

Local Planning Panel

1 November 2023

Application details

Address: 31A and 5030 Alfred Street, Sydney

D/2023/292

Applicant: Planning Lab c/- Australian Venue Co.

Owner: City of Sydney and The State of New South Wales

Architect/Designer/Consultants: Stu+FF Architecture

Proposal

- demolition of existing awning structures and erection of two single storey pavilions within Customs House Square
- use as a bar ancillary to internal ground floor restaurants within Customs House (previously occupied by 'Quay Bar' and 'Young Alfred Café')
- proposed hours of operation - base 9.00am to 12.00 midnight
- extended hours 12.00 midnight to 2.00am (Thursdays to Saturdays inclusive, New Years Eve) subject to 5-year trial period

Recommendation

Refusal

Background

- Pre-DA for a similar proposal January 2022, sought removal of the existing canopy structures and erection of two new pre-fabricated pop-up bars subject to a 5-year lease period
- key design related issues raised at the time of Pre-DA which remain relevant:
 - semi-permanent structures not supported - must enable the use of the Square for public gatherings/ events
 - design to respect views and setting of Customs House
 - furniture to be lightweight, removeable and packed away

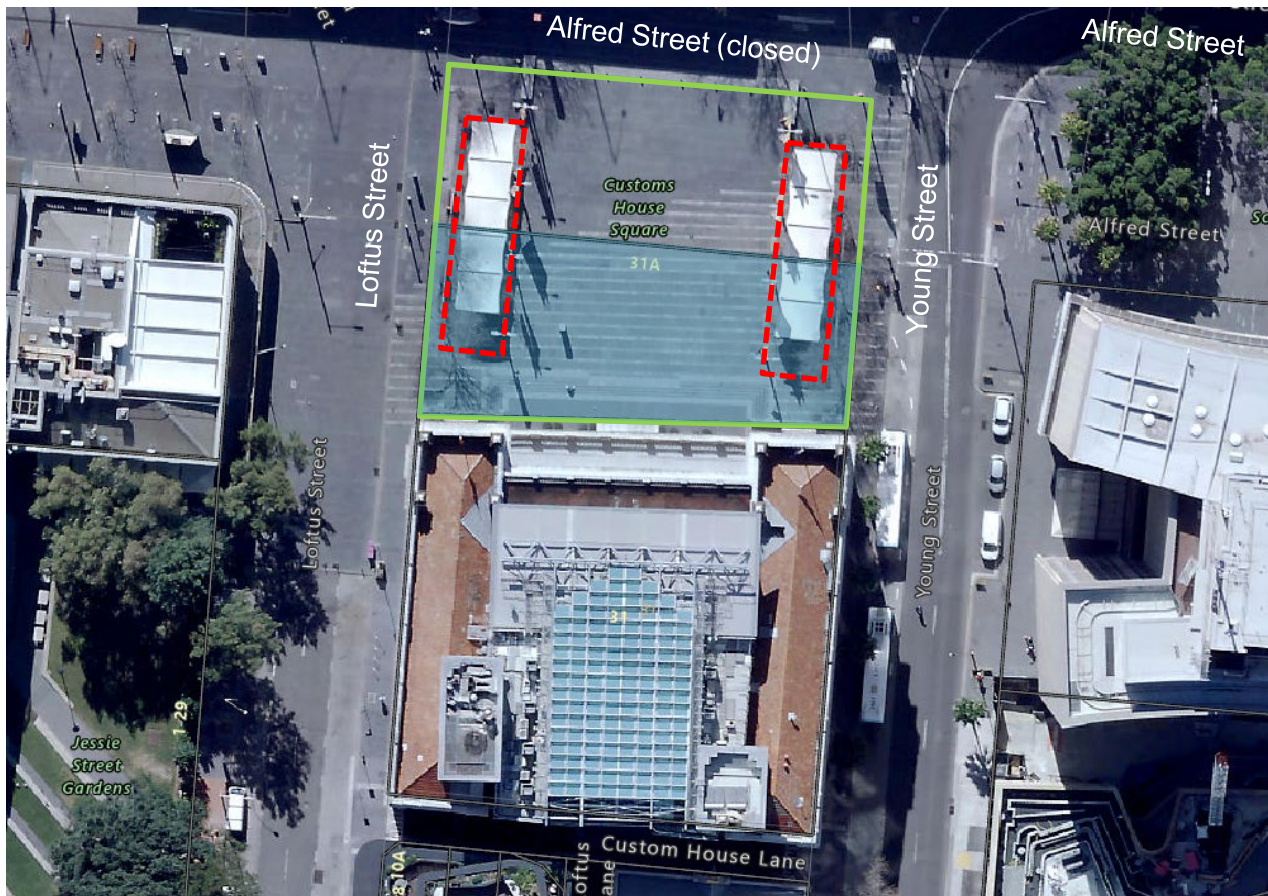
Notification


- exhibition period 26 April 2023 to 25 May 2023
- 294 owners and occupiers notified
- 1 submission received

