

THE PADDINGTON SOCIETY Inc.
For Community and Heritage
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The General Manager
Woollahra Municipal Council
PO Box 61, Double Bay NSW 1360

Attention: Mr V Aleidzans, Planning and Development Division

26 February 2024

Dear Mr Valdeizans

The Hughenden Boutique Hotel – 8-16 Queen Street, Woollahra - DA 474/2023/1

“Redevelopment of the Hughenden Boutique Hotel, including extensive demolition of all but the two-storey Victorian Villa which is to be retained; construction of a new four (4) storey hotel with 43 hotel rooms/suites and ancillary ground floor restaurant/function area and a new basement level incorporating a gym and services area.

Strategically located on a substantial site near the Queen & Oxford Street/Lang Road intersection, very close to the Paddington Ward boundary, the existing hotel buildings include the original two-storey Victorian villa, c1876 and a series of one and two-storey buildings constructed and modified during subsequent decades. Adjacent and surrounding buildings on Queen Street include a small row of three traditional two-storey Victorian terraces to the west, and a small two-storey inter-war apartment building to the east. Several heritage items are listed further east along Queen Street; these and others in the Queen Street Precinct include a variety of predominantly two-storey Victorian, Edwardian, and some Inter-War buildings.

A group of four very fine Victorian villas, Nos 17, 19, 21 and 23 Jersey Road have rear boundaries directly abutting the subject site; all are listed as heritage items in the Woollahra LEP 2014.

The facilities presently on the subject site include a small café and modest restaurant spaces, and 31 hotel rooms, including several very small single rooms.

Existing buildings and surrounding properties in this precinct have historical, aesthetic and social significance; they are important contributory elements of the Woollahra Heritage Conservation Area.

This proposal includes:

- Demolition of all existing single and two-storey buildings, with only the two-storey front portion of the original 1870's villa retained, to be slightly modified and restored.
- Construction of a new four-storey hotel building *plus* extensive excavation for a new basement.
- The footprint of the new building, plus that of the remnant villa and impermeable surfaces, will occupy close to the entire site, leaving only narrow strips of potentially effective deep soil landscaping along eastern and part of the western boundaries.
- The expanded facility will contain expansive restaurant, bar, function, reception and lounge areas, (seated capacity 96, more for functions) in lieu of the present smaller restaurant and café spaces.
- Hotel rooms on the Ground plus three upper levels will be increased in number to 43; the majority will be doubles, plus suites and three accessible rooms.
- All rooms proposed are far larger than the present 31 predominantly much smaller rooms.
- On-site carparking and vehicle access will *not* be provided; the existing 12 spaces plus off-street access for deliveries and guest drop-off are all to be removed.
- The extensive new basement, excavated adjacent to, or very close to neighbouring properties will contain large yoga, gym and spa areas, and sanitary facilities, services and waste store areas.
- These appear to be far larger than would be expected in hotels of equivalent scale and occupancy.

Council regularly notifies the Paddington Society of major development proposals which are likely to have detrimental impacts upon Heritage Conservation Areas adjacent to Paddington, and with potential detrimental flow-on impacts upon our suburb.

This DA is an egregious example, proposing massive over-development, with severe negative impacts on the cohesive character of the Queen Street Precinct and with likely negative flow-on impacts to the adjacent Paddington Heritage Conservation Area.

Matters of concern and objection include the following:

Existing Use Rights claim:

- This application relies on existing use rights as a hotel, but the documents appear to present no evidence of such rights, although we note that further information has been requested.
- We query whether such rights for the proposed expanded usage still apply in this precinct?
- Accommodation plus ancillary restaurant / function areas represent a significant intensification of use, with greatly increased occupancy numbers for all facilities.
- Extensive basement level yoga, gym, spa and sanitary facilities, capacity 96, are not present in the existing hotel; the areas appear well in excess of those in hotels of equivalent scale and occupancy.
- These basement facilities are readily available for direct lift access and use by the general public, in addition to use by the hotel guests, creating a potential further intensification of use.
- We query whether existing use rights are therefore applicable for these additional expansive components of the overall facility?

