

# **Attachment F**

<h2><b>Submissions</b></h2>
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**From:** PlanningAlerts <[REDACTED]> on behalf of PlanningAlerts

<[REDACTED]> <PlanningAlerts <[REDACTED]>

**Sent on:** Sunday, May 25, 2025 8:57:29 PM

**To:** dasubmissions@cityofsydney.nsw.gov.au

**Subject:** Comment on application D/2025/410

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For the attention of the General Manager / Planning Manager / Planning Department

**Application:** D/2025/410

**Address:** 378 Cleveland Street Surry Hills NSW 2010

**Description:** Alterations and additions including a first-floor extension to the rear, associated internal alterations and change of use to a restaurant. The restaurant is proposed to operate from 12pm midday to 12am midnight (the following day), seven days per week.

**Name of commenter:** Alexa Wyatt

**Address of commenter:** [REDACTED] Great Buckingham Street, Redfern NSW

**Email of commenter:** [REDACTED]

## Comment

I am relieved to see that the exquisitely beautiful timber pharmacy cabinetry in this building will be retained. Having lived in the area for over 30 years I have often admired the beautiful craftsmanship of the cupboards and drawers. To lose them would be to lose yet another connection to our city's past, and a rich tradesmen and design aesthetic rapidly vanishing in the onslaught of ugly cookie cutter development.

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## Important Privacy Notice - Please Read

The email address and street address are provided to City of Sydney only so you can contact, identify and verify Alexa Wyatt, in response to D/2025/410, and not for any other purpose.

You, City of Sydney do NOT have permission to publish, nor share with anyone outside City of Sydney the email address and street address without express written permission from Alexa Wyatt.

We specifically confirm that any consent given in any form (including pursuant to your privacy policy) to disclose personal information to third parties is withdrawn.

**From:** Dean Elliott <[REDACTED]> on behalf of Dean Elliott

<[REDACTED]> <Dean Elliott <[REDACTED]>

**Sent on:** Sunday, June 1, 2025 9:28:35 AM

**To:** dasubmissions@cityofsydney.nsw.gov.au

**Subject:** Submission - D/2025/410 - 378 Cleveland Street SURRY HILLS NSW 2010 - Attention Costa Dantos

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I live locally on Lansdowne Street and support this application. It will be a great addition to the area and assist with its regeneration as a dining precinct.

Dean Elliott

**From:** Celestial Enigma <[REDACTED]> on behalf of Celestial Enigma

<[REDACTED]> <Celestial Enigma <[REDACTED]>

**Sent on:** Monday, June 2, 2025 4:56:18 AM

**To:** dasubmissions@cityofsydney.nsw.gov.au

**Subject:** Submission - D/2025/410 - 378 Cleveland Street SURRY HILLS NSW 2010 - Attention Costa Dantos

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Costa

I am the owner of the property opposite (on Marlborough St.) the applicant at 382 Cleveland St. Surry Hills. I would like to raise some points, and concerns with regard to this proposed DA. I am particularly concerned about noise, traffic (people and vehicle) that this proposal will bring to what is essentially a mainly residential area.

**Building** – whilst I have no objection to the build structure at the rear of the property above the current garage (even though it will cause some additional shadowing on my property), - I wish to suggest that the developers consider building it into the existing building line with brick and render finish to match the existing building look. The current proposal appears as a box placed on the outdoor terraced area, and in my opinion conflicts with the visuals of the existing building, and its style and character of that period.

**Business** – I have several concerns with the proposed intended business activities, as listed below. The proposal is for significant bar activity, with late trading hours to be built in the middle of surrounding residential terrace buildings.

- 1) **Too many patrons.** The DA is seeking approval for some 160+ persons (including staff) to habit this space at anyone time. These are two terrace buildings and I find it very difficult that you could entertain and feed such a large number of people in such a small space. That number should be seriously assessed, for a number of reasons, however having lived in a terrace I know very well that this would be significantly overcrowded.
- 2) **Noise.** Having lived in my property during the time this building was used as a Chemist and body building supplies shop – the people traffic was limited and kept to day time hours – as are the majority of the commercial properties in the immediate vicinity. The suggestion of so many people entering, exiting, (and to very late hours) the building, will impact the noise in the vicinity greatly and unfortunately in a negative way. Aside from entering and exiting, there will be persons outside smoking and chatting, as such there will be (as are many/most such bars) a level of noise taken onto the streets. Which is only meters away from bedrooms at my property. The space between the two buildings is not significant to facilitate this activity without negative impacts on the local residents. Further there is the use of the garbage area, which will obviously be utilised during, but more importantly after trading hours – empty bottles being thrown into garbage bins are very loud). In order to minimise such noise and impacts on the local residents, I ask that you consider the following in this application
  - a) Hours of trade are not acceptable. Perhaps some leniency for Friday/Saturday night till midnight, but past 10pm on a weekday and Sunday will significantly impact locals and their sleep.
  - b) As mentioned above, that the permissible patron numbers be given significant consideration and reduced.
  - c) That entrance and exit to the building to be limited to the front of the building facing Cleveland St only, and that no entrance/exit be available from Marlborough St or Goodlet Lane – aside perhaps for a fire exit in case of emergency, and to be used only for that purpose.
  - d) That any windows facing Marlborough St or Goodlet lane are to be kept closed (and where possible, sound proofed) to minimise the noise coming 153m inside the building. In fact keeping all windows



closed (including facing Cleveland St) and relying on mechanical ventilation only would be appropriate, given that noise will travel even with a small group of people. Bars are not quiet places, as such sound proofing the building must be given serious consideration for the local residents.

e) That any patrons standing outside (smoking/talking etc) be limited to Cleveland St only. This will limit movement and noise up Marlborough St, and Goodlet Lane, which are residential buildings. Although in reality it would be ideal to have no people outside smoking or talking (which will disturb local residents) – the reality is they will.

3) **Parking.** I have not seen any provision being made to accommodate any parking. In fact the proposal indicates the removal of the 2 existing car spaces currently on the property. As such I assume the DA proposes that its patrons use the existing (and very limited) street parking.

I find that unfair to the local residents that are already finding it difficult to accommodate space for their own cars. I am not sure how council assess parking these days – however some years ago when Dimitris Restaurant (358 Cleveland St) was proposed they had to acquire (as I understood) land locally to accommodate for parking having then bought the land at 375 Cleveland St (currently a car wash) for that purpose to satisfy council of parking provisions for their patrons. I am not familiar with the Council regulations with that these days, however I know that with so many patrons it would impact negatively for parking availability to both the locals and the patrons of the establishment.

The above are my concerns, and happy to discuss any of the above in your assessment of this DA.

Kind Regards

Theo Parker  


**From:** Ross Rotherham <[REDACTED]> on behalf of Ross Rotherham  
<[REDACTED]> <Ross Rotherham <[REDACTED]>  
**Sent on:** Saturday, May 31, 2025 11:53:20 AM  
**To:** dasubmissions@cityofsydney.nsw.gov.au  
**Subject:** Submission - D/2025/410 - 378 Cleveland Street SURRY HILLS NSW 2010 - Attention Costa Dantos

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Ross Rotherham  
581 Riley Street,  
Surry Hills, 2010  
May 31, 2025

To City of Sydney planning / Costa Dantos,

In reference to:

- Application D/2025/410
- by MAK SURRY HILLS Pty Ltd
- Site 378 Cleveland Street

I and my family are residents within the Affected Properties Report. We have resided here for 15 years. We moved to the area to be in an amenities rich location. We utilise local amenities and derive great pleasure from all that is available in Surry Hills.

We also lived through the period that Porteno was operating as a restaurant and bar within the same block that The Boxing Bear is requesting to set up. All of our concerns are based on precedent of a business functioning of a similar size and similar license allowances only 60m from the proposed location.

The categories of concern are:

- Parking impact from trade, staff and patrons
- Blocking of key access roads to our home: Riley street and Goodlet Lane
- Noise from patrons arriving and leaving the premises
- Noise from operation on site
- Garbage collection
  - Noise
  - Garbage left in the street
  - Bins blocking access

#### Parking:

Our block regularly has no spaces available for residents with Area 18 permits to park. When this happens there usually are vehicles parked beyond the 1hr limit that do not have resident permits. Often vehicles without permits are parked for time lengths that mimic either work shifts, e.g. 8 hours, or patron stays, e.g. 3hrs. Despite there being 1 hour limits in most parking locations within the immediate area, there are rarely rangers in the area enforcing the limits.

During the operation of Porteno this was significantly heightened severely restricting parking for residents. The restaurant staff appeared to do regular checks on their cars and only in the case a rare ranger marking was made they would move their cars into a different configuration still taking up resident parking.

Requested action in the case the proposal is approved: Increase parking rangers covering all of the immediate local area, minimum weekly, up to the end time of the restrictions.

#### Blocking Access Roads:

Goodlet lane has always been a primary access road for residents in our immediate area: Riley between Goodlet Street and Goodlet lane, the one way portion of Riley Street between Goodlet Street and Belvoir Street, and the block of Goodlet Street between Riley and Marlborough Streets. This last block noted includes the access point for the large underground garage servicing the apartments at 508 Riley Street. For a small lane there is a lot of regular traffic.

Since the changes to the traffic flow where Wilton Street was made one way Goodlet Lane has increased in its usage as a primary access route. All other access when this lane is blocked requires going into the traffic of either Cleveland or Elizabeth Streets to find alternative access.

During the operation of Porteno there were trade vehicles blocking access multiple times daily. These trucks and vans would park at the end of Riley Street blocking Goodlet Lane or in Goodlet Lane. This was a regular point of contention with the local neighbours of the restaurant.

Given the single onsite park is limited in the size of vehicle it can accommodate, and there is no other location that would allow trade vehicles to park out of traffic, we must conclude that the blocking of Goodlet Lane and / or Marlborough Street will happen with a similar frequency as it did with Porteno.

Requested action in the case the proposal is approved: Council monitoring and enforcing of reasonable access along Goodlet Lane.

Requested action during proposal assessment: Audit the traffic using the lane.

#### Noise From Patrons Arriving and Leaving:

Given the licensing times, size and function of Boxing Bear will be similar to Porteno the precedent of Porteno patron noise should be considered. We live 20m from the Porteno site and 30m from the front door of that establishment. Despite the valiant efforts of the owners the noise from patrons was significant. People accessing the restaurant at dinner time were of little concern. Patrons leaving often displayed moderate levels of inebriation and although the temperament was almost always merry, it was loud, and it was right under our bedroom. People arriving to go to the bar later in the evening often arrived with obvious signs of inebriation and subsequent noise.

Patron noise up to 10pm was tolerable, and inline with having moved into an amenity rich location. Patron noise after 10pm through to midnight had a significant negative impact on the local residents.

Requested action in the case the proposal is approved: Mandate full time security at the entry and exit points to manage patron behaviour.

#### Noise From Operation Onsite:

Porteno managed this well and this was not of concern vs the noise of patrons coming and going. However they went to great lengths to manage this. There was no outdoor area where patrons were seated or drinking after 10pm. They had a security person positioned at the front door managing patron noise in the immediate vicinity of their operation, namely the paved area of Riley Street between Goodlet Lane and Cleveland. They did appear to corral patrons leaving towards Cleveland as part of their effort to limit patron noise impacts.

Boxing Bear's application appears to include an outdoor area for patrons using the bar that is open until 12pm. Based on the sounds generated by drinking patrons from Porteno being significantly more noticeable relative to background traffic noise this will have a negative impact on any residents nearby.

Requested action in the case the proposal is approved: Limit license time to 10pm Sunday – Thursday. Limit outdoor access for patrons and staff to 10pm seven days.

