

## Resolution of Local Planning Panel

**21 May 2025**

### Item 5

#### **Modification Application: 256 Crown Street, Darlinghurst - D/2023/265/B**

The Panel granted consent to Section 4.55(2) Application Number D/2023/265/B to allow for trading on Sunday and that Conditions 8 and 9 of the consent be amended, with modifications shown in ***bold italics*** (additions) and ~~striketrough~~ (deletions), as follows:

#### **8) INTERNAL HOURS OF OPERATION**

The internal hours of operation are regulated as follows:

- (a) The base internal hours of operation must be restricted to between 10.00am and 10.00pm Monday to ***Saturday Sunday*** inclusive.
- (b) Notwithstanding (a) above, the use may operate between 7.00am and 10.00am and 10.00pm and 12 midnight for a trial period of 1 year from the date of issue of Occupation Certificate. Council's Health and Building Unit is to be informed in writing of the date of commencement of the trial hours. Email notification is to be sent to [liquor@cityofsydney.nsw.gov.au](mailto:liquor@cityofsydney.nsw.gov.au). No alcohol is to be served prior to 10.00am.
- (c) Should the operator seek to continue the extended operating hours outlined in (b) above, an application must be lodged with Council not less than 30 days before the end of the trial period. Council's consideration of a proposed continuation and/or extension of the hours permitted by the trial will be based on, among other things, the performance of the operator in relation to the compliance with development consent conditions, any substantiated complaints received and any views expressed by the Police.

#### **Reason**

To ensure the premises operates within the approved hours of operation.

## **(9) EXTERNAL HOURS OF OPERATION - ROOFTOP**

The external hours of operation are regulated as follows:

- (a) The base internal hours of operation must be restricted to between 10.00am and 8.00pm Monday to ~~Saturday~~ **Sunday** inclusive.
- (b) Notwithstanding (a) above, the use may operate between 8.00am and 10am and 8.00pm and 10.00pm for a trial period of 1 year from the date of issue of Occupation Certificate. No alcohol is to be served prior to 10.00am.
- (c) Should the operator seek to continue the extended operating hours outlined in (b) above, an application must be lodged with Council not less than 30 days before the end of the trial period. Council's consideration of a proposed continuation and/or extension of the hours permitted by the trial will be based on, among other things, the performance of the operator in relation to the compliance with development consent conditions, any substantiated complaints received and any views expressed by the Police.

### **Reason**

To ensure the premises operates within the approved hours of operation.

### **Reasons for Decision**

The application was approved for the following reasons:

- (A) The development, as modified, is substantially the same development as that originally approved and is consistent with Section 4.55(2) of the Environmental Planning and Assessment Act 1979.
- (B) The proposal, subject to conditions, is consistent with the objectives of the MU1 Mixed Use zone.
- (C) The proposal continues to be consistent with the aims, objectives and relevant provisions of the Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012.
- (D) The development, subject to conditions, will facilitate the orderly operation of the venue and will not unreasonably compromise the amenity of the locality.
- (E) The development, as modified and conditioned, is in the public interest.

Carried unanimously.

D/2023/265/B