Local Planning Panel
26 June 2019

Shop 2 / 81 Macleay Street, Potts Point

D/2019/179

Applicant: Mr Dirk Anderson

Owner: Tuxfend Pty Ltd & Zenza Pty Ltd

Architect: NDRSN Architecture

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proposal

- alterations to shopfront and signage and increase capacity of licensed restaurant from 46 to 146 patrons
- trading hours:
  - indoor - 7.00am - 12.00 midnight, Monday – Saturday and 8.00am - 10.00pm, Sunday
  - outdoor - 8.00am - 10.00pm, Monday - Sunday

recommendation

approved subject to conditions

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notification information

- exhibition period 6 to 28 March 2019
- 1006 owners and occupiers notified
- 32 submissions received

submissions

- adverse amenity impacts
- patron capacity and hours of operation
- use of common undercroft entry space and front stairs
- traffic and on-street parking demand
- waste management
- proposal is unclear
- flawed acoustic report
- loading and servicing
- use of the grease-trap

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submissions

N

submitters within subject site

submitters

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site

subject site viewed from Macleay Street

existing signage structure (signage content proposed to be replaced)

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existing shopfront proposed to be altered

internal fit-out works being carried out under approved CDC

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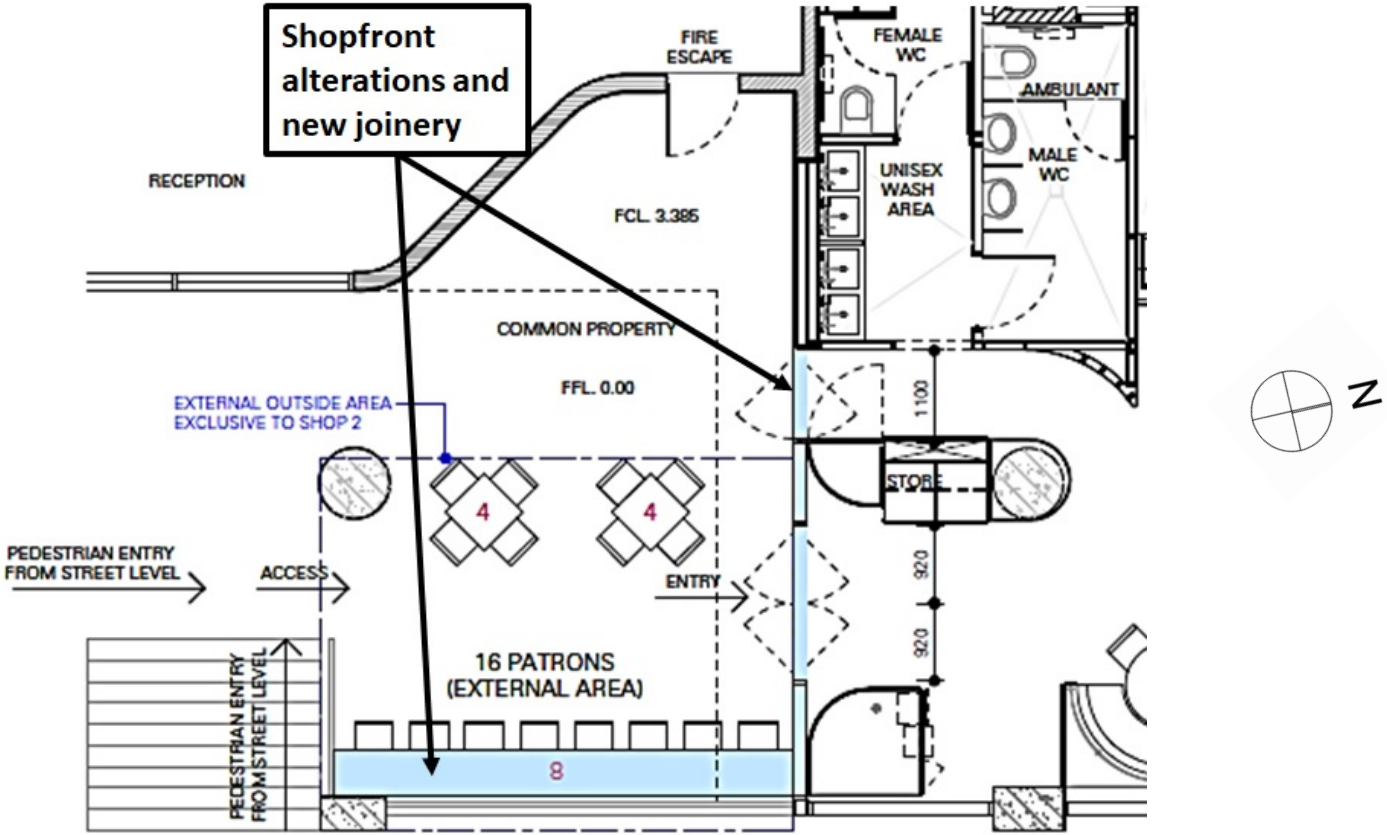
proposal



