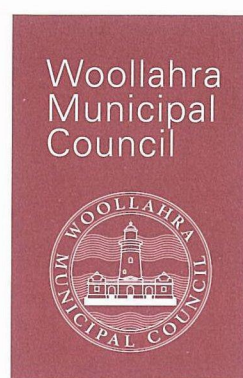
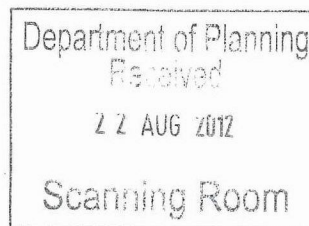


**Council Ref:** DA 671/2010/2:Mr D Lukas:DL  
Planning & Development Division

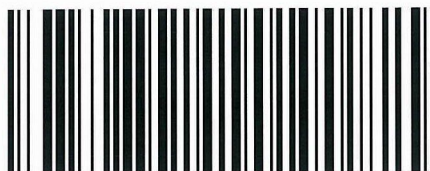


ABN 32 218 483 245

17 August, 2012

Joint Regional Planning Panel (Sydney East)  
Level 13, Thakral House  
301 George Street  
SYDNEY NSW 2000

**Attention:** Panel Secretariat



PCU036959

Redleaf Council Chambers  
536 New South Head Road  
Double Bay NSW 2028

Correspondence to

General Manager

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**Telephone:** 61 2 9391 7000

**Facsimile:** 61 2 9391 7044

**JRPP Reference No:**  
**Development Application No.**  
**Proposal:**

2010SYE050

671/2010/2

Internal and external modifications to the approved mixed use building. The two basement car parking levels and the first two levels containing the 5 cinemas and retail premises of the ground level and level 1 will not be altered. The external modifications include changes to the roof form, the provision of modified balconies/winter gardens to levels 2-7 and additional area to level 6 fronting Cross Street (matching the floor area for Level 6 prior to its deletion). Levels 2-7 will also be internally reconfigured to increase the number of units from 64 (as approved by the deletion of Level 6) to 74 units including 36 x 1 bedroom, 17 x 2 bedroom and 23 x 3 bedroom over the 7 level building  
33 Cross Street, Double Bay

**Property:**

The Council, at its meeting of Monday 13 August 2012, 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, refuse to, modify Development Application 671/2010 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 six (6) levels of residential above containing 64 units (a mix of one, two and three bedrooms) on land at 33 Cross Street DOUBLE BAY, for the following reasons:*

- 1. The building proposed is of excessive bulk and scale to that approved by the JRPP, particularly in the top 2 floors (4.74:1 as against an FSR control in our LEP of 2.5:1).*
- 2. The additional height exceedance of the DCP height limit is unacceptable, the more so in view of the increased bulk of the upper floors.*
- 3. That a building form which exceeds 7 storeys on the site is unacceptable within the built environment.*



4. *The excessive bulk and scale of the building has an unreasonable and detrimental impact on the Transvaal Avenue Heritage Precinct.*
5. *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.*
6. *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.*
7. *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 9391 7159 between the hours of 8:30am - 4:00pm Tuesday to Friday.

Yours sincerely

Mr A Coker

**Director - Development Control**

Per: 