

Doltone Section 96 - Response to Submissions August 2013		
Condition	Issue/Response	Doltone position
Condition A2. Proposal to increase capacity from 580 to 650	Residents appear concerned that increased numbers will increase the potential for their amenity to be impacted. As pointed out in the SEE a large majority of the functions will not increase at all. Those that do increase are most likely to increase marginally up to 600, with figures up to 650 occurring on infrequent occasions. Overall capacity is forecast to increase by 3% by this proposal. Doltone believe therefore that the impact will be extremely small, if any.	Nevertheless the Client has withdrawn this proposed increase. The current condition is to remain
Condition B2. Proposed elongation of opening hours from current 11.30pm to midnight Monday – Thursday, and from 11.00pm to midnight on Sundays.	There is the concern expressed that this will lead to people leaving later and drinking more alcohol. It should be understood that Doltone sells packages (food and drink). Therefore if people stay longer and drink more it decreases Doltone's profit margin. It is not in its interest that people drink more. It seeks this extension primarily because the marketplace when choosing a venue will look at closing times, even if in practice the organisers do not want to continue to this time. With the above in mind, Doltone were going to offer to continue to close the bar and stop the music at the same time as before, therefore giving longer for the wind down process and emptying the premises of guests.	The Client has withdrawn this proposed extension to its opening hours. It would like retain the proposal to extend the opening hours to 2am proposal for New Year's Day to remain. It understands there are no objections to this.
Condition B11. Security Management	This is perhaps the most misunderstood initiative proposed. It is designed to put more trained people on the 'street' to facilitate a speedy and quiet exit process.	Doltone thinks the proposal has merit. It is a genuine attempt to improve the exit process, the major source of angst with nearby residents.
	It is acknowledged that the role of the guards can be divided into three for a typical Doltone event at JBW: (1) at the beginning of an event (principally for guest and traffic	If the current exit process is as bad as some of the residents contend (which Doltone does not concur

	directional duties), (2) during an event in case of a disturbance and for RSA issues and to keep external doors closed, (3) to oversee the exit process. Under its current DA Doltone has to have something between 2 and 7 guards depending on the type of event (corporate or private celebrations) and number of patrons. Under the award it has to employ those guards for a 4 hour minimum shift even though it may only need a core of 2 or 3 guards to cope with roles 1 and 2 above, the additional guards really only being required for role 3 – the exit process which normally takes up to an hour (depending when guests start to drift away). At present it is difficult to source quality contract guards. The guards have little allegiance to Doltone which translates into little motivation and they often come with poor language skills. The core team of regulars, those that work from the commencement of the event until the end (potentially a 6-7 hour shift), are almost full time employees, better trained, motivated and more equipped to fulfil the concierge type role of the task. Whilst on occasions there are issues with the arrival procedure (queuing at the car park entrance and errant taxi drivers), it would appear that the main cause of angst amongst the residents is the exit process. The proposal is tailored to have the core set of guards at the start of the event and throughout the evening, and then supplement these guards by trained ushers who will assist in the exit process (as their other duties unwind). It is thought that these ushers are more equipped to converse with the guests, provide direction and persuade guests to be quiet, than are the current contract guards. By doing this more personnel can be put out assisting the exit process than is currently required under the current	with) then adoption of this proposal would seem to do no harm.
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	version of the DA. The intention with this initiative is to increase the number of capable and more motivated personnel on the street assisting with the exit process. Council have commented that there is no provision for events before 6pm. Doltone does have 'the regular' core mentioned above on duty to greet earlier events and assist in the car park entry. This would continue to apply to all reasonably sized events (100 plus patrons) whether it be an early morning breakfast, a conference or a wedding. In a celebratory event such as a wedding or Xmas party then it will continue its current practice of a core number of guards using its judgement based on the nature of the event and numbers. Council has queried whether the proposed use of ushers is in contravention of the Security Industry Act 1997. This has been investigated (again) by Doltone's security advisor who reports that what is proposed does not contravene the Act.	
B17 & B18 Deliveries	The previous two complimentary conditions B17 and B18 were combined into one. There is concern that the proposal to allow unfettered deliveries by trucks under 6.6m in length will lead to increased 'out of hours' deliveries. This was not Doltone's intention. It basically sought to allow the odd delivery it currently receives out of hours. It is attempting to eliminate any early morning deliveries (but notes that four other businesses on the wharf also have early morning deliveries of bread and milk and their operations will be exactly the same issues as Doltone, and a substantial number of non catering businesses take deliveries overnight). Doltone notes that Council seem in agreement to some extension of the	Doltone suggests that it substantially revert to the former wording of B17 and B18. However, in discussion with residents after their meeting with Council it suggests that the wording of B17 be altered to allow the delivery times be extended from the current Monday – Saturday 7.30am – 6pm to Monday – Thursday 6.00am – 11.30pm and Friday – Saturdays 6.00am – midnight (being Doltone's closing hours). On Sundays it seeks to extend from 9am-