#### Garbage collection:

Again referencing the similar size and proposed operation activities of Boxing Bear relative to Porteno the impact of garbage collection must be considered. This was the most annoying of all impacts. And happened daily.

- Noise: The private garbage trucks were apparently not subject to the same time limitations as council garbage pickups. They arrived regularly before 6am and created significant noise. The sound of the trucks stopping and starting. Sound of reversing warning noise. And the sound of multiple bins of smashed glass being tipped into the trucks.
- Garbage left in the street: Regularly the action of tipping garbage into the trucks resulted in some not making it and landing in the street. This was left in the street and was regularly cleaned up by frustrated neighbours including myself. Food scraps in the street are a problem for attracting rats. Smashed glass in the street is a problem for obvious reasons.
- Bins blocking access: The large bins on rollers were regularly left in positions that blocked Goodlet Lane. This would be resolved for periods and then return as an issue presumably when there was changes in staff responsible for that activity.

Requested action in the case the proposal is approved:

- Limit garbage collections times to be inline with council times: 7am earliest. Enforce this with fines when residents provide proof of this rule being broken.
- Enforce the Boxing Bear staff to clean up any refuse or glass left in the streets.
- Enforce no blocking of public access roads or footpaths with bins.

Any review of the Boxing Bear proposal must include a review of historic precedence in the same block. These issues create significant negative impact on the local residents. This location has never, as far as I know, operated as an licensed premise with hours through to midnight. We are not asking to remove an existing amenity that we moved near to. We are asking for new amenities to operate in line with existing resident experience considered.

It should also be noted that the immediate area surrounding this proposed restaurant has a very large number of low income residents. In the case the price point of meals and beverages is inline with other newer establishments opened recently, e.g. at Wunderlich Lane, this establishment will be providing service not to the local population as the previous café and earlier chemist use of the location did.

Regards

Ross

**From:** Michael Benjamin Middaugh <[REDACTED]> on behalf of Michael Benjamin Middaugh <[REDACTED]>  
**Sent on:** Saturday, May 31, 2025 1:17:15 PM  
**To:** dasubmissions@cityofsydney.nsw.gov.au  
**Subject:** Submission - D/2025/410 - 378 Cleveland Street SURRY HILLS NSW 2010 - Attention Costa Dantos  
**Attachments:** Objection to Development Application D2025410 by MAK SURRY HILL.pdf (51.38 KB)

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Hello,

Costa Dantos. Please see attached letter of concern for D/2025/410 - 378 Cleveland Street SURRY HILLS NSW 2010.

Best regards,

--

Mike Middaugh

[REDACTED] (Australia)

**Mike Middaugh, Kelly Crotty,**

579 Riley Street

Surry Hills, NSW 2010

31 May 2025

To: City of Sydney Planning / Costa Dantos

**RE: Objection to Development Application D/2025/410 by MAK SURRY HILLS Pty Ltd for Site at 378 Cleveland Street**

Dear Costa and the City of Sydney Planning Team,

I write as a long-term resident of 579 Riley Street, within the Affected Properties Report, and as a neighbour who has lived in this community for over 10 years. We chose Surry Hills for its vibrant amenity, access to community services, and quality of life.

However, we strongly object to the current application by MAK SURRY HILLS Pty Ltd due to serious and well-documented concerns—both from lived experience during Porteno's Restaurant that operated from Cleveland and Goodlet) previous operations and in light of the proposal's scale. The street of Goodlet Lane and Marlborough are already well passed their capacity.

We have several concerns the proposed DA will have negative impact to the city of Sydney's residents. Concern not previously accounted for is **child safety**. Approx 30% of the surrounding terrace homes have young children, and the anticipated increase in traffic, noise, and disruption from commercial operations poses unacceptable risks. This is a community of families, not just an entertainment precinct.

Our specific concerns, supported by precedent and community observations, include:

### **1. Child Safety and Street Infrastructure Requests**

Given the residential make-up and presence of many young families, Bourke Street Elementary, Inner Sydney Highschool we request:

- Installation of **"Children at Play" signage** at multiple points along Riley Street
- Addition of a **clearly marked pedestrian crosswalk** on Riley Street near Goodlet Lane
- Installation of an **additional stop sign** at the intersection of Goodlet Lane and Riley Street
- **Repainting of faded stop lines** at intersections to improve visibility
- Formal agreement on **location of bin placement**, with enforcement of no obstruction
- Commissioning of a **waste/bin study** to plan proper garbage storage, collection times, and impacts

### **2. Parking and Traffic Management**

We continue to suffer from a **shortage of residential parking** and high levels of **illegal or long-term parking by non-residents**, often tied to staff or patrons of nearby venues.

Requested actions:

- **Installation of parking meters** on Marlborough Street, Goodlet Lane, and Riley Street to discourage long-stay parking
- **Enforcement of Area 18 permit protections**, particularly after 3pm when impacts peak
- **Limitations on construction vehicle parking** in and around Goodlet Lane and Riley Street during the build phase
- **Scheduled weekly inspections by parking rangers**, with a formal meeting to establish expected frequency
- **Ranger patrols and enforcement extended until 10:00 PM**, to cover late trade

### 3. Access Blockages from Trade and Service Vehicles

During Porteno's operation, **Goodlet Lane and Riley Street were routinely blocked** by service vehicles, disrupting local traffic and emergency access.

- **Audit of traffic flow** along Goodlet Lane as part of assessment
- If approved, council to **monitor and enforce free access along Goodlet Lane and Marlborough Street**
- Restrict commercial deliveries to off-peak hours
- When Wilton was changed from a 2 way to a one way Street in 2019, it has become very difficult to access the impacted area. More obstructions from increased commercial activity will amplify the problem

### 4. Noise from Patrons and Late-Night Operation

The noise from patrons leaving Porteno—sometimes intoxicated, always loud—was a major disturbance. This proposal includes **an outdoor bar area** that will make such issues worse, not better.

- **Restrict license to 10:00 PM Sunday–Thursday**, with a midnight closing only on weekends
- **Prohibit an outdoor courtyard**. Their current DA is literally putting an open dining within meters of people's bedroom.
- **Full-time security** at entrance and exit to manage behaviour

### 5. Garbage and Hygiene Concerns

From smashed glass to vermin-attracting scraps, the impact of private garbage collection during Porteno's operation was substantial.

Requested actions:

- Garbage pickup only **after 7:00 AM** to avoid early morning disturbances
- **Enforce staff accountability** to remove waste from public footpaths
- **Fines for repeat offenses** of improper bin placement or spillage

### 6. Impact on Residential Amenity and Liveability

The proposal removes **communal courtyard space**, affecting residents of over **20 bedrooms**, and replaces it with a commercial, late-night venue. The transformation of this building marks a fundamental shift in its role within our neighbourhood, and one that erodes—not supports—residential life. There is proposed DA for Marlborough house and a major furniture store on Goodlet and Riley. The culture history of this unique part of Sydney will be damaged.

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**Conclusion**

We ask that the City of Sydney consider the cumulative and proven impact of such a venue in this specific location—especially in light of the previous history with Porteno—and take meaningful steps to protect the wellbeing, peace, and safety of its local residents, especially children.

We do not oppose progress or business, but it must not come at the cost of those who live here.  
Sincerely,

**Mike Middaugh**

[REDACTED]

**Kelly Crotty**

[REDACTED]

Resident, 579 Riley Street  
Surry Hills, NSW 2010

[REDACTED]



**From:** [REDACTED] <[REDACTED]> on behalf of [REDACTED]  
<[REDACTED]> <[REDACTED]> <[REDACTED]>  
**Sent on:** Thursday, June 5, 2025 2:58:35 PM  
**To:** dasubmissions@cityofsydney.nsw.gov.au; [REDACTED] <[REDACTED]>  
**Signed by:** [REDACTED] on Thursday, June 5, 2025 3:01:56 PM  
**Subject:** Submission - D/2025/410 - 378 Cleveland Street SURRY HILLS NSW 2010 - Attention Costa Santos  
**Attachments:** Nameless.txt (5.91 KB)

[REDACTED]  
[REDACTED] Marlborough Street  
Surry Hills 2010  
June 5 2025

To City of Sydney planning / Costa Dantos,

In reference to:

- Application D/2025/410
- by MAK SURRY HILLS Pty Ltd
- Site 378 Cleveland Street

My family and I are residents within the Affected Properties Report. [REDACTED]  
[REDACTED] We are long  
term residents of Surry Hills and have resided at this address for approximately 11 years.

Given the proximity of our property to the proposed development, we have several concerns that we request be taken into consideration in reviewing the development proposal.

The categories of concern are:

- **Extended Trading Hours**
- **Noise**
- **Aesthetics of the Proposed Extension in a Heritage Area**
- **Sanitation**
- **Traffic**
- **Parking**

• **Extended Trading Hours**

- o The requested extended hours of operation of the property, 7 days a week, 12pm to 12am is not aligned to the residential neighbourhood, with families located immediately on all sides of the property.
- o In addition, it is anticipated that staff may also remain on the premises outside of these hours for other purposes including cleaning the premises, basic maintenance and like duties, which will likely further contribute to neighbourhood disturbance.
- o Extending the operating hours will undoubtedly result in increased noise from traffic, and traffic congestion, and that this will occur post end of the proposed extended trading hours.

**Request to reduce proposed hours of operation in line with the residential location**

## Noise

- o Noise from operation on site, particularly in the courtyard for rubbish disposal, proposed at the rear of the property, [REDACTED]
- o Noise from patrons arriving and leaving the premises via Marlborough Street and Goodlet Lane, [REDACTED]
- o Noise from collection of commercial rubbish bins in a residential area
- o Increased traffic and noise from trade vendors on Marlborough Street, which is a One-Way Street and the only artery for residential traffic leaving the area.

**Request that courtyard for rubbish disposal is enclosed, and that instructions are provided to Operators regarding noise concern and that mitigation strategies are put in place, so as not to disrupt surrounding residents during evenings.**

## Aesthetics of the Proposed Extension in a Heritage Area

- o The appearance of the proposed development is not in line with the surrounding area, and does not take into account street frontage onto Marlborough Street. The proposed addition references the property being at rear of 378 / 380 Cleveland Street only. Whilst it is considered at the rear of the property on Cleveland Street, as a corner block, the development is also at the street front of Marlborough Street, and has an adverse aesthetic appearance, and detracts from the visual appeal of the street. The image shared in the proposal, referencing that the development is the back of the block, and looking only at Goodlet Lane, which has ongoing construction happening currently is as follows:

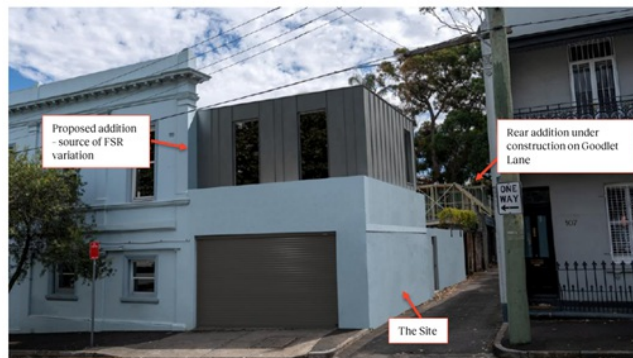


Figure 4: Photomontage of the proposed addition (Source: SplitGrid, included at DA-0701 of the Architectural Plans)

The street from Marlborough St frontage is currently shown in the following image:



The proposed modern extension is out of character with the rest of the street, and will detract from

the heritage style buildings.

