

2 August 2017

Your reference: SSD6387 MOD5

Ms Emma Butcher
Planning Officer
Modification Assessments
GPO Box 39
SYDNEY NSW 2001

Dear Ms Butcher

**RE: Burroway Road Mixed Use Development
(SSD 6387 MOD 5)**

I refer to the above SSD Modification, which was referred to Sydney Olympic Park Authority (the Authority) for comment. The Authority has reviewed the submitted application and provides the following comments.

Trading hours

The Authority has no objection to the proposed increased trading hours.

Outdoor dining

The Authority has no objection to outdoor dining within the central plaza area subject to the inclusion of the recommended conditions which have been included at Attachment A.

Should you require any clarification in relation to this submission, please contact myself on (02) 9714 7145 (Alix.Carpenter@sopa.nsw.gov.au).

Yours sincerely,



Alix Carpenter
Manager, Planning

Proposed Conditions of Consent

Outdoor Dining Public Risks Insurance

Prior to the operation of a relevant outdoor seating area that is ancillary to a relevant food & beverage premises, the relevant proprietor shall ensure they have an adequate Public Risk Insurance Policy.

Outdoor Dining Approval Certificate

Prior to the operation of any outdoor seating area, an Outdoor Dining Approval Certificate shall be obtained from the Sydney Olympic Park Authority.

Outdoor Dining (Operation)

The following conditions apply to the operation of the outdoor dining area:

1. The use of outdoor dining is only permitted in conjunction with the provision of a simultaneous food & beverage service from the relevant premises with approved food & beverage use.
2. Should the proprietor of the premises change at any time to a new business, a new Outdoor Dining Approval Certificate from the Sydney Olympic Park Authority is required under the name of the new proprietor for outdoor dining.
3. The relevant proprietor is solely responsible for any personal injury claims arising from the use of outdoor dining.
4. All furniture must be stackable or folded at the end of each trading day and stored inside the tenancy.
5. Portable signs or goods for sale/display must not be placed on the footway or other public areas.
6. All outdoor furniture and pavement are to be kept hygienically clean and free of food scraps.
7. All outdoor furniture must at all times be maintained in a physically sound and aesthetically acceptable condition.
8. Umbrellas:
 - a. are to be located within the extent of the tenancy leased area and/or the licensed public space;
 - b. are to not encroach on or interfere with pedestrian or vehicle movement;
 - c. are to be removed or closed during extremely windy conditions and must be removed when the outdoor seating area is not in use; and
 - d. are not permitted in areas where cover is provided by a building awning or the like.
9. The proprietor is to comply with any direction or order issued from Sydney Olympic Park Authority in regard to outdoor dining conditions, including but not limited to, the safe usage of seating and maintenance of accessibility and pedestrian circulation zones.
10. Adequate public thoroughfare (minimum 2 metres in width) be maintained through the public thoroughfare zone.
11. No outdoor lounging areas – outdoor dining is to be used as a restaurant seating only.
12. No permanent seating of any kind.

Note: The approved use of outdoor dining may be revoked at any time by Sydney Olympic Park Authority if the operation of outdoor seating is not carried out in a satisfactory manner.

No Obstruction of Public Way

The public way and road reserve must not be obstructed by any materials, vehicles, refuse, skips, signs or the like, under any circumstances unless in accordance with a Works Permit

or development consent. Non-compliance with this requirement will result in the issue of a notice by the Authority to stop all work on the site or penalty infringements.

Note: further information on Work Permits can be obtained from www.sydneyolympicpark.com.au.