

17 April 2019

Our Ref: N-18047

Mary Ferguson
40 Church St
Newcastle NSW 2300

Dear Mary,

**RE: 9 CHURCH STREET, NEWCASTLE - ROOF TOP TERRACE HOURS
NIHON UNIVERSITY - STATE SIGNIFICANT DEVELOPMENT (SSD 18-9787)**

On the 29 January 2019 we received a submission from you in relation to the above-mentioned development proposal in which you raised concerns regarding potential acoustic impacts from the proposed roof-top terraces. In response, on the 19 February 2019 we advised that it was intended that the proposed roof-top terraces would be available for use by students only and would not be open to the general public.

We further advised that the terraces are intended to provide spaces for students to study, relax or meet with friends, rather than as an area for hosting events or large groups.

Your concerns were considered by the project team at the time and a number of key measures proposed to mitigate any potential impact to your property and other nearby residences. These included:

- Students will have access to the roof-top terraces between the hours of 7:00am to 8:00pm, 7 days per week. Use of the roof-top terraces will be restricted outside the hours of 9:00pm and 7:00am, ensuring there will be no night-time sleep disturbance to nearby residences.
- 1.5m high glazed balustrades are proposed around the roof-top terraces to help attenuate acoustic impacts.

Following further noise assessments being undertaken, it is now proposed to alter the above restrictions. The altered restrictions now proposed include:

- Students will have access to the roof-top terraces between the hours of 7:00am to **9:00pm**, 7 days per week. Use of the roof-top terraces will be restricted outside the hours of **9:00pm** and 7:00am, ensuring there will be no night-time sleep disturbance to nearby residences.

The change sought is an increase in the allowable use of the roof top terrace by the students by **1 hour** per day.

Please be advised that the Environmental Impact Statement submitted with the development application will provide a detailed assessment of potential acoustic impacts from the proposed development, including the roof-top terraces, and provide additional mitigation measures as required.

It is envisaged that the EIS will be on public exhibition shortly for a period of 28 days and will be able to be viewed at the NSW Department of Planning Environment website:

<https://www.planningportal.nsw.gov.au/major-projects/project/10356>

I apologise for any confusion with regards to the above matter.

Should you have any additional queries, please do not hesitate to contact the undersigned.

Yours Faithfully,

Murray Blackburn-Smith



Regional Director | Planning