**Request that the development proposal reviews the current proposal and redesigns the appearance of the extension, in line with the style of the rest of the street frontage on Marlborough St.**

· **Sanitation**

- o A large number of rubbish bins being left on the street awaiting collection and blocking access three times a week, which is required for a proposed restaurant and bar of this size would be incongruous with the residential nature of the street. It will block access routes and ramps that have been specifically put in place to service pedestrians with mobility challenges.
- o Collection of commercial rubbish bins in a residential area will be noisy and disruptive.
- o Rubbish left by Smokers from the venue.

**Request that mitigation strategies are put in place. Reduced license size in accordance with the residential street, and sympathetic to residents.**

· **Traffic**

- o Increased traffic congestion on Marlborough Street at the Traffic Lights, which is sometimes blocked turning onto Cleveland Street by Trade Vendors, Staff and Patrons, particularly noise late in evenings as patrons and staff leave the premises.

**Request to reduce period of operation, so as to minimise late night time disruptions.**

· **Parking**

- o Parking impact from trade, staff and patrons, in an area where availability is already limited.

Please contact me on the below numbers should you wish to clarify any of the details provided above.

Regards,

A large black rectangular redaction box covering the signature and contact information of the sender.

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**From:** Caoimhe Dunne <[REDACTED]> on behalf of Caoimhe Dunne

<[REDACTED]> <Caoimhe Dunne <[REDACTED]>

**Sent on:** Saturday, June 7, 2025 7:29:39 PM

**To:** dasubmissions@cityofsydney.nsw.gov.au

**Subject:** Submission - D/2025/410 - 378 Cleveland Street SURRY HILLS NSW 2010 - Attention Costa Dantos

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Hi,

I live in 376 Cleveland Street, Surry Hills, NSW, 2010. I would like more information on this proposed development.

I am strongly against the building / opening of a restaurant here.

My concerns include:

- Privacy loss: My bedroom is at the front of 376 Cleveland Street. Safety due to people coming in and out of the restaurant right next door will hugely impact me.
- Noise and disruption: Construction activity will cause major disturbance. There will also be major disruption to my day to day life and nightly routine when opened.
- Property value impact: I believe the development could negatively affect the value and amenity of my home.

Thank you for your time and consideration. I would appreciate confirmation that this submission has been received and will be taken into account.

Caoimhe Dunne

**From:** Scott Moore <[REDACTED]> on behalf of Scott Moore

<[REDACTED]> <Scott Moore <[REDACTED]>

**Sent on:** Tuesday, June 10, 2025 5:09:36 PM

**To:** dasubmissions@cityofsydney.nsw.gov.au

**Subject:** Submission - D/2025/410 - 378 Cleveland Street SURRY HILLS NSW 2010 - Attention Costa Dantos

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Scott Moore  
[REDACTED] Marlborough Street  
Surry Hills NSW 2010

10 June 2025

To: City of Sydney Planning / Costa Dantos

Re: Objection to DA D/2025/410 – 378 Cleveland Street, Surry Hills (MAK Surry Hills Pty Ltd)

Dear Costa and City of Sydney Planning Team,

I am writing to raise my objection to the above development application seeking to convert a historical mixed-use property into a licensed bar at 378 Cleveland Street, Surry Hills.

As a long-term resident of Marlborough Street, currently residing at [REDACTED], I was surprised to learn of this application not through formal notification, but via a local community group. I am concerned that the notification process may not have sufficiently reached all impacted neighbours. Given the significance of the proposed changes, I believe residents should have been directly engaged.

My concerns relate primarily to the potential negative impact on residential amenity, safety, and neighbourhood character, based on both the details of this proposal and past experience with similar operations in the area:

#### 1. Noise and Amenity Impacts

The trading hours proposed (notably up to midnight) raise serious concerns about late-night noise from patrons arriving and departing the venue. The surrounding streets, including Marlborough Street, Goodlet Lane and Riley Street, are largely residential and currently quiet after dark. Increased pedestrian noise, potential anti-social behaviour, and inebriated patrons exiting late at night will significantly disrupt the peace and quiet that residents value.

#### 2. Traffic, Parking and Vehicle Movements

The introduction of a licensed premises will inevitably attract trade vehicles, delivery trucks, and increased patron traffic. Parking in our area is already extremely limited, with Area 18 permit holders regularly struggling to find space. This development would exacerbate that issue. I'm particularly concerned about:

- Delivery trucks blocking Marlborough Street or Goodlet Lane, which are already narrow and heavily used
- Garbage collection trucks arriving in early hours, creating loud disturbances
- Overflow parking from staff or patrons who stay beyond time limits and without permits

#### 3. Garbage and Waste Collection

From previous precedent in the area, we have seen issues with:

- Loud private waste collections occurring before 6am
- Glass disposal creating significant noise
- Spillage of waste (including food and broken glass) being left on the street
- Bins being left in laneways, obstructing vehicle and pedestrian access

#### 4. Inappropriate Use of the Site

This site has previously served as a chemist and café, both well-suited to the area's residential character. Transitioning to a late-night licensed venue would represent a major departure from the historical use of the building. I believe this proposal risks undermining the liveability and community values of the area.

#### Requested Considerations and Actions

Should council proceed to consider approval, I respectfully request the following be taken into account:

- Review of notification process to ensure all impacted residents were appropriately informed
- Restrictions on trading hours, particularly outdoors (e.g. no later than 10pm Sunday–Thursday)
- Garbage collection times aligned with council services (no collections before 7am)
- Regular ranger patrols to enforce parking restrictions and discourage long-term or improper use of residential spaces by patrons or staff

- Monitoring of Goodlet Lane and Marlborough Street to prevent delivery vehicles or bins from obstructing access
- Full-time security presence at entry/exit to manage patron behaviour and noise

I strongly urge council to carefully consider the cumulative impact this development will have on the day-to-day lives of nearby residents. While I support local business and thoughtful development, it must not come at the cost of residential amenity and safety.

Thank you for the opportunity to provide input. I would appreciate confirmation of receipt and inclusion of this objection in the assessment process.

Yours sincerely,  
Scott Moore  
[REDACTED] Marlborough Street  
Surry Hills NSW 2010

**Scott Moore**

**From:** Carolyn O'Leary <[REDACTED]> on behalf of Carolyn O'Leary  
<[REDACTED]> <Carolyn O'Leary <[REDACTED]>  
**Sent on:** Tuesday, June 10, 2025 10:47:27 PM  
**To:** dasubmissions@cityofsydney.nsw.gov.au  
**CC:** Joe O'Leary <[REDACTED]>  
**Subject:** Submission - D/2025/410 - 378 Cleveland Street SURRY HILLS NSW 2010 - Attention Costa Dantos

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Hi Costa,

I am a resident, living with my husband and 3 children in **117 Goodlet Street**, our house backs on to Goodlet Lane and in very close proximity to the proposed development.

With that said we have several concerns that we request be taken into consideration in reviewing the development proposal.

Concerns are;

### **Extended Trading Hours**

- The requested extended hours of operation of the property, 7 days a week, 12pm to 12am is not aligned to the residential neighbourhood, with families located immediately on all sides of the property.
- Extending the operating hours will no doubt result in increased noise from traffic, and traffic congestion and most likely occur past midnight
- Noise from patrons arriving and leaving the premises via Marlborough Street and Goodlet Lane

### **We propose to reduce the proposed hours of operation in line with the residential location**

### **Rubbish**

- Noise from operation on site, particularly in the courtyard for rubbish disposal, proposed at the rear of the property, very close proximity to 2 of my childrens bedroom

**Request that courtyard for rubbish disposal be concealed on the premises, and that instructions are provided to Operators regarding noise concern and that mitigation strategies are put in place, so as not to disrupt surrounding residents during evenings.**

### **Traffic & Parking**

- Increased traffic congestion on Marlborough Street at the traffic lights, which is sometimes blocked turning onto Cleveland Street, particularly noise late in evenings as patrons and staff leave the premises.
- Parking impact from staff and patrons, in an area where availability is already limited.

### **Request to reduce period of operation, so as to minimise late night time disruptions**

Thank you for taking the above into consideration.

Kind regards,



Carolyn O'Leary | Project Manager

Level 1 / 483 Riley Street, Surry Hills, NSW 2010

W: [thegstore.com.au](http://thegstore.com.au)



**From:** Rita Fin <[REDACTED]> on behalf of Rita Fin <[REDACTED]> <Rita Fin <[REDACTED]>

**Sent on:** Tuesday, June 10, 2025 6:14:19 PM

**To:** dasubmissions@cityofsydney.nsw.gov.au

**Subject:** Submission - D/2025/410 - 378 Cleveland Street SURRY HILLS NSW 2010 - Attention Costa Dantos

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Council staff and Mr Dantos,

I am the owner at 101-103 Marlborough Street Surry Hills and have been since 1987. My property is just three houses from the proposed restaurant installations.

I am all for having another space in our suburb where people can meet to dine and socialise, however my family and I object to the extreme extent of this proposal.

### **1 Noise**

The inclusion of an open air roof is unacceptable. Noise in the lane rebounds around our small courtyards already at the best of times, and subsequently can be heard from our bedrooms. I request that this be rejected.

Noise would be exacerbated by patrons coming and going, as well as delivery trucks, garbage trucks and similar services. I suggest that these services be limited to those already in place for builders and the building code.

I also suggest that if the restaurant is approved, the closing hour for the entire restaurant be cut off at 10pm and not extended to midnight as proposed. Ours is a residential street, not a restaurant strip like Crown Street.

### **2 Rubbish and rats**

There have been issues in the past in the lane when further up towards Riley St, both Dimitri's and Porteno has rubbish overflowing and spilling out onto the lane way, increasing rat problems and stench in the area.

### **3 Traffic**

Marlborough St is basically a one lane and one way street until it turns into Cleveland street, where backed up traffic often misses 2 to 3 lights to turn left into Cleveland St. Parking is already tight for locals, which is not a problem for me personally as I have parking on my property, but I am concerned for the majority of my neighbours who do not have parking and rely on street spots, which are already limited, particularly on busy social nights such as Fridays and Saturdays.

I would be happy to discuss these concerns by telephone if any further detail is required.

Kind regards,

Rita Fin

101- 103 Marlborough St

Surry Hills  
[REDACTED]

**From:** Simon Ashton <[REDACTED]> on behalf of Simon Ashton  
<[REDACTED]> <Simon Ashton <[REDACTED]>  
**Sent on:** Wednesday, June 11, 2025 10:09:19 AM  
**To:** dasubmissions@cityofsydney.nsw.gov.au  
**CC:** Sameera Athapattu <[REDACTED]>  
**Subject:** "Submission - D/2025/410 - 378 Cleveland Street SURRY HILLS NSW 2010 - Attention Costa Santos"

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Costa

I am writing in response to the proposed development proposal for 378 Cleveland Street, Surry Hills:

To City of Sydney planning / Costa Dantos,

In reference to:

- Application D/2025/410
- by MAK SURRY HILLS Pty Ltd
- Site 378 Cleveland Street

As a long-term resident and homeowner at 105 Marlborough Street, Surry Hills, the proposed site for development into a Restaurant/Bar business has some key concerns for me and I wish to oppose what the developer/owner is currently considering, with some proposed alternative options.