Submissions

- noise
- extended trading hours

Site



- N
- 
- subject site
 - Customs House Square
 - Crown Land managed by CoS



Customs House Square



Young Street

--- indicative site

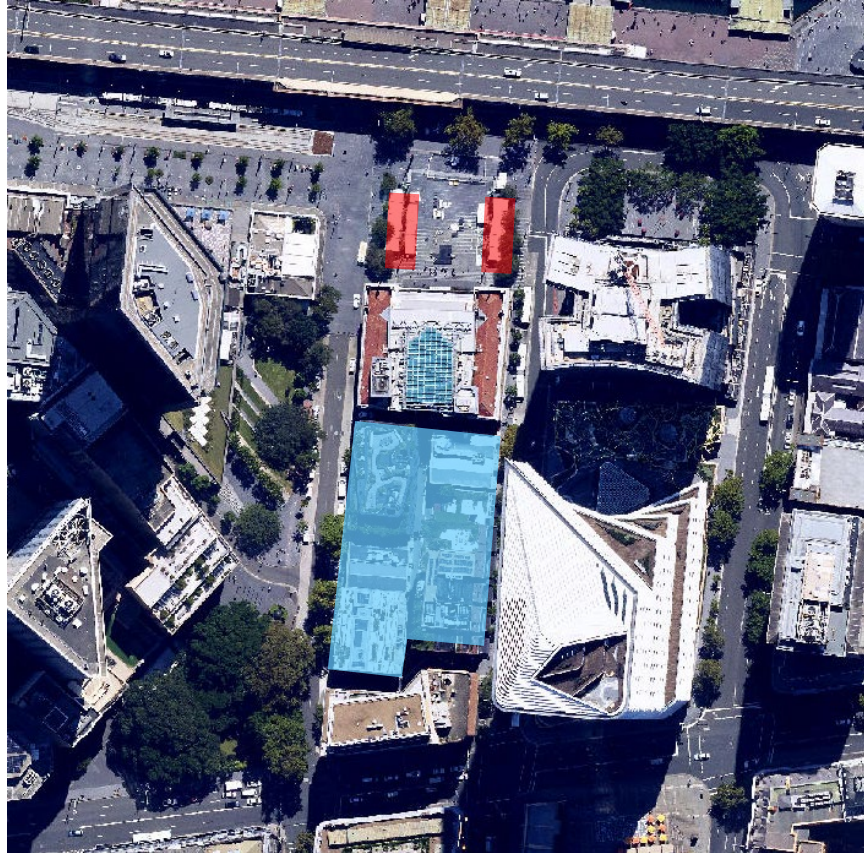
site – eastern side of square





--- indicative site