Height, bulk and scale:

- **Height:** the overall height (RL85.7 = 13.1m) of the four above-ground levels of the new building is excessive, greatly exceeding the 9.5m height plane and heights of surrounding buildings on all boundaries and beyond, including all the adjacent heritage items in Jersey Road and those to east and west along Queen Street.
- The top floors will be highly visible from Queen Street, neighbouring and surrounding properties.
- The lift motor room (RL87.1 = 14.6m) is even higher.
- Anticipated heights of air conditioning and ventilation plant rooms at roof level are not indicated.
- The application documents do not presently include a Clause 4.6 variation request.
- **Bulk & height:** the three-storey 10.3m high northern 'wall' (RL82.60) to the northern/Jersey Road boundaries is excessive; the fourth level 4.227m set-back is insufficient to mitigate bulk and height impacts upon the Jersey Road properties to the north.

Demolition, excavation and groundwater:

- **Demolition:** existing boundary structures on both northern and western site boundaries will be demolished prior to construction of the proposed new hotel accommodation.
- **Excavation:** to a minimum depth of some 4m for the retaining wall and basement slab (RL68.9) is required adjacent to almost all of the northern boundary. Piling may be required to reach bedrock.
- This will put the ancillary buildings of the group of four neighbouring sandstone villas at risk - all are listed as heritage items in WLEP 2014.
- Excavation and basement construction will endanger the Structural Root Zones of several mature trees in the rear of Nos.17 and 19 Jersey Road & the former stables outbuilding of No.19 - also listed as part of the heritage items.
- Excavation and potential piling will also be adjacent to almost half of the western boundary with No.6 Queen Street, endangering the footings and structure of that Victorian terrace building.
- Future maintenance of that property is likely to be compromised by the directly adjacent upper levels of the proposal.
- The documents are unclear re whether the (unlikely) consent of owners of adjoining properties has been obtained for buttress and shoring works required as a precondition for DA consent?
- Excavation and impermeable surfaces along some half of the southern boundary puts the Structural Root Zones of three of the four Queen Street trees at risk - the basement footprint should be adjusted to protect and save these trees (refer Arborist report).

- **Groundwater:** It is unclear what measures are proposed for dealing with groundwater which will be diverted from and around the site by the excavation and basement construction, with flow-on impacts to the adjacent and surrounding sites, particularly that of No.6 Queen Street.

Built Form, character and materials:

- **Built form:** the bulk, form, character, treatment of openings and materials results in a proposal inconsistent with equivalent features of adjacent and surrounding properties, as well as of the majority of others in the context of the harmonious Queen Street precinct streetscape.
- The arched openings and narrow extruded brickwork are contemporary elements, but we query whether they are appropriate in the context of the Queen Street precinct the Conservation Area.

Visual and Acoustic privacy / Overlooking / Neighbour amenity:

- **Visual privacy:** despite the privacy screens, hotel room windows and balconies at upper levels on the eastern and western sides, will overlook private open spaces of neighbouring properties to east and west, and also those of the neighbouring villas to the north.
- View-lines should be more clearly indicated and illustrated from *all* upper levels.
- Sections A-A & D-D (DA310 & DA313) omit certain view-lines, including those from first floor level, which may be the most intrusive.
- Balconies for certain rooms should be deleted, and/or rooms and balcony set-backs increased.
- **Acoustic privacy:** noise from the northern-most hotel rooms on upper levels, particularly from levels 1 & 2 since they are right on the boundaries - are likely to intrude on the acoustic privacy and amenity of neighbouring properties in all directions, including those adjacent and opposite.
- We again query whether particular balconies should be deleted to ensure neighbour amenity.

Traffic & parking:

- The lack of all on-site carparking is unacceptable, particularly in this location and site context.
- The facility should accommodate off-street parking for guests, accessible parking, drop off, couriers, deliveries, mini-buses and bicycles
- Reliance on two spaces in the street is unacceptable, using the public domain for private benefit.
- The proposed use of the nearby loading zone is inappropriate for even the existing patron numbers on the site, let alone the greatly increased numbers of patrons, plus servicing demands.
- Vehicle parking and traffic generated by the greatly increased facilities will spill onto surrounding Woollahra & Paddington streets, where both parking and traffic are presently already at capacity.

