

Late Correspondence

Date 12 June 2018

Panel Reference No. 2017SCL050

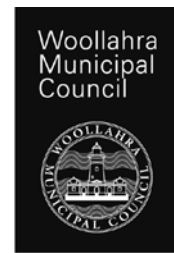
DA File No. DA359/2017/1

To Sydney Eastern City Planning Panel

From Mr Dimitri Lukas – Senior Assessment Officer

Address 30-36 Bay Street & 2 Guilfoyle Avenue DOUBLE BAY

Proposal Demolition of existing structures and construction of a 7 storey mixed use development containing 39 residential units (5 x studios, 12 x 1 bed, 18 x 2 bed & 4 x 3 bed), 3 ground level retail spaces (proposed hours of 6am-10pm Mon-Sat and 7am-10pm Sun) with ground level parking (9 cars) and a basement car park accessed by a car lift (24 cars) and the removal of a tree at the rear of 28 Bay Street (the proposal also includes a Voluntary Planning Agreement with an offer of \$500,000 for projects identified in Council's Double Bay Public Domain Strategy)



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Late Correspondence has been received by the applicant in the form of an amended Acoustic Assessment ('AA') by Acoustic Logic dated 8 June 2018.

In relation to the original and amending AA, the following points are made:

- The original AA (Revision 0) established unattended noise measurements from 12-19 September 2016.
- The original AA (Revision 0) is dated 14 September 2016 (ie. in the middle of the stated unattended noise measurements).
- In light of the above, a Background Noise Level must be established to ascertain the anticipated noise levels outside a bedroom window and the necessary measures to minimise intrusive noise levels (ie. location of windows, type of window, glass thickness, screens etc).
- The amended AA (Revision 1) the subject of this late correspondence, indicates additional noise measurements were taken from the Royal Oak Hotel on Saturday 16 December 2017 between 9-10pm and 12pm-1am.
- The amended AA (Revision 1) does not qualify the attended noise measurements (was the noise measurement a peak or trough reading, an average reading etc).
- The amended AA (Revision 1) does not qualify the measurement location (internal, external, obstructed, unobstructed etc).
- The amended AA makes a statement that the measurement was taken on a '*busy Saturday night*' but does not qualify this remark.

Recommendation:

Reason for Refusal No.8 of the Planning Panel Report recommendation be replaced by the following:

8. Misleading information

The information submitted with the development does not enable a thorough and accurate assessment of the potential acoustic impacts.

Particulars

- a) The Acoustic Assessment (AA) does not accurately detail the noise level measurements of the locality.
- b) The AA does not accurately qualify the noise measurements from the adjoining Hotel.
- c) In light of the above, the AA does not provide assurance on the likely impact on the internal amenity of the proposed residential units and any likely modifications to layout or openings to address intrusive noise.
- d) The proposal fails to satisfy the following provisions:

Environmental Planning and Assessment Act 1979

Section 4.15 (b)

Dimitri Lukas

Senior Assessment Officer

Woollahra Council