

AMENDED DEVELOPMENT APPLICATION
ADDENDUM REPORT TO WAVERLEY COUNCIL

Mixed Use Development

61-79 Hall Street, Bondi Beach



Prepared on behalf of
TOGA GROUP

DECEMBER 2008

Table of contents

1.0 Introduction	1
2.0 Proposed Amendments	3
3.0 Response to Submissions	10
4.0 Affordable Rental Housing	13
5.0 Voluntary Planning Agreement	15
5.1 Affordable Housing Contribution	15
5.2 Other Community Benefits and Monetary Contributions	18
6.0 Conclusion	21

Figures

1a HALL STREET - Existing photograph of the site and photomontage approved development.....	
1b HALL STREET - Photomontage of the original proposal and amended proposal.....	

Tables

1 Summary of proposed amendments by drawing number	
2 Summary of proposed amendments	
3 Existing, approved, original proposal and amended proposal maximum building heights	
4 Affordable housing contribution calculation Step 1 - Calculate value existing consent (DA-816/2003) for 61-17 Hall Street	
5 Affordable housing contribution calculation Step 2 - Convert the approved Hakoah Club (61-67 Hall Street) contribution into a \$/m ² of non-compliance	
6 Affordable housing contribution calculation Step 3 - Calculate proposed bonus GFA on 71, 73-75 and 77-79 Hall Street and apply the approved Hakoah Club rate (\$77.67/m ² of non-compliance).....	

Attachments

- 1 Amended Schedule of Apartments, by Bates Smart
- 2 Amended Landscape Plan, by Taylor Brammer Landscape Architects Pty Ltd
- 3 Amended State Environmental Planning Policy No. 1 (SEPP 1) Objections to the following development standards in Waverley Local Environmental Plan 1996 (WLEP 1996), by Robinson Urban Planning:
 - Clause 27 - Floor space ratio
 - Clause 28 - Height in business zones
- 4 Additional Traffic Advice, by Masson Wilson Twiney (to be read in conjunction with the Traffic Report at Appendix F of the original SEE)
- 5 Amended BASIX Certificate, by Bassett Consulting
- 6 Amended BCA Compliance Report, by Steve Watson & Partners
- 7 Amended Detailed Cost Summary, by Page Kirkland
- 8 Summary of resident submissions
- 9 Resident Relocation Strategy, by Elton Consulting
- 10 Amended Voluntary Planning Agreement, by Freehills

1.0 INTRODUCTION

This report is submitted to Waverley Council (**the Council**). It provides additional information and describes proposed amendments to development application (**DA**) 319/2008 which proposes a Mixed Use Development at 61 – 79 Hall Street, Bondi Beach (**the site**). The amended proposal comprises:

1. Demolition of all existing buildings and structures on the site.
2. Construction of a new mixed building comprising:
 - Lower Ground Floor, Ground Floor and part seven, part three storeys above
 - 113 serviced apartment hotel rooms on Levels 01, 02 and 03
 - 4,299m² of retail/commercial, licensed restaurant/café/bar and gymnasium gross floor area (**GFA**) located on the Lower Ground Floor and Ground Floor
 - 34 residential apartments (being 3 x one bedroom, 19 x two bedrooms, 12 x three bedrooms) on Levels 03 to 07
 - A swimming pool (21m x 7m), spa and landscaped deck area
 - A through site link (open to the sky) connecting Hall and O'Brien Streets
 - Three basement car parking levels, accessed via a driveway to O'Brien Street, accommodating 182 cars (comprising 28 serviced apartment spaces, 123 retail and 31 residential spaces), eight motorcycle spaces and approximately 100 bicycle spaces
 - Loading dock accessed from O'Brien Street
 - Substation at Basement Carpark Level 001
 - Landscaping of the site
 - Signage location zones

The report has been prepared by Robinson Urban Planning Pty Ltd, on behalf of the applicant Toga Group. It should be read in conjunction with the Statement of Environmental Effects (dated June 2008) that accompanied the original DA (**the original SEE**).

