

Council Ref: DA 671/2010/1:Mr D Lukas: DL
Planning and Development

8 December 2011

Joint Regional Planning Panels
NSW Department of Planning and Infrastructure
Level 13, Thakral House,
301 George Street
SYDNEY NSW 2000

Attention: Panel Secretariat – Angela Kenna

Application No: DA 671/2010/1

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)

Property: 33 Cross Street DOUBLE BAY 2028

The Council, at its meeting of Tuesday 6 December 2011, resolved to make a submission to the Joint Regional Planning Panel in relation to the above referenced development proposal as follows:

THAT the Joint Regional Planning Panel, as the consent authority, refuse development consent to DA No.671/2010/1 for 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) on land at 33 Cross Street DOUBLE BAY, for the following reasons:

1. It is inappropriate to have a 9 storey development in Double Bay contrary to the provisions of Part 6 of Council's Double Bay Development Control Plan 2002 (the DBDCP).
2. That a building form which exceeds 7 storeys on the site is unacceptable within the built environment.
3. The excessive bulk and scale of the building has an unreasonable and detrimental impact on the Transvaal Avenue Heritage Precinct.
4. As the application includes the use and operation of cinemas, the concessions for cultural facilities in Section 6.8.1 of the DBDCP do not apply and there is no guarantee of a public benefit to be provided by the development that would justify a

deviation from Council's FSR development standard contained in Woollahra Local Environmental Plan 1995 and height control contained in the DBDCP.

5. That the building if approved would result in an unacceptable visual impact on the surrounding 'amphitheatre' of the surrounds to Double Bay, and also William Street and Transvaal Avenue, Double Bay.
6. That the granting of consent to nine (9) storey developments in Double Bay would give rise to an inappropriate precedent.
7. Insufficient information has been provided to fully assess the impacts of the cinema particularly in relation to traffic generation and other issues related to intensity of use.
8. There is insufficient information to be satisfied that the lifts can be built without unplanned lift overruns.
9. The SEPP No.1 objection is not well founded and is not supported

Should you require any further information, please contact Council's Senior Assessment Officer Mr Dimitri Lukas on 93917159 between the hours of 8:30am - 4:00pm Tuesday to Friday.

Yours sincerely

Mr A Coker
Director - Development Control
Per: