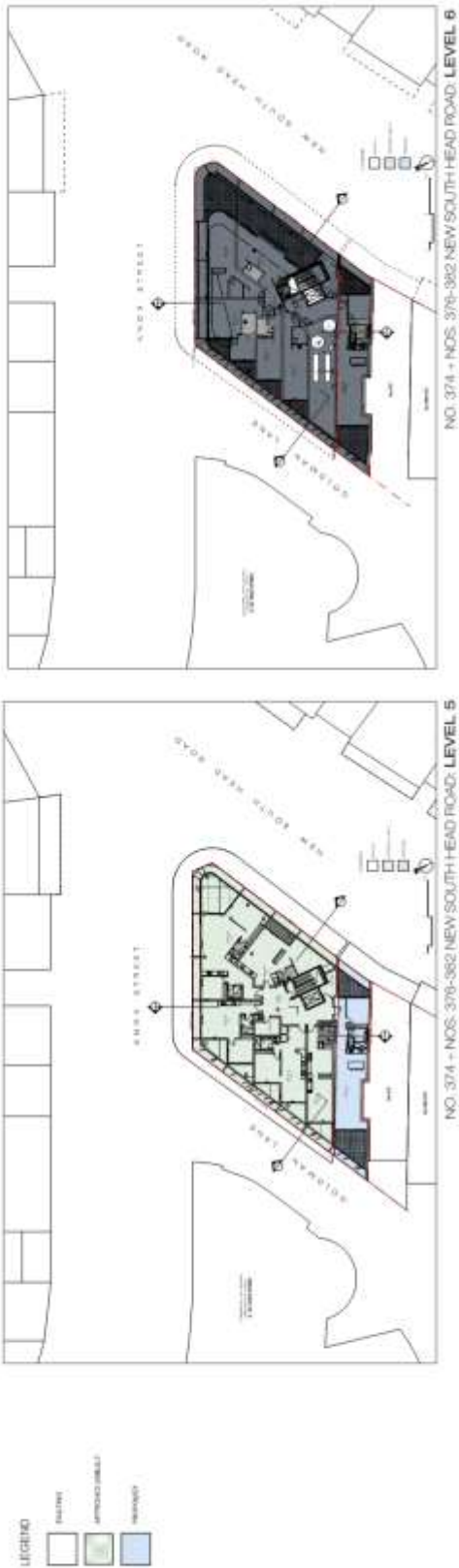
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NO. 374 + NOS. 376-382 New South Head Road, Double Bay
PLANNING PROPOSAL PLANS: LEVEL 5 - ROOF

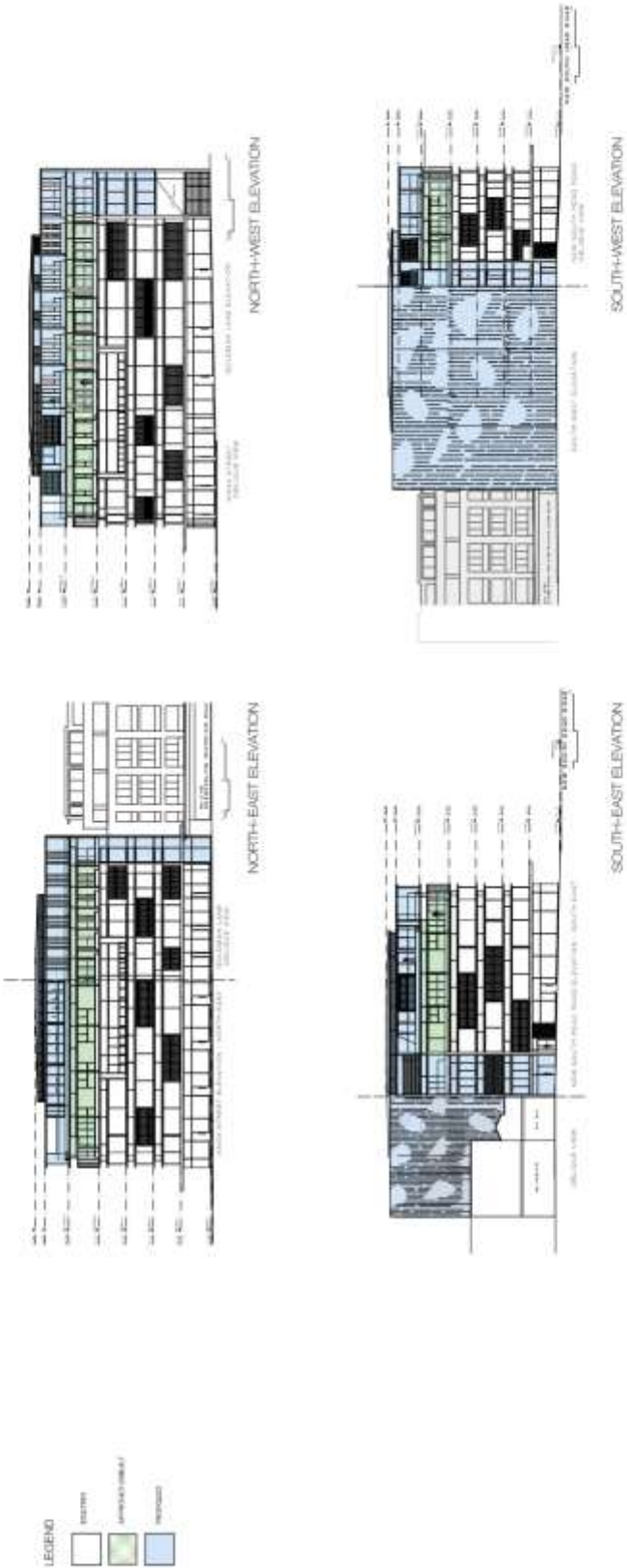


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NO. 374 + NOS. 376-382 New South Head Road, Double Bay

PLANNING PROPOSAL ELEVATIONS



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4.2 TERMS OF REVISED PLANNING PROPOSAL

The objective of the Revised Planning Proposal is to amend WLEP to grant additional Height and FSR across the subject sites. It is proposed that a site specific clause be inserted in WLEP reflecting the Height and Floor Space Ratio of the Revised Planning Proposal. By amending these controls, the Revised Planning Proposal establishes a building envelope which will reflect the significance of the subject sites and the intent of the Woollahra Development Control Plan 2015 Double Bay Centre, "(Our) vision for Double Bay is as a vibrant centre that offers a unique mix, working and shopping experience within a pedestrian friendly and attractive built environment".

The following clauses and maps are proposed to be amended: Height of Buildings and Floor Space Ratio

4.34 Exceptions to building heights (Areas A - J)

- (1) The objectives of this clause are as follows:
- (a) to ensure new development is consistent with the dashed future character of the neighbourhood
 - (b) to ensure new development is consistent with the surrounding buildings and the streetscape,
 - (c) to protect views and vistas that are in the public domain.
- (2) This clause applies to land identified as "Area A", "Area B", "Area C", "Area D", "Area E", "Area F", "Area G", "Area H" and "Area J" on the Buildings Map.
- (3) Despite clause 4.3, the height of a building on land to which this clause applies, in an Area indicated in Column 1 of the table to this clause, at the highest part of the land (exclusive of any access road(s)), must not exceed the height shown opposite that Area in column 2.

Column 1	Column 2
Area A	3.0 metres
Area B	4.0 metres
Area C	6.5 metres
Area D	7.5 metres
Area E	8.0 metres
Area F	10.5 metres
Area G	11 metres
Area H	14 metres
Area J	20.5 metres

refer to amended Height of Buildings Map

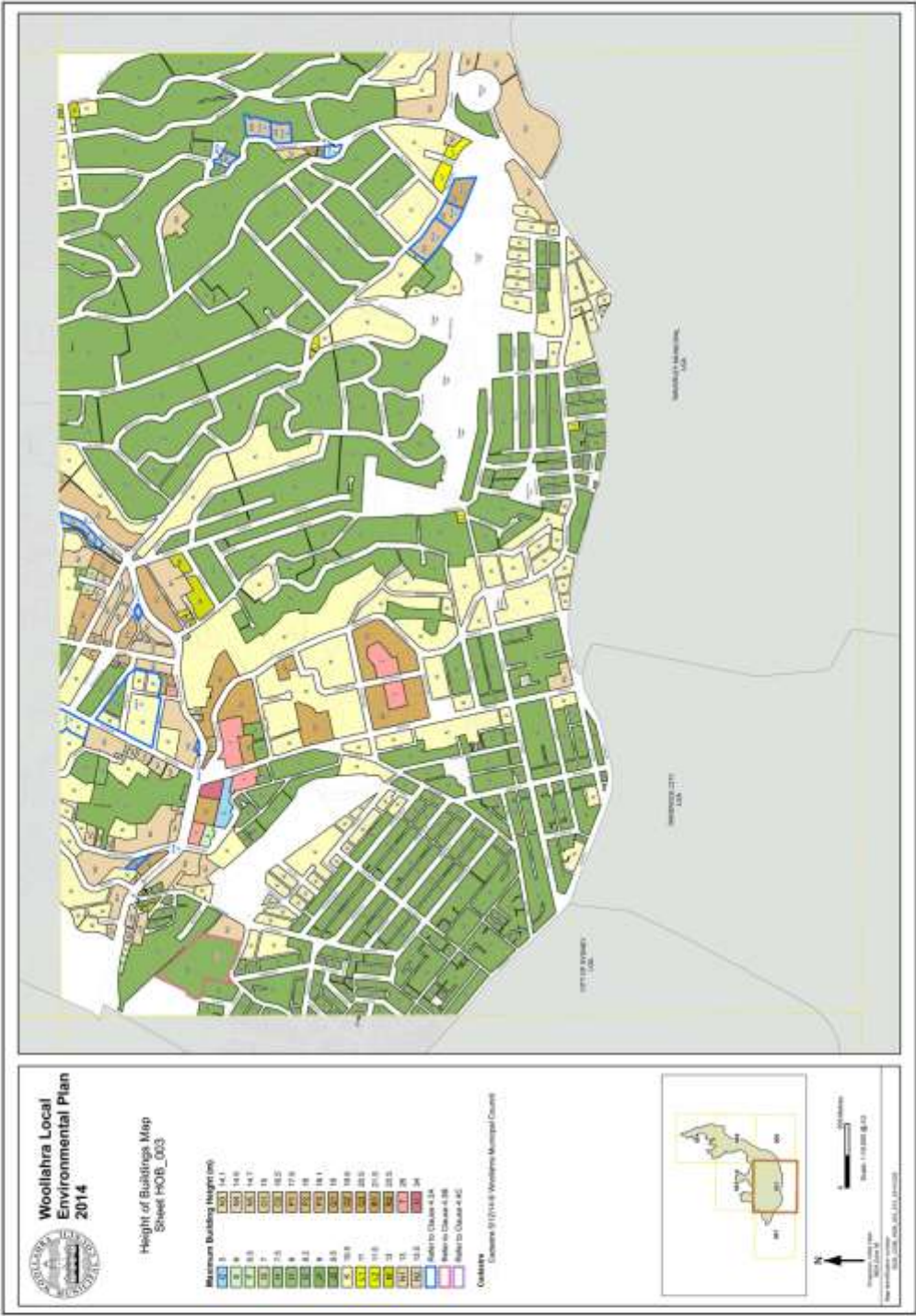
4.44 Exceptions to floor space ratio (Area 1 and 1A - Double Bay)

- (1) The objective of this clause is to encourage the development of prominent corner buildings in Double Bay.
- (2) This clause applies to land identified as "Area 1 - Area 1A" on the Floor Space Ratio Map.
- (3) Despite clause 4.4, development consent may be granted to development on land to which this clause applies that results in a floor space ratio that does not exceed 3:1 (Area 1) or 4:0:1 (Area 1A) if the consent authority is satisfied that the development will be compatible with the desired future character of the Zone in terms of building bulk and scale.

refer to amended Floor Space Ratio Map

NO. 374 + NOS. 376-382 New South Head Road, Double Bay

AMENDED HEIGHT OF BUILDINGS MAP



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/10

NO. 374 + NOS. 376-382 New South Head Road, Double Bay

5.0 JUSTIFICATION

5.2.2 WOOLLAHRA 2025 - OUR COMMUNITY, OUR PLACE, OUR PLAN

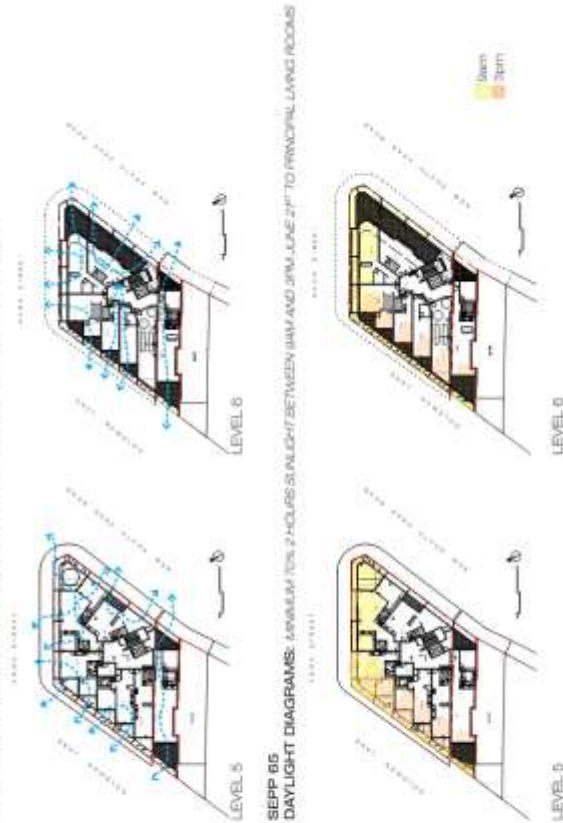
The Woollahra Council's Community Strategic Plan is the long term vision for the Municipality. The Planning Proposal is consistent with the outcomes of Goal 4 - Well Planned Neighbourhoods

4.4 Encourage diversity in housing choice to suit a changing population.

5.2.3 SEPP 65 - DESIGN QUALITY OF RESIDENTIAL FLAT DEVELOPMENT 2002

The Revised Planning Proposal will meet the requirements of SEPP 65 in terms of design quality.

SEPP 65 CROSS VENTILATION DIAGRAMS: MINIMUM 60% OF CROSS VENTILATION APARTMENTS



5.1 REVISED PLANNING PROPOSAL REQUIREMENT

The Revised Planning Proposal is required to seek the appropriate development of these key sites with the Double Bay Commercial Centre. The Applicant discussed the possibilities of the sites with Senior Council staff and the Mayor before preparing this Planning Proposal.