Preparation of this Addendum Report follows:

- A review of resident submissions and includes a summary of and response to the issues raised
- Several meetings with Council's Assessment Officers and a review of the issues raised
- Consultation with the Local Traffic Committee

This Addendum Report is accompanied by a separate volume of Amended Architectural Plans and supporting plans/information by Bates Smart and the following attachments (which replace the corresponding Appendices in the original SEE):

- Attachment 1** Amended Schedule of Apartments, by Bates Smart
- Attachment 2** Amended Landscape Plan, by Taylor Brammer Landscape Architects Pty Ltd
- Attachment 3** Amended State Environmental Planning Policy No. 1 (**SEPP 1**) Objections to the following development standards in Waverley Local Environmental Plan 1996 (**WLEP 1996**), by Robinson Urban Planning:
 - Clause 27 - Floor space ratio
 - Clause 28 - Height in business zones
- Attachment 4** Additional Traffic Advice, by Masson Wilson Twiney (to be read in conjunction with the Traffic Report at Appendix F of the original SEE)
- Attachment 5** Amended BASIX Certificate, by Bassett Consulting
- Attachment 6** Amended BCA Compliance Report, by Steve Watson & Partners
- Attachment 7** Amended Detailed Cost Summary, by Page Kirkland
- Attachment 8** Summary of resident submissions
- Attachment 9** Resident Relocation Strategy, by Elton Consulting
- Attachment 10** Amended Voluntary Planning Agreement, by Freehills

An amended physical model accompanies this report.

2.0 PROPOSED AMENDMENTS

The separate volume of Amended Architectural Plans by Bates Smart shows the proposed amendments in red cloud. The most significant amendments, which significantly reduce the bulk of the proposal, are:

- **Deletion of one podium level to Hall Street.** This amendment reduces the Hall Street podium height to four storeys with a 3m setback to Level 04 (RL 34.225). This amendment makes the podium consistent with Waverley Development Control Plan 2006 – Part F5 – Local Villages.
- **Deletion of one podium level to O'Brien Street.** This amendment reduces the O'Brien Street podium height to four storeys, reducing the impact upon the existing residential uses on the northern side of O'Brien Street.
- **Increased setback to Level 07.** The Level 07 setback to Hall Street has been to 7.7m minimum (an increased of up to 1m). The Level 07 setback to O'Brien Street has been increased to 8.270m minimum (an increase of up to 2m). This amendment further reduces the visibility of Level 07 so that there are very limited sight lines to the proposed top level.

An amended schedule of residential apartments, prepared by Bates Smart, is included in **Attachment 1**.

The Landscape Plan, by Taylor Brammer, has also been amended to reflect to the proposed changes (**Attachment 2**).

Table 1 lists the proposed amendments by drawing number.

Table 2 summarises the key attributes of the original and amended proposals.

Table 3 compares the height¹ of the existing building, approved DA (DA-816/2003), original DA and amended DA. It shows that the amended Architectural Plans reduce the proposed podium height by one level (2.95m) along both Hall Street and O'Brien Street.

¹ WLEP 1996 (Schedule 2) defines *height* and *natural ground level* as follows:

***height** of a building in a business zone means the greatest distance in metres measured vertically from any point on the building to the natural ground level below that point.*

***natural ground level** is the ground surface level prior to any development, including any cutting, filling and grading, and, where the existing ground level differs from the natural ground level, the natural ground level shall be as determined by the Council after taking into account any information available to it concerning the location.*

Other information accompanying this report that describes the proposed amendments includes:

Attachment 3 Amended State Environmental Planning Policy No. 1 (**SEPP 1**)
Objections to the following development standards in Waverley
Local Environmental Plan 1996 (**WLEP 1996**), by Robinson
Urban Planning:

- Clause 27 - Floor space ratio
- Clause 28 - Height in business zones

Attachment 4 Additional Traffic Advice, by Masson Wilson Twiney

Attachment 5 Amended BASIX Certificate, by Bassett Consulting

Attachment 6 Amended BCA Compliance Report, by Steve Watson & Partners

Attachment 7 Amended Detailed Cost Summary, by Page Kirkland

Table 1 – Summary of proposed amendments by drawing number

Drawing number and title	Rev	Proposed amendments
AR-DA-0-01 – Drawing Schedule	A	– Updated to reflect amended plans
AR-DA-1-01 – Site Analysis Plan	A	No change
AR-DA-1-02 – Site Plan	A	No change
AR-DA-2-01 – Level 003 Basement	A	– Amended distribution of 70 parking spaces: – 28 hotel spaces (34 in original DA) – 31 residential spaces (27 in original DA) – 11 commercial staff spaces (9 in original DA)
AR-DA-2-02 - Level 002 Basement	A	– Amended layout to provide 68 retail spaces (61 in original DA).
AR-DA-2-03 - Level 001 Basement	A	– Addition of 5 van loading spaces – Amended layout to provide 44 retail spaces (49 in original DA)
AR-DA-2-04 – Lower Ground O'Brien St Entry	A	– Amended loading dock arrangement to accommodate large truck, small truck and van (as recommended by the local traffic committee) – Fire stair and loading corridor amendments
AR-DA-2-05 - Level 00 Ground Floor Hall St Entry	A	– Hall St footpath widening deleted
AR-DA-2-06 – Level 01 Serviced Apartments	A	– Amended serviced apartments layout
AR-DA-2-07 – Level 02 Serviced Apartments	A	– Amended serviced apartments layout
AR-DA-2-08 – Level 03 Residential + Serviced Apartments	A	– Hall St frontage changed to 8 residential apartments (from serviced apartments) – 3m setback to Hall St – O'Brien Street serviced apartments deleted – O'Brien Street setback of 5.67m – 7.35m
AR-DA-2-09 – Level 04 Residential	A	– Hall St residential apartments over 71-79 Hall St deleted – Amended apartment layout
AR-DA-2-10 – Level 05 Residential	A	– Amended apartment layout
AR-DA-2-11 – Level 06 Residential	A	– Amended apartment layout
AR-DA-2-12 – Level 07 Residential	A	– Increased setback to Hall St (now 7.7m minimum) – Increased setback to O'Brien St (8.27m minimum) – Amended apartment and plant layout
AR-DA-2-13 – Roof Plan	A	– Amended roof plan to reflect changes below – Addition of roof lights
AR-DA- 2-40 – Adaptable Apartments	A	– Amended apartment layout
AR-DA- 2-41 – Adaptable Apartments	A	– Amended apartment layout
AR-DA- 5-01 – South West Elevation Hall Street	A	– Hall St residential apartments over 71-79 Hall St deleted – 3m setback to Hall St at Level 03
AR-DA- 5-02 – South East Elevation	A	– Amended to reflect changes above (precast concrete panels to Level 01 and 02 only)
AR-DA- 5-03 – North Elevation O'Brien Street	A	– O'Brien St podium reduced by one level – Amended to reflect changes above (precast concrete panels to Level 01 and 02 only)

Drawing number and title	Rev	Proposed amendments
AR-DA- 5-04 – North West Elevation	A	<ul style="list-style-type: none"> – Amended to reflect changes above (precast concrete panels to Level 01 and 02 only) – O'Brien St podium reduced by one level – Hall St residential apartments over 71-79 Hall St deleted
AR-DA- 6-01 – Section AA	A	– Updated to reflect amended plans
AR-DA- 6-02 – Section BB	A	– Updated to reflect amended plans
AR-DA- 6-03 – Section CC	A	– Updated to reflect amended plans
AR-DA- 6-04 – Section DD	A	– Updated to reflect amended plans
AR-DA- 6-05 – Section EE	A	– Updated to reflect amended plans
AR-DA- 6-06 – Section FF	A	– Updated to reflect amended plans
AR-DA- 6-07 – Section GG	A	– Updated to reflect amended plans

Table 2 – Summary of proposed amendments

	Original Proposed	Amended Proposed	Change
Number and mix of residential apartments			
– One bedroom	1 (3%)	3 (9%)	
– Two bedroom	25 (81%)	19 (56%)	
– Three bedroom	4 (13%)	12 (35%)	
– Four bedroom	1 (3%)	0	
Total	31	34	+3
Number of serviced apartments	135	113	-22
GFA (m²)			
– Serviced apartment hotel	6,742	5,513	
– Residential	4,442	5,010	
– Retail/recreation	4,314	4,299	
Total (m²)	15,498	14,822	-676
FSR (site area 3,572m²)			
– Serviced apartment hotel	1.89:1	1.54:1	
– Residential	1.24:1	1.40:1	
– Retail/recreation	1.21:1	1.20:1	
Total FSR	4.3:1	4.15:1	-0.15:1
Parking			
– Serviced apartment hotel	34	28	
– Residential	27	31	
– Retail, recreation etc	119	123	
Total	180	182	+2

Table 3 – Existing, approved, original proposal and amended proposal maximum building heights

	Existing RL	metres	Existing Consent RL	metres	Original Proposed RL	metres	Amended Proposal RL	metres
Hall Street Frontage								
61-67 Hall St (Hakoah Club)	RL 42.92	21.07m	<u>Street wall</u> N/A <u>Parapet</u> RL 42.95 21.45m <u>Cooling tower</u> RL 45.850 24.35m <u>Signage</u> RL 47.215 25m		<u>Street wall</u> 11.83m <u>Parapet</u> RL 46.815 25m <u>Lift overrun</u> RL 47.875 26m		<u>Street wall</u> 9.7m <u>Parapet</u> RL 46.815 25m <u>Lift overrun</u> RL 47.875 26m	
69-79 Hall St	RL30.92 to RL31.77	9.14m - 9.97m	N/A		<u>Level 04</u> RL 34.225 12.65m <u>Level 05</u> RL 37.175 15.57m		<u>Level 03</u> RL 31.275 9.7m <u>Level 04</u> RL 34.225 12.63m	
O'Brien Street frontage								
61-67 Hall St (Hakoah Club)	RL 29.19	10.85m	RL 31.25 12.91m		<u>Level 03</u> RL 31.375 12.91m <u>Level 04</u> RL 34.225 15.68m		<u>Level 03</u> RL 31.275 12.81m	
69-79 Hall St	N/A		N/A		<u>Level 01</u> RL 25.675 6.22m		<u>Level 01</u> RL 25.575 6.12m	



HALL STREET

EXISTING



APPROVED (DA-816-2003)

Figure 1a – HALL STREET - Existing photograph of the site and photomontage approved development

**ORIGINAL PROPOSAL
(DA319/2008)**



**AMENDED PROPOSAL
(DA319/2008)**



Figure 1b – HALL STREET - Photomontage of the original proposal and amended proposal

3.0 RESPONSE TO SUBMISSIONS

At the time of writing, Council had received 26 submissions on DA 319/2008, including one letter of support (the total of 26 counts all submissions received including multiple letters from one household).

A list of the people who lodged submissions and a summary of the issues raised is set out at **Attachment 8**. The key issues raised in the submissions and the applicant's response follows:

- a. **Height and FSR** – Does not comply with height and FSR controls.

Response:

The amended plans reduce the proposed height and FSR. As detailed in the amended SEPP 1 objections (**Attachment 3**), the departures from the development standards are reasonable in the circumstances. The amended photomontages show that the proposal will have a positive streetscape impact.

- b. **Traffic and inadequate parking** – Local streets cannot accommodate increased traffic and demand for parking

Response:

Masson Wilson Twiney has prepared further traffic assessments including an assessment of traffic conditions upon completion of the proposed development on the site as well as that proposed on the Swiss Grand, Bondi Hotel and Ravesi's sites (**Attachment 4**). Their analysis indicates that all intersections would work satisfactorily upon completion of these projects.

Masson Wilson Twiney has also recalculated the minimum and maximum parking spaces allowed on the site pursuant to Waverley Development Control 2006 – Part 11. The minimum allowed is 130 spaces and the maximum is 182 spaces. With 182 spaces proposed, the development includes the maximum number of complying parking spaces thereby minimising demand for on-street parking. The provision of any more parking would breach Council's controls and encourage the use of private cars over public transport and bicycles (the use of which is encouraged by the proposal to provide more than 100 bicycle parking spaces in the development).

- c. **Loss of village atmosphere**

Response:

The existing uses on the site; being a members only club in a large building that does not interact with the street, an internet café, Bunga Bar and dress shop; contribute little to the creation of a village atmosphere. In contrast the proposal will make a meaningful contribution to the village atmosphere of Hall Street by providing active café/retail uses along the length of the site, a through site link between Hall and O'Brien Streets, a retail strategy to encourage tenants that

predominantly meet the daily/convenience food needs of the local community (see Loop Strategy at Appendix E of the Original SEE), a swimming pool that will be accessible to the community, a public art program for the site etc.

d. **Cumulative impact of development**

Response:

As noted above, Masson Wilson Twiney has considered the cumulative traffic impact of several proposed developments in Bondi and found that local intersections can accommodate the increased traffic.

e. **Impacts of construction**

Response:

As noted in the additional traffic assessments by Masson Wilson Twiney (**Attachment 4**), a construction traffic management plan would be prepared prior to release of the Construction Certificate. Council's standard construction hours and conditions (including the requirement to prepare dilapidation reports on all adjoining properties) will minimise other impacts of construction.

f. **Amenity, privacy and noise**

Response:

A number of Roscoe Street residents, with a second frontage to O'Brien Street, raised concerns about privacy and noise impacts. In response to these concerns, one level has been deleted from the O'Brien Street podium.

g. **Retail design should be amended** – Too much retail, supermarket should not be provided, retail uses should not front O'Brien Street

Response:

The retail strategy is to target gourmet food orientated retail tenancies (see Loop Strategy at Appendix E of the Original SEE). There is no plan to include a traditional supermarket in the development. All retail tenancies are to be accessed from the through site link or Hall Street. The retail tenancies with a frontage to O'Brien Street will be glazed but there will be no doors or openable windows.

h. **Environmental Initiatives** – What is proposed to protect the environment?

Response:

The original DA included a DA ESD Option Report and BASIX Report, by Bassett Consulting (Original SEE, Appendix H). It explained that the proposal includes a range of initiatives to promote water efficiency, thermal performance, energy efficiency and to minimise greenhouse gas emissions, waste generation, pollutants and reliance on private cars.

i. **Loss of community facilities**

Response:

The Hakoah Club itself chose to vacate the site. Community benefits included in the proposal are described later at Section 4.0 and 5.0.

j. **High quality design** - Five submissions, including the Bondi Beach Precinct, stated that the design quality of the proposal was commendable

Response:

Noted.

4.0 AFFORDABLE RENTAL HOUSING

The existing buildings on 71, 73-75 and 77-79 Hall Street are *low rental residential flat buildings*².

In response to the considerations of WLEP 1995, Clause 18 – Affordable Rental Housing, the applicant engaged Elton Consulting to provide a strategy for relocation of the existing tenants (**Attachment 9**). The strategy describes the following approach and timetable:

Our initial approach to assist tenants to move into appropriate, comparable housing is first establish each tenants housing circumstances and housing need. A letter will be send to each household to:

- *Provide tenants with a project update (planning for the site)*
- *Invite tenants to a meeting to brief them on what is happening generally (timeframe, options to meet their housing needs). Informing tenants will help ensure that the facts have been clearly stated and ensure there is little misinformation about the project. At these meeting an attendance sheet will be recorded to better understand individual circumstances of each tenant.*
- *Arrange for each household to be interviewed privately to ascertain their status (e.g. income, assets, health or benefits). This information is important for Toga to better understand tenants' circumstances and to assist tenants in the most appropriate way.*

Once people have been interviewed to ascertain their housing circumstances and need, they will be either:

² Pursuant to WLEP 1995, clause 18:

1) In this clause, **low-rental residential flat building** means a residential flat building containing a low rental dwelling.

For the purposes of this subclause, a reference to a **low-rental dwelling** is a reference to a dwelling that (at any time in the 24-month period prior to the lodgment of a development application to which this clause applies) was let at a rental not exceeding the median rental level for that time:

- (a) specified in the Rent Report or Rent & Sales Report NSW published by the Department of Urban Affairs and Planning or the Department of Housing, or
- (b) specified in a publication issued in place of those publications by or on behalf of the Government,
in relation to a dwelling of the same type, having the same number of bedrooms and located in the Waverley local government area.

(2) A **low-rental residential flat building** includes a building:

- (a) that, at the time of lodgment of a development application to which this clause applies, is lawfully used as a low-rental residential flat building, irrespective of the purpose for which the building may have been erected, or
- (b) that was used as a low-rental residential flat building but has been changed unlawfully to another use, or
- (c) that is vacant but the last significant use of which was for a low-rental residential flat building.

- *Directed to the appropriate organisation*
- *Presented with information about application to the Department of Housing. It is essential that we understand if people are eligible for as early as possible in the relocation process. For example, a person who is 80 years of age or older (and fits eligibility criteria) would go straight to the top of the Department of Housing list.*

For tenants who are not eligible for assisted housing, Toga will investigate the option to liaise with local real estate agents to find comparable accommodation in the area. In the current housing market in the Bondi area, this may prove to be quite difficult.

For tenants who do not meet the criteria of the above-mentioned housing programs, Toga will investigate possible options in consultation with the tenant, prior to the time the premises need to be vacated.

Tenants who are not eligible for any type of assistance (short term tenants or people on holiday) will be notified and may wish to make their own arrangements.

We will discuss potential opportunities with the agents who entered into the leases with the tenants to understand if there were special circumstances under which the tenants obtained leases. The circumstances may include new arrivals, organisations dealing with refugees, employment or emergency accommodation.

Proposed timeframe

Late January 2009 – Letters are sent to tenants to inform them of the project and invite them to the meeting

February 2009 – Meeting with all tenants (to identify those eligible for Housing NSW waiting lists and assist with applications)

March/April 2009 – One-on-one meetings

May 2009 – Work through options to relocate each household

June - August 2009 – Tenants vacate the site and move to alternative accommodation.

5.0 VOLUNTARY PLANNING AGREEMENT

The applicant has prepared an amended Voluntary Planning Agreement (**VPA**) (**Attachment 10**) which takes into account the advice of Council's Assessment Officers and Engineers.

5.1 Affordable housing contribution

The amended VPA proposes the payment of a **\$432,580** contribution towards the provision of affordable housing (whereas the original VPA proposed a contribution of \$200,000).

This amount has been calculated, following consultation Hill PDA, using to the following four steps (illustrated in **Tables 4, 5 and 6** respectively) (all proposed areas are based on the area calculations by Bates Smart (see separate volume of plans):

Step 1 - Retain the value of the approved Hakoah Club (61-67 Hall Street) contribution

An affordable housing condition was negotiated for the existing consent (DA-816/2003) requiring the developer to provide three units (2 x 2 bedroom + 1 x 1 bedroom) to be managed by Jewish Care (or a similar community organisation) for a period of seven years.

Based upon the Median Rents for Flat/Units September Quarter 2008 (published by the NSW Department of Housing (**DoH**)), the value of this contribution to the community (as opposed to the rent payments received by Council) is approximately \$358,995 as demonstrated in **Table 4**. This value is to be preserved for the Hakoah Club portion of the site (61-67 Hall Street).

Step 2 - Convert the approved Hakoah Club (61-67 Hall Street) contribution into a \$/m² of bonus GFA on the remainder of the site (71, 73-75 and 77-79 Hall Street)

As set out in **Table 5**, the existing consent for the Hakoah Club site (DA 816/2003) has a total approved GFA 8,380m² (which represents an FSR of 4.5:1). With a 1:1 residential and 1:1 non-residential FSR development standard applying to the site, a total GFA of 3,758m² is allowed (being 2:1 over a site area of 1,879m²).

Therefore the approved Hakoah Club development has a non-compliance of 4,622m² (all uses). As set out in **Table 5**, this value has then been converted into a dollar value \$77.67 per m² of approved bonus GFA.

*Table 4 – Affordable housing contribution calculation **Step 1** - Calculate value existing consent (DA-816/2003) for 61-17 Hall Street*

Affordable housing condition (DA 816/2003)	DoH median rent (Flats/units Sept Quarter 2008)	Reduced rent (25% of DoH Median Rent)	Saving to the community (75% of DoH Median Rent)	Saving to the community over 7 year period
2 bedroom unit	\$470	\$118	\$353	\$128,310
2 bedroom unit	\$470	\$118	\$353	\$128,310
1 bedroom unit	\$375	\$94	\$281	\$102,375
Total value to the community				\$358,995

*Table 5 – Affordable housing contribution calculation **Step 2** - Convert the approved Hakoah Club (61-67 Hall Street) contribution into a \$/m² of non-compliance*

	m ² /\$
Bonus floor space approved (m²)	
– Total GFA approved (m ²)	8,380
– Total GFA allowed (m ²)	3,758
– Bonus FSR approved (m ²)	4,622
Affordable housing contribution existing consent (DA-816/2003) – Total value to the community (Table 4)	\$358,995
Affordable housing contribution existing consent (DA-816/2003) - Contribution/m ² of bonus floor space (\$358,995/4,622m ²)	\$77.67/m²

*Table 6 – Affordable housing contribution calculation **Step 3** - Calculate proposed bonus GFA on 71, 73-75 and 77-79 Hall Street and apply the approved Hakoah Club rate (\$77.67/m² of non-compliance)*

Site	Site area (m ²)	FSR allowed	GFA allowed (m ²)	GFA proposed (m ²)	Bonus GFA proposed (m ²)
77-79 Hall Street	508.60	2:1	1,017.2	1,493	475.8
73-75 Hall Street	527.90	2:1	1,055.8	1,086	30.2
71 Hall Street	527.80	2:1	1,055.6	1,497	441.4
Total	1,564.30	2.0	3,128.6		947.4
Affordable housing contribution 71, 73-75 and 77-79 Hall Street \$77.67 x 947.4m ²					\$73,585.43

Step 3 - Calculate the proposed bonus GFA on 71, 73-75 and 77-79 Hall Street and apply the approved Hakoah Club rate (\$77.67/m²)

The approved contribution rate of \$77.67/m² of non-compliance has then been applied to the proposed non-compliance of 947m² on 71, 73-75 and 77-79 Hall Street (all uses). This equates to an additional affordable housing contribution of \$73,585 (Table 6).

Step 4 - Calculate proposed affordable housing contribution by adding the amounts calculated at Steps 1 and 3

Affordable housing contribution in the existing consent (DA-816/2003), 61-17 Hall Street (Hakoah Club) (Step 1, Table 4) \$358,995

Affordable housing contribution 71, 73-75 and 77-79 Hall Street (Step 3, Table 6) \$73,585

Total affordable housing contribution proposed **\$432,580.00**

Matters that should be taken into account in assessing the reasonableness of this monetary offer follow:

- As noted in the original SEE, The Waverley Council Affordable Housing Policy (WCAHP) has been prepared for Multi Unit Housing Projects where the proposed Residential GFA exceeds the allowable GFA. A Mixed Use Development is proposed, which does not fall under the WCAHP. Notwithstanding the VPA offers the payment of an affordable housing contribution of \$432,580.
- Pursuant to the table to Clause 27(3) of WLEP 1996, the residential FSR development standard for the site is 1:1. The proposal, with a residential FSR of 1.4:1, exceeds this standard by a 1,438m². Notwithstanding, the calculations used at Steps 1 to 4 above relate to all of the proposed uses and not just the residential component.
- The total proposed residential GFA is 5,010m² whereas the approved residential GFA on the Hakoah Club site only is 5,445m² (DA-816/2003). The proposal therefore reduces the extent of non-compliance with the residential FSR development standard. Notwithstanding, the applicant is offering to pay an affordable housing contribution of \$432,580 (representing a value that is \$73,585 higher than the contribution for the existing consent even though the residential GFA is to be reduced).
- The applicant advises that the serviced apartment hotel component has a negative return on investment. Notwithstanding, the contribution calculations for 71, 73-75 and 77-79 Hall Street (Step 3, Table 6) relate to the GFA of all proposed uses.

5.2 Other community benefits and monetary contributions

Other items included in the original VPA have been deleted from the amended VPA. These works are listed below. Even though these items have been deleted from the VPA, they still form part of the proposed development. Together with the amended Section 94A contribution (also noted below), these community benefits contribute to the considerable merit of the development.

Economic considerations – Deleted in accordance with the advice of Council's Assessment Officers.

Through site link – A publicly accessible through site link will form part of the proposed development, but has not been included in the VPA.

Community meeting room – A meeting room (multi-purpose space) will be provided on the Ground Floor. It will be available for hire by the community, but has not been included in the VPA.

Swimming pool - A publicly accessible swimming pool will form part of the proposed development, but has not been included in the VPA. It will be privately managed in a fashion similar to the existing Hakoah Club swimming pool.

Public Art – The applicant is committed to providing public art throughout the proposed development, but the public art budget has been deleted from the VPA.

Urban Design - Deleted in accordance with the advice of Council's Assessment Officers.

Hall Street footpath widening – Council's Assessment Officers have advised that a condition of consent would be imposed requiring footpath upgrades along the Hall Street boundary of the site. The applicant's proposal to undertake footpath widening in Hall Street has been deleted in accordance with the advice of Council's Assessment Officers.

O'Brien Street streetscape improvements - Council's Assessment Officers have advised that a condition of consent would be imposed requiring footpath upgrades along the O'Brien Street boundary of the site. The applicant's proposal to undertake streetscape improvements beyond the site boundaries has been deleted in accordance with the advice of Council's Assessment Officers.

Street tree planting - Council's Assessment Officers have advised that a condition of consent would be imposed requiring street tree planting along the O'Brien Street and Hall Street boundaries of the site.

Section 94A Contribution - Pursuant to the Section 94A Development Contributions Plan 2006, Council is authorised to impose a condition requiring the payment of a levy equivalent to 1% of the cost of development. As detailed in the Amended Registered Quantity Surveyor's Detailed Cost Report (**Attachment 7**), the proposed cost of development is \$60,063,789 therefore the Section 94A levy is **\$600,637.89**.

5.3 S. 79C(1)(b) Impact on the environment

Issues of building bulk and scale are addressed in detail in the Design Report and FSR and Height are specifically considered in the SEPP 1 Objections (**Appendix P**). Architecture and landscape design, streetscape, character, energy efficiency, contamination/remediation, accessibility, parking, utilities and waste management have been considered above (or in the attached specialist reports).

Additional information on traffic, impacts on adjoining residences, economic/social effects, heritage and culture follows.

6.0 CONCLUSION

The proposal has been amended to address the recommendations of Council's Planning Assessment Officers.

Issues raised by objectors have also been addressed.