	current delivery hours.	5pm to 9am- 8pm . It emphasises that evening deliveries will be unscheduled non food and drink deliveries such as brochures for a conference the next day etc. Other than say an errant wedding cake all food and drink will continue to be delivered before 6pm. The wording of B18 has been altered to hopefully make it absolutely clear where the public domain is.
Conditions B7 and B8. Dining on the Upper Deck and Access to Upper Deck.	There is concern that the relaxation will dramatically increase the numbers and amount of noise emanating from the balcony and that this will increase the amount of time the doors are open leading to increased music noise emanating from the function rooms.	Doltone has withdrawn this proposal. The current conditions to remain as current.
B10 Fireworks	There was concern that the proposed alterations would permit Doltone to have fireworks. Doltone never intended this, as was presumably clear to Council, and if it is of concern to residents then it is happy to withdraw the proposal.	Doltone has withdrawn the proposal. The current conditions to remain.
Council's submission		
Condition	Issue/Response	Doltone Position
A1	Council recommended some minor alteration to the wording of the VMP.	These are acceptable to Doltone
A2 (capacity)	Council does not support the increase in guest numbers from 580 to 650. Doltone does not think its proposal will materially impact upon the	Nevertheless Doltone has withdrawn this proposal.

	residents (see above).	
B1 (hours of operation)	Council opposes the proposed extension to the hours of operation. The applicant does not believe that its proposal will materially impact upon the local population primarily because it will be taken up on few occasions, and its proposed security regime will assist in reducing any impact upon the residential population.	Nevertheless Doltone has withdrawn this proposal (apart from the extension to 2am on New Year's Day which Council had no objection to).
B2 (prior notification of proposed events)	Council has no objection to the proposal to remove this condition.	Doltone agrees. Council officers have repeatedly informed it that they do not use the booking sheets provided. They are therefore an unnecessary bureaucratic expense serving no useful purpose.
B3 (reporting of events)	Council are opposed to the proposal to remove this condition. However, having discussed the matter with Council, it appears satisfied if the records of numbers of guests and number of security guards is kept at Doltone's premises and are available for inspection by Council officers and other authorised persons (NSW Police, OLGR). This was always intended by Doltone. It just does not want the duplication and unnecessary bureaucracy of Conditions B2 and B3. Doltone keeps these records and indeed Council were able to access these in the first week of August when investigating 3 complaints to Council. (All were found to be spurious).	Doltone propose that the requirement to supply these numbers on a monthly basis is eliminated, but that it continue to record the patron attendance numbers and security numbers, and that these details be available to Council upon request. This has always been the case and what Doltone intended it to be.
B4 (CCTV)	The proposed modification is supported subject to any CCTV recording being able to be accessed for 21 days.	B4 has been altered accordingly.
B6 (Close)	Council has suggested some alternative wording to the condition proposed.	Doltone has withdrawn the proposed alteration to this condition.

B7 (Dining on upper deck) and B8 (Access to upper deck).	Council supports the deletion of B7 subject to proposed modified wording to B8.	Doltone has withdrawn this proposed alteration to the current conditions.
B10 (Fireworks)	Doltone has no intent of trying to organise firework events. Its sole concern was that if a client organised a firework display (either unbeknown to Doltone or in spite of Doltone informing them of the condition, and there appear to be many firework displays near Barrangaroo), then technically it could find itself in breach of its current consent conditions. Council appears to recognise this and has no objection subject to a slight change of words.	Doltone has withdrawn this proposed alteration to the current condition.
B11 (Required Security and other personnel)	Council's submission raises some points which were dealt with above. The concierge should be appointed once the proposed security regime is permitted to commence. For large scale daytime functions a core team of security commence before the event to welcome guests on the street, assist with entry into the car park and traffic. This is what happens at breakfast meetings, large conferences and celebratory events such as weddings that commence say at 5pm (not unusual for a weekend).	See a more detailed response to Condition B11 above. Doltone contends that its initiative to reduce any impact from the exit process has merit.
B13 (Shuttle bus service)	Council has no objections to this clause save it is concerned that the suggested wording may permit patrons to stay beyond the approved hours.	Doltone never intended the proposed clause to be read in that manner and has made alterations which should satisfy Council's concern.
B17 (Deliveries)	Doltone receives the odd infrequent delivery in the early evening. This could relate to something for a breakfast the next morning. As described elsewhere in this document it has found that its milk and bread deliveries have been arriving earlier than the permitted hours (it is negotiating with	Doltone would like to revert to the original B17 but extend the hours from 7.30am – 6pm to 6.00am – 9pm Monday – Saturday. (Sundays

	its suppliers to amend these delivery times even though four other businesses on the wharf do the same and do not appear to be fettered).	and Public Holidays to remain as current).
B18 (Prohibited servicing locations)	The current B18 states that there must be no unloading from 'the public domain'. In redrafting the two nearest streets were inserted, logically being where any errant unloading would take place.	Doltone is happy to have the original public domain reinserted, or add Mill Street, Point Street and the wharf apron if thought preferable. The suggested revised drafting will hopefully make it abundantly clear where the public domain is.
B20 (Garbage collection contract)	Council has no objection to Doltone using the Central Waste Collection area. This is how the management regime of the wharf was constructed.	Noted
B21 (Waste removal contractor)	Council has no objection to the proposed amendments.	Noted
B24 (Common property)	Council has suggested the addition of the word 'undue'.	This is acceptable to Doltone
B26 (External staircase)	Council has no objection.	Noted.
NSW Police	NSW Police have no objection to the currently drafted section 96.	Noted.