This Revised Planning Proposal is supported by the:

Proposed Development, No. 374 + Nos. 376 - 382 New South Head Road, Double Bay Urban Design Opinion Report 12 May 2015 by Urban Design Consultant, Philip Thalls, with Addendum to Urban Design Opinion of 12 May 2015, dated 19th February 2016, (Appendix A)
The Planning Report by Consultant Town Planner, Tony Moody (under separate cover).

5.2 RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

5.2.1 SYDNEY METROPOLITAN STRATEGY

A Plan for Growing Sydney
Issued by the NSW Planning and Environment

The Revised Planning Proposal is consistent with the directions of the NSW Planning Environment Plan for land use over the next 20 years. Double Bay Commercial Centre is within a nominated 'Urban Renewal Corridor' and Woollahra Council Municipality is nominated within the 'Central' sub region.

The Urban Renewal Corridors are nominated as 'essential areas required to meet the demand for new housing in Sydney over the next 20 years. The locations for urban renewal are located 'in or near the public transport network' with new housing being supported by 'social infrastructure' and by providing a 'variety of housing... that suits (their) lifestyle, household size and their budget'.

Woollahra Council sits within Central subregion which is 'a desirable place to live, work and visit.' The Revised Planning Proposal supports the directions of Urban Renewal and sub regions by creating a truly mixed use development; retail, three levels of commercial spaces and three levels one studio and one bed apartments in the heart of Double Bay commercial centre.

Job ref: 0412

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/12

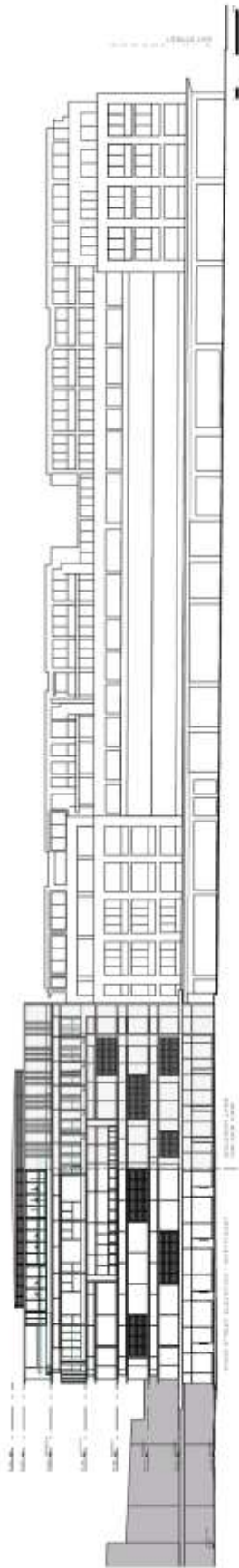
5.3 AMENITY IMPACTS

5.3.1 STREETSCAPE

The Revised Planning Proposal for the subject sites will allow an appropriate building to be built on this key corner location in the Double Bay Commercial Centre.

It should be noted that proportionally the new height proposal for the subject sites would assist the existing streetscape already established by the 2-22 Knox Street Cosmopolitan Shopping Centre, where the bulk of the building will be offset by Cosmopolitan Centre, as demonstrated in the Knox Street Elevation diagram below. The taller levels of the Revised Planning Proposal will also reflect the more significant importance of the subject sites compared to the Cosmopolitan Centre site.

The additional height sought in the Revised Planning Proposal will allow this corner site to remain a prominent feature within the Commercial Centre and into the future as surrounding buildings are developed under the Woollahra DCP 2015 - Double Bay Centre. Refer to Appendix A for opinion of Philip Thalls.



KNOX STREET ELEVATION

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NO. 374 + NOS. 376-382 New South Head Road, Double Bay

PRECINCT CHARACTER ANALYSIS

5.3.2 ASSESSMENT OF EXISTING CHARACTER OF THE CENTRE

Clause 5.3.2 (f) in Woollahra DCP 2015 - Double Bay Centre states the aims to "reinforce the presence of corner buildings addressing the public domain, recognising their importance in the centre in terms of street vistas, urban scale and identity." It is considered that the current New South Head Road and Knox Street corner condition lacks the presence and prominence to reflect the above aim. The current building sits modestly within its immediate context, and does not take the opportunity to enhance the corner and strengthen the position of the Double Bay Commercial Centre.

This is further eroded by reviewing the future streetscape adjusted by the construction of the new Double Bay Library. The corner site runs the risk of failing to provide a strong definition of the New South Head Road curvature as well as a strong corner identity.



EXISTING CHARACTER
NEW SOUTH HEAD ROAD



EXISTING CHARACTER
KNOX STREET

6.3.3 ASSESSMENT OF PROPOSED IMPACT ON THE CHARACTER OF THE CENTRE

The Revised Planning Proposal for the subject sites complements the Kioira Lands development in its siting, framing and defining the corner of New South Head Road. Strengthening the visual appeal of the Commercial Centre as a 'go-to' destination for both locals and visitors as noted on the Woollahra Council vision for the Double Bay Commercial Centre.

The development of Woollahra Council Library on New South Head Road and the volume of the Cosmopolitan Centre at 2-22 Knox Street already establish a higher built form on adjoining properties which further supports a higher built form on the subject site in recognition of this key corner site.



PROPOSED CHARACTER
NEW SOUTH HEAD ROAD



PROPOSED CHARACTER
KNOX STREET

Job ref: 0412

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/14

NO. 374 + NOS. 376-382 New South Head Road, Double Bay

PRECINCT CHARACTER ANALYSIS



FIGURE 1: NEW SOUTH HEAD ROAD



FIGURE 2: KNOX STREET

5.3.4 FUTURE PRECINCT ANALYSIS

The Revised Planning Proposal for No. 374 and Nos. 376-382 New South Head Road has a positive impact on the future character of the Centre. The proposed scale of the Revised Planning Proposal assist in balancing the future proportions of New South Head Road and Knox Street, as determined by the Woollahra DCP 2015 - Double Bay Centre and WLEP Height and Setback Controls, refer to Figure 1 and Figure 2.

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NO. 374 + NOS. 376-382 New South Head Road, Double Bay

SHADOW STUDIES WINTER SOLSTICE

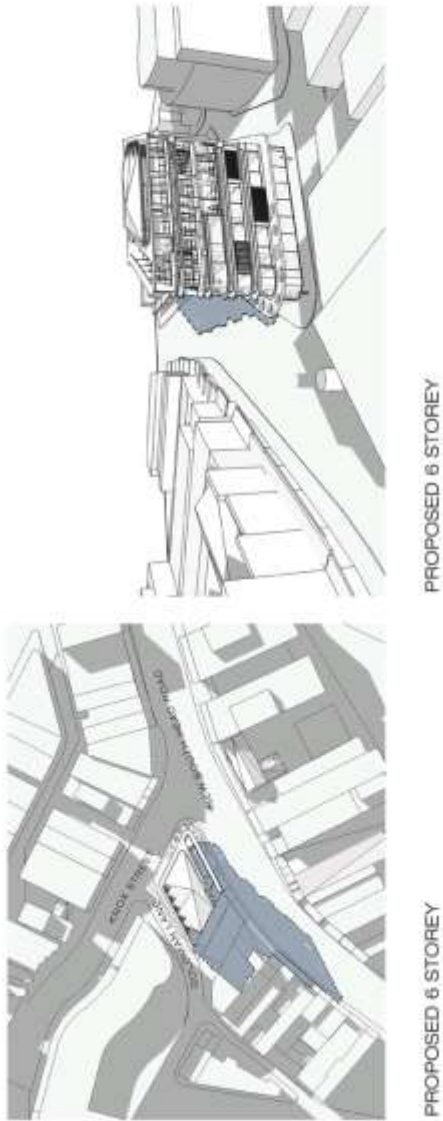
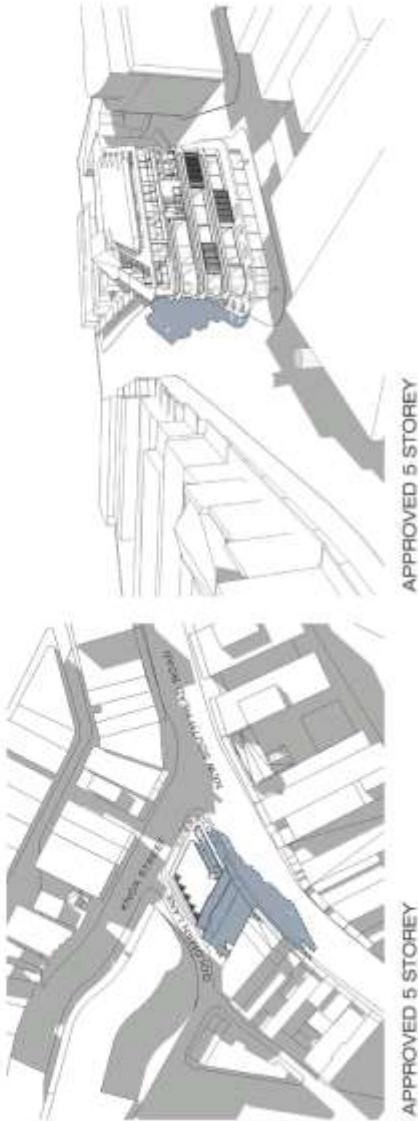
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5.9.5 OVERSHADOWING

Due to the orientation of subject sites and New South Head Road, the additional overshadowing created by proposed height and bulk primarily falls across New South Head Road.

Compared to the 5 Level approved scheme at the Equinox, there is some additional over shadowing of the southern footpath of New South Head Road after 2.30pm.

In mid Winter, the over shadowing of the south side of New South Head Road commences approximately 60mins earlier than the approved 5 storey consent. At all times, daylight access is maintained to the surrounding properties for a minimum of 2 hours between 9am and 3pm throughout the year. Refer to the Shadow Diagrams



NO. 374 + NOS. 376-382 New South Head Road, Double Bay
SHADOW STUDIES WINTER SOLSTICE

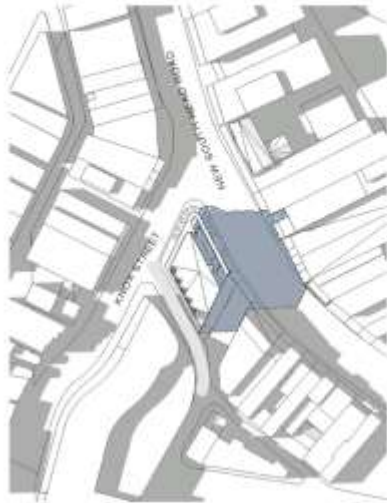
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APPROVED 5 STOREY



APPROVED 5 STOREY



PROPOSED 6 STOREY



PROPOSED 6 STOREY

job ref: 0412

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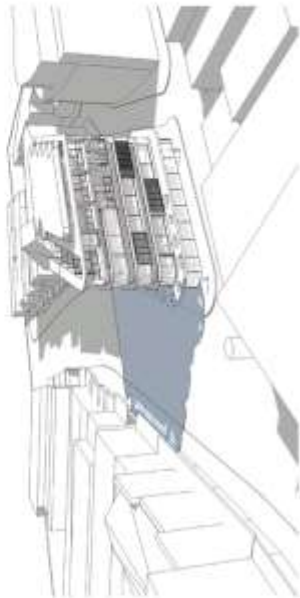
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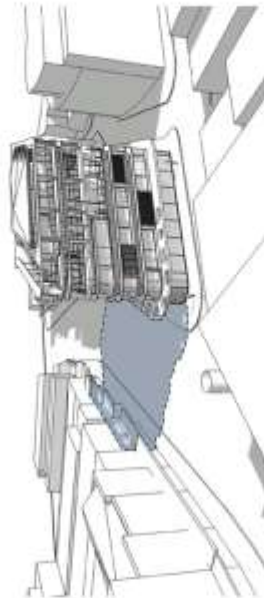
APPROVED 5 STOREY



APPROVED 5 STOREY



PROPOSED 6 STOREY



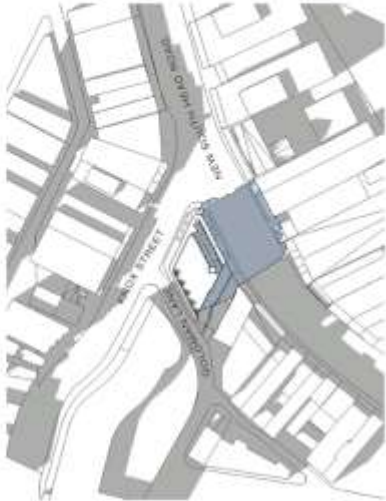
PROPOSED 6 STOREY

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SHADOW STUDIES WINTER SOLSTICE

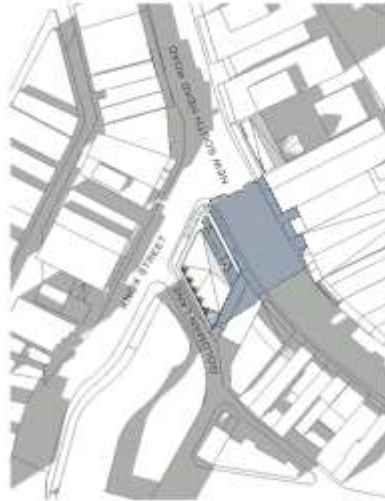
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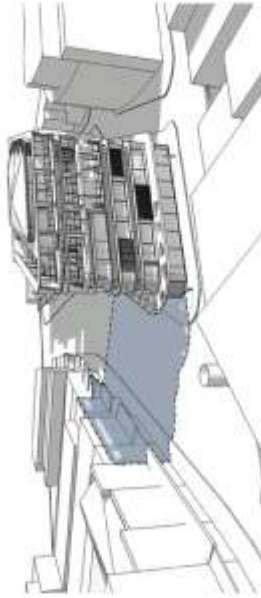
APPROVED 5 STOREY



