From: Russell Hand
To: Simon Truong
Cc: Christopher Corradi
Subject: SSD 7014 - Four Points Hotel - rooftop additions for proposed executive lounge and bar
Date: Thursday, 5 November 2015 9:55:28 AM

Hi Simon,

I refer to the Response to Submissions in relation to SSD 7014 for a proposed rooftop executive lounge and public bar at the Four Points Hotel at 161 Sussex Street, Sydney.

In response to the matters raised by the City in its correspondence of 18 August 2015 (below), the Applicant has stated "conditions of consent may be imposed to require compliance with these matters".

We draw the Departments attention to the first issue raised by the City, being restrictions arising from Section 47i of the Liquor Act 2007, also known as the "Liquor Freeze laws", as they relate to the Sydney CBD Entertainment Precinct. The application of these restrictions needs to be investigated and considered by the Department in its assessment of the DA. The Liquor Act provisions are likely to have a significant impact on the DA. Based on the City's review, the new public bar would seem inconsistent with the Liquor Act and as such the Department would not have the ability to approve this use. It is recommended that the Department forensically review the existing licence and extent of the existing licenced area (including the existing 'informal use' of Level 11 as a licenced lounge) versus the extent of the proposed licenced area. It is likely to be evident in that review that:

(a) the proposed licensed area is being expanded and, due to the new public bar, will increase the number of people entering the Sydney CBD Entertainment Freeze Precinct to consume alcohol; and
(b) the proposal will increase the patron capacity of the premises,

in a manner beyond the powers of the consent authority to grant development consent.

Setting aside the above, the remaining issues raised should attract relevant conditions if the Department is in a position to determination the application. Of note is that noise management is highly sensitive to the surrounding residential premises and should be thoroughly assessed by the Department.

Regards,

Russell Hand
Senior Planner
Planning Assessments

Telephone: 9246 7321
cityofsydney.nsw.gov.au

From: Simon Truong [mailto:Simon.Truong@planning.nsw.gov.au]
Sent: Tuesday, 20 October 2015 11:54 AM
To: Russell Hand <RHand@cityofsydney.nsw.gov.au>; Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au>
Cc: Amy Watson <Amy.Watson@planning.nsw.gov.au>
Subject: TRIM: SD 7014 - Response to Submissions for Proposed Executive Lounge and Bar at Four Points Hotel

Hi Russell,

FYI, a Response to Submissions has been received for the abovementioned application and is available on the Department's website at the link below:

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7014

Should Council have any further comments to the proposal, please provide within 2 weeks of this email.

Thanks and regards

Simon Truong|Senior Planning Officer|Key Sites|NSW Department of Planning and Environment
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From: Russell Hand [mailto:RHand@cityofsydney.nsw.gov.au]

Sent: Tuesday, 18 August 2015 1:53 PM
To: simon.truong@planning.nsw.gov.au
Subject: SSD 7014 - Four Points Hotel - rooftop additions for proposed executive lounge and bar

Hi Simon,

The City has reviewed SSD 7014 for the Four Points Hotel – proposed additional rooftop levels for a lounge and public bar.

Should the Department be minded to approve the application, we trust that the Department will apply conditions covering:

- Relevant restrictions arising from Section 47i of the Liquor Act 2007 – i.e. the "Liquor Freeze laws" as they relate to the Sydney CBD Entertainment Precinct;
- A Section 94B developer contribution equivalent to 1% of the cost of works as though Section 61 of the City of Sydney Act applied to the proposed uplift in floorspace and demand for infrastructure – as per the approval for the hotel and convention centre additions at the site (SSD 4972);
- Compliance with the nominated hours of operation, patron capacity, Plan of Management and other operational matters;
- Appropriate noise conditions;
- Appropriate CCTV conditions;
- Provision of a 3D CAD model and physical model for the City's records so that the building, as amended, is incorporated into the City Model in Town Hall and the City's 3D digital model. The City relies on accurate digital and physical models for a range of investigations and studies; and
- the views of NSW Police Licencing Unit.

Regards,

Russell Hand
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