**The categories of concern are:**

- **Extended Trading Hours**
- **Noise**
- **Aesthetics of the Proposed Extension in a Heritage Area**
- **Sanitation & Rubbish Management**
- **Traffic**
- **Parking**

**Extended Trading Hours**

- The requested extended hours of operation of the property, 7 days a week, 12pm to 12am is not aligned to the residential neighbourhood, with families located immediately on all sides of the property. The area is already extremely noisy at times due to increased traffic and an increase in the volume of people transiting through the area. A seven-day business operation open from 12pm to 12am is not appropriate or respectful to residents.
- In addition, it is anticipated that staff may also remain on the premises outside of these hours for other purposes including cleaning the premises, basic maintenance and like duties, which will likely further contribute to neighbourhood disturbance.
- Extending the operating hours will undoubtedly result in increased noise from traffic, and traffic congestion, and that this will occur post end of the proposed extended trading hours. The extended trading hours will also not assist the already pressured parking situation in Marlborough and other nearby streets.

**Solution: Reduce proposed hours of operation in line with the residential location and open no later than 10pm.**

- o Noise from patrons arriving and leaving the premises via Marlborough Street and Goodlet Lane, which is in close proximity to my house
- o Noise from collection of commercial rubbish bins in a residential area
- o Increased traffic and noise from trade vendors on Marlborough Street, which is a One-Way Street and the only artery for residential traffic leaving the area.

**Solution: Request that courtyard for rubbish disposal is enclosed, and that instructions are provided to Operators regarding noise concern and that mitigation strategies are put in place, so as not to disrupt surrounding residents during evenings, including limited music and crowd noise at the venue and especially during week nights.**

#### **Aesthetics of the Proposed Extension in a Heritage Area**

- o The proposed modern extension is out of character with the rest of the street, and will detract from the heritage style buildings. More consideration of design of the building and associated renovation are required to ensure the look of the dwelling remains true to the current aesthetic.

**Solution: Request that the development proposal reviews the current proposal and redesigns the appearance of the extension, in line with the style of the rest of the street frontage on Marlborough St.**

#### **Sanitation**

- o A large number of rubbish bins being left on the street awaiting collection and blocking access three times a week, which is required for a proposed restaurant and bar of this size would be incongruous with the residential nature of the street. It will block access routes and ramps that have been specifically put in place to service pedestrians with mobility challenges. We already have challenges with the presentation of Marlborough Street, due to the number of bins being left all over the street and blocking laneways and footpaths. We do not require any more of this.
- o Collection of commercial rubbish bins in a residential area will be noisy and disruptive.
  - o The hygiene management of the additional bins is another item in question, which we require information on.
- o Rubbish left by Smokers from the venue.

**Solution: Request that mitigation strategies are put in place. Reduced license size in accordance with the residential street, and sympathetic to residents and safe business hygiene requirements.**

#### **Traffic**

- o Increased traffic congestion on Marlborough Street at the Traffic Lights, which is sometimes blocked turning onto Cleveland Street by Trade Vendors, Staff and Patrons, particularly noise late in evenings as patrons and staff leave the premises.

**Solution: Request to reduce period of operation, so as to minimise late nighttime disruptions and increased traffic noise with respect to residents.**

## Parking

- Parking impact from trade, staff and patrons, in an area where availability is already limited.
- Currently Marlborough Street is already heavily congested with Trades and Visiting people to the area and there is already limited street parking – more people coming to the area and driving around constantly looking for parking is going to cause more disruption and noise

**Solution: Request to reduce period of operation, so as to minimise late nighttime disruptions and increased traffic coming into the area for both staff, patrons and other visitors to the business. Parking and Traffic congestion and noise must be managed carefully with respect to residents.**

Thank you for your consideration of the items in this summary. Please feel free to reach out to me directly if I can provide further context around these risks and considerations.

Surry Hills is already full of restaurants and bars – do we need any additional ones? Only the very good ones last in the area and I have seen many come and go over the last 15 years. The business owners need to carefully consider the area and its residents prior to any actions for the site to be developed. A poorly executed business operation will also have serious consequences for property values in the nearby streets and area.

Thank you and regards

Simon

## Simon Ashton

Talent Acquisition Lead – Residential Aged Care

People and Culture

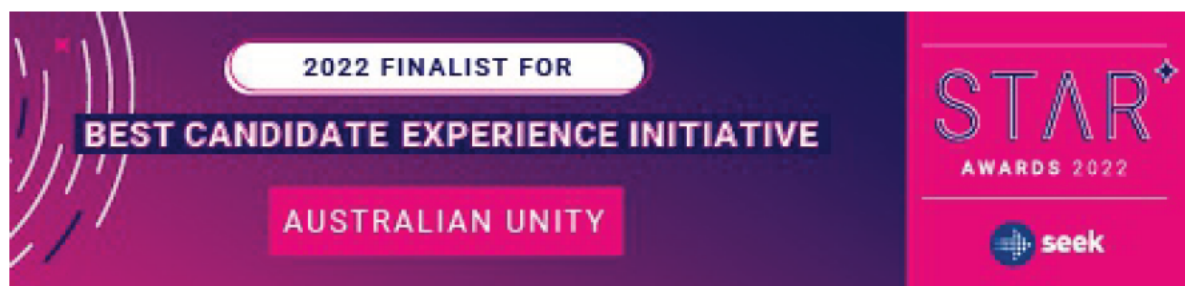


Australian Unity Limited  
Level 6, 88 Phillip St | Sydney NSW 2000



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**From:** Eleanor Whitworth <[REDACTED]> on behalf of Eleanor Whitworth  
<[REDACTED]> <Eleanor Whitworth <[REDACTED]>  
**Sent on:** Wednesday, June 11, 2025 7:51:32 PM  
**To:** dasubmissions@cityofsydney.nsw.gov.au  
**Subject:** Submission - D/2025/410 - 378 Cleveland Street SURRY HILLS NSW 2010 - Attention Costa Dantos

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Costa and City of Sydney Planning,

**Re: APPLICATION D/2025/401 (MAK Surry Hills Pty Ltd), 378 CLEVELAND STREET, SURRY HILLS**

I am writing to raise concerns and objections about the above application and the proposed change from a historically mixed-use property into a licensed bar with long opening hours. Whilst our house is not within the Affected Properties Report, we live on the corner of Lansdowne and Marlborough Street, and will be affected by changes to parking, noise and traffic conditions.

We love living in Surry Hills and have been on Lansdowne Street for almost six years, and close-by for almost ten years. Our concerns are that the proposal in its current form will cause significant negative impact on residential amenity.

### **Parking**

In our experience, parking can be very difficult to find in the blocks north of the development site, up to Devonshire Street and across to High Holborn Street. There are regularly no spaces available for residents with Area 18 permits. Cars without Area 18 permits regularly park for longer than the 1hr time limit. This also causes difficulty for tradespeople and visitors to our house.

Requested action if council considers approval: increase parking rangers in the local area, communicate to locals what level of frequency they can expect.

### **Noise From Patrons Arriving and Leaving**

The long opening hours (7 days – there is no respite! And late, to 12am) are likely to cause significant disruption to residents who need to function and work (sometimes in critical industries like hospitals). Our experience, living on the corner of Marlborough and Lansdowne streets, is that we are at times woken up by loud inebriated people walking up and down Lansdowne Street. This is largely limited to weekend nights. The proposed operation times, of 7 days/week, will clearly increase this type of noise.

This is a residential pocket. To date, in our experience, the needs of residents and surrounding businesses has been well balanced. Operating up to 10pm is fine. Up to 12am, every night of the week, becomes intrusive, stressful and is highly likely to have a significant negative impact on the local residents.

Requested action if council considers approval: restrict trading hours (e.g. close 10pm Sunday-Thursday) and mandate full time security at the entry and exit points to manage patron behaviour.

### **Increased traffic**

The streets providing vehicular access to the proposed development are narrow and residential. There is a high volume of pedestrian activity, including children walking to and from school and going to the Ward Park playgrounds, and a large number of vulnerable people, some on walkers or with disabilities. The streets are already under stress from traffic (the white lines at the junction of Lansdowne and Marlborough need repainting every 6 months).

The proposal will increase the number of staff and patron vehicles, but on top of that, it will increase the number of heavy vehicles such as garbage and delivery trucks, and consequently increase wear and tear on roads and reduce pedestrian amenity.

Requested action if council considers approval: regular monitoring of street maintenance (line markings, pot holes, cracking etc). Monitor Goodlet Lane and Marlborough Street to prevent delivery vehicles or bins from obstructing access.

### **Garbage collection**

One of the loudest and most intrusive vehicles is garbage trucks (though we very much appreciate their service!).

Requested action if council considers approval:

- Limit garbage collection times to match council times: 7am at the earliest. If residents show that this is not being adhered to, enforce fines.
- Enforce the Boxing Bear staff to clean up any refuse or glass left in the streets. If residents show that this is not being undertaken, enforce fines, or increase street cleaning of surrounding areas.
- Enforce no blocking of public access roads or footpaths with bins, again if residents show this is not being adhered to, enforce fines.

Thank you for taking note of these concerns. Surry Hills is a wonderful place to live because of the well-balanced mix of residential and business amenity. To maintain this positive community, and fair use, I request that the council carefully evaluates the impact of this development as it stands to ensure that the day-to-day lives of nearby residents are not adversely affected.

Yours sincerely,

Eleanor Whitworth and Russell Briggs  
25 Lansdowne Street, Surry Hills

**From:** Diego Costa <[REDACTED]> on behalf of Diego Costa  
<[REDACTED]> <Diego Costa <[REDACTED]>  
**Sent on:** Thursday, June 12, 2025 10:39:52 AM  
**To:** dasubmissions@cityofsydney.nsw.gov.au  
**Subject:** Submission – D/2025/410 – 378 Cleveland Street, SURRY HILLS NSW 2010 – Attention Costa Dantos

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear City of Sydney Planning Team,

I am writing to formally submit my concerns regarding Development Application D/2025/410 for the proposed restaurant and bar at 378 Cleveland Street, Surry Hills (the former chemist site at the corner of Marlborough Street and Cleveland Street).

As a resident of Goodlet Street, I welcome thoughtful development that enhances our neighbourhood, but I have significant concerns about the potential negative impacts of this proposal on the surrounding community.

#### Key Concerns & Requests for Mitigation:

##### 1. Excessive Operating Hours (12pm–12am, 7 Days a Week)

The requested trading hours are inappropriate for a residential area, particularly given the proximity of homes on all sides of the site. Extended late-night operations will inevitably lead to:

- Noise disturbances from patrons arriving, departing, and congregating outside, especially in the courtyard area.
- Increased traffic congestion at the Marlborough/Cleveland intersection, which already experiences delays during peak times.
- Disruptions to residents' sleep and wellbeing, given that families and shift workers live nearby.

Request: Reduce licensed operating hours to 10pm (or earlier) to align with the residential character of the area and minimise late-night disturbances.

##### 2. Noise, Littering & Anti-Social Behaviour on Goodlet Street

As a resident of Goodlet Street, I am already dealing with:

- Unrestricted parking congestion, as commuters, delivery drivers, and visitors frequently occupy limited spaces for extended periods.
- Illegal littering (food waste, bottles, cigarette butts) from nearby businesses and patrons.
- Noise disturbances from idling vehicles, loud conversations, and late-night foot traffic.

The proposed restaurant/bar will exacerbate these issues, particularly if patrons and staff use Goodlet Lane for parking, pick-ups, or smoking breaks.

Requests:

- Implement timed parking restrictions (e.g., 1–2 hour limits during evenings) on Goodlet Street to deter long-term parking by patrons and staff.
- Increase litter patrols and install additional bins to prevent dumping.
- Prohibit patron access/loitering in Goodlet Lane after hours, with clear signage and enforcement.

### 3. Traffic & Parking Overload

The area already struggles with:

- Limited parking availability, making it difficult for residents to find spaces near their homes.
- Frequent blockages in Goodlet Lane due to delivery vehicles, ride-share pick-ups, and illegal parking.