APPROVED 5 STOREY



PROPOSED 6 STOREY



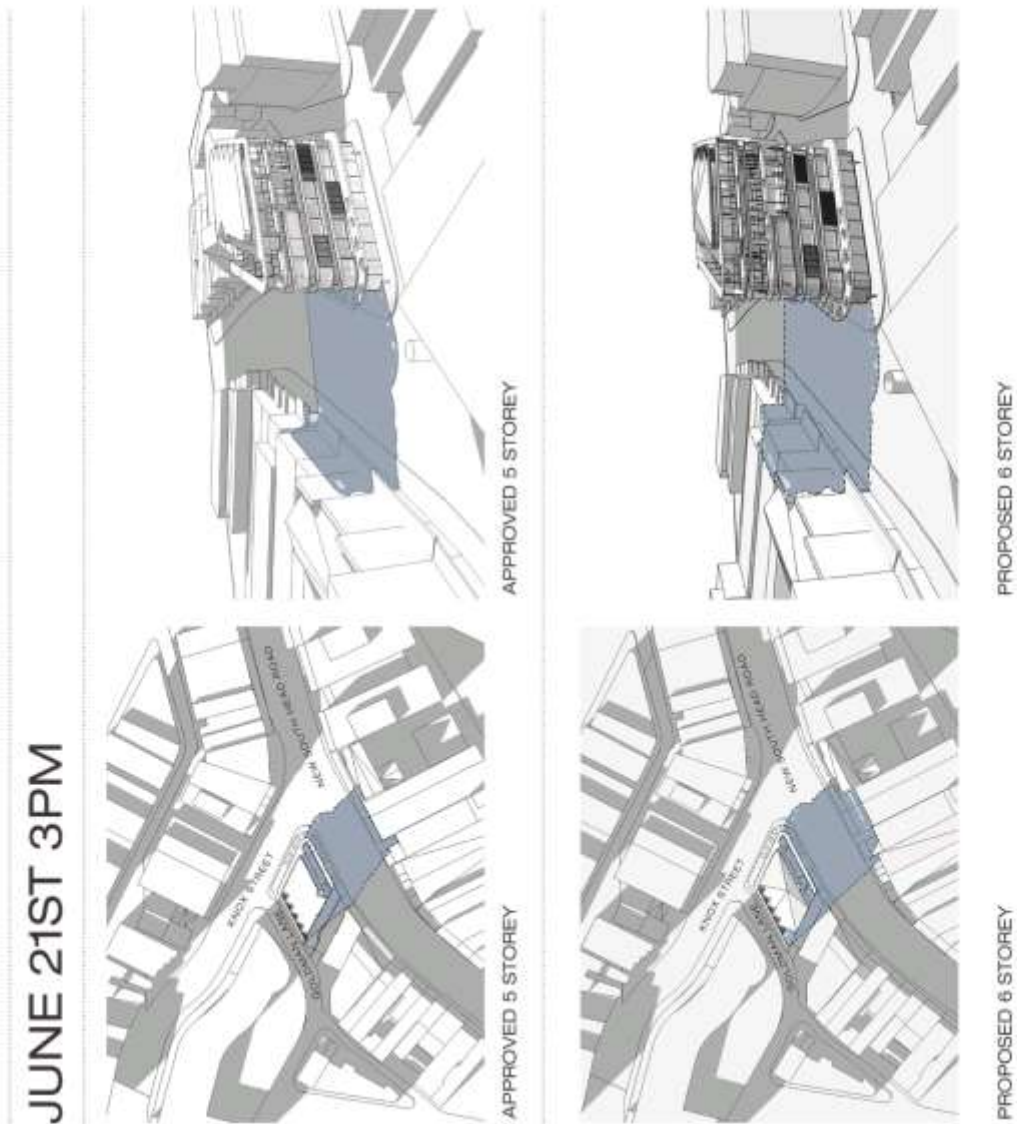
PROPOSED 6 STOREY

Job ref: 0412

Eeles Trelease pty ltd

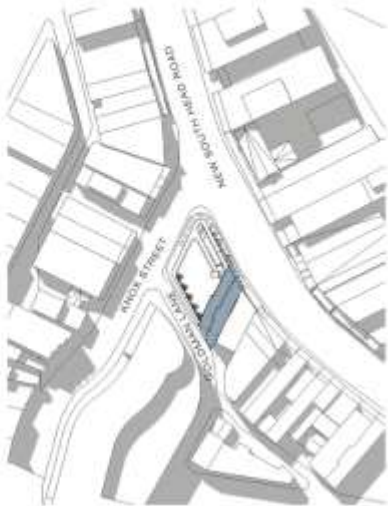
NO. 374 + NOS. 376-382 New South Head Road, Double Bay

SHADOW STUDIES WINTER SOLSTICE



NO. 374 + NOS. 376-382 New South Head Road, Double Bay

MARCH & SEPTEMBER 22 9AM



APPROVED 5 STOREY



APPROVED 5 STOREY



PROPOSED 6 STOREY



PROPOSED 6 STOREY

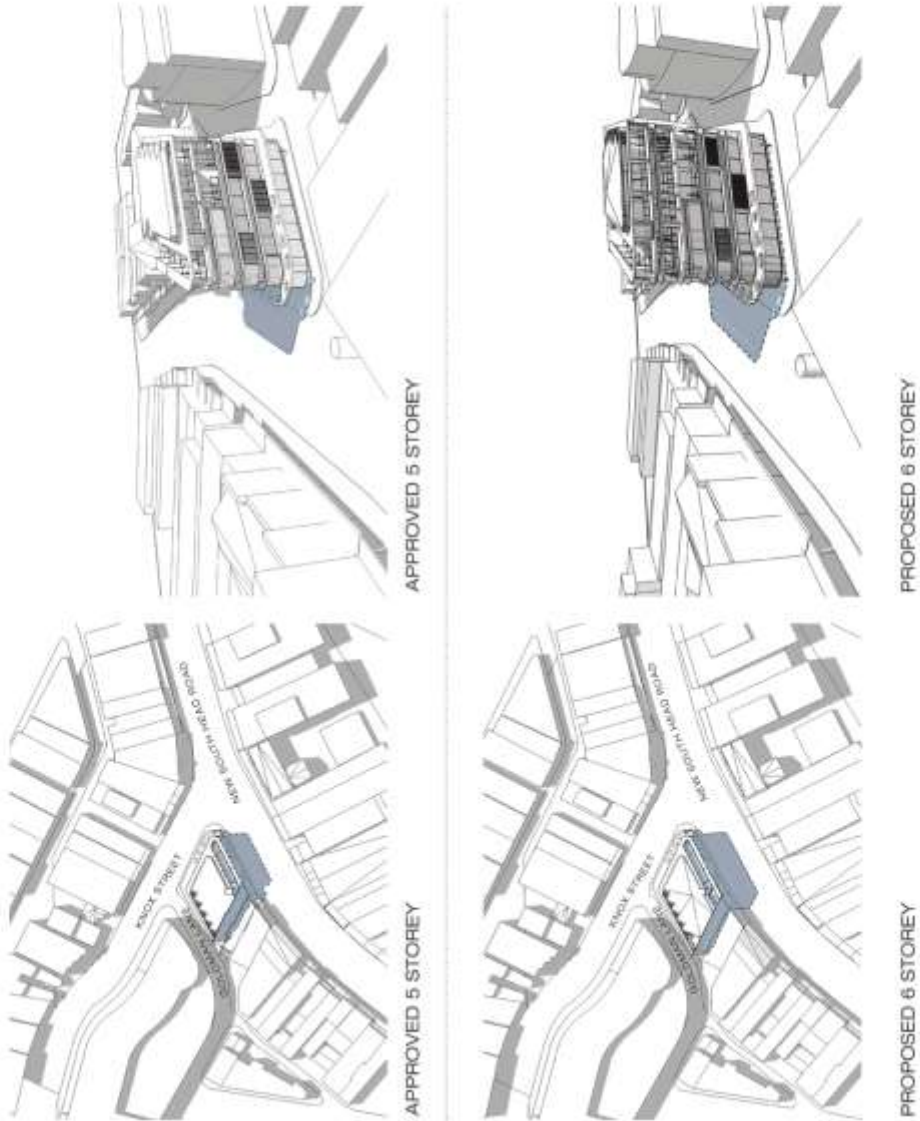
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NO. 374 + NOS. 376-382 New South Head Road, Double Bay

SHADOW STUDIES EQUINOX

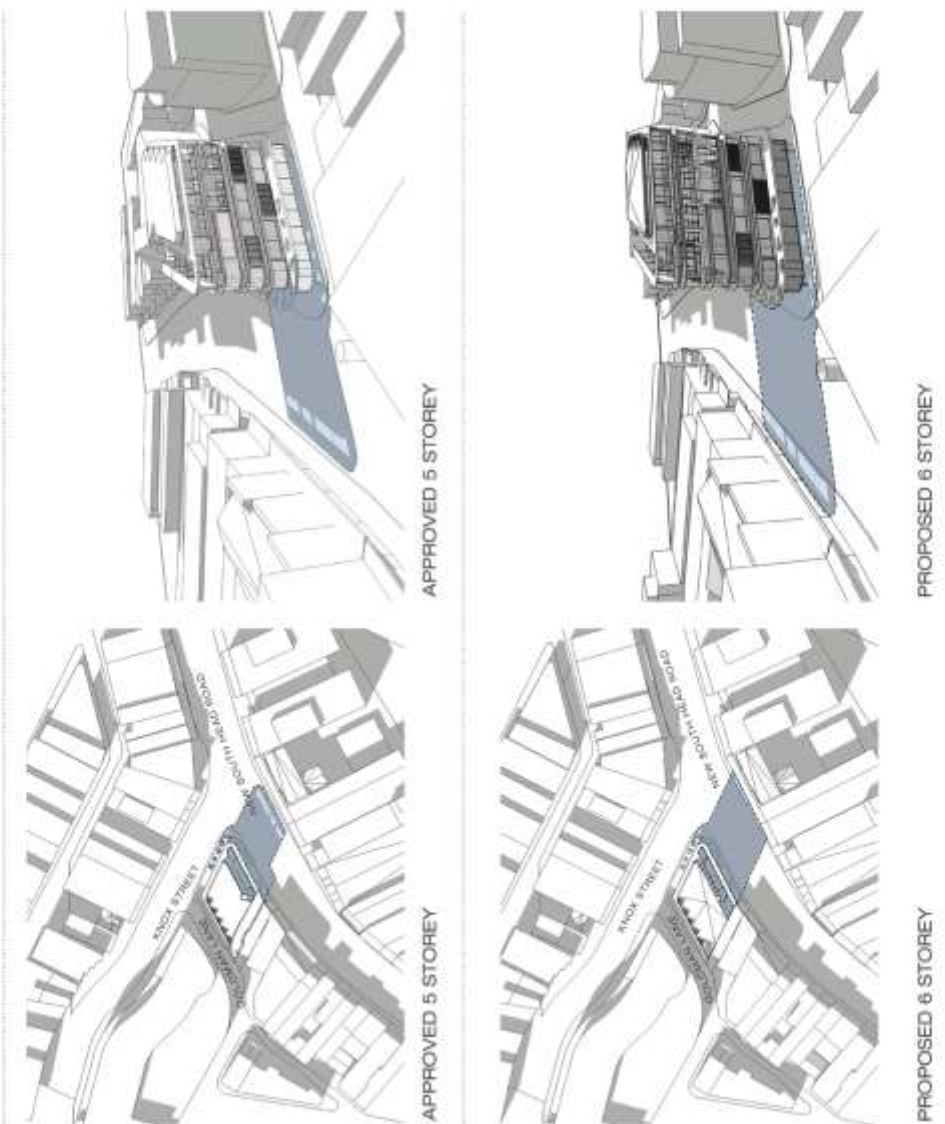
MARCH & SEPTEMBER 22 12PM



NO. 374 + NOS. 376-382 New South Head Road, Double Bay

SHADOW STUDIES EQUINOX

MARCH & SEPTEMBER 22 3PM



NO. 374 + NOS. 376-382 New South Head Road, Double Bay

CONTROL 6.6.3 C1 SOLAR ACCESS: COMPLYING HEIGHT CONTROL LEP 2014



5.3.8 NEW SOUTH HEAD ROAD SOLAR ACCESS

Solar access to the southern side of New South Head Road is expressed in clause 5.6.6.1 C1 of Woollahra DCP 2015 - Double Bay Centre which states ".....preserve solar access tothe footpath on the south side..New South Head road between 12 noon and 2pm on 21 June".

An analysis of the overshadowing created by Woollahra DCP 2015 - Double Bay Centre and WLEP Height Controls, the approved development for the subject sites and the Revised Planning Proposal reveals that the overshadowing of the southern side of New South Head Road within the Double Bay Commercial Centre is over less than 7% of New South Head Road.

This overshadowing will not have a detrimental effect on the properties along New South Head Road and is within expectations for established City Centres.



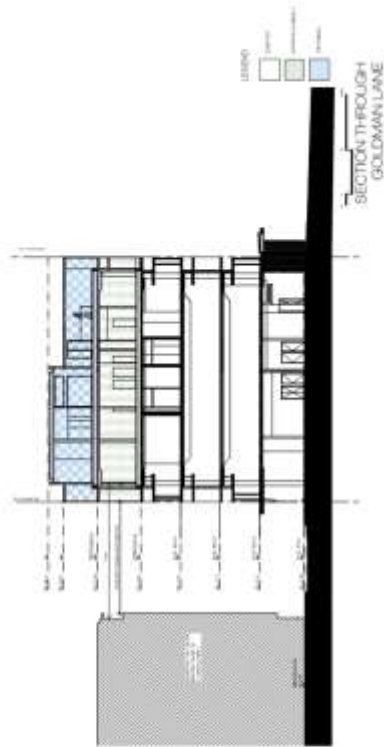
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/24

NO. 374 + NOS. 376-382 New South Head Road, Double Bay

SOCIAL IMPACT



5.3.7. PRIVACY

Visual privacy between the subject sites and its closest residential neighbour, No 2-22 Knox Street is maintained by the physical separation of 12m between the main living areas and bedrooms and the inclusion of obscure privacy screens along the western boundary.

5.3.8. SOCIAL

Double Bay Commercial Centre has the potential to be a vibrant working and living hub. The development of the subject sites as a truly mixed use building: ground floor retail, 3 levels of commercial and 2 levels of housing, provides this opportunity. By providing studio and 1 bed apartments within the Centre, large plate commercial floor plates and retail opportunities the Revised Planning Proposal can be a positive addition to the Commercial Centre. The development will assist in providing a unique opportunity for cultivating variety and density within the Double Bay Centre, strengthening the "livable communities" concept outlined in the Woollahra 2025. Our community, our place, our plan. Already in close proximity to existing infrastructure, hospitals, public transport and shopping centres, the additional residents would benefit local businesses that would now be readily accessed on a daily basis.

The Revised Planning Proposal will also complement the Ksora Lands Redevelopment project. By establishing housing in the Double Bay Centre, the Revised Planning Proposal will provide an immediate community to foster the growth of the commercial hub, and an increase in pedestrians in the heart of the Commercial Centre would favour the use of the intimate ground level networks, activating the existing and developing lane ways.

Examples like the Five-Dock Mixed Use Development, Bohème at Bondi Beach (by Bates Smart), St Margarets' redevelopment at Surry Hills (SJB) and The Tides in Collaroy provide precedents to the steps other Sydney Villages are taking in favouring density and improving the livability of the Urban Centre context. On a larger scale, this could be noted in the mixed use developments in the CBD such as the Hilton Hotel (Johnson Pilton Walker) and Aurora Place (Renzo Piano) which improves and regenerates the character of their site through constant building use.