Servicing, Waste & Plant rooms:

- **Waste management:** it seems clear that waste / garbage recycling collection will be problematic for the increased facility, particularly for noisy glass storage, collection and removal from the property, with such enlarged function facilities in close proximity to residential accommodation.
- The Operational Waste Management Plan notes that "Bin moving paths should allow for a continuous route wholly *within* the property boundary".
- This route is from the basement Waste Room to the service lift, then some 28m through the foyer, hotel entrance and outer public circulation spaces, out onto the public footpath for some 17m eastwards and thence into the narrow eastern Bin Holding Area adjacent to No.18 Queen Street.
- It will need to be traversed daily, probably in both directions, in order to meet the anticipated daily (7-day) waste removal, *plus* the (3-day) recycling schedule.
- A bin-moving device will be required to move the bins, which (we presume) will need to be pulled out and pushed back inside and down to the basement daily by the relevant waste collection teams, whether by Council or private contractor.
- Large bins remaining on the Queen Street footpath for various daily periods is a likelihood.
- We have concerns about the amenity impacts of the surrounding properties and the Queen Street precinct re the disruption, traffic impacts and associated noise of these essential daily operations.
- **Plant rooms:** mechanical plant heights (A/C, water, ventilation) are not indicated or estimated.

Deep soil and landscaping provision:

- The proposal does not appear to meet DCP definitions for **Landscaped and Deep soil areas**
- Substantial areas designated and calculated as landscaped areas are located above impermeable surfaces and the built forms of the floors below - see Landscape & Deep Soil: DA500A
- With the architectural drawings indicating such extensive (and excessive) areas of site cover, it is difficult to accept that *effective* landscaped areas can represent the claimed 21% of site area
- Similarly, *effective* Deep Soil areas cannot be 40% as noted on DA500A; it may prove to be 40% of the *incorrectly claimed* landscaped areas?
- We ask that staff checks both of the above *effective* areas and percentages, seeking amended documentation if our concerns are verified

Mature trees on site and on adjacent sites to the north:

- The basement excavation and construction works and impermeable surfaces are assessed as creating *Major Encroachment* on three of the four fine mature street trees in front of the site.
- Trees 2,3 & 4 respectively are affected. For tree 4 in particular, the proposed works and 30% encroachment plus canopy conflict are noted to represent “a significant risk to the tree’s long term structural and physiological viability”. This is of great concern, given the importance of that tree and the three others on the Queen Street Precinct and streetscape.
- Trees 6, 8, 14 & 15, outside and very close to the northern boundary of the site are *all* assessed as suffering *Major Encroachment* within the structural Root Zones due to the basement excavation and structural works proposed directly adjacent to the northern boundary. These trees are valued landscape components of the Heritage listed villas, stables and grounds of 17, 19, 21 Jersey Road.
- Trees 9, 10, 11 & 13 on the north-east corner of the site, are described as “within the footprint of the proposed landscaping”. This seems to be an inadequate reason for their proposed removal.
- They provide attractive screening and outlook for properties to the east of the site and would provide an attractive outlook for the new rooms and balconies proposed for the north east of the proposal. New ground level landscaping in this area could be accommodated around those trees.
- Tree 5, a European Ash, the largest and finest tree presently on the site is to be removed because it is “within the development footprint.”
- No attempt is made to provide meaningful on-site mature trees or landscaping to mitigate the form, bulk and scale of the proposed works.

Missing information

- The architectural drawings do not include a drawn scale, making some assessments difficult.
- View lines on cross sections should be augmented to allow adequate assessment of potential overlooking and noise transmittal from the balconies and hotel rooms on all upper levels.

The Paddington Society’s concerns and objections regarding the proposal are based on the above matters and non-compliance with the following objectives and controls of the *Woollahra Development Control Plan 2015, Chapter C2, Woollahra Heritage Conservation Area, May 2015.*

These include but are not limited to:

C2.2.5 Desired future character of the Woollahra HCA

O1 To retain its heritage significance and its recognition as a rare and distinctive urban area.

