

# Local Planning Panel

17 May 2023

# Application details

23A Lime Street, Sydney

D/2021/1212/A

Applicant: Mohammad Bhuiya

Owner: Transport for NSW

## Bacsground

- D/2021/1212 use of premises for restaurant including bar, indoor dining area and outdoor dining area facing King Street Wharf approved 13 December 2021
- Subject to the following hours with extended hours for a one-year trial period

	base hours	extended hours
(Indoors) Monday to Sunday, inclusive	8:00am to 2:00am (the following day)	-
(Outdoors) Monday to Sunday, inclusive	8:00am to 10:00pm	10:00pm to 12 midnight

## Proposal

- extend the trial outdoor extended trading hours of 10:00pm to 12 midnight for a further period of two years
- permit the installation/use of speakers in the outdoor dining area

#### Recommendation

- approval subject to conditions
- one year trial for extended hours and outdoor speakers

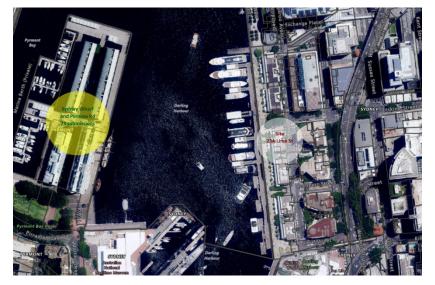
## **Notification**

- exhibition period: 22 November 2022 to 2 December 2022
- owners and occupiers of 532 properties notified
- 57 submissions received

### **Submissions**

- impact on surrounding amenity
- noise impacts, insufficient noise assessment, existing noise from the premises
- necessity for outdoor speakers/outdoor speakers on the footpath/speakers already installed/no limit on speaker volume
- use of large amplifiers
- loud and intoxicated patrons
- management of complaints
- City of Sydney notification procedures

## Site/Submissions





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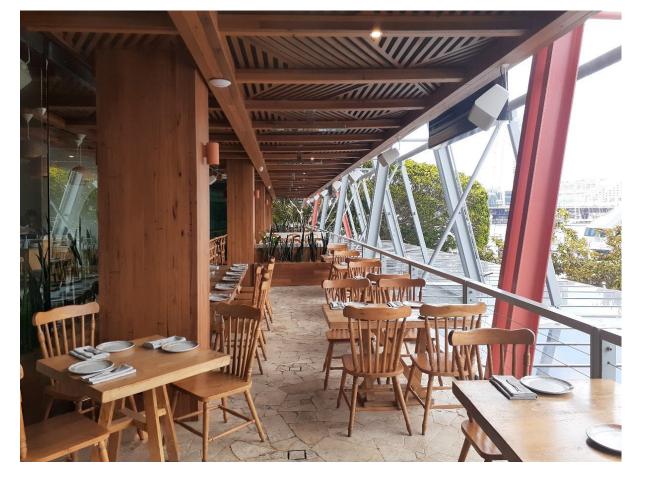


location of the site and submissions from surrounding properties

# Site



site viewed from King Street Wharf



outdoor dining area of the subject tenancy overlooking King Street Wharf



entry to the restaurant from Lime Street

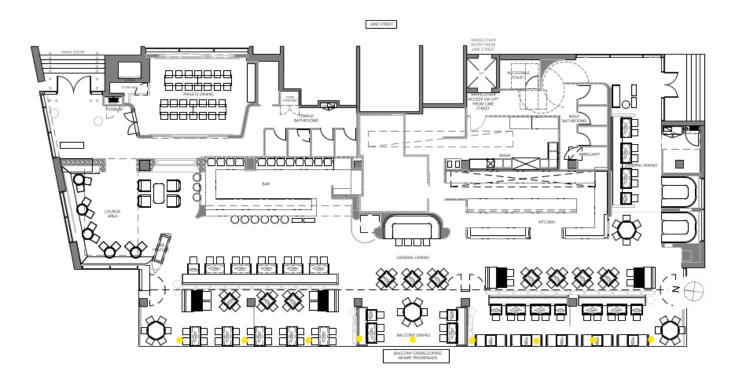


neighbouring restaurant located to the north of the site with entry on Lime Street



neighbouring building located to the west of the site - Lime Street

# Proposal



location of outdoor speakers highlighted in yellow (•)

## Hours of operation

- site is located in a late night management area
- category B low impact premises
- DCP permits a duration of 2 years for the second trial period

	DCP outdoor hours	proposed outdoor hours	recommended hours
Base	7:00am to 10:00pm	8:00am to 10:00pm	8:00am to 10:00pm
Extended	7:00am to 1:00am	8:00am to 12:00am midnight	8:00am to 12:00am midnight for a further one year trial

## Acoustic testing and attenuation

- updated to include consideration of outdoor speakers and further investigation of background, predicted and attenuated sound levels
- demonstrates the relevant noise criteria can be complied with
- compliance with the noise criteria is subject to implementing the following measures:
  - directional speakers face into the venue with maximum levels
  - maintaining existing diffusive acoustic ceiling treatment
  - maximum of nine (9) small to medium size speakers in specified locations

## Plan of Management

- updated to include measures recommended by the acoustic report
- maintains existing provisions regarding hours of operation patron capacity, staffing, responsible service of alcohol, security, surveillance, complaint receipt, impact mitigation, management of waste and deliveries, cleaning, pest management, noise management, and patron management

### Recommendation

- approval subject to modified conditions
- continue the extended outdoor hours for one year trial
- one year trial for outdoor speakers