Requests:

- Require the business to implement a staff parking plan (e.g., off-site parking agreements or incentives for public transport use).
- Enforce clearway zones near the Marlborough/Cleveland intersection to prevent traffic bottlenecks.
- Monitor and penalise illegal parking in Goodlet Lane, particularly at night.

### 4. Rubbish & Waste Management

The proposed courtyard dining and rubbish disposal area at the rear of the premises could create additional noise and odour issues for neighbouring properties.

Requests:

- Acoustic screening for the courtyard to minimise noise spill.
- Strict waste disposal hours (e.g., no bin collections or compactor use after 8pm or before 7am).
- Regular council inspections to ensure compliance with noise and waste regulations.

### Conclusion

While I support vibrant local businesses, this development must not come at the expense of residents' quality of life. I urge the council to:


1. Reduce operating hours to 10pm.
2. Enforce parking and traffic management measures in Goodlet Lane and surrounding streets.
3. Implement strict noise and waste controls to protect nearby homes.

I would appreciate confirmation of receipt and welcome the opportunity to discuss these concerns further if



needed. Thank you for your time and consideration.

Kind regards,

Diego Linhares - 

**From:** Robert Manock <[REDACTED]> on behalf of Robert Manock

<[REDACTED]> <Robert Manock <[REDACTED]>

**Sent on:** Thursday, June 12, 2025 10:33:54 AM

**To:** DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>

**Subject:** Submission - D/2025/410 - 378 Cleveland Street SURRY HILLS NSW 2010 - Attention Costa Dantos

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Costa and City of Sydney Planning,

Re: APPLICATION D/2025/401 (MAK Surry Hills Pty Ltd), [378 CLEVELAND STREET, SURRY HILLS](#)

### Noise and behaviour

I currently reside in the noise affected area of the proposed application.

I am a 53 year old male who works long hours often from home to support my family, I already suffer from bouts of anxiety due to a lack of quality sleep and now face having to live immediately adjacent to a Restaurant and Bar operating 12 hours a day to midnight, 7 days a week.

My son is fast approaching year 11 and will have his HSC soon, music and patron disturbance until 12am every single day is hardly conducive to concentrated study.

The proposed applicant, has already held a "house-warming party" on the outdoor terrace at the back of the property and played music so loudly until after 2am in the morning that they couldn't even hear my calling to get their attention to turn the music down. When I finally called the police, they failed to show up, whilst I appreciate this party was a one-off event, it demonstrates a clear lack of consideration from the proposed applicant toward their neighbours, I was not the only resident out on the street in the early of hours of the morning that night. Frankly, many of the residents are devastated by this application.

I already have to regularly hose-down the side of my house in the lane-way adjacent to the application due to persons of both sexes (yes, I have caught girls crouching) urinating against my property, I have a constant issue with graffiti on the same wall as numerous calls to council over the years will support. Geez, one time I even had to dispose of a persons number two! I no doubt will now see instances of this increase ten-fold as inebriated patrons leave the venue and choose to relieve themselves in the laneway as they wait for ubers/taxis to arrive whilst talking too loudly as many inebriated persons do. Don't get me wrong, I am not against having a drink and a good time, but when I bought this property it was in a residential zone. Yes, residents will have a garden party from time to time and some push the boundaries with respect to both noise and time, that comes with living in Surry Hills, but this application is for a commercial venue operating virtually non-stop in what is currently a relatively quiet area of Surry Hills.

If this application is to go ahead, I implore you to consider limiting the trading hours to 10pm Sunday – Thursday, (my preference would be for every day) and to have security on at closing each day of trading to monitor patrons as they depart, this would give residents at least some reprieve from the noise and disturbances that **"always"** flow-on from a licensed venue.

### Waste Disposal

When "Porteno" was operating not more than 50 metres from our property, the waste collectors would often arrive in the middle of the night ( I am talking 2am, 3am 4am) reversing down Riley Street to reach the skip bins put out at the end of shift, warning sirens beeping, if the truck siren didn't wake you, the pouring of the bottles into the truck would get you, either way your sleep was disturbed. ***Now I face having the very same situation immediately below my bedroom window, literally within 4 metres of my head.***

If this application is to go ahead, I implore you to

- ***Strictly limit the waste collection time to after 7am.*** Otherwise, when do we get sufficient time to sleep? If I am awake until midnight and then woken again 2/3 hours later, it is simply unreasonable to expect residents to live this way.

- Ensure venue staff put out the empties quietly and promptly following closing, do not restrict the laneway with bins, it is a public road required by residents to access their garages, there are elderly residents in the area who may require emergency access to the laneway.
- In the event of disturbances from patrons which result in broken glass, ensure it is the responsibility of venue staff to clean up, I and many other residents have dogs that we walk in the area.
- Ensure venue staff dispose of food waste securely to prevent vermin, we already have many rats.

### **Parking**

Securing a parking spot is already an Olympic sport in the area, it is about to go to a whole new level. We already have non-parking permit holders park way over the allotted times as it is, I truly can't recall the last time I saw a ranger in the area.

I thank you for taking the time to consider the points raised above and trust and hope council arrives at a position which benefits both the venue operator and the residents, Surry Hills is a vibrant place to live, which is why we live here, however, we all need time to sleep too and earn/deserve our downtime.

Your faithfully,  
Robert Manock

107 Marlborough Street  
SURRY HILLS NSW 2010

**From:** Rachel Gardner <[REDACTED]> on behalf of Rachel Gardner  
<[REDACTED]> <Rachel.Gardner@[REDACTED]>  
**Sent on:** Thursday, June 12, 2025 2:29:38 PM  
**To:** dasubmissions@cityofsydney.nsw.gov.au  
**Subject:** D/2025/410 - 378 Cleveland Street SURRY HILLS NSW 2010 Attn Costa Dantos

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Costa Dantos

I am a resident of Lansdowne Street in Surry Hills, near the corner of Devonshire street.

I'm writing in support of the development submission for 378 Cleveland Street, Surrey Hills for a restaurant.

I'm delighted that a developer is prepared to invest in this soulless part of our community in the form of a restaurant, which I believe will inject more life into the area, attracting more people and reducing crime. I'm currently fearful of walking this area at night due to its emptiness and darkness, and a restaurant this part of town will help with that.

I love the development of the ex 'murder mall'. I'm also excited for the development of Ward Park and the deconsecrated church. Thank you for supporting the development of our community.

Kind Regards  
Rachel Gardner  
Resident

**From:** Mark Levy <[REDACTED]> on behalf of Mark Levy <[REDACTED]> <Mark Levy <[REDACTED]>  
**Sent on:** Thursday, June 12, 2025 1:36:28 PM  
**To:** dasubmissions@cityofsydney.nsw.gov.au  
**Subject:** Submission - D/2025/410 - 378 Cleveland Street SURRY HILLS NSW 2010 - Attention Costa Dantos

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

To whom it may concern

I'm the owner at 577 Riley St, Surry Hills. I am writing as a resident of the neighbourhood for the past four years to express my concern about the proposed operating hours and overall impact of the Boxing Bear development.

The proposed trading hours of 12pm to 12am, seven days a week, are not appropriate for a residential setting. The property is surrounded by homes on all sides, many with families. Operating until midnight is likely to lead to increased traffic congestion, noise from patrons arriving and departing late at night, and general disturbances well beyond reasonable hours.

I strongly hope that the trading hours could be scaled back to reflect the residential context-particularly limiting operations past 10pm on weeknights.

#### Noise and Patron Behaviour

Noise from restaurants guests is a key concern, particularly late in the evening when guests are departing, often after consuming alcohol. The inclusion of an outdoor area for patrons until midnight is especially worrying. It would be preferable if outdoor areas be closed by 10pm and that full-time security be in place to manage patron behaviour at entry and exit points.

#### Waste Management

Rubbish disposal should be carried out with minimal impact on surrounding residents. The waste area at the rear should be fully enclosed, and clear procedures should be in place to ensure noise is kept to a minimum. Garbage collection should not take place before 7am, and any spills or waste left in the street must be cleaned immediately. Bins should not obstruct public lanes or footpaths. We have seen this happen before, to great detriment of the area.

#### Traffic and Parking

Parking is already extremely limited in our area. Staff and patrons using residential parking spots will put further strain on residents. Council rangers are rarely seen enforcing time limits, and non-resident vehicles often occupy permit zones for hours. We request increased parking enforcement, particularly in the evenings.

Access routes such as Goodlet Lane and Marlborough Street are narrow and frequently used by residents. Delivery and service vehicles risk blocking these routes, which would seriously affect local traffic, including access to apartment garages. We request active monitoring and enforcement to ensure these lanes remain clear, and that a traffic audit be conducted as part of the assessment.

#### In Summary

We're not opposed to new businesses in the area, but their operation should be respectful of the existing residential environment. A 12am closing time every night of the week is excessive in this context.

We ask that Council consider a reduction in trading hours, enforce proper waste and noise management protocols, and implement traffic and parking controls to minimise the impact on residents.

Kind regards,

Mark Levy

Owner and resident, 577 Riley Street Surry Hills

[REDACTED] / [REDACTED]

Regards,  
Mark

**From:** Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au> on behalf of Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au> <Planning Systems Admin <planningsystemsadmin@cityofsydney.nsw.gov.au>>  
**Sent on:** Monday, September 15, 2025 8:45:40 AM  
**To:** DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>  
**Subject:** FW: Submission - D/2025/410 - 378 Cleveland Street SURRY HILLS NSW 2010 - Attention Costa Santos

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**From:** [REDACTED]  
**Sent:** Friday, 12 September 2025 4:08 PM  
**To:** DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>; [REDACTED]  
**Subject:** Re: Submission - D/2025/410 - 378 Cleveland Street SURRY HILLS NSW 2010 - Attention Costa Santos

Hi Costa,

I was very surprised to hear today that the submission for development for - D/2025/410 - 378 Cleveland Street SURRY HILLS NSW 2010 has progressed for likely approval.

My partner and I, and our surrounding neighbours have not received any advice that our feedback has been taken into consideration or that any amendments to the original development request have been made.

Of particular concern to me is the fact that our property is an immediate neighbour to the proposed development and the anticipated noise impact.

Has the amended proposal taken into account the request for reduced trading hours?

My son is going into his final years of high school and I am very concerned that this will impact his ability to study and sleep.

[REDACTED]  
Manager - [REDACTED]

email: [REDACTED]

mobile: [REDACTED]

**From:** Joe OLeary <[REDACTED]> on behalf of Joe OLeary <[REDACTED]> <Joe OLeary <[REDACTED]>>  
**Sent on:** Thursday, June 12, 2025 3:47:28 PM  
**To:** dasubmissions@cityofsydney.nsw.gov.au  
**Subject:** Re: Submission - D/2025/410 - 378 Cleveland Street SURRY HILLS NSW 2010 - Attention Costa Dantos

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Hi Costa,

I am a resident, living on Goodlet Street, our house backs on to Goodlet Lane and in very close proximity to the proposed development.

With that said I have several concerns that we request be taken into consideration in reviewing the development proposal.

Concerns are;

### **Extended Trading Hours**

- The requested extended hours of operation of the property, 7 days a week, 12pm to 12am is not aligned to the residential neighbourhood, with families located immediately on all sides of the property.
- These need to be reflective of residential area.

### **Rubbish**

- Noise from rubbish disposal proposed at the rear of the property.
- Waste bin collection points and collection times are to be considered with limitations in place.
- Request that courtyard for rubbish disposal be concealed on the premises, and mitigation strategies are put in place, so as not to disrupt surrounding residents.

### **Traffic & Parking**

- Increased traffic congestion on all adjacent streets and Goodlet lane
- Parking impact from staff and patrons, in an area where availability is already limited.

