

Local Planning Panel

12 June 2024

Application details

18 Huntley Street, Alexandria

D/2022/716/A

Applicant: Mr Kim Rothe

Owner: The Owners Strata Plan No. 99110

Planning Consultant: MatsuPlanning Services

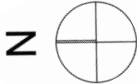
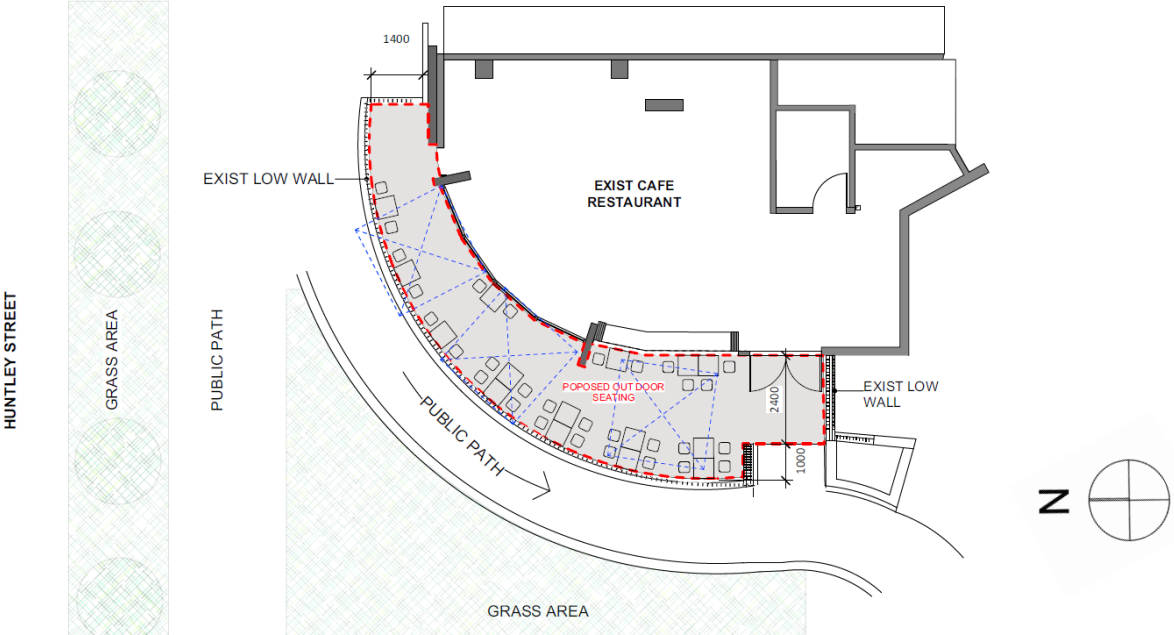
Proposal

- amend Condition 12 (Plan of Management) to allow outdoor dining within the terrace area
- proposed outdoor capacity of 30 patrons
- increase internal capacity from 20 to 30 patrons
- increase staff to 12
- amend Condition 8 (Trading Hours) to allow use of the outdoor dining area between 7.00am and 8.00pm, Monday to Sunday

Recommendation

Approval

Proposal



proposed outdoor seating area

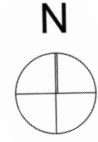
Notification

- exhibition period 11 January 2024 to 26 January 2024
- 376 owners and occupiers notified
- 66 submissions received

Submissions

- noise impacts to residents
- traffic impacts
- loss of parking
- loss of land value
- out of character for the area


Site



★ Tenancy

Submissions



 submitters

Site



site as viewed from Huntley Street
ground floor tenancy and outdoor terrace highlighted in red



approved internal layout of tenancy



outdoor seating area on the terrace

Existing Consent (D/2022/716)

- approved use as a food and drink premises (cafe)
- internal hours -7.00am to 10.00pm, Monday to Saturday, and 7.00am to 8.00pm, Sunday
- indoor capacity of 20 patrons
- no liquor licence proposed at time of issue of consent

Compliance with key LEP standards

	control	proposed	compliance
zone	R1 General Residential	outdoor dining associated with approved food and drink premises	yes

Approved hours of operation (internal)

	DCP base hours & extended hours (All Other Areas)	approved hours
Monday to Saturday	Base: 7.00am to 10.00pm Extended: 7.00am to 12 midnight	7.00am to 10.00pm
Sunday		7.00am to 8.00pm

Proposed hours of operation (Outdoor)

	DCP base hours & extended hours (All Other Areas)	Recommended hours
Monday to Sunday	Base: 7.00am to 8.00pm Extended: 7.00am to 10.00pm	7.00am to 8.00pm

Issues

- acoustic impacts to residential dwellings directly above cafe
- acoustic mitigation and awning

Acoustic Impacts

- acoustic impacts to residential dwellings located directly above cafe
- existing tenancy and terrace design does not achieve compliance with City's acoustic requirements
- acoustic report includes recommended attenuation measures, including construction of solid awning over outdoor terrace
- conditions recommended to ensure on-going compliance with acoustic report

Acoustic mitigation and awning

- construction of a solid awning is not considered substantially the same development and did not form part of the proposed amendments
- condition recommended requiring the lodgement of a separate DA for the awning over the terrace within six (6) months of the determination of this application
- condition recommended that increased capacity (at 60 patrons) be approved for trial period of 6 months

Recommendation

- approval subject to conditions, including:
 - Condition 14 to require compliance with the acoustic report
 - Condition 15(a) restricts combined indoor and outdoor patron capacity to 30 for the premises.
 - Notwithstanding Condition 15(a), Condition 15(b) permits a trial period of 6 months to operate with an increased capacity of 60 patrons. This is to allow for the lodgement of a separate DA for the external awning over the outdoor terrace.
 - Condition 16 requiring compliance with design specifications for awning