O2 To retain and promote evidence of the historical development of the Woollahra HCA and its individual precincts and enables the interpretation of that historical development.

O3 To maintain the residential character that has been predominant from the earliest phase of its development.

O4 To maintain the character and significance of its identified precincts.

O7 To exhibit contemporary design excellence.

C2.2.7 Contemporary design in Woollahra

Contemporary design for infill development and for additions to contributory items is encouraged as long as it respects its context and achieves a cohesive relationship with existing historically significant fabric.

C2.4.12 Infill development:

The contemporary design approach of this proposal does not respect the historic context or achieve a cohesive relationship between the existing and new urban fabric - as is required.

O3 To ensure that infill development respects the scale and setting of adjacent contributory items.

C3 Infill development must:

- a) maintain the significant features and qualities that combine to represent the character of the neighbourhood and area; and
- b) make a positive contribution to the character of the neighbourhood and area.

C2.5.1 Building height, form and character

The height, bulk and scale of new development and additions to existing buildings have the potential to adversely affect the amenity of private and public lands.

- The controls are designed to ensure that the scale and bulk of new buildings and additions to existing buildings are compatible with:
 - site conditions;
- the desired future character of the Woollahra HCA as outlined in Section 2.2.5; the significant characteristics of precincts described in Section C2.3, in particular the
- characteristics of nearby contributory items

O3 To retain the patterns of height, bulk and scale distinctive to individual streetscapes and precincts.

O4 To protect the privacy and amenity of adjoining or adjacent residential uses.

C5 The minimum landscaped area requirements and open space requirements outlined in Section 2.5.6 must be met.

C8 The character of development is to be consistent with the character of nearby contributory items and of the streetscape. Solid to void ratios of elevations are to be similar to those of nearby contributory items.

C9 Storey heights must conform to those of adjacent contributory items. Three storeys may be permitted if the predominant contributory items in the streetscape are three storeys or more.

C2.5.4 Materials, finishes and colours

The use of modern materials and finishes may be appropriate for new development, alteration and additions provided it does not compromise a cohesive relationship between new and existing urban fabric.

O1 To achieve external materials, finishes and colour schemes appropriate to the context.

C1 Materials, finishes, textures and colours must be appropriate to the building type and style.

They must be similar to, but should not copy, the characteristic materials, finishes, textures and colours of the contributory items within the streetscape. Contemporary materials may be used where their proportions, detailing and quantities are consistent with the existing and desired future character of the precinct. New development must minimize its visual impact on the surroundings.

C2 External detailing, colour and finishes must minimise the apparent bulk of new development.

O3 To encourage finishes and colour schemes of additions to contributory items to be appropriate to the building type, architectural style and construction period.

C2.5.6 Open space and landscaping

Open space and landscaping play important roles in the preservation of habitat, the establishment of community identity, the provision of recreation opportunities and stormwater management, as well as the amenity of individual dwellings.

O3 To ensure the provision of permeable and semi-permeable areas of open space to assist with stormwater management.

Private open space and deep soil landscaped areas

C1 Development is to be sited to:

- a) include sufficient area for deep soil planting;

- b) have no adverse impact on established tree or vegetation patterns associated with particular building types, streetscapes or precincts; and
- c) suitably setback from any prescribed tree so that the development does not impact on the health of the tree.

C6 For mixed use buildings, the deep soil landscaped area must comprise at least 10% of the site area.

O6 To retain the significant trees and landscape elements of contributory items.

O7 To encourage landscaping to be appropriate to building type and period of construction and to contribute to the character of the Woollahra HCA.

C2.5.8 Parking and garages

Council's on-site parking requirements aim to satisfy the parking demand likely to be generated by development while discouraging unnecessary car use.

O5 To allow safe and convenient vehicle access and to minimise vehicle and pedestrian conflict.

C2.5.10 Excavation

O1 To ensure the structural integrity and stability of individual buildings, the terrace of buildings of which they are a part, and neighbouring properties.