Request to reduce period of operation, so as to minimise late night time disruptions

Thank you for taking the above into consideration.

Kind regards,

Joe O'Leary



**From:** [S Riley](#)  
**To:** [DASubmissions](#)  
**Subject:** Fwd: Submission - D/2025/410 - 378 Cleveland Street SURRY HILLS NSW 2010 - Attention Costa Dantos  
**Date:** Friday, 20 June 2025 4:35:30 PM

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Suzanne Riley (nee' Gabin)  
88 Marlborough Street  
Surry Hills NSW 2010

20 June 2025

To: Costa Dantos / City of Sydney Planning

Re: Objection to DA D/2025/410 – 378 Cleveland Street, Surry Hills (MAK Surry Hills Pty Ltd)

Dear Costa and City of Sydney Planning Team,

Further to my previous submission below from 12 June 2025, please see the details below of more of my neighbours in the immediate Affected Properties Report D/2025/410 Notification Area who have confirmed that they (like me) also did not receive the letterbox dropped official notification (Notification Letter - D/2025/410 dated 15 May 2025):

72 Marlborough St

74 Marlborough St

76 Marlborough St

78 Marlborough St

80 Marlborough St

88 Marlborough St (my property)

136 Goodlet St

138 Goodlet St

140 Goodlet St

The majority of these neighbours do have objections and feedback but most said they did not have sufficient time to make a submission due to only being informed by me so late in the process (rather than having a full month's notice via the official notification process).

I am confident that there are many more properties that were not officially communicated to and still have no idea the development is happening or that they are listed in the Affected Properties Report. I urge you to ensure that during the next stage of the process all properties

listed in the Affected Properties Report are communicated to in an official capacity and are given the opportunity to provide feedback.

As per our discussion over the phone in regards to being able to informally extend the submission deadline due to not everyone receiving the official notification, please include the new details above as an addition to my original submission.

Thank you

Kind regards,

Suzanne

----- Forwarded message -----

From: **S Riley** <[REDACTED]>  
Date: Thu, 12 Jun 2025 at 5:37 pm  
Subject: Submission - D/2025/410 - 378 Cleveland Street SURRY HILLS NSW 2010 - Attention Costa Dantos  
To: <[dasubmissions@cityofsydney.nsw.gov.au](mailto:dasubmissions@cityofsydney.nsw.gov.au)>

Suzanne Riley (nee' Gabin)  
88 Marlborough Street  
Surry Hills NSW 2010

12 June 2025

To: Costa Dantos / City of Sydney Planning

Re: Objection to DA D/2025/410 – 378 Cleveland Street, Surry Hills (MAK Surry Hills Pty Ltd)

Dear Costa and City of Sydney Planning Team,

I am writing to raise my objection to the above Development Application (DA D/2025/410 – 378 Cleveland Street, Surry Hills (MAK Surry Hills Pty Ltd) seeking to convert a historical mixed-use property into a Restaurant with a licensed bar with excessively long opening hours “12pm midday to 12am midnight (the following day), seven days per week”. This usage and proposed trading hours are not aligned with the existing residential neighbourhood amenity which includes families living in residential dwellings on all sides of the proposed site.

I urge you to also please consider that this current development proposal needs to be viewed through a lens and context that also includes the significant impacts that the Marlborough House (NPACT) proposed redevelopment is going to have on Marlborough Street and the surrounding streets in the near future. These two significant development proposals combined will further exacerbate the issues I will cover below.

My feedback submission will outline a list of serious concerns shared by myself and many of the nearby neighbours I have had the opportunity to discuss this DA with. These concerns are primarily focused on the following themes and relate primarily to the potential negative impact on residential amenity, safety, and neighbourhood character, based on both the details of this proposal and past experience with similar operations in the area:

1. Noise and Amenity Impacts
2. Traffic, Parking and Vehicle Movements
3. Garbage and Waste Collection
4. Inappropriate Use of the Site

Before I begin, I would like to express my extreme dissatisfaction in the lapses that have occurred in the official notification processes. Despite being the owner of a property in the immediate Affected Properties Report D/2025/410 Notification Area (88 Marlborough St, Surry Hills) and living in Marlborough Street for almost 10 years, I never received the letterbox dropped official notification (Notification Letter - D/2025/410 dated 15 May 2025). I only found out about the proposed development by chance when I bumped into a neighbour at the beginning of June. I was horrified that a proposed development with the potential to have such far reaching negative impacts on residential amenity would have not been communicated in a more diligent manner to all residents listed in the Affected Properties Report - D/2025/410.

At first I assumed that maybe just my property was missed, (human error is possible), but I was further disappointed when I discovered that several of my immediate neighbours (also located in the Affected Properties Report - D/2025/410) also knew nothing about the proposed development until I mentioned it to them. At this time they also confirmed that they had also not received the letterboxed dropped official communication.

I have contacted City of Sydney and left messages on several occasions to express my disappointment of not being notified and advise that several of my immediate neighbours who also are listed in the Affected Properties Report - D/2025/410 has also not received the 15 May 2025 official notification (Notification Letter - D/2025/410). I asked if there was a way to have the letterbox drop repeated to ensure all residents in the Affected Properties Report were given the chance to be informed and submit feedback should they wish. Unfortunately I was told this could not occur, nor could an official submission deadline extension be granted. This has meant that I have had insufficient time to compile feedback that is as detailed as I would have liked and it also means that many of the residents I have spoken to do not feel that they will be able to make their objections in a feedback submission before the 12 June deadline has passed.

I have a great deal of concern that the level of Affected Properties Report resident objections will be significantly under represented and I urge a review in processes to

ensure that affected residents are informed at the next earliest opportunity. I feel that this lack of communication severely disadvantages concerned residents as the recorded numbers of feedback submitted will obviously be dramatically lower if multiple residents still have no idea that the DA is/was on exhibition. Particularly when the proposed development is of such a significant scope and has the potential to have extreme negative impacts on residential amenity.

Even one potentially concerned resident not being notified is advantageous to MAK Surry Hills Pty Ltd. I have personal confirmation that several Affected Properties Report residents have not been letterbox dropped the Notification Letter - D/2025/410, but realistically none of us have data to support the potential wide-ranging true scope of the communication failures. (I have personally confirmed several residents who did not receive the Notification Letter - D/2025/410, but realistically it could very well be hundreds out of the 271 properties in the Affected Properties Report - D/2025/410 that have not been formally communicated to).

In would like to thank Costa for his time in the phone (June 5), he was very helpful but did say that there was no avenue to repeat the letterbox drop or officially extend the deadline, but given the issues I had raised with lack of notification to some residents I was welcome to tell anyone I spoke to that he would still accept and include late feedback submissions in the days following the original June 12 deadline and to still encourage people to send them through. He did also state that this proposed development will already be subject to an Independent Review Panel and that any underrepresentation in resident feedback submission numbers due to missed communications would not be a factor that prevents an escalation to the Independent Review Panel as this was already going to occur due to other criteria.

Requested actions:

- What are the next stages of communication and what further opportunities will residents in the Affected Properties Report - D/2025/410 be given to provide further feedback?
- How are these notification letterbox drops conducted? Are they outsourced to Australia Post or another private contractor? Do they provide you with GPS data to validate that the physical Notification Letter deliveries actually occurred? (On numerous occasions I have used companies for letterbox drops that provided us with GPS route tracking validation and time spent at each residence and/or we have used signature on delivery tracked Australia Post services to be able to validate receipt of very important and time sensitive communications. Are there options council could explore moving forward that track and validate residents in Affected Properties Reports being notified of proposed developments of the scale of DA D/2025/410 – 378 Cleveland Street, Surry Hills (MAK Surry Hills Pty Ltd)?

## 1. Noise and Amenity Impacts

My house (88 Marlborough Street, Surry Hills) is located in very close proximity to the

proposed development and clearly within the Affected Properties Zone. I will be significantly impacted by changes to residential amenity, parking, noise and traffic conditions that are likely to occur if the proposed development DA D/2025/410 – 378 Cleveland Street, Surry Hills (MAK Surry Hills Pty Ltd) is approved.

I purchased my property in October 2016 and have greatly enjoyed living in Marlborough Street Surry Hills for almost 10 years. Of particular appeal to me about my Marlborough Street location was the one way street with the perfect mix of residential and appropriate commercial properties. It is a street that has always felt safe with respectful neighbours, minimal noise disturbances and has a great sense of community fostered by the local residents. I have significant concerns that the development proposal in its current form will cause significant negative impacts on residential amenity.

#### Noise From Patrons Arriving and Leaving the Proposed Development Site

The proposed excessively long opening hours “12pm midday to 12am midnight (the following day), seven days per week” will have an extreme impact on the residents like me who live in the immediate vicinity. Permission to trade “12pm midday to 12am midnight (the following day), seven days per week” is extremely inappropriate given that there are residential properties directly next door, opposite and closely surrounding the proposed development site.

I envisage that there will be regular and significant disruption to myself and fellow residents who need to function and work. Noise until midnight every single night is extremely unfair as is the noise that inebriated patrons walking the streets after exiting the proposed premises at midnight will cause.

My experience, living in Marlborough streets, is that we are at times woken up by loud inebriated people walking up and down the street. Thankfully this is largely limited to weekend nights and is not a regular occurrence since there are no other late night trading establishments as close as the proposed development site. The proposed operation times of “12pm midday to 12am midnight (the following day), seven days per week” will clearly increase noise disturbances and likely make these current occasional disturbances from inebriated passers by a regular occurrence, this is something I am extremely opposed to.

In its current state Marlborough street and the immediate surrounding streets create an ideal residential pocket. My experience, in the almost ten years I have lived in the street, have been that the businesses and residents coexist in a pleasant and positive manner. The commercial tenants in Marlborough House go as far as to letterbox drop us when they plan to host after hours events / Christmas Parties to let us know the music will be turned off at 10pm and a contact number if any issues arise. These respectful interactions are in direct opposition to how we as neighbouring residents have been

treated since the property DA D/2025/410 – 378 Cleveland Street, Surry Hills (MAK Surry Hills Pty Ltd) has been sold to the new owners.

Shortly following the sale and settlement of 378 Cleveland Street Surry Hills around Nov 2023, the new owners/occupants hosted a party inside the premises and on the outdoor roof top that went on well into the early hours of the next morning. The amount of inebriated, disrespectful and disorderly party attendees was more than I have ever seen in Marlborough Street in the almost 10 years I have lived here. Party attendees were spilling out into the street interfering dangerously with traffic flow. The music was so loud that we could feel the vibrations in our house and when we walked up the street to check the music and noise was travelling well up Marlborough street near the Ward Park end of the street.

The disturbance was so significant that neighbouring residents had to call the police and even physically go over to the property to request that the music was turned off when the party continued well past noise restrictions and into the early hours of the following day. Residents were told by the party attendees that they had no idea who/where the owners/party hosts were and that it was an open event and that all were welcome. The party continued until the early hours of the morning outside of the noise restrictions timeframes and residents' requests to end the noise disturbances were ignored.

Based on this example of past behaviour of showing complete disregard of neighbouring residents I do not have much confidence that the new owners plan to be respectful to neighbours if their proposed DA is approved. It is extremely concerning to me that we are likely to face frequent situations where the police will need to be regularly called to intervene and we will need to flag our noise complaints on every occasion formally through the relevant authorities and channels.

Responsible owners operating a restaurant up to 10pm is fine but irresponsible owners with permission to trade “12pm midday to 12am midnight (the following day), seven days per week” will be extremely intrusive, stressful and is highly likely to have a significant negative impact on the local residents.

