



Planning Assessment Commission Meeting 5 April 2017 – Campbell's Stores, The Rocks, Sydney

Speaker Notes – Jeremy Swan on behalf of Park Hyatt

- The Park Hyatt welcome the opportunity to explain to the Planning Assessment Commission (PAC) their concerns on the Application. They also recognise that the application has been modified throughout the application process to address some of the concerns, principally the removal of the three storey Bay 12 building, located directly adjacent to the Park Hyatt.
- In addition, the Park Hyatt recognise that there is public benefit in the redevelopment of the Campbell's Stores including the surrounding public domain as the area is visited by many tourists that visit Sydney.
- However, we remain concerned regarding noise from any use of this space as the Park Hyatt has hotel rooms that face directly onto the space referred to as Outdoor Dining Area 1.
- As detailed in the Departments assessment report (5.5.1 Pg. 30, 31) the nearest sensitive receivers to these areas including the Park Hyatt.
- Council, the Park Hyatt and adjoining residents raised concerns with potential cumulative noise impacts from the operation of the site and the proposed outdoor dining areas.
- The department's report states that the applicant has considered the noise impacts of these new outdoor areas and measured background noise levels and forms the opinion that these areas will comply with the noise emission criteria.
- The noise impact assessment recommends restricting the operating hours of outdoor areas until midnight, patron restrictions, noise and vibration monitoring and complaint response procedures.
- The departments assessment report notes that they have reviewed the NIA and measures by the Applicant and are confident the potential impacts associated with the operational noise can be adequately addressed and managed.
- The department then recommends conditions the does not permit the operational use of these areas and require a Tenancy Fitout Guide, Noise Management Plan and Air Management Plan.
- Our concern with this approach is:
 - Condition A7 states that the applicant shall ensure the use and operation of all future tenancies comply with a Tenancy Fitout Guide; Noise Management Plan; and Air Management Plan, all required as part of separate conditions.

- Condition E5 which requires a Noise Management Plan, and does not require any consultation with adjoining owners, and only needs to be prepared in consultation with SHFA and submitted to the satisfaction of the Secretary. It is unclear whether this NMP will include recommendations regarding hours, however it is assumed so, again without any consultation with adjoining properties.
- Therefore, any future use of the space would have an expectation that if they comply with the Tenancy Fitout Guide, Noise Management Plan and Air Management Plan that their DA would, which could have specified appropriate hours of operation, without any notification or consultation with adjoining properties. It is noted that this would occur via a development application process, however if it is consistent with the above guides and management plans, it is highly likely that they would be approved.

In summary, we do not object to the redevelopment, however we want to ensure that any noise impacts are appropriately addressed having regard to the proximity of hotel rooms to proposed outdoor dining areas, and the conditions of consent do not in our opinion properly address our concerns related to acoustic noise impacts from the proposed development.

If the commission are of a mind to approve the application, we would ask you consider adding additional wording to the above conditions to ensure that the noise management plan does not lock in acceptable hours of operation of the outdoor dining area 1. Our suggested wording is provided below underlined.

Noise Management

- E5. Prior to the issue of an Occupation Certificate, the Applicant shall prepare a **Noise Management Plan**. The Plan must establish noise management levels and outline management and mitigation measures to minimise noise impacts on nearby receivers. The Plan must be prepared in consultation with SHFA and submitted to the satisfaction of the Secretary prior to the use of the building.

The Noise Management Plan shall not recommend or endorse hours of operation for Outdoor Dining Area 1.

Thank you for the opportunity to address the commission and should you have any questions please do not hesitate to contact me on [REDACTED]

Regards

[REDACTED]

Jeremy Swan

Director