Job ref: 0412

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NO. 374 + NOS. 376-382 New South Head Road, Double Bay

6.0 VIEW LOSS

6.1 VALLEYS AND RIDGES

Situated in a large natural amphitheatre, the relevant consideration would be the roof structure forming a foreground and obstructing Harbour views. However, as can be demonstrated in the diagram on this page, the scale of the Revised Planning Proposal is not significant enough to obstruct any views, either from the primary ridge locations, or at ground level.

Due to its positioning along the curvature of New South Head Road and at the base of the amphitheatre, the Revised Planning Proposal complies with the Woollahra DCP 2015 - Double Bay Centre 5.3.2 (a), which requires the retention of views to large vegetation existing beyond Bellevue Road and Manning Road, and does not impede on the strategy to retain green vistas at each end of New South Head Road.



BOTTOM OF NEW SOUTH HEAD ROAD
Looking North from the Bottom of New South Head Road



DOUBLE BAY SITE MAP



TOP OF RIDGE
Looking North from the Top of the Ridge



BOTTOM OF NEW SOUTH HEAD ROAD
Looking North from the Bottom of New South Head Road



TOP OF RIDGE
Looking North from the Top of the Ridge

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NO. 374 + NOS. 376-382 New South Head Road, Double Bay

VIEW LOSS



PANORAMIC VIEW FROM ROOF (LEVEL 4) OF SUBJECT SITE



VIEW CORRIDORS OF PROMINENT SITES



6.1.2 NEIGHBOURING VIEWS

There are no significant or direct views to Sydney Harbour from the subject sites or its immediate surroundings. In addition, the neighbours assumed to be most affected by the development, No. 2-22 Knox Street, have their primary orientation directed away from the subject sites as demonstrated by the diagram on this page. As such the development assumes no affected neighbouring view loss.

Additionally views to the subject sites are obscured by the curvature of New South Head Road and the bulk of Cosmopolitan Shopping Centre 2-22 Knox Street and other buildings.

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VIEW ANALYSIS: PROMINENT NEIGHBOUR VIEWS /27

NO. 374 + NOS. 376-382 New South Head Road, Double Bay

7.6 CONCLUSION

The Original Planning Proposal sought approval for a 7 level development. Following a concern expressed by Council Officers, the Applicant has decided to seek a revised Planning Proposal for only 6 levels. The following comments, in the Original Planning Proposal can be equally applied to the Revised Planning Proposal.

The Revised Planning Proposal is consistent with the relevant outcomes encouraged in the Sydney Metropolitan Strategy "A Plan for Growing Sydney" issued by the NSW Planning and Environment and the anticipated future growth of the Double Bay Commercial Centre.

The Revised Planning Proposal has given due consideration to the Woollahra Council Kicora Lands development, other adjoining developments and the opportunities the corner site provides.

The merits of the Revised Planning Proposal include, but are not limited to, the following:

- The development will be a truly mixed-use building which will contribute to the variety of building types of a vibrant centre.
- The increase in density created by the Revised Planning Proposal will provide increased economic activity, including after hours, in the immediate neighbourhood, particularly encouraging the use of the Kicora Lands Development.
- It will generate strong pedestrian traffic and an incentive to use the lane ways.
- The Revised Planning Proposal would result in strengthening and defining the corner of New South Head Road and Knox Street, resulting in an improvement in the visual balance of the precinct.



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NO. 374 + NOS. 376-382 New South Head Road, Double Bay

APPENDIX A

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ARCHITECTURE + URBAN PROJECTS PTY LTD

12 May 2015
J20 MO 16.1M.FF

PROPOSED DEVELOPMENT 374 + 376 + 382 NEW SOUTH HEAD ROAD, DOUBLE BAY URBAN DESIGN OPINION

1.0 BACKGROUND

1.1 Purpose of Report

This report provides an Urban Design opinion in support of Planning Proposal at 374 +376 + 382 New South Head Road in Double Bay. The proposal is to modify an approved and constructed retail / office building on the site. Designed by Eeles Trelease Pty Ltd Architects, the building is highly regarded, having won a number of architectural and environmental awards. It is often cited as an exemplar of a well-considered urban architecture.

This statement has been prepared by Philip Thalis, Director of Hill Thalis Architecture + Urban Projects Pty Ltd, based on information provided by Eeles Trelease Pty Ltd Architects, on behalf of Eeles Pty Ltd.

I provided an Urban Design opinion in support of both the original DA and the approved 3th storey scheme.

1.2 Background

Under my direction, my practice prepared the Double Bay Development Control Plan 2002 for Woollahra Municipal Council. The DCP and PDP subsequently received an Urban Design Award from the Planning Institute of Australia. I have also been retained by Council to advise on the following projects in Double Bay:

- St. Saviour's redesign - Council Design Review Panel member
- Kooragang Island joint project with Joffe and Woolworths - Council's architectural adviser
- Intercontinental redevelopment proposal - review and opinion for Council

Involvement with Woollahra Council in these and other projects has provided me with a very good understanding of Double Bay's urban form and potential.

I also co-authored the book Public Sydney: Drawing the City published in 2013.

My full Curriculum Vitae is attached.

2.0 THE PROPOSAL

The proposal is to add to the existing 4 storey commercial building at 374 + 382 New South Head Road to add a mix of uses. It is important to note that Woollahra Council has already approved an additional 3th storey already on the subject site. This 3th storey has not yet been constructed, but it is still the subject to an active Development Consent.

The site is an irregularly shaped plot, with three street frontages. The extensions would be both lateral to the south, incorporating the adjoining property at 374 New South Head Road, with additional over the entire footprint to lift the scale from an approved 5 storey height to a proposed 7 storey height. The additional 2 storeys additional floors would comprise compact residential units, the retail and commercial tenancies on the lower floor will be retained and extended laterally into the 374 New South Head Road site.

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JOB REF: 0412

Eeles Trelease pty ltd

3.0 THE PROPOSAL'S QUALITIES

I have reviewed the architect's plans, sections, elevations, urban analysis, and 3D views, and particularly support the following aspects of the proposal:

3.1 Architectural Qualities

The architecture of the addition is very compatible with the fine existing structure, being the work of the same distinguished architectural practice Eeles Trelease. When first constructed, the building won a number of professional awards, including two from the Australian Institute of Architects.

A number of distinguished Sydney buildings have been sympathetically enlarged over the last 100 years, without in any way detracting from their qualities. If anything they have grown in response to the evolving city around them, as documented in my book Public Sydney. Drawing the City (co-authored with Peter John Carril). One of many that could be cited, a strong example is the Dental Hospital in Elizabeth Street, initially designed by Stephenson Turner and then extended three times by the same architects, both vertically and laterally. So seamless are the additions that today few would imagine that the building was so today enlarged.



Centre located in Elizabeth Street. 140 years more recently

In addition to the pattern of public buildings illustrated in the Public Sydney, there have also been many prominent commercial buildings so extended.

3.2 Key Corner Site in the heart of Double Bay Centre

The site occupies the most visually prominent corner location in Double Bay, being at the acute angle of New South Head Road and Knox Street, the very heart of Double Bay. As a result it is a memorable wayfinding and identity along New South Head Road.

The site has long been highlighted in the DCP as a prominent corner that requires a strong architectural response.

The New South Head Road's curvilinear geometry further emphasises the prominence of the building when passing through Double Bay. The building corner presents differently when approaching from east

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and west, frontally from the east and in profile from the west. The responsiveness to place further adds to the reading and identity.

The architects have taken full account of the importance of this corner, and designed a distinctive and distinguished proposal, as demonstrated by the submitted materials. The architectural qualities of such prominent corners can lift the urban image of the place, as demonstrated by many good examples such as the Fenton Building in New York. Recent, 'green' buildings in Paris including Pierre Parrot's remarkable Panteion, the BBC building on Regent Street in London, and many, many others.

Preserved Sydney examples include the Central Hospital on Elizabeth Street, the former steel building (now the Roddison Hotel) on Pitt Street, the Kings Cross Fire Station on Donaghue Road in Kings Cross, and the former Telegraph Post Office on New South Head Road. Such buildings always stand out by their location - their design makes them become emblematic of their place in the city.



Verfahren: *Interview* im April 2006



© 2000 Blackwell Science Ltd *Journal of Internal Medicine* 247: 111–117



Book Club: Big Nothing comes 'belated' from author's past

hill thalis



© 1997 Kluwer Academic Publishers. Printed in the Netherlands



Former Edgely's Post Office Road

This building celebrates its grow-like form. The inset rooftop garden would form a complex silhouette against the sky, and be highly visible westward from New South Head Road and eastward along Kings Highway - the commercial centre of Double Bay.

[illegible]

the proposal should act as a positive model for the many other corner shops in the Double Bay Centre, which are nominated in the DCP.

3.3 An Appropriate Urban Scale

It is noted that this proposal exceeds both the Height and Floor Space Ratio Corollaries in both Council's existing and proposed Local Environmental Plans and Double Bay Centre Development Control Plan. As the architects' methodologies show, the proposed additions will retain the building's more prominent in both Knox Street and New South Head Road facades; the additions will be more comparable in height to the large 1960s Transfield development adjoining this site to the west along the curve of Knox Street, and still smaller than the InterContinental Hotel rising in Cross Street.



the architects" (Felix Tietzwey, *monolog*).

It is also important to note that the DCF envisions significant changes to the areas urban form, character, and use over the next few decades to encourage the future development of the area. The plan calls for a new transit corridor, and points to a much more urban form (change to New South Wales Road rules) to allow for a mix of land uses, and points to a much more urban form (change to New South Wales Road rules) to allow for a mix of land uses, and points to a much more urban form (change to New South Wales Road rules) to allow for a mix of land uses.

the proposal would not impede on any views from conservation deeds or heritage items.

1.4 A Model of Mixed Use

the mix of retail or ground floor, 3 stories of offices surmounted by 3 stories of smaller apartments would make it a rare example of the genuine mixed use building in Sydney. As opposed to the dated approach of secondary or tertiary zoning, based on homogenising principles, this building would bring a mix of inhabitants and uses around the 7 storey water clock, from morning throughout the day into the night!

alled to the zero on the car parking, bike parking and numerous effective environmental initiatives, this proposal is one of the most far-sighted for Sydney in terms of being a genuine model for sustainable best practice.

My experience is greater residential density on the subject site (and other corner sites) would contribute to the vitality and growth in the Double Bay Town Centre. I note the European experience in many cities where there is a strong residential component and these residents contribute to the street life and economic vitality of such cities.

obj-ref: 0412

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SARAH THALIS + SARAH THALIS

1.0 REVIEW OF URBAN DESIGN ISSUES ASSOCIATED WITH THE SITE

1.1 Individual Taller Buildings in the Vicinity

The area around Double Bay CarriVe already has many higher buildings, although almost all of these are consistent with the current and proposed controls (see discussion below).

The attached analysis (see Figs 1.1 and 1.2) shows the distribution and heights of these buildings. Many are in direct relationship to neighbouring tower buildings, without undue element of excess. Some have very large footprints, while a number of others are up to 15–18 stories in height. The attached analysis shows the buildings in plan and on oblique aerial photos. Some of the buildings are very prominent in the urban texture, scale and visibility.

The Double Bay Centre occupies the valley floor and is therefore heavily overlapped from pluvine squelch on the elevated slopes of Double Bay, Darling Reef, Edgecliff, Bellevue Hill and Bondi Junction. The development of neighbouring areas such as the St. Moritz and Facon Lands are conspicuous elements of Double Bay Centre's skyline. Due to shifts of history and geography, the Double Bay Centre has not really seceded from the public domain of these coastal spaces. With the exception of distinct views from certain points in and around Bondi Junction and Syd Smith Drive.

It is worth highlighting that Double Bay Centre already has a number of 3 to 8 storey buildings across the site. Against the background of which would become a mixed medium 4 to 5 storey scale as the older buildings. These occasional taller buildings have the effect of articulating the skyline, an important consideration in an area that is so overlooked. The relatively small footprint of the proposal when seen from altitude and distance would not be at all noticeable.

See attached graphs (figs 1.1 and 1.7).

1.2 Analysis of other comparable Centres across metropolitan Sydney

It is clear that Double Bay Centre retains quite conservative heights and low FSR's compared to many comparable centres across metropolitan Sydney. By way of analysis (see figs 2.1 and 2.2 attached), we have tabulated a comparison of other centres in terms of:

- the range of heights that apply
the range of file's that apply

The centres have been selected to cover centres in inner and middle ring suburbs. Some benefit from existing theory lab systems, which contributes to their importance. Double fly enjoys frequent bus services, is just within walking distance of Epsomville Station (which is a 20 minutes from Martin Place) and has a peak hour and weekend ferry service to Circular Quay. The centre has two major public car parks. While bicycle facilities are poor in comparison to other parts of Sydney, the area is very walkable and has a freely coloured street and lane network.

a comparison of the control and treated groups.

	Distance to city	Heavy rail	Bus	Light rail
Jurwood	10 km	yes	yes	
Lockdale	10 km	yes	yes	
Marrubra Junction	8 km		partially	
Logan	12 km	partially	yes	
Amesington	8 km		yes	yes
Doyle Bay	2.5 km	yes	partially	
Logan Junction	5 km		yes	

Of these centres, Double Bay enjoys closest proximity to central Sydney, and also to three major universities, four major hospitals, Sydney airport and many other amenities. Of course it is also on the harbour at well.

Double Bay only 2.5km from the city centre, has regular bus service to the City, Watsons Bay, Dover Heights and Bondi Junction, and is a short though uphill walk of only 600m from Edgecliff and the Eastern Suburbs / Illawarra rail line.

It is also worth noting that a number of other centres across metropolitan Sydney have recently been up-scaled, despite having none of the convenience or environmental quality enjoyed at Double Bay. Examples include Merrylands town centre, which allows buildings up to 45 m in height, with 15% up to 100% glass facades. The centre is also located on a major arterial road, which is a disadvantage for 75% of these centres as directly comparable to Double Junction, which is a disadvantage as the primary regional centres in the Eastern Suburbs. The Minister for Planning recently announced high density zones for a string of centres in the outer south-west, from Garfield to Macarthur, 35-45 km from the City centre.



Perfomant House March 2015 hill thalis

hill thalis
ARCHITECTURE + URBAN PROJECTS PTE LTD



Housing Sydney's Growth **Density where there is greatest amenity!**
Parliament House March 2015 **bill thalis**

at a recent talk with NSW Parliamentarians to the Better Planning Network at Parliament House, I advocated that higher densities instead should be located in the established areas with the highest amenity and accessibility - Double Bay Centre is certainly such an area.