The trading hours proposed (notably up to midnight) raise serious concerns about late-night noise from patrons arriving and departing the venue. The surrounding streets, including Marlborough Street, Goodlet Lane and Riley Street, are largely residential and currently quiet after dark. Increased pedestrian noise, potential anti-social behaviour, and inebriated patrons exiting late at night will significantly disrupt the peace and quiet that residents value.

Requested action if council considers approval:

- Restrict trading hours (e.g. close 10pm Sunday-Thursday indoors and close the outdoor rooftop bar area at 8pm every night) and mandate full time security at the entry and exit points to manage patron behaviour. Fines for noise breaches and failure to

provide full time security.

- Specific requirement and clear statement that the rooftop bar is to close at 8pm every night.

#### Acoustic Report Feedback

My property (88 Marlborough Street, Surry Hills) is situated three doors down from "Receiver 3" as identified in the Acoustic Report as "The nearest sensitive noise receivers to the restaurant".

*"Receiver 3 - Existing residential dwellings to the north-east of the site located along Marlborough Street and situated at 94 Marlborough Street, Surry Hills NSW 2010"*

My home (88 Marlborough Street, Surry Hills) is situated two doors down and across the road almost opposite from "Receiver 2" as identified in the Acoustic Report as "The nearest sensitive noise receivers to the restaurant".

*"Receiver 2 - Existing residential dwellings to the north of the site located along Goodlet Lane and situated at 105 Marlborough Street, Surry Hills NSW 2010."*

My home being situated in such immediate proximity to the proposed development and the most severely impacted noise "Receivers" makes me extremely nervous about the level of noise impacts we will encounter and implore you that if the development is approved much fairer trading hours are enforced which respect the balance needed to maintain residential amenity in what is currently.

The end of Marlborough Street where the new proposed development is planned has always been (for at least the almost ten years I have lived here) a quiet primarily residential street. A fairer compromise between the proposed establishment and residents would be more reasonable trading hours (e.g. close 10pm Sunday-Thursday indoors and close the outdoor rooftop bar area at 8pm every night).

The DA states that The Boxing Bear is intending to trade "12pm midday to 12am midnight (the following day), seven days per week" while the Acoustic report on page 4 states "the proposed development will operate until midnight on certain days of the week". "Certain days of the week" is deliberately ambiguous and misleading considering the DA clearly states "12pm midday to 12am midnight (the following day), seven days per week" and attempts to downplay the excessive and unrelenting impact on nearby residents. The Acoustic report description of intended trading hours should directly match the DA request and also quote the exact same intended trading hours as per the DA of "12pm midday to 12am midnight (the following day), seven days per week", not a vague watered down version.

Reduced trading hours (e.g. close 10pm Sunday-Thursday indoors and close the outdoor rooftop bar area at 8pm every night) is the strong preference of myself and the many residents in the affected property zone to reduce the trading hours to ensure our ability to continue to enjoy a peaceful environment without noise from a restaurant / licensed bar venue close by trading "12pm midday to 12am midnight (the following day), seven days per week". It seems completely excessive to allow us to suddenly be impacted until midnight every single night.

### *1.1 Proposed Development*

*The proposed development includes the following:*

*– Conversion of an existing building into a licenced restaurant venue*

*It is assumed that the proposed development will operate until midnight on certain days of the week; that is, will encompass the daytime, evening and night-time periods, as defined under the NSW EPA Noise Policy for Industry (NPI) 2017.*

Maximum Noise Level Event (Sleeping Disturbance) (page 15 of the Acoustic Report).

*The NPI states the following:*

*The potential for sleep disturbance from maximum noise level events from premises during the night-time period needs to be considered. Sleep disturbance is considered to be both awakenings and disturbance to sleep stages.*

*"...the measured rating background noise level during the night hours (10:00pm to 7:00am) is 36dBA LA90.*

*-Therefore, the resultant RBL + 15dB is 51dBA, which is less than 52dBA". Less yes, but only by 1dB.*

*"L AFmax 52 dB(A) or the prevailing RBL plus 15 dB, whichever is the greater, a detailed maximum noise level event assessment should be undertaken".*

*- Has a "detailed maximum noise level event assessment" been undertaken?*

I assume that on some evenings the noise emitted from the Restaurant/Bar will be much louder than the projected average depending on the patrons in question / levels of intoxications / special occasion parties / the venue operating over capacity. Thus sleeping disturbances for residents in the immediate area are likely. Allowing this risk to exist 7 days a week until midnight seems unreasonable.

Suggested actions:

ACOUSTIC ASSESSMENT (page 20 of the Acoustic Report)

Can you please confirm that the DA is requesting trading hours and days of the different areas to be specified individually? In particular that the Level 1 Bar area will not be permitted to trade after 8pm. Currently the Acoustic Report assumes that the "Level 1



Bar area with operable glazed roof” will only trade until 8pm in the states “Evening Scenario (6:00pm to 8:00pm) –

#### Liquor & Gaming

*- Patron and music noise from the internal dining areas, as well as the Level 1 Bar area with operable glazed roof”. However, further on in the Acoustic report it is more ambiguous and states, “All operable windows and doors are to be kept closed during all proposed operational hours, except for the operable glazed roof to the Level 1 Bar area, which can remain open until 8:00pm, but must remain closed thereafter”.*

- Can you please confirm that the Level 1 Bar area will not be permitted to operate or have patrons in it after 8pm on every night regardless of whether the roof is open or closed as the current DA reflects that the establishment is proposing they will trade 7 days a week 12pm-12am.

- *Day Scenario (Until 6:00pm) – Liquor & Gaming*

- o Patron and music noise from the external and internal dining areas.*

- *Evening Scenario (6:00pm to 8:00pm) – Liquor & Gaming*

- o Patron and music noise from the internal dining areas, as well as the Level 1 Bar area with operable glazed roof.*

- *Evening and Night Scenario (8:00pm to 12:00am) – Liquor & Gaming*

- o Patron and music noise from the internal dining areas only.*

#### Suggested Actions:

Confirm Level 1 Bar area with operable glazed roof section must cease trade every night at 8pm as per the Acoustic Report.

*The proposed maximum patron numbers have been assumed based on the number of chairs shown on the architectural drawings for the proposed development from Richards Stanisich dated 14/04/2025 (see Figure 1 and Figure 2).*

- Obviously the actual maximum patron numbers will far exceed that of the assumed number of chairs shown on the architectural drawings, as is evidenced by attending any busy licensed venue. Patrons will be regularly standing in very close proximity and in reality there will be many more patrons than this report is very conservatively forecasting. Thus there is very likely to be much more noise disturbing residents than the Acoustic Report is reflecting.

Actions - clearly state actual proposed trading hours of each area and more accurately represent noise potential at maximum venue capacity with the majority of patrons standing / what the Fire Code allows.

Clearly state if Acoustic Report assumes “Level 1 Bar area with operable glazed roof” will be open or closed and were levels taken and reported for both open and closed roof scenarios? Are the maximum noise disturbance levels adhered to in both open and closed roof scenarios?

## Requested Actions:

Request a second independent Acoustic Report be conducted which includes:

- Noise assessments conducted whilst using the maximum venue capacity calculated with realistic percentages of patrons standing in groups in very close proximity to more closely mirror normal usage of busy restaurants/bars in real life settings (as opposed to counting the number of chairs in architectural drawings which is extremely misleading). Or use numbers based on maximum patron numbers as per another more representative method e.g maximum occupancy/capacity risk assessments.
- real life simulations of noise levels taken from inside neighbouring properties
- detailed maximum noise level event assessment
- carefully reviewed and interrogated assumed source noise levels and modelling assumptions to validate or disprove some of the assumptions made in the current report which seem to severely underestimate patron numbers and the associated noise
- *“Acoustic modelling has indicated that noise from the operation of the licensed venue elements of the development are likely to result in compliance with the typically imposed NSW Liquor and Gaming acoustic requirements.* - “Likely” does not instill a great deal of confidence to me as a directly impacted resident. Given that some of the noise testing only passed by 1dB, any underestimations in modelling will have a dramatic impact on reducing resident amenity and compromising the quality of life for nearby households.
- Please consider requesting the developer conduct a second more thorough Independent Acoustic Report to be conducted by one of your approved suppliers.

## 2. Traffic, Parking and Vehicle Movements

### Parking

It is my regular experience that despite having an Area 18 Parking permit, it is extremely difficult to find parking spots in the blocks north of the development site, up to Devonshire Street and across to High Holborn Street. There are regularly no spaces available for residents with Area 18 permits. Cars without Area 18 permits consistently park for longer than the 1hr time limit. I often have to do multiple laps of the surrounding streets to secure a car spot (and I have a very small car that can fit into even the tiniest of car spot gaps) and it is not uncommon for me and other residents spending over 30 minutes driving around the streets trying to secure a spot during peak times. Adding additional parking pressure from staff and patrons of the new proposed development will only exacerbate the existing problems with insufficient parking that residents are already regularly experiencing.

In addition I am concerned about delivery trucks blocking Marlborough Street or Goodlet Lane, which are already narrow and heavily used, garbage collection trucks arriving in early hours, creating loud disturbances and the overflow parking from staff or patrons who stay beyond time limits and without permits

Requested action if council considers approval:

- Dramatically increase the number and frequency of parking rangers in the local area and communicate to local residents what level of frequency they can expect to see the rangers and how to escalate if rangers have not been sighted in intervals larger than what is agreed upon.

#### Increased traffic

The streets providing vehicular access to the proposed development are narrow and residential. In fact, it has been communicated to us previously by City of Sydney Council that Marlborough Street is/was a designated 'bicycle street'. There is a high volume of pedestrian activity, including children walking to and from school, parents pushing their small children in prams to the nearby daycare centre and residents walking their dogs to Ward Park. There are also a large number of vulnerable people who use Marlborough Street to walk to Coles, some on walkers or with disabilities. The streets are already under stress from traffic (evidence of this is that the white lines at the junction of Lansdowne and Marlborough need repainting every 6 months).

It is now a regular occurrence that at peak times cars are backed up all the way up Marlborough Street, Goodlet Street and Lansdowne Street as they queue at the light trying to turn onto Cleveland Street. The noise from the constant beeping of horns from disgruntled drivers is already extremely intrusive to residents. The current DA proposal will increase the number of staff and patron vehicles further adding to the already considerable traffic issues. On top of that, it will increase the number of heavy vehicles such as garbage and delivery trucks, and consequently increase wear and tear on roads and reduce pedestrian amenity.

Requested action if council considers approval:

- Regular monitoring of street maintenance (line markings, pot holes, cracking etc). Monitor Goodlet Lane and Marlborough Street to prevent delivery vehicles or bins from obstructing access.

### 3. Garbage and Waste Collection

From previous precedent in the area, we have seen issues with loud and intrusive vehicles in particular garbage trucks (not the regular weekly garbage bin collection trucks, they always operate within council guidelines and are doing a great job of providing an essential service, the issue have been with private Garbage trucks servicing commercial venues outside of appropriate hours e.g. Portefino Surry Hills before it closed down.

- Loud private waste collections occurring before 6am
- Glass disposal creating significant noise
- Spillage of waste (including food and broken glass) being left on the street

- Bins being left in laneways, obstructing vehicle and pedestrian access

Requested action if council considers approval:

- Limit garbage collection times to match council times: 7am at the earliest. If residents show that this is not being adhered to, enforce fines.
- Enforce the Boxing Bear staff to clean up any refuse or glass left in the streets. If residents show that this is not being undertaken, enforce fines, or increase street cleaning of surrounding areas.-
- Enforce no blocking of public access roads or footpaths with bins, again if residents show this is not being adhered to, enforce fines.

