

Ingrid Berzins

From: Katherine Lafferty <KLafferty@cityofparramatta.nsw.gov.au>
Sent: Wednesday, 11 October 2017 2:58 PM
To: Ingrid Berzins
Cc: Myfanwy McNally
Subject: Council Comments - SSD 6387 MOD 5 1 Burroway Road - Updated Acoustic Report

Good afternoon Ingrid,

Thank you for referring the revised acoustic report for Council's consideration.

Council officers have reviewed the acoustic report and raise no additional concerns.

The proposed reduced hours of operation are also noted.

Please note that our previous comments (slightly amended following correspondence from Sutherland and Associates) remain as follows:

**SSD 6387 MOD 5 – 1 Burroway Road – Wentworth Point
Section 96(1A) amendment to approved mixed use development
City of Parramatta Submission**

I refer to the above application to modify the approved mixed use development to incorporate hours of operation for the retail tenancies and the provision of outdoor dining. Council officers have reviewed the documentation on the Department's website with respect to this application and wish to make the following comments.

Hours of Operation

No significant concerns are raised, however it is considered that a terminating condition be imposed in order to allow the consent authority to consider any impacts created within a trial period. It is suggested that the retail tenancies (other than the approved supermarket) be allowed to trade the extended hours for 12 months following the issue of the first occupation certificate for any residential apartment within the development. The hours would revert to the standard hours of operation unless further modified.

An example of such a condition could read as follows:

The hours of operation for any retail premises (other than the supermarket) shall be restricted to the following:

- (a) 7:00am to 10:00pm on any day
- (b) A Noise Management Plan is to be prepared which identifies the noise management measures to be implemented for noise mitigation in accordance with the recommendations outlined in the **approved acoustic report (Department to advise)**. The Noise Management Plan is to be available for inspection upon request by the Department or Council.
- (c) Notwithstanding (a) above, the retail premises may operate between 6:00am and 12:00 midnight on any day for a trial period of 12 months from the date of the first Occupation Certificate for any residential component within the building.
- (d) A further application may be lodged to continue the operating hours outlined in (c) above before the end of the trial period. The Department's consideration of a proposed continuation and/or

extension of the hours permitted by the trial will be based on, among other things, the performance of the operator in relation to the compliance with development consent conditions and any substantiated complaints received.

Reason: *To protect the amenity of the surrounding residential neighbourhood.*

Hours of Operation – Loading and Unloading Activities

Concern is raised that no mention has been made of the loading and unloading hours in respect of the retail tenancies. It is assumed that all loading and unloading must be carried out within a designated internal loading dock. Even if the loading dock is acoustically treated to minimise noise from activities, truck movements should be minimised to avoid noise impacts on the residential area. In this regard, we would suggest that an additional condition be imposed restricting any loading and unloading to be carried out within the designated internal loading area and restricted to between 6am to 10pm daily.

Outdoor Dining

Given the potential for outdoor dining to impact on the amenity of nearby residential properties, it is considered that the hours of operation for outdoor dining be restricted. A suggested condition is as follows:

The hours of operation of any outdoor dining and seating is restricted between 7am - 10pm seven days per week.

The outdoor seating area is to be closed from 10pm

Reason: *To protect the amenity of surrounding land uses.*

Council thanks you for the opportunity to provide comment on this application.

If you require any further information regarding this matter please do not hesitate to contact me.

Kind Regards

Kate Lafferty | Executive Planner

City Significant Development

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