With its innate advantages in terms of location, demographics, public transport, access to established services and the like, it is fairly my view that places such as Double Bay should be making more of a contributer to accommodating Sydney's continuing growth.

See attached analysis [figs 2.1 and 2.2].

3.3 Lock of Higher Denier in the Woollytop LEP

A review of Woodlawn Municipal Council's current LEP 1995, and the new LEP 2014 (granted but not yet in force) that will take effect on the 23rd May 2015, show that the entire LGA is mandating comparatively low development standards. This is puzzling given:

- the area's privileged location on Sydney Harbour, near beaches and major parks, with good public transport and convenient access to a range of shopping and entertainment facilities, the area's proximity to the City of Sydney, which is the country's major employment hub, in addition to being the centre for public transport, events, culture, religion, politics, tourism, shopping and business and the like.
- the pressures of Sydney's rapid population growth, and the unmet demand for housing in locations convenient to locations and jobs.
- the pressures on housing affordability, which could in part be countered by the increased provision of smaller, less expensive units in convenient locations. Having no car parking in central locations has the effect of keeping units more affordable than the alternative would be. (This is due both the capital cost of parking, especially in basements, and the running costs of services).

Job ref: 0412

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/32

NO. 374 + NOS. 376-382 New South Head Road, Double Bay



It is also troubling that many of the established higher, or denser building types around Double Bay are well above the current planning controls. The lack of consultation between existing densities and heights and the controls can give rise to ongoing problems with even minor applications for such properties, in the author's experience. This is not the basis for enlightened, proactive planning.

5. ALTERNATIVE APPROACH – VFA'S FOR PUBLIC BENEFIT

Rather than solely relying on self controls such as height and floor space, there is an evolving use of progressive mechanisms such as Voluntary Planning Agreements (VPAs) and Inclusionary Zoning to achieve a balance of policy outcomes. Mechanisms such as additional height and/or floor space are increasingly being tied to a defined number of public benefits, such as:

- creation of new public domain elements, such as laneways, walkways, street widening, pocket parks and the like;
- upgrading of existing public spaces, usually in the vicinity of the site – either by monetary contributions or independently valued works in kind;
- provision of public facilities, rooms and services, such as libraries, community halls, social facilities, libraries and the like;
- provision of social or affordable housing, usually granted or leased preferentially for 10 years as a minimum to a recognised Community Housing Association;
- provision of subsidised or affordable work spaces, studios or creative spaces.

Due to its design and location, one or more of such public benefits could reasonably be associated with, or approved with, its proposal.

6. CONCLUSION

The subject site has unique characteristics, being a "key corner site" in the heart of Double Bay and a focal point of the planning opportunities. The subject site has not been considered by adopting an "as of right" approach in the Town Centre due to the fact that the subject site has site specific attributes not evidenced in the significant majority of the remaining properties in the Town Centre.

Given the Architectural and Urban Design itself embodied in the proposal, appropriate to the site and locality, I recommend that Woollahra Council favourably consider this Planning Proposal application. Please do not hesitate to contact us should you require further information.

Yours faithfully,

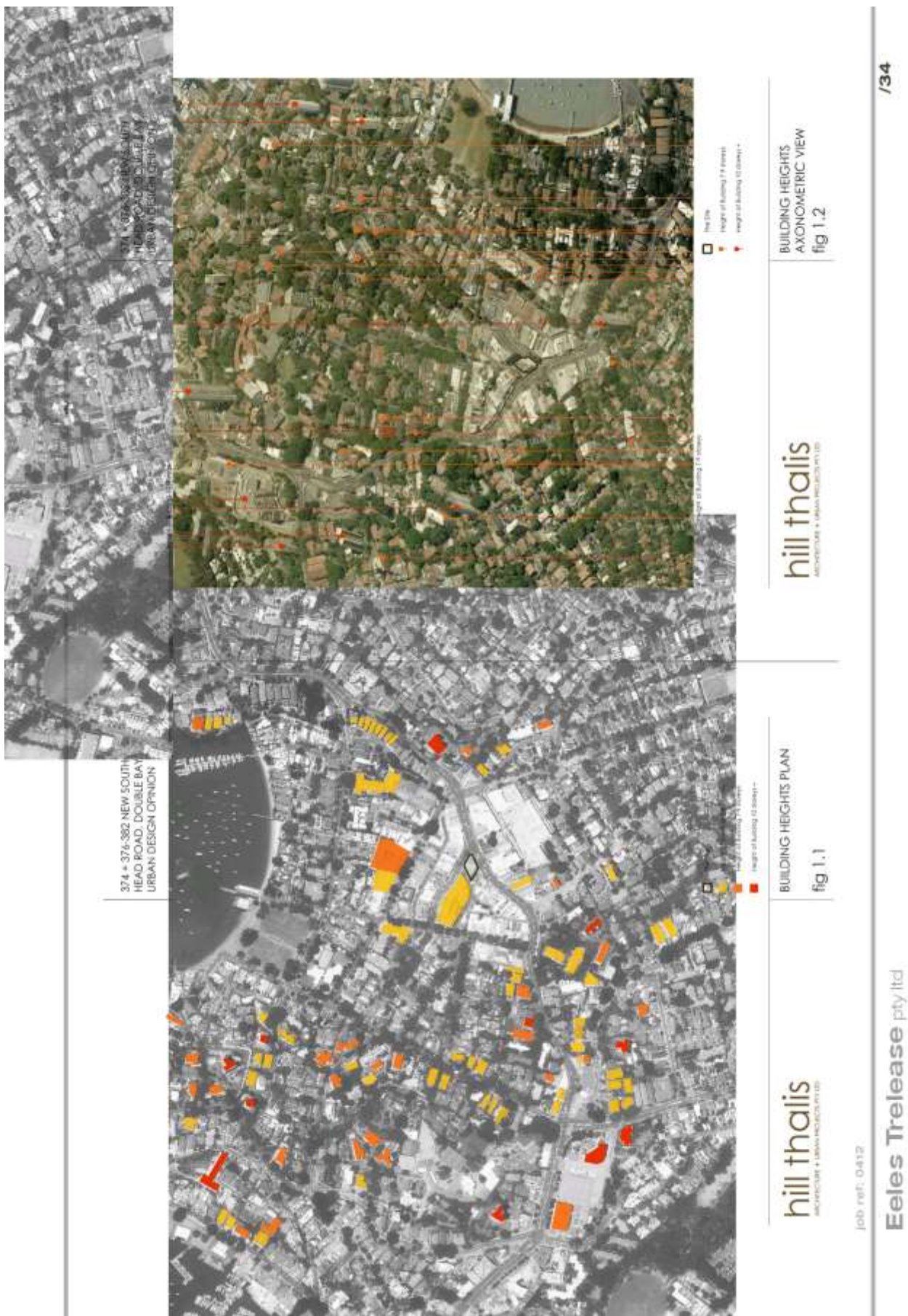
Philip Thalis
Principal
HILL THALIS ARCHITECTURE + URBAN PROJECTS PTY LTD

Attachments:
RPA 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

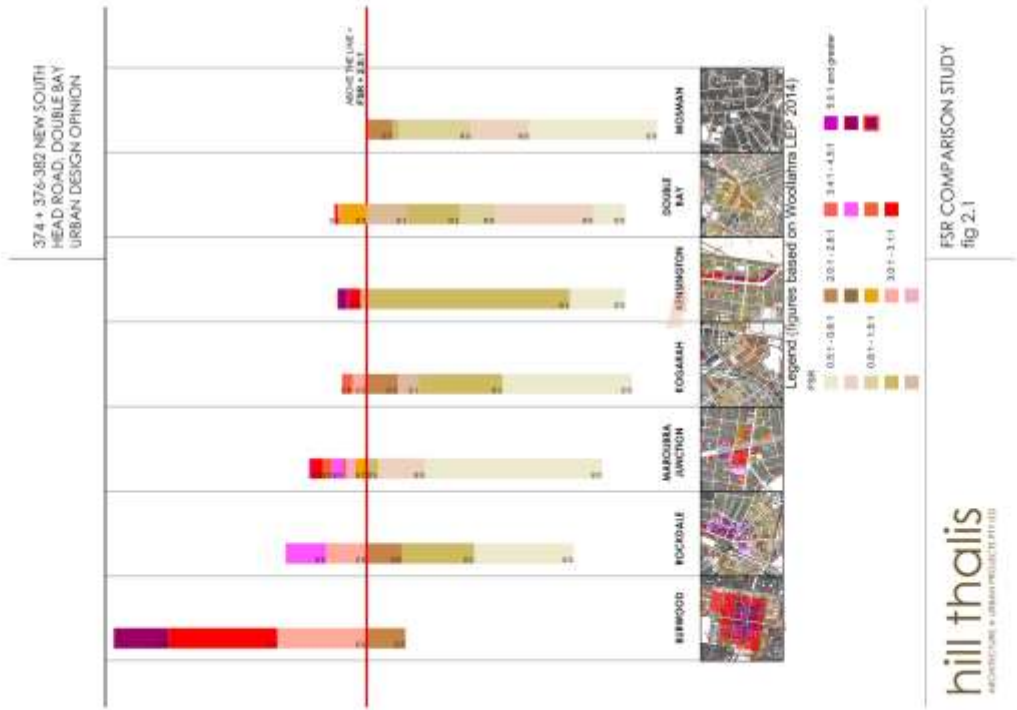
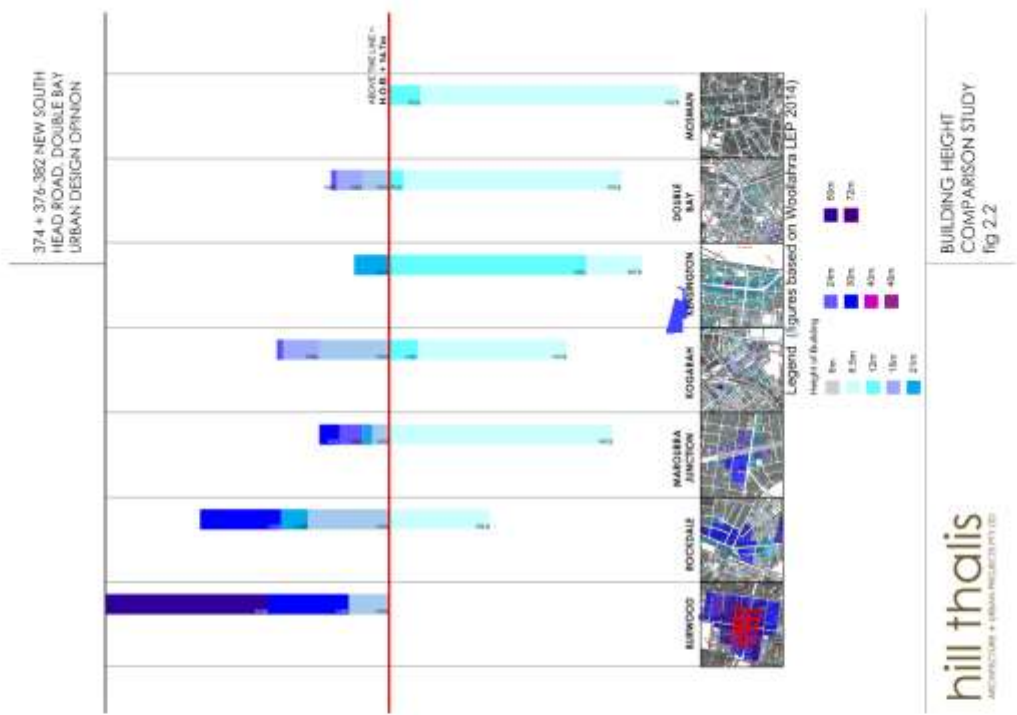
Job ref: 0412

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NO. 374 + NOS. 376-382 New South Head Road, Double Bay



job ref: 0412

Eeles Trelease pty ltd

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NO. 374 + NOS. 376-382 New South Head Road, Double Bay

hill thalis

ARCHITECTURE + URBAN PROJECTS PTY LTD

Friday 19th February 2016
Job no 1412 / PT

PROPOSED DEVELOPMENT: 374 + 376 - 382 NEW SOUTH HEAD ROAD, DOUBLE BAY

ADDENDUM TO URBAN DESIGN OPTION OF 12 MAY 2015

1.0 Purpose of this addendum

This addendum to our Urban Design Option (UDO) dated 12 May 2015, is in support of the recently revised Planning Proposal at 374 + 376 - 382 New South Head Road in Double Bay. This proposal for a six storey building, is to modify an approved and constructed retail / office building on the site.

This statement has been prepared by Hill Thalis, Director of Hill Thalis, Architecture + Urban Projects Pty Ltd, based on information provided by Eeles Trelease Pty Ltd Architects, on behalf of Eeles Pty Ltd.

2.0 An Appropriate Urban Scale (Notwithstanding UDO clause 3.3 An Appropriate Urban Scale)

It is noted that the proposal on a central and prominent corner, exceeds both Council's height and floor space ratio controls. As the architect's intention is to make the proposed building a landmark building, it is proposed that the building be comparable in height to the larger St. Stanislaus development adjoining the site to the west along the corner of Cross Street, and would sit lower than the International Hotel nearby in Cross Street.



(Looking west along Cross Street)

Hill Thalis Team: ABB 44780
Lynette ABB 41286
Noreen ABB 41286
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Job ref: 0412

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It is also important to note that the DCP envisages significant changes to the built urban form, changes which will take a few decades to materialise. The 'Rapid Land Re-development' which replaced the old Woolworths, diagonally across the road, points to a much more urban form to New South Head Road. Given that the Double Bay Corner DCP contemplates higher building form, than the existing fragmented low and mid scale built form on adjoining properties, it is important to consider the proposed 6 storey development in the context of the anticipated future context.



(Looking west along New South Head Road)

The proposal would not introduce any new views to or from conservation areas or heritage items.

3 RECOMMENDATION

The subject site has unique characteristics not shared with the remaining properties in the Town Centre and it has long been nominated in the DCP as a prominent corner that requires a strong architectural response. We consider the six storey proposal, on this key corner site in the very heart of the Double Bay Centre, would not constitute a precedent for approving increased density elsewhere in the Town Centre.

Given the Architectural and Urban Design merit embodied in the proposal, appropriate to the site and locality, we recommend that Woollahra Council favourably consider the planning proposal application. Please do not hesitate to contact us should you require further information.

