

Dear assessors of the Old Clare Hotel rooftop application,

With this letter I would like to provide a strong case against the proposed changes to venue use. I have been a resident at 3 Carlton Street for three years. Unfortunately, during this time I was exposed to several months of adverse impacts of the Old Clare rooftop bar, when it was operating illegally. At the time these impacts were life changing, in the worst possible way. In this letter I will outline three significant points of objection, in response to the recommendation for approval by Department of Environment & Planning.

The Old Clare Hotel rooftop bar venue would be against precedent.

As someone having worked a number of years consulting global hotel chains for the world's biggest real estate company, I fully understand development, financial and macro-trend elements relating to the Old Clare Hotel site. Reading the many pages of application material the most glaring objection to this proposal is the lack of precedent. Within Old Clare proposal documents claims are made that the site exists within an "inner city" location and therefore can ignore probable residential stakeholder impacts. In fact, the Old Clare Hotel exists within a residential area, according to independent consultancy Ernst & Young. The report "Sonarc Developments, Old Clare Hotel: Rooftop terrace acoustic assessment" clearly demonstrates that 6 of 7 directly affected buildings by potential rooftop bar noise are residential buildings (including Central Park dwellings on Carlton Street). By approving an open-to-the-public licensed venue operating from an accommodation hotel within close proximity to major residential the government is taking a massive, untested leap into the unknown.

Now that we have established the site exists within and affects dense residential areas, there is not one comparable accommodation hotel in any major city of Australia, operating an open-air public bar within a few meters of significant residential dwellings. Quite appropriately, other comparable venues are limited to hotel guests only, otherwise public bar venues on-site are fully enclosed (i.e. soundproofed like any other nighttime economy venue) to avoid undue impacts on residential stakeholders. Such comparable Australian venues in densely residential areas include Emporium Hotel Fortitude Valley, Mayfair Hotel Adelaide, Royce Hotel and Blackman Hotel Melbourne. Those that don't operate bar venues have instead more appropriate and fit-for-place concepts like boutique bakeries and the like. Even if you look internationally, for example Singapore (the home of Old Clare Hotel owners), you will see amongst hundreds of four to five star hotel properties, very few open-air licensed bars, which are open to the public. This is the preserve of vast resort-style properties, such as W Hotel Singapore and similar, or those on top floor tower buildings hundreds of meters from other buildings, such as Marina Bay Sands Hotel. It would be improper of the NSW Government to approve the Old Clare Hotel rooftop bar as it is in aversion to all comparable precedent.

The impacts of operating this venue have already been felt by residents at 3 Carlton Street, therefore there is no ambiguity as to the detrimental noise, privacy and

unsavory behaviour impacts certain to be a result of the current proposal. This is all due to the approval of public use, not solely for hotel guests. The construction of the proposed roof, which strangely NSW Government was overly concerned with aesthetics, will not avert the aforementioned impacts. At Central Park the apartments have been designed for inside/outside living with floor to ceiling windows and full-length sliding glass windows. When the bar was operational last year my family and I had to live with windows and blinds closed 12 hours per day, which is extremely impactful given I (like several of my neighbours) live and work from my Central Park apartment. Any roofing structure would need to be completely (i.e. 100%) enclosed, soundproofed and not transparent. With the high number of north Asian residents at Central Park, I notice many are unaware of the proposed rooftop bar, but are distressed to hear about it in conversation. It seems that the language barriers have prevented many residents from understanding the proposal (or even being aware of the proposal). It would be more inclusive to produce this material in several languages, especially Mandarin. To conclude this point, I do not have any objection to the Old Clare Hotel operating a poolside bar for hotel guests. This is in keeping with comparable 4 and 5 star hotels.

Hotel owners never intended a hotel pool, of normal operation

There are several elements that suggest the Old Clare Hotel owners never intended the rooftop pool area to be predominantly for hotel guest's leisure. Although initial site applications were for a hotel guest pool, at no stage was there an open-to-the-public licensed venue proposed, discussed or approved. This seems like poor judgment, if not devious; I would question the intention of hotel owners and developers from the very conception of this venue. The design of pool, being small and only waist deep, could not be intended for guest's leisure, as would be normal in comparable hotel accommodations. Subsequently, since opening almost three years ago it is hardly used by guests. On a daily basis I observe guests visit the pool, take a look and leave within five minutes. Further to this point, Old Clare Hotel have never provided guest services to the hotel pool. Not even a lifeguard! This is despite the construction of a fully stocked bar over two years ago. Even the poolside furniture is intended for bar use, not primarily as sun loungers! Then the obvious question is raised, why develop the pool at all?

I notice the Old Clare Hotel has hosted several wellness sessions (yoga) in the rooftop space. Such activities have been the most popular amongst guests and are in-keeping with the amenity of this residential location. Subsequently, this is mirrored by the initial approach of the Sydney City Council, who rightly objected to the venue being licensed for alcohol for non-guests of the hotel. They understand the enormous social impacts on local residents and will have to field endless complaints should the venue begin operating as proposed. Myself and other residents would support this venue to be used for family-friendly activities such as wellness mentioned, instead of an all-days licensed venue.

Insufficient due course to address significant resident concerns

Another major concern I have with the proposed venue approval is the apparent lack of due course consideration given to residents concerns. To any outside observer (myself and my neighbours included) it seems the NSW Government is hiding behind “special projects” status, however it does not mask the fact that due course has not been followed. With 28 public submissions along with a signed petition of 50 residents, too many concerns were marked as not significant within the Planning & Environment Assessment Report. How is this possible when so many people, voiced valid and already experienced impacts (since the bar was operating illegally for 6 months)? The most fundamental point of these objections is the venue’s use as a public bar open to non-guests. This action by the Minister’s office to approve the venue as a public bar goes against Council’s initial planning conditions. The all-days, public and long trading hours proposed (despite clear severe community impacts) will provide a significant financial windfall for the owners of the Old Clare Hotel.

It is impossible for any community observer to see this lack of due course and not feel suspicious. Especially when the submitter of the application on behalf of the Old Clare Hotel (a millionaire Singaporean developer) is a former Executive Director of Urban Renewal and Major Sites NSW Department Planning as well as former Director City Planning & Regulatory Services City of Sydney. Is it appropriate that someone with this recent background be leading, as a consultant, this contentious proposal? In my view this represents a conflict of interests. In recent times there has been a long-overdue spotlight on the influence of foreign stakeholders in government processes. Under these circumstances I have significant concerns for fair treatment of community concerns and due course, given the dismissive approach by the NSW Government in delivering it’s suggested amendments.

Thanking you for your kind consideration of these points. I’d like to stress one final time the significant, life-changing adverse impacts of a public bar at this site on my family, my neighbours and myself. I urge you to reject the proposal in favour of an alternative in-keeping with precedent, such as a venue for sole use by registered hotel guests, or of a nature in-keeping with this residential area.

Yours sincerely,

Nathan Wiltshire