

ENVIRONMENTAL ASSESSEMENT REPORT
SECTION 75W APPLICATION FOR MODIFICATION (MOD 3)
SUBMITTED TO NSW DEPARTMENT OF PLANNING AND INFRASTRUCTURE

Mixed use serviced apartment hotel, residential apartment and retail/recreation building

61-79 Hall Street, Bondi Beach MP 09_0081

Prepared on behalf of
Toga Development No. 45 Pty Ltd

DECEMBER 2011

Table of contents

1.0	Introduction	1
2.0	The approval	2
3.0	Proposed modifications	3
3.1	Modifications to the approved plans	4
3.2	Modifications to the conditions of consent.....	6
4.0	Environmental assessment	8
4.1	Acoustic amenity and privacy	8
4.2	Design and visual impact	8
4.3	Traffic/parking.....	8
5.0	Conclusion	9

Tables

1	Comparison of approval and Section 75W (MOD 3)	4
2	Summary of proposed modifications by drawing number (MOD 3)	5

Appendix

- A Modified architectural plan, by Bates Smart
- B Area Schedules (MOD 2 and 3), by Bates Smart

1.0 INTRODUCTION

This Environmental Assessment Report (**EAR**) has been prepared by Robinson Urban Planning Pty Ltd on behalf of Toga Development No. 45 Pty Ltd (the land owner and proponent). It describes an application to modify the approval for Major Project No. 09_0081 (as already modified by MOD 1 and MOD 2) (the **approval**) pursuant to Section 75W of the *Environmental Planning and Assessment Act 1979* (**EP&A Act**).

The modifications described in this EAR (MOD 3) arise as the proponent is in the process of securing retail/restaurant tenants for the non-residential areas of the approved project and one of the interested parties requires additional space on the Ground Level. The ultimate use of this space will be subject to a development application (**DA**) to Waverley Council.

This report identifies the relevant aspects of the approval and describes the proposed modifications. It is accompanied by the following plans and information:

Appendix A Modified architectural plan, by Bates Smart which clouds the proposed modification (see **Table 2** later)

Appendix B Area Schedules (MOD 2 and 3), by Bates Smart

2.0 THE APPROVAL

Major Project Number	09_0081
On land comprising	61-79 Hall Street, Bondi Beach
Local Government Area	Waverley Council
For the carrying out of	<ul style="list-style-type: none">– The demolition of existing buildings and structures on site– Excavation for 3 levels of basement carparking– The construction of a mixed use serviced apartment hotel, residential apartment, and retail/recreation building including public through-site link– 3 levels of basement carparking, building services and plant area
Date Approval (by Planning Assessment Commission)	10 August 2010
Date of Modification (MOD 1)	11 March 2011
Date of Modification (MOD 2)	1 November 2011

3.0 PROPOSED MODIFICATIONS

The proposed modification, shown by clouds on the attached architectural plan prepared by Bates Smart (**Appendix A**), comprises:

1. Conversion of two serviced apartment hotel rooms on the Ground Floor (1 x studio and 1 x one bedroom) to retail space
2. 86m² increase in retail/restaurant gross floor area (**GFA**) and equivalent reduction in serviced apartment hotel GFA (as set out in the MOD 2 and MOD 3 area schedules at **Appendix B**).

These modifications will not affect the external appearance of the building.

Additional information on the modifications follows.

3.1 Modifications to the approved plans

Table 1 compares the principal numeric aspects of the approved and the modified development (proposed). A detailed list of the proposed modifications to the approved plans (by level/drawing) follows in **Table 2**.

Table 1 – Comparison of the approval and Section 75W (MOD 3)

	Approval (as modified)	Proposed Section 75W MOD 3	Change
Number & mix of residential apartments			
– One bedroom	18 (40%)	No change	No change
– Two bedroom	17 (38%)		
– Three bedroom	10 (22%)		
Total residential apartments	45		
Number and mix of serviced apartments			
– Studio	47	46	-1
– One bedroom	57	56	-1
– Two bedroom	8	8	
– Three bedroom	1	1	
Total serviced apartments	113	111	-2 rooms
GFA (m²)			
– Residential	5,508	5,508	
– Hotel	5,901	5,815	-86
– Retail/restaurant/recreation	3,511	3,597	+86
Total	14,920	14,920	0
Parking			
– Non residential spaces	141	No change	No change
– Residential spaces	57		
– Residential visitor spaces	4		
Total (including 20 accessible spaces)	202		
Service spaces	Loading dock + 5 spaces on Level B1	No change	No change

Table 2 – Summary of proposed modifications by drawing number (MOD 3)

Drawing number and title	Rev	Proposed amendments
A0.01 – Drawing Schedule	5	No change
A1.01 – Location Plan	5	No change
A2.201 – Level 003 Basement	6	No change
A2.202 - Level 002 Basement	7	No change
A2.203- Level 001 Basement	7	No change
A2.204 – Level 000 (Lower Ground)	6	No change
A2.205 – Ground Level/Level 00	6 7	Conversion of two serviced apartment hotel rooms (1 x studio + 1 x one bedroom) to retail space.
A2.206 – Level 01	5	No change
A2.207 – Level 02	6	No change
A2.208 – Level 03	6	No change
A2.209 – Level 04	7	No change
A2.210 – Level 05	6	No change
A2.211 – Level 06	6	No change
A2.212 – Level 07	5	No change
A2.213 – Roof Plan	6	No change
A5.101 – North West Elevation Hall Street	9	No change
A5.102 – South West Elevation Hall Street	7	No change
A5.103 – North Elevation O'Brien Street	9	No change
A5.104– South East Elevation	6	No change
A5.601– Section AA	6	No change
A5.602– Section BB	7	No change
A5.603 – Section CC	6	No change
A5.604– Section DD	6	No change
A5.605 – Section EE	7	No change
A5.606– Section FF	7	No change
A5.607– Section GG	8	No change
Landscape Plans prepared by Turf Design Studios Pty Ltd		
Page 2	A	No change
Page 3	A	No change
Page 4	A	No change

3.2 Modifications to the conditions of consent

Application is made to modify Condition A2 as set out below (new words are shown in **red bold** and deleted words in ~~strikethrough~~):

Condition A2

A2 Development in Accordance with Plans and Documentation

The development will be undertaken in accordance with MP09_0081 and the:

- Environmental Assessment dated December 2008 prepared by Robinson Urban Planning Pty. Ltd., except where amended by the Preferred Project Report;
- Preferred Project Report dated March 2010 and prepared by Robinson Urban Planning Pty. Ltd.
- Environmental Assessment for a Section 75W Modification dated December 2010 and prepared by Robinson Urban Planning Pty. Ltd.
- Environmental Assessment for a Section 75W Modification dated June 2011 and prepared by Robinson Urban Planning Pty. Ltd.
- **Environmental Assessment for a Section 75W Modification dated December 2011 and prepared by Robinson Urban Planning Pty. Ltd.**
- Amended Design Report dated March 2010 prepared by Bates Smart Architects.
- Crime Prevention Through Environmental Design Report dated June 2010 and prepared by Robinson Urban Planning Pty. Ltd.
- Amended BASIX Certificate No. 352864M_02;
- The Site Waste and Recycling Management Plan (SWRMP) and Checklist, in accordance with the SWRMP Checklist of Part G1, Waverley DCP 2006; and,
- The following drawings:

Architectural Plans prepared by Bates Smart		
Drawing No.	Revision	Date
A0.101	5	15.12.2010
A1.101	5	15.12.2010
A2.201	6	24.06.2011
A2.202	7	24.06.2011
A2.203	7	24.06.2011
A2.204	6	24.06.2011
A2.205	6 7	24.06.2011 16.12.2011
A2.206	5	15.12.2010
A2.207	6	20.01.2011
A2.208	6	24.06.2011
A2.209	7	24.06.2011

A2.210	6	24.06.2011
A2.211	6	24.06.2011
A2.212	5	06.15.2010
A2.213	6	24.06.2011
A5.101	9	24.06.2011
A5.102	7	24.06.2011
A5.103	9	24.06.2011
A5.104	6	24.06.2011
A5.601	6	24.06.2011
A5.602	7	24.06.2011
A5.603	6	24.06.2011
A5.604	6	24.06.2011
A5.605	7	24.06.2011
A5.606	7	24.06.2011
A5.607	8	24.06.2011

<i>Landscape Plans prepared by Turf Design Studios</i>		
<i>Drawing No.</i>	<i>Revision</i>	<i>Date</i>
<i>Page 2</i>	A	21.12.2010
<i>Page 3</i>	A	21.12.2010
<i>Page 4</i>	A	21.12.2010

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Reason for modification: Condition A2 is to be modified to make reference to this Section 75W EAR and the plans accompanying this application (MOD 3).

4.0 ENVIRONMENTAL ASSESSMENT

The key environmental assessment issues that are relevant to the proposed modifications are addressed in this section of the EAR.

4.1 Acoustic amenity and privacy

The window openings facing O'Brien Street do not change. The use of the converted space will be subject to a separate DA to Waverley Council.

4.2 Design and visual impact

The approved O'Brien Street elevation will not change (that is the new Ground Floor retail space will be articulated with windows and a balcony consistent with the approved serviced apartment hotel rooms).

4.3 Traffic/parking

The conversion of two serviced apartment/hotel rooms to retail space will not appreciably alter the traffic impacts or parking demand of the project.

5.0 CONCLUSION

The Section 75W application for modification proposes the conversion of two serviced apartment/hotel rooms to retail space. As modified, the project is substantially the same as the approval and has very minor and reasonable environmental impacts.

The Section 75W application therefore has planning merit and is worthy of consent.