Yours sincerely,

Philip Thalis

Hill Thalis Architecture + Urban Projects

/36

NO. 374 + NOS. 376-382 New South Head Road, Double Bay
APPENDIX B.1 PHILLIP THALUS CV

CURRICULUM VITAE		25.03.15
PHILLIP THALUS		
HILL THALUS ARCHITECTURE - URBAN PROJECTS L 5 / 18-72 Wertheim Avenue, Surry Hills NSW Tel 02 9311 6271 Email phil@hillthalus.com.au		
Qualifications		
1991	CEAA Architecture Diploma - School of Architecture Paris - Belleville	
1984	Bachelor of Architecture (Hons) - Sydney University	
1981	Bachelor of Science (Arch) - Sydney University	
	Registered Architect - NSW - No 0730	
	Australian Institute of Architects - Corporate Member	
Prizes & Awards		
2014	ALA Awards - Best Smart Architecture in the Media National Award - Sydney Sydney Drawing the City (in collaboration with Peter John Carruth)	
	National Trust NSW Heritage Award - Public Sydney Drawing the City (in collaboration with Peter John Carruth)	
	ALA NSW Awards - Planning Excellence in the Trust Plan to Physical Landscape - Merewether Beach Public Domain Improvements	
	ALA NSW Awards - People's Choice Award - Larmer Forest Adventure - Taronga Zoo (with JLA & Peter Riddell)	
	ALA NSW Awards - Commended for the Innovative Use of Steel in Architecture - Larmer Forest Adventure - Taronga Zoo (with JLA & Peter Riddell)	
2013	Australian Award for Urban Design - Winner - Public Domain Improvements - Merewether Beach Living Centres City to the Lake (with ACT EDO, SMEC, Macquarie, JLA & Town Planning)	
	ALA NSW Awards - Commended in the Multiple Housing Category - The Magside, Parramatta	
	ALA NSW Awards - Commended in the Heritage Architecture - Creative Adaptation Category - The Magside, Parramatta	
	National Trust NSW Heritage Award - High Commended - The Magside, Parramatta	
2012	ALA National Award for Urban Design - Winner - Merewether Beach Public Domain Improvements	
	ALA NSW Awards - Commended in the Multiple Housing Category - The Magside, Parramatta	
2011	ALA NSW Awards - Commended in the Multiple Housing Category - St Helen Green Section Living Housing, West Chalmers	
2010	ALA NSW Awards - The Medal - Parramatta Park, Parramatta (with Aspect Studios & CAB) ALA Walker Buxton Griffin Award for Urban Design (for the most outstanding work of Urban Design in Australia) - Parramatta Park, Parramatta (with Aspect Studios & CAB)	
	ALA NSW Awards - Architecture Award in Urban Design - Parramatta Park, Parramatta	
	MBA Excellence in Construction Award - Parramatta Park - Blues Knight	
	ALA NSW Awards - Best use of Concrete - Jant Winner	

Job ref: 0412

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/37

NO. 374 + NOS. 376-382 New South Head Road, Double Bay

Specialist skills

Philip actively promotes the culture of architecture and city making, containing the direction of the practice with leading, research, conference papers and public lectures, architectural criticism and expert opinion. He has lectured at all universities in Sydney, with a particular research focus on the history of Sydney's architecture and urban development, and the architecture of the city more generally. Philip's advice and expertise have regularly been sought by various tiers of Government and a range of private clients.

Hill Thrale was named as a result of winning the Olympic Village National Architecture Competition in 1992. The collaborative project sought to welcome urban design, housing and ESD in a holistic way, and was instrumental in establishing the focus and agenda of Sydney's "Green Games". In 2006 Hill Thrale won the Darling Harbour East International Competition. Spanning between linear competition-winning schemes, Hill Thrale have built a strong design reputation across a range of project types and scales. Under Philip's direction the practice has won more than 40 competitions, commissions and awards. Their services project planning and design have been sought by a wide range of clients, from the public sector, through to private industry and academia. Hill Thrale's work has been published in a number of international journals, and their expertise is sought for architectural, urban, public domain and heritage projects.

- Urban Projects:
 - public domain, master plans, strategic plans, infrastructure planning
 - the design of streets, parks, squares, heritage interpretation, urban elements
 - Urban Housing:
 - public housing, affordable housing, social housing, retirement villages, town housing
 - Commercial Buildings:
 - public buildings and precincts, places of public entertainment, facilities
 - shops and retail markets, hotels, office interiors
 - Heritage:
 - adaptive re-use, evaluation of historic urban places, monuments
 - historic buildings, streetscapes, historic precincts, historic conservation
 - Expert Advice:
 - expert reviews, design standards and measurements, design review panels

Professional Experience

- 1997 - HILL THRALE ARCHITECTURE + URBAN PROJECTS
Principal
- 1992-94
1995-99
1999-2000
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Job ref: 0412

Job ref: 0412

NO. 374 + NOS. 376-382 New South Head Road, Double Bay

1982	Gordon Public - Seminar on Art & Urban Space - ANNANDALE GALLERIES Sydney - Urban Housing Seminar - The Urban Environment - RAA, Tasmanian Urban Planning & Projects for Sydney - ARCHITECTURES DAY ADDRESS, RAA, Tasmanian (with PJ Carville)
1981	Diary of Sydney - PAUL & JULIAN - URBAN CONSOLIDATION CONFERENCE Sydney - URBAN HOUSING SEMINAR - THE URBAN ENVIRONMENT - RAA, Tasmanian The Macquarie Harbour Tour - Department of Planning Tasmania - Sydney Harbour Tour - Department of Planning The Contribution of an Area of the City - ARCHITECTURE SOCIETY, Tasmanian (with PJ Carville)
1980	Macquarie Harbour - URBAN HOUSING SEMINAR - RAA, Tasmanian 2 Private Projects - OVERSEAS WORK SEMINAR, RAA, Tasmanian
Tour Leader	
Leader of 19 Architectural Tours around Sydney	
2014	The Majestic, Parramatta - AAU Tour
2013	Public Sydney Tour - HHT
2012	The Majestic, Parramatta - IWWAN Tour
2012	Private Path, Parramatta Tour - Garden History Society
2012	Macquarie Harbour Tour - IWWAN Tour
2008	AAA Sydney Harbour Tour - Invited Tour Leader National RAA Architectural Conference - East Darling Harbour / Walsh Bay - Invited Tour Leader
2007	AAA Sydney City Tour - East Darling Harbour / Milsons Point - Invited Tour Leader AAA Sydney Harbour Tour - Invited Tour Leader AAA Sydney Harbour Tour - Invited Tour Leader Sydney Apartments Exhibition - at the Museum of Sydney - Guest Exhibition Tour Leader (with PJ Carville)
2006	AAA Sydney City Tour - East Darling Harbour / Milsons Point - Invited Tour Leader AAA Sydney Harbour Tour - Invited Tour Leader East Darling Harbour and Milsons Point - Open des Architectes - Tour leader (with Paul Berkenmeier and Russell O'Brien)
2005	AAA Residential Tour - Rydges, Sydney AAA Sydney Harbour Tour - Invited Tour Leader AAA Sydney Harbour Tour - Invited Tour Leader
2004	Macquarie Harbour Tour - Invited Tour Leader Macquarie Harbour Tour - Invited Tour Leader
1999	Macquarie Harbour Tour - Invited Tour Leader Macquarie Harbour Tour - Invited Tour Leader
1998	Macquarie Harbour Tour - Invited Tour Leader Macquarie Harbour Tour - Invited Tour Leader
Design Juries	
2014	Bush International Waterfront Competition - BPA Gateway Site Competition, Great Western Highway, Parramatta - for Parramatta City Council
2013	Central Tower and Jock, 110 Bathurst Street, Sydney - City of Sydney Design Excellence Competition Henley Square, Adelaide - National architecture / landscape competition - for the City of Charles Sturt, SA
2012	AAU ACT Architecture Awards AAU ACT Architecture Awards - Parramatta - for Parramatta City Council AAU ACT Architecture Awards - Parramatta - for Parramatta City Council
2008	SONA Supremacy - NSW JURY
2008	ALA NSW Landscape Architecture Awards
2006	Contemporary Redevelopment, Sydney - City of Sydney Design Excellence Competition
2005	Contemporary Redevelopment, Sydney - City of Sydney Design Excellence Competition
2001	Contemporary Redevelopment, Sydney - City of Sydney Design Excellence Competition
2000	Contemporary Redevelopment, Sydney - City of Sydney Design Excellence Competition
1985	RAA NSW Civic Design Awards
Committee / Community Membership	
UNIVERSITY OF NEWCASTLE	

Job ref: 0412

Eeles Trelease pty ltd

2011 -	Industry Advisory Committee
1988 - 2006	HISTORIC HOUSES TRUST OF NSW (HHT) Twelve, appointed for 3 terms
2002 - 04	PLANNING AND URBAN DESIGN ADVISORY COMMITTEE (ADAC) Member
2004	MINISTERIAL ADVISORY COMMITTEE ON THE CLIFF-TOP DEVELOPMENT AT LUNA PARK - DPMR Applique
2000 - 01	HERITAGE COUNCIL OF NSW RAA appointee
2003 -	RAMENICK WARDLEY DEPT 43 DESIGN REVIEW PANEL Ministerial Appointee
2008 -	PORT MACQUARIE SEPT 03 DESIGN REVIEW PANEL Ministerial Appointee
2004 - 08	SYDNEY OLIMPIC PARK (DESIGN REVIEW PANEL) Applique
2002 - 03	UNIVERSITY CITY CENTRE INTERIM DESIGN REVIEW PANEL Member
2010 -	ROYAL AUSTRALIAN INSTITUTE OF ARCHITECTS Urban Committee
1993 - 94	Architecture Conservation Committee
1992 - 94	Environment Board
1992 - 94	Photography Committee
1986	Membership & Information Board
1987	NSW MINISTRY OF THE ARTS Capital Grants Assessment Committee
1997	NSW HEALTH DEPARTMENT Heritage Steering Committee - RAA Representative
1994 - 95	NATIONAL TRUST (NSW) Urban Conservation & Conservation Conference Steering Committee
1983-94	PUBLIC WORKS DEPARTMENT State Projects Advisory Committee
1993	UNIK - UP - A SYDNEY PUBLIC TRANSPORT PROJECT Funding Steering Committee Member
1985 - 86	SYDNEY CITIZENS AGAINST THE MONORAIL Funding Steering Committee Member
1990	UNIVERSITY OF SYDNEY Architecture Departmental Board, Part Time Staff Representative
1984	Curriculum Review Committee, Student Representative
1986 - 83	Academic Board, Student Representative
Exhibition Queering Sydney models - Penny Gantken, Lateral Adventure Playground, Buswell Diaper Gallery, Rachael	

NO. 374 + NOS. 376-382 New South Head Road, Double Bay

APPENDIX B.2 EELES TRELEASE CV
profile



Olympic apartments, Newington

Waterfront houses, Cabarita

Eeles Trelease is a broad-based architectural practice with nearly 30 years experience in delivering residential, commercial, educational and assisted living projects. The principles of passive sustainable design have been integral to Eeles Trelease's design approach since the company began in 1984 and remain fundamental to every scheme.

Our recent focus has been implementing active sustainable design in our commercial and residential projects, as demonstrated in the commercial/retail building at Double Bay and the apartments at Woolloomooloo. This work has been developed from the principles established at the Newington apartments (RAIA NSW Building of the Decade, 1990's) and Mount Tomah Botanic Garden Visitors Centre.

Inherent in all our work is a strong and clear concept which is followed throughout the project to the last detail. Together with our emphasis on client focussing and seeking innovation in all aspects of the project our aim is to deliver a cohesive and value-added outcome.

Some of our best known projects are:

- Cardita Apartments, Little Bay
Randwick City Urban Design Award 2008 - Residential, Multi Unit Housing
Randwick City Urban Design Award 2008 - Sustainability
Environ BPN Sustainability Awards 2008 - Low to Medium Density Residential
- Commercial/Retail Building: Environmentally Sustainable Design (ESD), Double Bay
RAIA NSW Commercial Building Architecture Award 2007
RAIA NSW Sustainable Architecture Commendation 2007
- Edgewater Apartments, Cabarita
UDIA Small Residential Projects Award 2003
- Olympic Apartments, Newington.
RAIA National Architecture Award 2000
The finished development has become one of Sydney's most successful lifestyle housing developments.
- Botanic Gardens Trust - Mount Tomah Botanic Garden - ongoing client since 1985
Visitor Centre (Stage 1 & 2), Kiosk, Education Centre & World Heritage Exhibition Centre

Job ref: 0412

Eeles Trelease pty ltd

/42

DIRECTORS

Bruce Eeles

B. Arch, University of NSW, 1968 L.F.R.A.I.A.
Registered Architect, ARB No: 2066
Life Fellow Australian Institute of Architects

Bruce's vast experience is a unique combination of landscape, heritage, private and public commissions. He has worked across all cost plan ranges and with many major developers. This has enabled him to acquire a rare skill set, an ability to combine urban design expertise with innovative architecture, and to deliver it within the demands of budget constraints.

Kathryn Trelease

B. Arch, University of Adelaide, 1980
Registered Architect, ARB No: 6318

Kathryn is Practice Manager and provides the depth of professional practical experience to each project. Her experience in large projects in London, Dusseldorf and China as well as her strength in interiors brings a strong design foundation to all projects. In 1989 became a director of Bruce Eeles and Associates / Eeles Trelease Pty Ltd, Sydney.

SENIOR ASSOCIATE

Robin Yeap

M.Sc. Architecture and Building Design, Columbia University, 1989
B. Arch, University of Sydney, 1983
B.Sc Arch, University of Sydney, 1980
Registered Architect, ARB No: 5918
Level 1 Member, Australian Institute of Architects

Robin brings over 25 years experience in a wide variety of building types ranging from residential to commercial and institutional. He augments his residential experience with aged care design and takes active role in sustainable design research. Robin gained his Masters degree from Columbia and returned to Eeles Trelease after working in New York on multi-purpose complex buildings in Barcelona and Washington DC. As team leader on various projects he brings his depth of experience to all stages of architectural delivery.