#### 4. Inappropriate Use of the Site

This site has previously served as a chemist and café, both well-suited to the area's residential character. Transitioning to a late-night licensed venue would represent a major departure from the historical use of the building. I believe this proposal risks undermining the liveability and community values of the area.

#### Requested Considerations and Actions

Should council proceed to consider approval, I respectfully request the following be taken into account:

- Review of notification process to ensure all impacted residents were appropriately informed
- Restrictions on trading hours, particularly outdoors (e.g. no later than 10pm Sunday–Thursday for indoors and no trade after 8pm in Level 1 Rooftop Bar area)
- Garbage collection times aligned with council services (no collections before 7am)
- Regular ranger patrols to enforce parking restrictions and discourage long-term or improper use of residential spaces by patrons or staff
- Monitoring of Goodlet Lane and Marlborough Street to prevent delivery vehicles or bins from obstructing access
- Full-time security presence at entry/exit to manage patron behaviour and noise

#### Safety

I regularly walk my two small dogs in and around Marlborough street. I have always felt safe, even late at night and it is rare for me to encounter any antisocial behaviour or inebriated individuals as there are no late trading restaurants/bars as close as the proposed DA. I regularly see other residents walking their dogs and children at all different times of the day and often quite late in the evenings without issue. I am concerned that the proposed development will result in inebriated patrons regularly walking around Marlborough Street after existing the proposed premises “12pm midday to 12am midnight (the following day), seven days per week” should the current proposal go ahead. This would mean that the residential amenity that we as residents currently

enjoy will be deeply impacted.

Requested action if council considers approval:

Restrict trading hours (e.g. close 10pm Sunday-Thursday indoors and no trade after 8pm in Level 1 Rooftop Bar area) and mandate full time security at the entry and exit points to manage patron behaviour. Fines for noise breaches and failure to provide full time security.

I strongly urge the council to carefully consider the cumulative impact this development will have on the day-to-day lives of nearby residents. While I support local business and thoughtful development, it must not come at the cost of residential amenity and safety.

Thank you for taking note of these concerns. Surry Hills is a wonderful place to live because of the well-balanced mix of residential and business amenity. To maintain this positive community, and fair use, I request that the council carefully evaluates the impact of this development as it stands to ensure that the day-to-day lives of nearby residents are not adversely affected. I appreciate the opportunity to provide input.

Please provide me with confirmation of receipt and inclusion of this objection in the assessment process and kindly advise of the dates and next steps in the process.

Kind regards,

Suzanne Riley (nee Gabin)  
88 Marlborough Street, Surry Hills

[REDACTED]  
[REDACTED]

**From:** Sameera Athapattu <[REDACTED]> on behalf of Sameera Athapattu

<[REDACTED]> <Sameera Athapattu <[REDACTED]>

**Sent on:** Thursday, June 12, 2025 9:21:10 PM

**To:** dasubmissions@cityofsydney.nsw.gov.au

**Subject:** Submission - D/2025/410 - 378 Cleveland Street SURRY HILLS NSW 2010

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Council Officer,

I am the owner of the property two doors away from the proposed development at 378 Cleveland Street SURRY HILLS NSW 2010 and I wish to raise concerns about its impact on our residential neighbourhood.

**Key issues:**

- **Extended trading hours (12pm–12am, 7 days):** Inappropriate for a family-oriented street. Noise from patrons, staff, and waste collection will be highly disruptive.
- **Traffic and parking:** Marlborough Street is a narrow one-way street already under pressure. Increased congestion, blocked exits, and limited parking will worsen with added vendor and patron traffic.
- **Sanitation:** Frequent commercial waste collection will increase noise and block access in a residential lane.
- **Design and heritage impact:** The proposed modern extension does not reflect the heritage character of Marlborough Street and will detract from the streetscape.

**Requests:**

- Limit operating hours to **10pm**
- Redesign the extension to better reflect the **heritage aesthetic** of the area

Thank you for considering these concerns on behalf of the local community.

Kind regards,

Dr.Sameera Athapattu

105 Marlborough Street,

Surry Hills NSW 2010

**From:** Costa Dantos <CDantos@cityofsydney.nsw.gov.au> on behalf of Costa Dantos <CDantos@cityofsydney.nsw.gov.au> <Costa Dantos <CDantos@cityofsydney.nsw.gov.au>>  
**Sent on:** Thursday, June 19, 2025 5:52:57 PM  
**To:** DASubmissions <DASubmissions@cityofsydney.nsw.gov.au>  
**Subject:** Hi Admin, could you please register this DA for D/2025/410. Thank you.  
**Attachments:** 378 Cleveland D2025410\_EleanorRussell\_v2.docx (17.65 MB)

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**From:** Eleanor Whitworth <[REDACTED]>  
**Sent:** Thursday, 19 June 2025 5:02 PM  
**To:** Costa Dantos <CDantos@cityofsydney.nsw.gov.au>  
**Subject:** Query: D/2025/410 - 378 Cleveland Street SURRY HILLS NSW 2010

**Caution:** This email came from outside the organisation. Don't click links or open attachments unless you know the sender, and were expecting this email.

Dear Costa,

Please find attached an updated submission from myself and Russell, which adds further detail and clarity.

I understand that applications are being accepted up until the end of this week due to notifications issues.

Please let me know if there is an issue with this.

Thanks and kind regards,  
Eleanor Whitworth

Eleanor Whitworth & Russell Briggs  
25 Lansdowne Street,  
Surry Hills, 2010

19 June 2025

Dear City of Sydney Planning and Cost Dantos,

**Re: APPLICATION D/2025/401 (MAK Surry Hills Pty Ltd)**  
**378 CLEVELAND STREET**

I understand that due to an issue with notifying Affected Properties that community responses to the above DA are being accepted up to a week after the original due date.

Having had time to consider and review the issues further, we have added more detail and clarity to our initial response and request that this letter be submitted as a replacement version.

We write to raise concerns and objections about the above application and the proposed change from a historically mixed-use property into a licensed bar with long opening hours. Whilst our house is not within the Affected Properties Report, we live on the corner of Lansdowne and Marlborough Street, and will be affected by changes to parking, noise and traffic conditions.

We love living in Surry Hills and have been on Lansdowne Street for almost six years, and close-by for almost ten years. Our concerns are that the proposal in its current form will cause significant negative impact on residential amenity.

### **Parking**

In our experience, parking can be very difficult to find in the blocks north of the development site, up to Devonshire Street and across to High Holborn Street. There are regularly no spaces available for residents with Area 18 permits. Cars without Area 18 permits regularly park for longer than the 1hr time limit. This also causes difficulty for tradespeople and visitors to our house.

**Requested action** if council considers approval: increase parking rangers in the local area, communicate to locals what level of frequency they can expect.

### **Noise From Patrons Arriving and Leaving**

The long opening hours (7 days – there is no respite! And late, to 12am) are likely to cause significant disruption to residents who need to function and work (sometimes in critical industries like hospitals). Our experience, living on the corner of Marlborough and Lansdowne streets, is that we are at times woken up by loud inebriated people walking up and down Lansdowne Street. This is largely limited to weekend nights. The proposed operation times, of 7 days/week, will clearly increase this type of noise.



This is a residential pocket. The streets surrounding the proposed development consist predominantly of terrace houses which, almost universally, have to have the main bedroom upstairs fronting onto the street.

To date, in our experience, the needs of residents and surrounding businesses has been well balanced. Operating up to 10pm is fine. Up to 12am, every night of the week, becomes intrusive, stressful and is highly likely to have a significant negative impact on the local residents.

**Requested action** if council considers approval: restrict trading hours and mandate full time security at the entry and exit points to manage patron behaviour. Bring trading hours into line with D/2023/997: 422-424 Cleveland Street: closing at 10pm, with the possibility to extend trading hours up to midnight Thursday to Saturday for a 1-year trial period, allowing the City to monitor any impacts and operator compliance.

#### **Increased traffic and road wear**

The streets providing vehicular access to the proposed development are narrow and residential, and are a designated Local Traffic Area at 40km/h. **See Fig. 1.**

Lansdowne Street is also a designated bicycle Street. **See Fig 2.** There is a high volume of pedestrian activity (which has increased since the Surry Hills Village development), including children walking to and from school, carers with prams and toddlers going to Ward Park playgrounds and neighbouring preschools, and a large number of vulnerable people, many with restricted movement (e.g. on walkers).

The streets are already under stress from vehicular traffic. There are various pot holes and the white lines at the junction of Lansdowne and Marlborough need repainting every 6 months. **See Fig 3.**

This application will almost certainly increase the number of staff and patron vehicles, but most of all, it will increase the number of heavy vehicles such as garbage and delivery trucks, increasing damage and wear and tear on roads and reducing pedestrian amenity.

Also, the development will almost certainly cause traffic issues on Marlborough Street because of the loading dock. At times (and not always peak times) Marlborough Street backs up significantly with traffic. **See Fig 4.** This has increased since the opening of the Surry Hills Village as more pedestrians are crossing Cleveland Street so fewer cars get a chance to get through. During peak times, often only one or two cars can turn into Cleveland Street, sometimes causing frustration and beeping. **See Fig 5.**

This heritage area has several developments in the pipeline, all increasing vehicular traffic. As such, the traffic impact of this application should be considered alongside other approved and slated developments: D/2023/997: 422-424 Cleveland Street, and the upcoming State Significant Development converting Marlborough House into 150 apartments (!!).

Requested action if council considers approval:

- Consider a wholistic response for this local road network that takes into account adjacent developments and overall road uses. For example: should the surrounding roads be designated 'light traffic roads' and have a vehicular weight limit? And/or should the 'no right turn' at Crown and Cleveland Streets be removed to reduce 'rat run' traffic that turns from Crown into Lansdowne Street then left into Marlborough and right into Cleveland, or cuts up Belvoir to Elizabeth street? (The raised entry from Crown into Lansdowne is very effective at slowing vehicles, which is great) We can't comment about traffic approaches from the West side as don't know these so well.
- Consider restricting delivery vehicle size to B99 small vans to minimise noise and wear and tear on roads.
- Regular monitoring of street maintenance (line markings, pot holes, cracking etc).
- Regular monitoring of Goodlet Lane and Marlborough Street to prevent delivery vehicles or bins from obstructing access.

### **Garbage collection**

One of the loudest and most intrusive vehicles is garbage trucks (though we very much appreciate their service!).

Requested action if council considers approval:

- Limit garbage collection times to match council times: 7am at the earliest. If residents show that this is not being adhered to, enforce fines.
- Enforce the Boxing Bear staff to clean up any refuse or glass left in the streets. If residents show that this is not being undertaken, enforce fines, or increase street cleaning of surrounding areas.
- Enforce no blocking of public access roads or footpaths with bins, again if residents show this is not being adhered to, enforce fines.

Thank you for taking note of these concerns. Surry Hills is a wonderful place to live because of the well-balanced mix of residential and business amenity. To maintain this positive community, and fair use, I request that the council carefully evaluates the impact of this development as it stands to ensure that the day-to-day lives of nearby residents are not detrimentally affected.

Yours sincerely,  
Eleanor and Russell

Fig 1: The neighbourhood is a Local Traffic Area (photo taken near Lansdowne & Crown Streets)





Fig 2: Lansdowne Street is a designated bicycle street





Fig 3: Wear and tear at junction of Lansdowne and Marlborough Streets



Fig 4: Non-peak time traffic backup Marlborough Street: 1.07pm 4 June 2025





Fig 5: Peak time traffic backup Marlborough Street: 6.20pm, 20 May 2025

