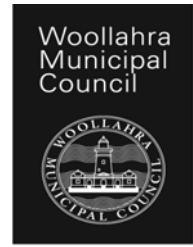


Memorandum



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Date: 8 December, 2011

To: Sydney East Joint Regional Panel (JRPP)

Address: 33 CROSS STREET DOUBLE BAY

Council DA No. 671/2010/1

JRPP Reference: 2010SYE117

Proposal: Demolition of the existing building from ground floor level, retention of the basement carpark for 154 vehicles, construction of a mixed use development with retail tenancies and a five (5) cinema complex for approximately 600 people which occupies the ground and first floor levels and seven (7) levels of residential above containing 74 units (a mix of one, two and three bedrooms)

From: Mr Dimitri Lukas
Senior Assessment Officer Woollahra Council

The purpose of this memorandum is to correct errors and update the Assessment Report for the above referenced development for the JRPP Meeting on 13 December 2011.

The changes are:

- The Compliance Table on Page 30,
- Condition A.3 on Page 57, and;
- Condition A.5 on Page 58

The Compliance Table on Page 30 provides setbacks of Levels 6-9 of the proposed development. The measurement was incorrectly stated from the front or Cross Street boundary. The following Compliance Table provides the correct setback distance of the development from the Cross Street boundary (*corrected figures highlighted*):

The following table provides the proposed setbacks of the upper levels from the boundary:

Setbacks (m)	Front (South)	Side (East)	Side (West)	Rear (North)
Level 6	7.5	1.5	3	3.5
Level 7	11.5	1.5	3	6.5
Level 8	15.5	1.5	3	6.5
Level 9	20	4-5	3	10

The applicant has also provided a Roof Plan and Section to reflect the most recent amendments which form the basis of the report that is being presented to the JRPP for determination. Accordingly, Condition A.3 of the development consent has been updated to include reference to these additional drawings as follows (*updated architectural drawing numbers highlighted*):

A.3 Approved Plans and supporting documents

Those with the benefit of this consent must carry out all work and maintain the use and works in accordance with the plans and supporting documents listed below as submitted by the Applicant and to which is affixed a Council stamp “Approved DA Plans” unless modified by any following condition. Where the plans relate to alterations or additions only those works shown in colour or highlighted are approved.

Reference	Description	Author/Drawn	Date(s)
220/C, 201/C, 202/B, 203.2/B, 203.3/B & 203.4/B; & 204/E, 205/E, 206/E, 207/E, 303/D, 302/E, 208/D & 400/D	Architectural Plans	PTW Architects	25.07.2011 23.11.2011
SK960 to SK963, SK970 & SK971	Privacy Study Plan	PTW Architects	14.10.2011
345349M_04	BASIX Certificate	Department of Planning	23/11/2011
10113	Demolition Report	GSA Planning	December 2010
101449	Flood Study	Taylor Thomas Whitting Pty Ltd Consulting Engineers	23.12.2010
11525.04	Geotechnical Report	Douglas Partners Pty Ltd	03.10.2008
101449	Structural Report	Taylor Thomas Whitting Pty Ltd Consulting Engineers	26.07.2011
Concept, GF, L2, L3, L4, L5, LL6, L7, L8, L9 & Roof	Landscape Concept Plans	Oculus	18.10.2011
Revision E	Landscape Design Report	Oculus	26.07.2011
33/CR/AIA/B	Arboricultural Impact Assessment	TreeIQ	19.10.2011
20110684.1	Noise Impact Assessment	Acoustic Logic	Undated
N/A	Heritage Impact Statement	Golden Mackay Logan Heritage Consultants	December 2010
DA900	Sample Boards	PTW Architects	26.11.2010
SKC00 to SKC04 Revision P3	Stormwater Disposal Concept Plan	Taylor Thomas Whitting Pty Ltd Consulting Engineers	26.10.2011
N/A	Waste Management Plan	J.D.MacDonald	October 2011
10180	Traffic and Parking Assessment	Transport and Traffic Planning Associates	July 2011
610.10668-R1	Thermal Comfort Assessment	SLR Consulting Australia Pty Ltd	23.11.2011
610.10668-R2 Revision 0	Energy Efficiency Assessment	SLR Consulting Australia Pty Ltd	29.07.2011
610.10668-R3 Revision 0	Ecological Sustainable Design Assessment	SLR Consulting Australia Pty Ltd	29.07.2011
N/A	Sustainability Report	Howe & Associates	25.07.2011
N/A	Access Review	Morris-Goding Accessibility Consulting	27.07.2011

Note: Warning to Accredited Certifiers – You should always insist on sighting the original Council stamped approved plans. You should not rely solely upon the plan reference numbers in this condition. Should the applicant not be able to provide you with the original copy Council will provide you with access to its files so you may review our original copy of the approved plan.

Note: These plans and supporting documentation may be subject to conditions imposed under section 80A(1)(g) of the *Act* modifying or amending the development (refer to conditions which must be satisfied prior to the issue of any *Construction Certificate*.)

Standard Condition: A5

The wording of Condition A.5 of the recommendation may be interpreted to imply that a separate development application is required for the construction of the Cinema and Retail space and that these do not form part of the approved development (if approval is granted).

The intention of the condition referred to the operational issues associated with the Cinema and Retail area, namely their use and fitout.

Accordingly, the condition is recommended to be replaced as follows:

A.5 Development Consent is not granted in relation to these matters

This approval does not give consent to the fitout, use, hours of operation, plan of management, staff numbers, waste management and car parking allocation of the retail and cinema components of the development.

A separate Development Consent must be obtained prior to the fitout and use of the Cinema and Retail space.

Dimitri Lukas
Senior Assessment Officer