



2011 Residents' Association Inc.

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2nd September 2016

Mr Bill Mackay
Manager - Planning Assessment
City of Sydney
Town Hall House
456 Kent Street
Sydney NSW 2000

By email: dasubmissions@cityofsydney.nsw.gov.au

Dear Mr. Mackay,

DA for 55 Macleay Street - The Whitehouse - DA Ref No. D/2016/1079

This submission is from the 2011 Residents Association. Our mission is to preserve and enhance amenity for Residents in the 2011 postcode.

We would like to draw attention to our opposition to the increased trading hours from the DA/2010/741 which were 7:00am – 10:30 pm indoors and 10:00am – 8:00pm external, Monday to Sunday to the current DA Ref No. D/2016/1079 which seeks approval for core hours to be up to 11:00pm and extension to midnight.

There are significant noise issues which arise from restaurants in the area and a general lack of effective controls by restaurant owners and Council to stem this noise, particularly in the summer months. Reduced amenity is the result of noise from garbage collections every day of the week, clearing of bottles and cardboard cartons as part of the clean up, and noise from patrons exiting the proposed and nearby restaurants. The opposition to the unreasonably long trading hours proposed for the restaurant in the DA is in part due to lack of any clear plan for residents' complaints to be recorded and acted upon by the proposed restaurant management or by the City of Sydney. Effective noise control has not occurred in the past and the City of Sydney has shown little appetite for taking action to address this deficiency. Further Council's own guidelines show this to be a Category B premises in a Local Centre Area where the outdoor trading hours are until 10:00 pm.

Residents' concerns about loss of amenity are also due to the blurring of boundaries around when people are moved inside, and when cleaning up begins and finishes as well as the noise associated with this clean up. Their proposed hours would mean that this occurs anytime from 11:00 pm through to midnight and later. The transfer of noise in this area due to narrow street and tall beings is considerable.

A number of residents attended a meeting initiated by the Developer and Restaurant with the view to gaining support for the number of changes they want to make to the originally approved DA, prior to lodging their plans. While people made favourable comments about some of the changes, SJB Planning are incorrect in stating that they had overall agreement. All residents impacted by this DA were not present at this meeting.

We strongly oppose City of Sydney granting Extended Hours 'on a trial basis' to a brand new establishment. The restaurant's management needs to be able to initially demonstrate that it can comply with the current terms of operations.

In light of the six years of opposition to the noise impacts of this development by the residents we object

to the Extended Hours and ask that City of Sydney at the very least restrict the restaurant hours to those approved in 2012. We also ask that the City of Sydney insist the Developer/Restaurant Management supply local residents with detailed information on the management of excess noise from the restaurant and hotel; and importantly how to make and in what form to make complaints as well as how a review of any complaints will flow into ongoing consideration of the conditions allowed by City of Sydney.

Trading hours up until **Midnight seven days a week** is neither balanced nor reasonable.

Please do not approve this part of the development.

Yours Sincerely

Helen Crossing
Convenor 2011 Residents Association.