shopfront alterations plan

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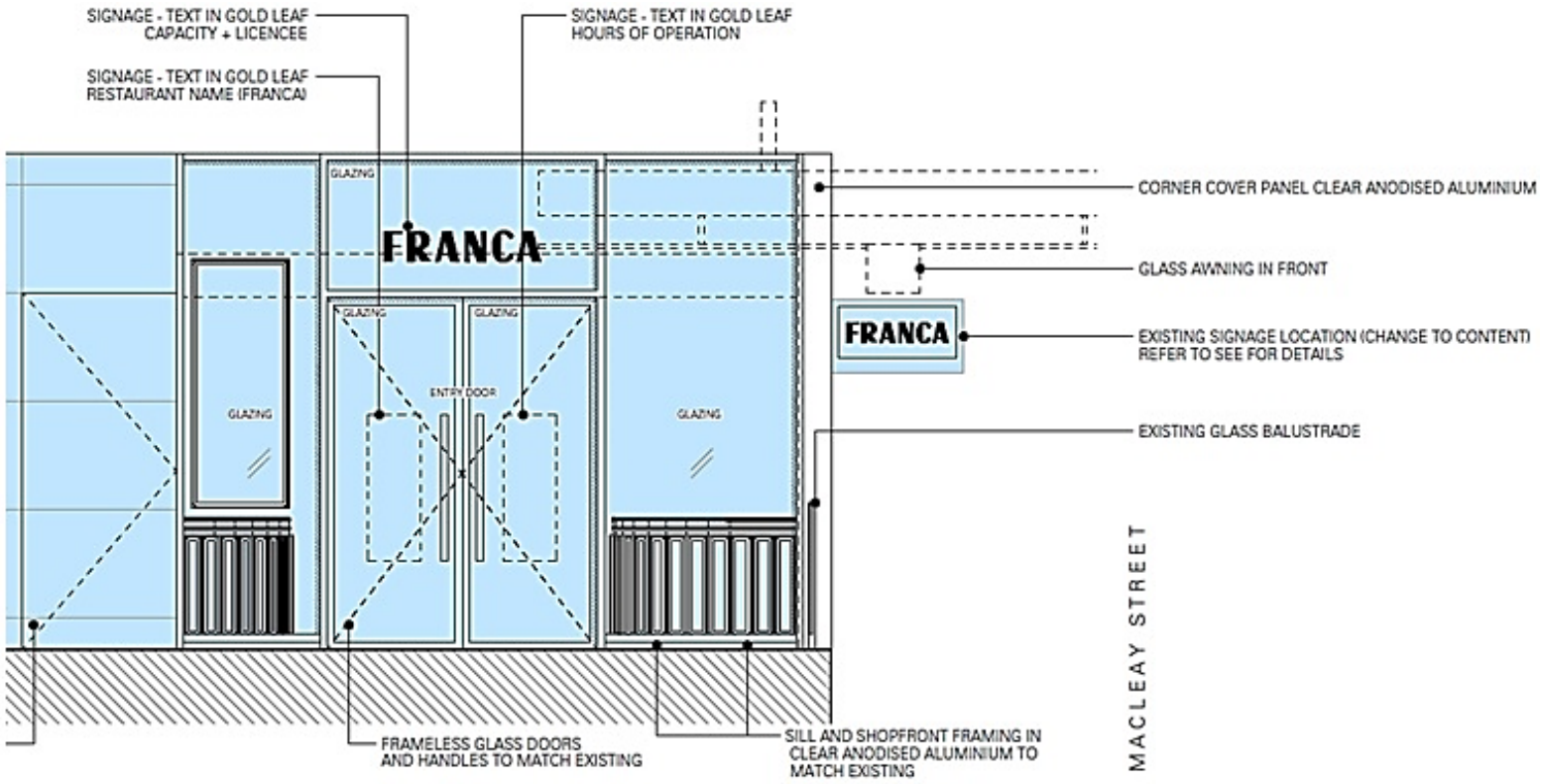

proposed alterations elevation

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hours of operation

controls	proposed	recommended
Indoor 7.00am to 11.00pm trial to 12 midnight - Monday to Sunday	7.00am to 12 midnight - Monday to Saturday 8.00am to 10.00pm - Sunday	7.00am to 11.00pm trial to 12 midnight - Monday to Saturday 8.00am to 10.00pm - Sunday
Outdoor 7.00am to 8.00pm trial to 10pm - Monday to Sunday	8.00am to 10.00pm - Monday to Sunday	7.00am to 8.00pm trial to 10pm - Monday to Sunday

issues

- proposal is unclear
- adverse amenity impacts
- patron capacity and hours of operation
- use of common undercroft entry space and front stairs
- traffic and on-street parking demand
- waste management
- flawed acoustic report
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clarity of proposal

- Nature of proposal clarified with submission of additional information:
  - amended shopfront drawings
  - amended acoustic report
  - WMP
  - revised POM
  - Sydney Water certificate pertaining to the grease trap

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patron capacity

- Council's Environmental Health and Licensed Premises Specialists, Safe City Unit and Kings Cross Police raise no objection
- Plan of Management (POM) satisfies DCP requirements
- sanitary facilities and safety provisions are in accordance with BCA
- condition recommended for primary purpose as a restaurant

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hours of operation, acoustic report, amenity, waste

- proposed hours in keeping with Late Night Trading DCP (as amended)
- Council's Health Specialist satisfied with amended acoustic report
- conditions recommended for:
  - extended hours on 1 year trial
  - compliance with recommendations of Acoustic Report
  - use to operate according to POM and Waste Management Plan (WMP)

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use of under croft entry and front stairs

- POM includes measures to manage patrons entering and leaving
- WMP includes cleaning regime for indoor and outdoor areas
- condition also recommended for cleaning of undercroft entry and front stairs

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traffic, parking, loading and servicing

- no on site parking for use - complies with LEP and DCP
- site is accessible - walking, cycling and public transport
- restaurant is subject to existing Loading and Traffic Management Plans for the Ikon building

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grease trap

- applicant has provided Sydney Water approval for waste water discharge
- existing 3000L grease trap exceeds Sydney Water requirements
- contractor has been engaged to pump and clean grease trap
- regular pumping and cleaning should prevent odour emissions

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recommendation

approval subject to conditions

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