O2 To protect the original fabric of the buildings significant to the area both during and after excavation.

O3 To ensure that objectives O1 and O2 are achieved by limiting the circumstances where excavation may occur.

O6 To avoid potential damage to all buildings and structures during and after excavation.

O7 To ensure that any new floor levels resulting from excavation and development do not compromise external heritage features of the building or those of its neighbours.

O8 To ensure that habitable rooms created by excavation are supplied with adequate natural light and ventilation in order to meet sustainable building principles.

O9 To maintain natural subsurface ground water flows.

Excavation for other structures beyond the principal building form or secondary wing

C8 Excavation may be permitted for structures such as pools, spas, or other permissible development if:

a) for properties less than 6m in width — the outer edge of excavation is setback from side boundaries by at least 900mm;

b) for properties 6m or more in width — the outer edge of excavation is setback from side boundaries by at least 1.5m;

C2.5.12 Acoustic and visual privacy

O2 To minimise the impact of new development, which includes alterations and additions to existing buildings, on the acoustic and visual privacy of existing development on neighbouring land.

C6 Windows, balconies, screening devices and landscaping must be located to minimise direct overlooking of the main living areas and private open spaces of neighbouring properties.

C8 Rear and side balconies must not impact on the privacy of the building's occupants and on the occupants of neighbouring properties. This may require the use of privacy screens, which should be designed with regard to the architectural style of the building.

CONCLUSION:

We note that the new hotel usage may enjoy existing use rights as claimed, although this remains to be assessed and confirmed, but we query whether existing use rights applicable to this significantly increased proposal for greatly increased patron numbers, and with entirely new extensive facilities, which may be made available for future use as separate public facilities by independent operators?

We reaffirm that the following aspects of the proposal are inappropriate in this context.

- Height, bulk, form and character of the new infill building.
- Excessive site cover and minimal non-compliant provision of deep soil.

- Excessive excavation, both in volume and scale, including proximity to all boundaries and all neighbouring properties, endangering adjacent heritage fabric.
- Excavation and boundary wall construction endangering mature trees on several adjoining properties, plus potentially those of mature street trees adjacent to the Queen Street frontage.
- Greatly increased hotel room numbers and sizes, increased patron numbers and capacity of hotel, restaurant, bar and function spaces.
- Scale and extent of new excavated basement, for yoga, gym, spa, and related toilet spaces.
- No provision of on-site carparking or vehicle access for guests, drop off, visitors, accessible parking, and bike parking.
- No on-site access for couriers, deliveries, service vehicles or taxis.
- Waste management and collection and associated noise and amenity intrusion - to be managed via inadequate through-site access and reliance on daily to and fro traversing of the public footpath.
- Requirement for 7 day/week waste collection plus 3 day per week recycling collection.
- Minimal deep soil planting, exacerbated by excessive basement excavation, boundary wall construction, removal of mature trees on site and endangering mature vegetation on neighbouring properties & street trees.
- **The height, bulk and form of the proposal overwhelms the existing Victorian villa, with extensive basement spaces devoted to additional facilities not previously or presently available or appropriate for this site and its context in the HCA.**
- **It is also completely unacceptable if it endangers surrounding properties and landscaping.**
- **The proposal and its design must demonstrate contextual fit and good manners to neighbouring properties.**
- **We believe that it fails in all respects.**
- **It does not respect its context or achieve a cohesive relationship between new and existing historically significant fabric.**


The Paddington Society believes that this proposal is inappropriate with respect to the desired future character of its site and its context within the Woollahra HCA and the directly adjacent Paddington HCA.

If approved in its present form, we believe that this proposal would be a very unwelcome addition to Queen Street and Woollahra.

It would also be a very unwelcome precedent in Queen Street, exceeding existing use rights and the services provided by the existing modestly scaled hotel.

We emphasise our objections, concerns and belief that the proposal is not in the public interest, is inappropriate in this location and context and should be refused in its present form.

Yours faithfully



Esther Hayter President, The Paddington Society, M: 0411 109 77