Bruce Eeles



Kathryn Trelease



Robin Yeap

NO. 374 + NOS. 376-382 New South Head Road, Double Bay

APPENDIX B.2 EELES TRELEASE CV
awards

 Commercial/ Retail Building, Double Bay	Randwick City Urban Design Award 2008 - Residential, Multi Unit Housing Cardita Apartments, Little Bay Randwick City Urban Design Award 2008 - Sustainability Cardita Apartments, Little Bay Environ BPN Sustainability Awards 2008 - Low to Medium Density Residential Cardita Apartments, Little Bay PCA Rider Levett Bucknall High Commendation 2008 Commercial/ Retail Building, Double Bay RAVA NSW Commercial Award 2007 Commercial/ Retail Building, Double Bay RAVA NSW Sustainable Architecture Commendation 2007 Commercial/ Retail Building, Double Bay Australian Property Institute, NSW, Environmental Development Award, 2007 Commercial/ Retail Building, Double Bay RAVA Architecture Bulletin 2004 Buildings of the Decade 1990's, Apartments Newington [in association with IFA Architects and Planners & Vite Associates] UDIA Small Residential Projects Award 2003 Waterfront Houses, Caberita [with IFA Architects] RAVA National Special Jury Award 2000 Apartments Newington [in association with IFA Architects and Planners & Vite Associates] RAVA NSW Single & Multiple Housing Award 2000 Apartments Newington [in association with IFA Architects and Planners & Vite Associates] RAVA NSW Merit Award 1992 Apartment - Bondi Beach RAVA NSW Merit Award 1989 Offices - Crown Street, East Sydney Wollongong City Council Building Commendation Award 1987 Wollongong Fishermen's Co-op RAVA NSW Merit Award 1985 Forestry Commission Offices - Albury (pvt) House - Mackeral Beach RAVA NSW Merit Award 1980 Royal National Park Visitor Centre, Audley RAVA NSW Merit Award 1980 Restoration Courthouse and Presbytery - Hartley RAVA NSW Merit Award 1978 Mt. Kaputar Amenities Building, Mt Kaputar RAVA NSW Merit Award 1978 Helen St. Reserve [with Harry Howard and Assoc] Asia Pacific Eldercare Innovation Best Facility Award 2014 Aged Care Alterations and Additions, Mark Moran - Little Bay PCA Rider Levett Bucknall, Innovation & Excellence Awards Winner 2014 The Atbour Development Application - Berry
 Cardita Apartments - Little Bay	

Job ref: 0412

Eeles Trelease pty ltd

/44

NO. 374 + NOS. 376-382 New South Head Road, Double Bay

APPENDIX B.2 EELES TRELEASE CV

competitions

	Limited Competition for Olympic Village, Düsseldorf Olympic 2012 Bid, 2002 [other finalists were: Harman Hertzberger, Otto Steidel, Nicholas Grimshaw and Rob Krier] Limited Competition for Housing Project for Shenzhen Baoheng Real Estate Development Co. Ltd, Shenzhen, China 2002 [with Lyndon Kong, David Wilson, Lorna Hanson] Limited Competition for Apartments at Pymont City West Development Corporation 1996 [with Power & Samost] Limited Competition for Housing Project Kingold Group at Guangzhou, China 1996 [with Lyndon Kong, David Wilson and Howard Oray] Limited Competition for Reflections Restaurant / Guest House Palm Beach 1986	Winner Participant Winner Participant Winner
MEMBERSHIP OF AWARD & COMPETITION JURIES Bruce Eeles - Jury Chairman for the RAA NSW Chapter Awards, 1996. Bruce Eeles - Jury Chairman for the RAA NSW Chapter Awards, 1983 WORK PUBLISHED IN THE FOLLOWING Architecture Australia Architectural Review [UK] Monument Builder Sydney Morning Herald Architecture Bulletin Bulletin Magazine InDesign Belle Vogue Living Olympic Architecture 2000, Patrick Bingham-Hall 2000 Thinking Architecture, Andrew Metcalf 1995 Picturing Architecture, Desley Luscombe 1992 Architecture in Steel, Alan Ogg RAA 1987 Details in Australian Architecture 2, Roger Pegrum RAA 1987 Details in Australian Architecture, Roger Pegrum RAA 1984	 House - Mackenel Beach	

job ref: 0412

Eeles Trelease pty ltd

/45

NO. 374 + NOS. 376-382 New South Head Road, Double Bay

APPENDIX B.2 EELES TRELEASE CV

design review panels



Apartment Design - Sydney Morning Herald, Domain



Commercial Building Double Bay NSW - Sydney Morning Herald, Essentials



Newington Apartments NSW - Sydney Morning Herald, Domain

Urban Design Review Panel, Design Excellence Panel, National Parks and Wildlife Service, Historic Houses Trust Executive Members Committee DUAP Advisory Committee Historic Houses Trust Exhibitions Committee Royal Aust. Institute of Architects National Trust (NSW) Tusculum Building Committee RAA National Parks and Wildlife Service	City of Ryde Council North Sydney Council External Design Review Panel 2005 2001 [Rhodes Peninsula] [NSW Chapter Councilor] Architectural Advisory Panel 1986 - 1987 1977 - 1979	2010 - 2012 2006 - 2009 2005 2000 - 2004 1992 - 1997 1990 - 1992 1987 - 1988 1986 - 1987 1977 - 1979
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ACADEMIC POSITIONS

Bruce has tutored at all NSW Universities and at the University of Adelaide from 1972 to the present and Kathryn has tutored in each of Sydney's architecture schools and at the University of Adelaide.
Robin Yeap has tutored at UNSW and been invited to be guest critic at University of Sydney, UNSW and Pratt University in New York.

EXHIBITIONS

Venice Biennale Supermodels Travelling Exhibition Rex Irwin Gallery Australa Council Travelling Exhibition Australa Council Travelling Exhibition Rex Irwin Gallery	Abundant Object Gallery, Sydney 'Light house' an exhibition of Contemporary Australian Lightweight Houses '10 Architects' Exhibition at Rex Irwin Gallery Australa Built Old Continent, New Building Exhibited in Paris, London Geneva, Bonn, Milan Los Angeles, Chicago San Francisco, Washington DC Architecture in a Gallery	2008 2006 2000 1991 1985 1983 1982
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Job ref: 0412

Eeles Trelease pty ltd

/46

NO. 374 + NOS. 376-382 New South Head Road, Double Bay

REVISED PLANNING PROPOSAL MATRIX

Revised Planning Proposal Matrix		
Components	Response	Refer to
Part 1 Objectives / Intended Outcome	To amend the VLEP in terms of Height and FSR for the purpose of increasing residential development within the Double Bay Commercial Centre	1.1 Introduction
Part 2 Explanation of Provisions	The additional local provisions 4.3A and 4.4A are proposed	4.2 Terms of Revised Planning Proposal
Part 3 Justification		
A: Need for the planning proposal		
Q1 Is the planning proposal a result of any strategic study or report?	The Revised Planning Proposal is a response to the acknowledgement of the importance of corner sites within the Double Bay Centre, as identified in WDCP 2015.	3.2 Woollahra Development Control Plan 2015 - Double Bay Centre
Q2 Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?	Alternative proposals have been tested (a 5 storey building has been approved by Council, a 7 storey building is under consideration by council). This Revised Planning Proposal incorporates successful design elements of each.	5.3 Amenity Impacts
B: Relationship to strategic planning framework		
Q3 Is the planning proposal consistent with the objectives and actions of the applicable regional or subregional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?	The Revised Planning Proposal is consistent with A Plan for Growing Sydney, with the Sydney Metropolitan Strategy	5.2 Relationship to Strategic Planning Framework: 5.2.1 Sydney Metropolitan Strategy
Q4 Is the planning proposal consistent with a Council's local strategy or other local strategic plan?	The Revised Planning Proposal is consistent with Goal 4 - Well Planned Neighbourhoods of Woollahra 2026 - Our Community, Our Place, Our Plan	5.2 Relationship to Strategic Planning Framework: 5.2.2 Woollahra 2026 - Our Community, Our Place, Our Plan
Q5 Is the planning proposal consistent with applicable SEPP's?	The Revised Planning Proposal will meet the design quality requirements of SEPP b5	5.2 Relationship to Strategic Planning Framework: 5.2.3 SEPP b5 - Design Quality of Residential Flat Development, 2002 (Daylight, Ventilation) 5.3.7 Privacy (Separation, Section through Goldman Lane)
Q6 Is the planning proposal consistent with Applicable Ministerial Directions (s.117 directions)?	N/A	N/A
C: Environmental, social and economic impact		
Q7 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats will be adversely affected as a result of the proposal?	The Revised Planning Proposal will not likely adversely affect critical habitat or threatened species populations or ecological communities, or their habitats	N/A
Q8 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?	The Revised Planning Proposal will not likely produce any other environmental effects. It demonstrates that its overshadowing will not have a detrimental effect on solar access to New South Head Road	5.3.6 New South Head Road Solar Access
Q9 Has the planning proposal adequately addressed any social and economic effects?	The Revised Planning Proposal strengthens the 'livable communities' concept of Woollahra 2026 - Our Community, Our Place, Our Plan, and complements neighbouring developments	5.3.8 Social
D: State and Commonwealth interests		
Q10 Is there adequate public infrastructure for the planning proposal?	Adequate public infrastructure exists for the Revised Planning Proposal	2.1 Subject Proposal
Q11 What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?	N/A	N/A
Part 4 Mapping	The Revised Planning Proposal contains relevant mapping detail throughout	1.0 - 7.0
Part 5 Community consultation	A Community Survey has already been undertaken and a further survey is proposed to be undertaken during future exhibition of the Revised Planning Proposal	N/A
Part 6 Project Time line	The project timeline will depend upon time period required to be undertaken for processing of the Revised Planning Proposal and subsequent Development Application	N/A

Job ref: 0412

Eeles Trelease pty ltd

/47

NO. 374 + NOS. 376-382 New South Head Road, Double Bay

REVISED PLANNING PROPOSAL MATRIX

Revised Planning Proposal Matrix			Response	Refer to
Part 1 Objectives / Intended Outcome	To amend the VLEP in terms of Height and FSR for the purpose of increasing residential development within the Double Bay Commercial Centre			1.1 Introduction
	The additional local provisions 4.3A and 4.4A are proposed			4.2 Terms of Revised Planning Proposal
Part 2 Explanation of Provisions				
Part 3 Justification	A: Need for the planning proposal			
	Q1 Is the planning proposal a result of any strategic study or report?		The Revised Planning Proposal is a response to the acknowledgement of the importance of corner sites within the Double Bay Centre, as identified in WDCP 2015.	3.2 Woollahra Development Control Plan 2015 - Double Bay Centre
	Q2 Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?		Alternative proposals have been tested (a 5 storey building has been approved by Council, a 7 storey building is under consideration by council). This Revised Planning Proposal incorporates successful design elements of each.	5.3 Amenity Impacts
	B: Relationship to strategic planning framework			
	Q3 Is the planning proposal consistent with the objectives and actions of the applicable regional or subregional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?		The Revised Planning Proposal is consistent with A Plan for Growing Sydney, with the Sydney Metropolitan Strategy	5.2 Relationship to Strategic Planning Framework: 5.2.1 Sydney Metropolitan Strategy
	Q4 Is the planning proposal consistent with a Council's local strategy or other local strategic plan?		The Revised Planning Proposal is consistent with Goal 4 - Well Planned Neighbourhoods of Woollahra 2026 - Our Community, Our Place, Our Plan	5.2 Relationship to Strategic Planning Framework: 5.2.2 Woollahra 2026 - Our Community, Our Place, Our Plan
	Q5 Is the planning proposal consistent with applicable SEPP's?		The Revised Planning Proposal will meet the design quality requirements of SEPPs	5.2 Relationship to Strategic Planning Framework: 5.2.3 SEPP 65 - Design Quality of Residential Flat Development, 2002 (Daylight, Ventilation) 5.3.7 Privacy (Separation, Section through Goldman Lane)
	Q6 Is the planning proposal consistent with Applicable Ministerial Directions (s.117 directions)?		N/A	N/A
	C: Environmental, social and economic impact			
	Q7 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats will be adversely affected as a result of the proposal?		The Revised Planning Proposal will not likely adversely affect critical habitat or threatened species populations or ecological communities, or their habitats	N/A
Part 4 Mapping	Q8 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?		The Revised Planning Proposal will not likely produce any other environmental effects. It demonstrates that its overshadowing will not have a detrimental effect on solar access to New South Head Road	5.3.6 New South Head Road Solar Access
	Q9 Has the planning proposal adequately addressed any social and economic effects?		The Revised Planning Proposal strengthens the 'livable communities' concept of Woollahra 2026 - Our Community, Our Place, Our Plan, and complements neighbouring developments	5.3.8 Social
	D: State and Commonwealth interests			
	Q10 Is there adequate public infrastructure for the planning proposal?		Adequate public infrastructure exists for the Revised Planning Proposal	2.1 Subject Proposal
	Q11 What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?		N/A	N/A
	E: Community consultation			
	Q12 Mapping		The Revised Planning Proposal contains relevant mapping detail throughout	1.0 - 7.0
	Q13 Community consultation		A Community Survey has already been undertaken and a further survey is proposed to be undertaken during future exhibition of the Revised Planning Proposal	N/A
	Q14 Project Time line		The project timeline will depend upon time period required to be undertaken for processing of the Revised Planning Proposal and subsequent Development Application	N/A

Job ref: 0412

Eeles Trelease pty ltd

147

REVISED PLANNING PROPOSAL

**PPTIES: 374 AND 376-382 NEW SOUTH HEAD ROAD
DOUBLE BAY**

MOODY & DOYLE PTY LTD

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NORTH SYDNEY NSW 2060

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Ref: 09319TM

1.0 INTRODUCTION, SUBJECT SITE AND ADJOINING LOCALITY



The subject site is known as 374 and 376-382 New South Head Road, Double Bay.

The subject site is at the intersection of Knox Street and New South Head Road, Double Bay within the Double Bay Town Centre.

Erected on that part of the subject site known as 376-382 New South Head Road is an existing 4 storey commercial building.

I note that Woollahra Council (Council) has already approved an additional 5th storey on the existing building. This approved 5th storey has not yet been constructed, but the Development Consent is still active.

As noted by Mr Philip Thalys, Architect and Urban Design Consultant the *“site is an irregularly shaped parallelogram, with 3 street frontages.”*

By any measure, the subject site is one of the most important sites within the Double Bay Town Centre from a Planning and Urban Design perspective for a number of reasons including, but not limited to, the following;

- The subject site fronts New South Head Road which is a main Arterial Road within Sydney’s road hierarchy.
- The subject site has a triple frontage to 3 roads.

Revised Planning Proposal	374 and 376-382 New South Head Road, Double Bay	09319TM
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- The subject site is on a prominent corner site.
- The subject site is located approximately in the centre of the main commercial strip fronting New South Head Road.

Due to the abovementioned features of the subject site, I consider that the subject site demonstrates somewhat unique positive features which are not readily evident in the great majority of other Business zoned land within the Double Bay Town Centre. In other words, a decision to support the current Revised Planning Proposal for the subject site would not result in a 'precedence' to justify a similar Planning Proposal on the great majority of properties in the Double Bay Town Centre. There would be only a very limited number of similar corner sites fronting New South Head Road in the Double Bay Town Centre. Accordingly, support for the current Revised Planning Proposal would not "*open the floodgates*" for a multitude of similar proposals as Council can legitimately argue that the great majority of adjoining properties do not exhibit similar features as the subject site.

Not only does the subject site demonstrate somewhat unique features, it can be fairly said that the Double Bay Town Centre also demonstrates positive features. On this point, I note the following previous comments from Eeles Trelease, Architects:

"The Double Bay Commercial Centre is well serviced by buses along New South Head Road, Edgecliff Train Station, a 15min walk from the commercial centre and ferries from Double Bay Wharf... 7min walk from the subject site is open green space, Steyne Park which has a large playing field, playground and access to the Harbour and Double Bay Ferry Wharf, Guilfoyle Park on Bay Street provides a quiet sitting place within the centre... The subject precinct therefore enjoys a very high amenity."

In other words, both the subject site and the Double Bay Town Centre itself have positive Urban Design and Planning merits.

2.0 REVISED PLANNING PROPOSAL

I note that an **Original** Planning Proposal was previously lodged with Council which sought to amend the Planning Controls of Council to *“lift the scale from a 4 to a 7 storey height”* (in the words of Philip Thalís). The 3 additional stories (comprising the approved 5th level and proposed 2 additional levels) had been proposed to comprise future residential units. The retail and commercial tenancies on the lower floor were to be retained and *“extend laterally into the 374 New South Head Road site”* (in the words of Philip Thalís).

I fully supported the Original Planning Proposal and I noted that the Original Planning Proposal was also supported by the following experts;

- Philip Thalís, Architect and Urban Designer. A report on the Original Proposal had been prepared by Philip Thalís who is an acknowledged eminent expert in Urban Design and Architecture. In fact, Philip Thalís is a co-author of the Double Bay Development Control Plan (Double Bay DCP) which was adopted by Council and has been in place over a number of years. The Double Bay DCP received an Urban Design Award from the Planning Institute of Australia. In support of the current Revised Planning Proposal, Philip Thalís has prepared a document entitled *“Addendum to Urban Design Opinion of 12 May 2015”*.
- Eeles Trelease, Architects. A report on the Original Planning Proposal had been prepared by Eeles Trelease which is an eminent firm of Architects who were the Architects for the existing building. By any measure, the design of the existing building has made a very positive contribution to the Double Bay Town Centre and the existing building has also been the subject of numerous awards for its high Architectural, Energy Efficiency and Planning elements. In support of the current Revised Planning Proposal, Eeles Trelease has prepared a further report including a document entitled *“Revised Planning Proposal Matrix”*.

Following discussions with Council’s Officers, the Applicant agreed to lodge this Revised Planning Proposal which now seeks to amend the Planning Controls of Council to permit a 6 storey development on the subject site. Thus, the current Revised Planning Proposal

Revised Planning Proposal	374 and 376-382 New South Head Road, Double Bay	09319TM
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represents an increase in only 1 storey above the Council approved 5th storey (not yet constructed) on the subject site.

For the reasons outlined in this document, I support the Revised Planning Proposal. A significant portion of the following document replicates my comments contained in my previous report in support of the Original Planning Proposal.

3.0 PROPOSED AMENDMENTS TO WOOLLAHRA LOCAL ENVIRONMENTAL PLAN 2014 (WLEP 2014)

The Revised Planning Proposal seeks a site specific clause under WLEP 2014 which would reflect the proposed 6 storey development on the subject site.

It is a common provision under various Environmental Planning Instruments to provide Site Specific Planning Controls due to the unique nature of individual properties.

If Council ultimately expresses support for the proposed 6 storey development, it is proposed to amend WLEP 2014 to have a site specific clause contained therein reflecting the height and floor space ratio of the proposed 6 storey development. Discussions can be held with Council Officers to formulate a new clause to reflect the proposed 6 storey development.

4.0 POINTS IN SUPPORT OF THE REVISED PLANNING PROPOSAL

In support of the Original Planning Proposal, there had been comprehensive reports prepared by Philip Thalís and Eeles Trelease. Accordingly, I had considered that it was unnecessary to provide an extensive Planning Report in support of the Original Planning Proposal in circumstances where the various Urban Design, Traffic, Parking and Planning considerations arising under the Original Planning Proposal had already been canvassed in the reports of Philip Thalís and Eeles Trelease.

For the reasons outlined in my Planning Report in support of the Original Proposal, I had considered that the proposed 7 storey development on the subject site was most reasonable.

I also professionally support the current Revised Planning Proposal for a 6 storey development on the subject site.

Briefly, I strongly consider that the Revised Planning Proposal is eminently reasonable and is worthy of support of Council and the Minister for Planning for a range of reasons including, but not limited to, the following;

- As noted by Philip Thalís, the subject site has unique characteristics, being a “*key Corner Site of Double Bay Town Centre*”. Approval of the Revised Planning Proposal for the subject site would not constitute a precedence for approving increased densities elsewhere in the Town Centre due to the fact that the subject site has site-specific attributes not evidenced in the significant majority of the remaining properties in the Town Centre.
- I note that Philip Thalís previously supported the Original Planning Proposal for a 7 storey development on the subject site by way of an advice dated 12 May, 2015. Recently, Philip Thalís has prepared a document entitled “*Addendum to Urban Design Opinion of 12 May 2015*”, in support of the Revised Planning Proposal. In his Addendum, Mr Thalís concludes as follows:

“*Given the Architectural and Urban Design merit embodied in the proposal, appropriate to the site and locality, I recommend that Woollahra Council favourably*

consider this Planning Proposal application”.

I fully agree with the comments of Philip Thalís.

- Support for the Revised Planning Proposal would not, in any way, compromise any long term strategic planning reviews/studies for the Double Bay Town Centre due to the fact that the subject site has somewhat unique features which are not evidenced in the great majority of adjoining properties in the Double Bay Town Centre. In other words, support for the current Revised Planning Proposal would not *“open the floodgates”* for numerous similar Planning Proposals.
- The subject site has unique locational attributes for the reasons outlined in the reports of Philip Thalís and Eeles Trelease. Furthermore, Double Bay Town Centre also has positive locational attributes.
- The introduction of additional housing in the Double Bay Town Centre is a highly desirable Planning outcome as it will encourage increased vitality in the Town Centre and encouragement for retail and other uses.
- As noted by Philip Thalís and Eeles Trelease in their reports on the Original Planning Proposal, the subject site *“occupies the most visually prominent corner location in Double Bay... the site has long been nominated in the DCP as a prominent corner that requires a strong architectural response.”* In his report, Philip Thalís notes numerous corner sites in Sydney and overseas wherein strong buildings have been erected to reflect the corner site characteristics. On this point, Philip Thalís also states that *“there are many relevant Planning authorities and Planning publications which stress the importance of stronger street edges on such prominent corner sites.”* In fact, these Planning publications encourage stronger corner buildings by way of increased height and floor space ratio bonuses.
- The Urban Planning Committee (UPC) of Council recently considered a report entitled *“Double Bay Economic Feasibility Study”* prepared by Hill PDA Consulting, which, in effect, recommends increased development yield for properties within the Double Bay Town Centre to encourage increased growth. At its meeting held on Monday 7 September, 2015, Council’s UPC resolved, inter alia, that *“a further report be presented to the Urban Planning Committee... which is based on the recommendations and policy options presented to the urban Planning Committee*

by Hill PDA Consulting on 7 September, 2015.” On this point, it should be noted that Hill PDA is a consulting firm which was appointed by Council itself. Clearly, Hill PDA and Council’s UPC support increased development yields in the Double Bay Town Centre to encourage growth.

- Council, over a number of recent years, has allowed variation of its Planning Controls, particularly in relation to Height and FSR Standards, over properties which do not have the same unique positive attributes as the subject site. For example, Council supported increased Height and FSR bonuses on the adjoining development site at 2 Knox Street, Double Bay and also the Kiaora Lands redevelopment site (in which Council was a part owner). Neither of these development sites are strong corner sites, nonetheless, Council resolved to grant them additional bonuses. The past Council decisions are not intended to be a criticism of Council. I merely raise these decisions to demonstrate that the subject site has even stronger justification for increased yields.
- The Revised Planning Proposal contemplates increased housing in the proposed additional level and such housing would add to the vitality and economic impetus to the Town Centre.
- The future proposed units in the additional level would add to the diversity of housing stock, particularly as the units would not have carparking facilities due primarily to the high level of public transport to the subject site and the Town Centre generally. By not requiring on-site carparking, the proposed units would have a purchase price less than is evident in the great majority of home units with carparking facilities in the immediate locality. Accordingly, the proposed units would be sold to a wider range of the housing market because its purchase price would be lower than if the units had car parking facilities.
- In terms of potential amenity impacts, the following points are noted;
 - i. On the issue of Visual Appearance, the report of Eeles Trelease strongly commends the design of the proposed 6 storey building.
 - ii. In terms of Privacy Impact, appropriate measures can be provided to ensure no unreasonable Privacy Impact.

- iii. In terms of Overshadowing Impact, the current Double Bay Town Centre DCP raises an issue of potential overshadowing onto the public footpath on the southern side of New South Head Road. The Shadow Diagrams prepared by Eeles Trelease in support of the Revised Planning Proposal evidence the fact that the extent and duration of potential overshadowing onto the adjoining public footpath to the south would be very limited in terms of its length of shadow and the time of shadow. On this point, I note that the Revised Planning Proposal reduces the overshadowing onto the opposite public footpath compared to the Original Planning Proposal for 7 storeys. Furthermore, I note that WLEP 2014 has increased the maximum allowable Height Standard for the properties on the northern side of New South Head Road (including the subject site) up to 14.5 metres. The Shadow Diagrams indicate that future buildings built on the northern side of New South Head Road up to a height of 14.5 metres would increase the overshadowing onto the public footpath on the southern side of New South Head Road. In other words, WLEP 2014 by its increased Height Standard has accepted the fact that the public footpath on the southern side of New South Head Road will be overshadowed in the future.
- iv. In terms of View Loss, the report of Eeles Trelease in relation to the Original Planning Proposal for 7 storeys assessed this potential impact and found that there would be no unreasonable View Loss. The Revised Planning Proposal for 6 storeys further reduces any potential View Loss.

5.0 RESPONSE TO POINTS RAISED BY COUNCIL OFFICERS

At a meeting with Council Officers to discuss the Original Planning Proposal for a 7 storey development, a number of points were raised for discussion purposes. The points discussed at the abovementioned meeting and my responses are provided below. Equivalent responses can be provided to the Revised Planning Proposal for 6 storeys.

- **Compatibility of proposed 7 storeys height with remainder of Double Bay Town Centre.**

Response

In terms of the test of “compatibility”, I considered that the proposed 7 storeys height foreshadowed under the Planning Proposal would be eminently reasonable for the following reasons;

- Adopting the Planning Principle of the Land and Environment Court relating to “compatibility,” it is generally accepted that *“buildings can exist together in harmony without having the same density, scale or appearance, though as a difference in these attributes increases, harmony is harder to achieve.”* Furthermore, the Court has advised that there are 2 questions to be asked. Firstly, are the physical impacts on surrounding developments acceptable? Secondly, is the proposal’s appearance in harmony with the buildings around it and the character of the street?
- In terms of physical impacts, I consider that there will not be unreasonable impacts on adjoining properties for the reasons outlined in the reports of Philip Thalys, Eeles Trelease and this Planning Report.
- The appearance of a 7 storey development would be consistent with the architectural appearance of the existing building in terms of its main features and materials of construction.
- When one undertakes the test of compatibility, one must place significant weight on the likely future built form on adjoining properties based on Council’s Planning Controls. On this point, I particularly note the fact that many of the adjoining buildings are considerably underdeveloped compared to the bulk,

scale and height of future buildings contemplated under Council's Planning Controls.

- I also wish to reiterate the advice of Philip Thalys that there are authoritative publications which endorse the principle that corner sites require strong corner buildings above the prevailing Planning Controls.
- Due to the somewhat unique characteristics of the subject site, the foreshadowed 7 storey building reflects the unique characteristics of the site.

My abovementioned grounds in support of the previously proposed 7 storeys development equally apply to the proposed 6 storey development under the Revised Planning Proposal.

- **Precedent impact of Planning Proposal on long term strategic Planning reviews/studies.**

Response

For the reasons outlined in this report, approval of the current Planning Proposal would not result in a "precedent" to justify similar proposals on the great majority of properties in the Double Bay Town Centre. There would only be a very limited number of similar sites fronting New South Head Road. I consider that the subject site demonstrates somewhat unique positive features which are not readily evident in the great majority of other Business zoned land within the Double Bay Town Centre. Accordingly, support for the current Planning Proposal would not "open the flood gates" for a multitude of similar Planning Proposals.

My abovementioned grounds in support of the previously proposed 7 storeys development equally apply to the proposed 6 storey development under the current Revised Planning Proposal.

- **Adequacy of setbacks to adjoining “Cosmopolitan” development.**

Response

The issue of SEPP 65 would be the subject of further assessment under a future Development Application, but the following points should be noted;

- i. There is an intervening laneway which provides spatial separation between the subject site and the adjoining ‘Cosmopolitan’ development.
- ii. The issue of Privacy Impact, which is a relevant consideration under SEPP 65, can be resolved by appropriate privacy measures.
- iii. The issue of Overshadowing Impact is resolved in favour of the proposal given that adjoining units will still retain a level of sun in excess of Council’s Planning Controls.
- iv. The issue of Loss of Views is resolved in favour of the proposal given my inspection of the adjoining top floor unit in the adjoining ‘Cosmopolitan’ development. My inspection revealed that this adjoining unit enjoys expansive north facing views which would not be impacted by the proposal.

- **Overshadowing of Council footpath on southern side of New South Head Road.**

Response

For the reasons outlined in my report in relation to the Original Planning Proposal for 7 storeys, I had considered that there will not be unreasonable Overshadowing Impact on the public footpath on the southern side of New South Head Road arising from the Original Planning Proposal for 7 storeys.

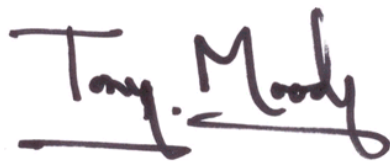
The Revised Planning Proposal for 6 storeys would further reduce any Overshadowing Impact on the public footpath on the southern side of New South Head Road.

Revised Planning Proposal

374 and 376-382 New South Head Road, Double Bay | 09319TM

6.0 CONCLUSION

For the reasons outlined in the reports of Philip Thalys, Eeles Trelease and this Planning Report, I consider that the Revised Planning Proposal is to be commended and is worthy of support of Council and the Minister for Planning.

A handwritten signature in dark ink, reading "Tony Moody". The signature is stylized with a large "T" and "M".

TONY MOODY

BTP (UNSW), LL.B (UTS)(Hons.), MPIA

CONSULTANT TOWN PLANNER AND SOLICITOR

Dated: 27 April, 2016.