

**Council Ref:** DA 531/2011/1:Mr P Kauter:  
Planning & Development Division

13 June, 2012

Angela Kenna, Panel Secretariat  
Sydney East Joint Regional Planning Panel  
GPO Box 3415  
Sydney NSW 2011

Dear Angela

**Sydney East Joint Regional Planning Panel  
Kiaora Lands, Double Bay – 2011 SYE118**

Please be advised that the Council, at its meeting on 12/6/12, resolved to make a submission to the Sydney East Joint Regional Planning Panel in relation to the development application for the proposed Kiaora Lands development in Double Bay. The Panel is requested to take the matters raised in this submission into its consideration before determining the development application. The Council's resolution was in the following terms:

*That Council advise the Regional Panel that it raises no objection to the granting of development consent to Development Application No.531/2011/1 for the Kiaora Lands redevelopment at Double Bay consisting of:*

- *demolition of existing buildings and structures*
- *a new 4 storey commercial/retail building fronting New South Head Road and including a new public library*
- *a new 3 level commercial/retail building fronting Kiaora Lane, including a supermarket*
- *public parking and public domain improvements*
- *site remediation*

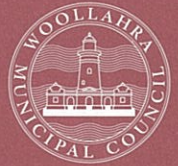
*subject to the conditions recommended in the annexed report by Council's Executive Planner, Peter Kauter and subject to the following:*

**1. Inclusion of the following new Conditions:**

***E.32 Construction vehicles not to use Court Road***

*No vehicles associated with the construction of the approved development for the purpose of deliveries to and from the site shall use Court Road at any time during the period of construction other than for the purpose of carrying out ancillary works to public infrastructure and the Construction Management Plan shall be amended to include this condition.*

***F.42 Rooftop carparking – acoustic treatment***



*Additional transparent acoustic lining shall be erected underneath the shade structure at the rooftop car parking level at Edge Conditions B & D (shown on Drawing No 3109 SK 564). Such lining is to provide acoustic attenuation to ensure that noise from the use of the roof top car parking level outside of the hours referred to in Condition I.30 satisfies the acoustic requirements of this development consent. The objective of this condition is to ensure that residents in the Double Bay amphitheatre are not adversely affected by noise from the use of the rooftop car parking.*

#### **H.5 Wall on southern boundary**

*A 2.4m high masonry wall is to be erected on the southern boundary, as shown on drawing 3109 DA 024D, except where such requirement is waived by an individual Court Road property owner prior to the commencement of construction.*

#### **I.30 Rooftop carparking – restrictions on night time use**

*The proposed rooftop car parking level (except for holders of permanent roof top parking licences) shall be closed to vehicle entry from 9pm – 7am each day and closed to vehicle exit from 11pm – 7am each day. Appropriate signage within the car park and on parking tickets shall be provided to patrons advising of these hours, and the erection of the necessary boom gate at the bottom of the ramp shall be provided to ensure the roof top level is used only within the approved hours. The objective of this condition is to ensure that residents in the Double Bay amphitheatre are not adversely affected by noise from the use of the rooftop car parking level at night.*

#### **I.31 Rooftop carparking – restriction on use by motorbikes**

*The rooftop parking level and the internal ramp up to it shall not be used by motorbikes at any time. The objective of this condition is to ensure that residents in the Double Bay amphitheatre are not adversely affected by noise from the use of the rooftop car parking level.*

#### **I.32 Use of the Anderson Street vehicular opening**

*The Anderson Street vehicular opening to the ground floor car park is restricted to exit movements only.*

### **2. Deletion of recommended Condition No. C.30 and replacement with the following new Condition No. C.30:**

#### **C.30 Setback of construction zone depot**

*The proposed construction zone depot shall be relocated to a minimum distance of 7m from the nearest point of any residential property boundary. No parking of construction vehicles, or placement of toilets, demountables, skip bins, storage of equipment or the like associated with the construction of the approved development shall be permitted within 7m of the nearest residential property boundary and any such storage or activity shall be placed*

*behind the required acoustic barriers/screening required under Condition D.19.*

**3. Amendment of Condition No. I.25 to read as follows:**

***I.25 Compliance with the waste management plan***

*Waste management is to conform with the Waste management plan, prepared by JD McDonald dated February 2012, including the recommendations of that plan, with the exception that waste from retail outlets on the ground floor are to be collected from the refuse room in the loading dock and not from Kiaora Lane. No waste collection is to occur outside the hours of 7am – 6pm.*

The reference at the start of the letter to ..... *the annexed report by Council's Executive Planner, Peter Kauter* ..... is a reference to the assessment report previously referred to the Panel. Please note that the report has not been annexed to this letter.

Should you wish to discuss any aspect of this submission prior to tomorrow's Panel meeting please call me on 9391 7156.

Yours Sincerely



Peter Kauter  
Executive Planner