

# Double Bay Residents' Association

Protecting Sydney's Stylish Bayside Village

The General Manager  
Woollahra Municipal Council  
PO Box 61  
Double Bay 1360

17<sup>th</sup> December 2021

Dear Sir,

## **Re DA 537/2021/1:30-36 Bay Street, Double Bay**

The DA is for the addition of a new roof terrace associated with the top floor tenancy of an existing commercial building. For the following reasons we believe that the DA and the application for height variation should not be approved.

We believe there are several questions that need to be asked regarding the DA, and in particular the impact to residential apartments on the Bay Street end of the Cosmopolitan apartments at the 4<sup>th</sup> and 5<sup>th</sup> floor levels, and the Chancellor apartments to the north.

The terrace as proposed is for the use of the commercial tenants on the 5<sup>th</sup> floor, and their guests, yet there is already a terrace on this floor. Is there some alternative reason for a rooftop terrace? This is partly explained by the statement that "*The views from the proposed roof terrace are enhanced compared to the views from the communal open space on the levels below.*" Standard commercial working hours are from 8am to 6pm, yet the DA proposes that it be open until 10pm at night for seven days of the week. It is apparent that it will be used as an area for socializing, as it proposes that there can be background music, and it is assumed there would be no restriction to the supply of food and drinks.

Although it addresses potential noise problems by using a glass balustrade around the terrace, a suggested limit of 40 people at any one time on the terrace, and a no parties requirement, it could quite easily be imagined that on Friday and weekend nights, the control on the music, and the number of people on the terrace, will often be exceeded, with noise levels increased to the detriment of the Cosmopolitan and Chancellor apartments. Even if these proposed limits are not exceeded why should any extra noise from the roof level be generated to allow the commercial tenants, and their guests, to have a better view when they are socializing up until 10pm at night.

Double Bay Residents Association Inc  
P.O. Box 1684, Double Bay, NSW 1360  
Tel: 0414 932 818 Email: [dbrassoc@gmail.com](mailto:dbrassoc@gmail.com)

It is also noted the proposed height exceeds the height limit of the LEP, and while an application to vary a development standard for height has been separately submitted, again, why should this be approved for the sake of a better view to the potential detriment of residential neighbours.

Based on previous experience sometimes these somewhat minor changes are a precursor for a later application being proposed based on precedent or an additional “*need*”. Will it become a break out area with canapes and wine for a well-known restaurant?