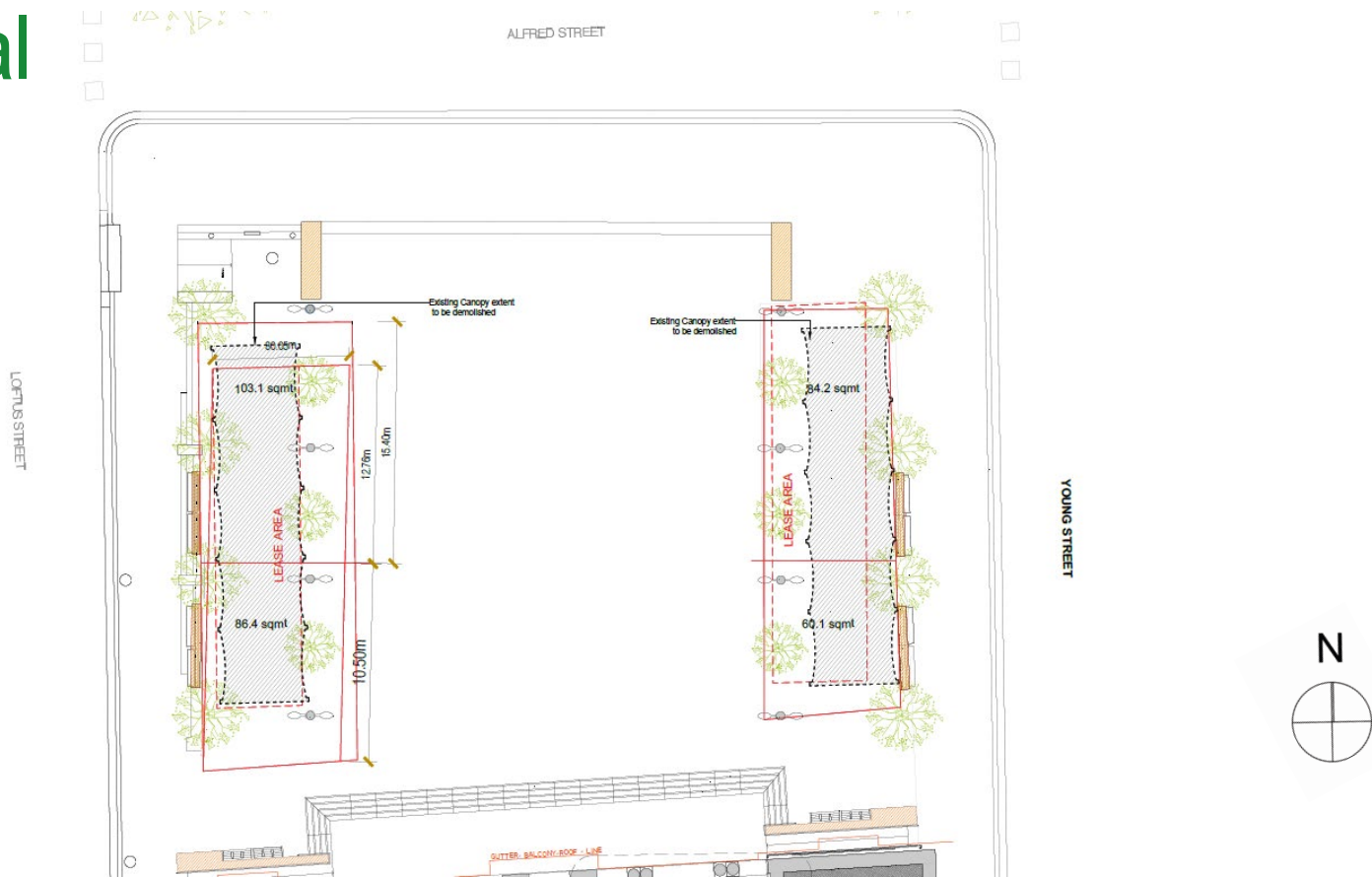
site – western side of square

Submissions



-  subject site
-  submitters

Proposal

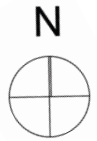
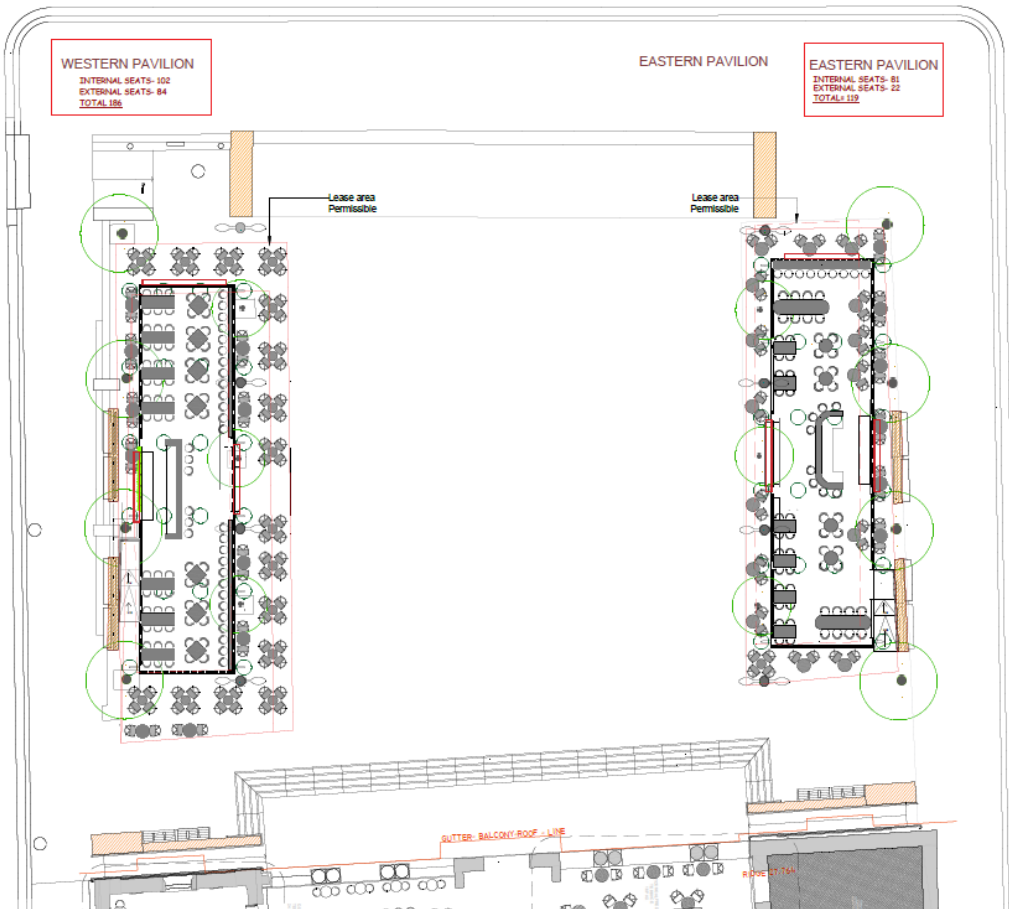


demolition plan

ALFRED STREET

LOFTUS STREET

YOUNG STREET



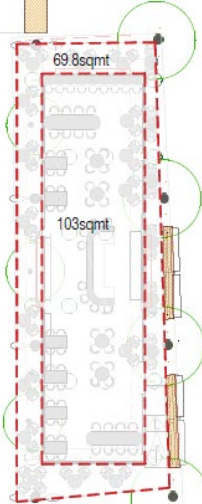
floor plan

LOFTUS STREET

YOUNG STREET

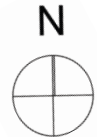
WESTERN PAVILION
 INTERNAL SEATS- 102
 EXTERNAL SEATS- 84
 TOTAL- 186

EASTERN PAVILION
 INTERNAL SEATS- 81
 EXTERNAL SEATS- 22
 TOTAL- 103

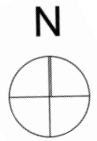
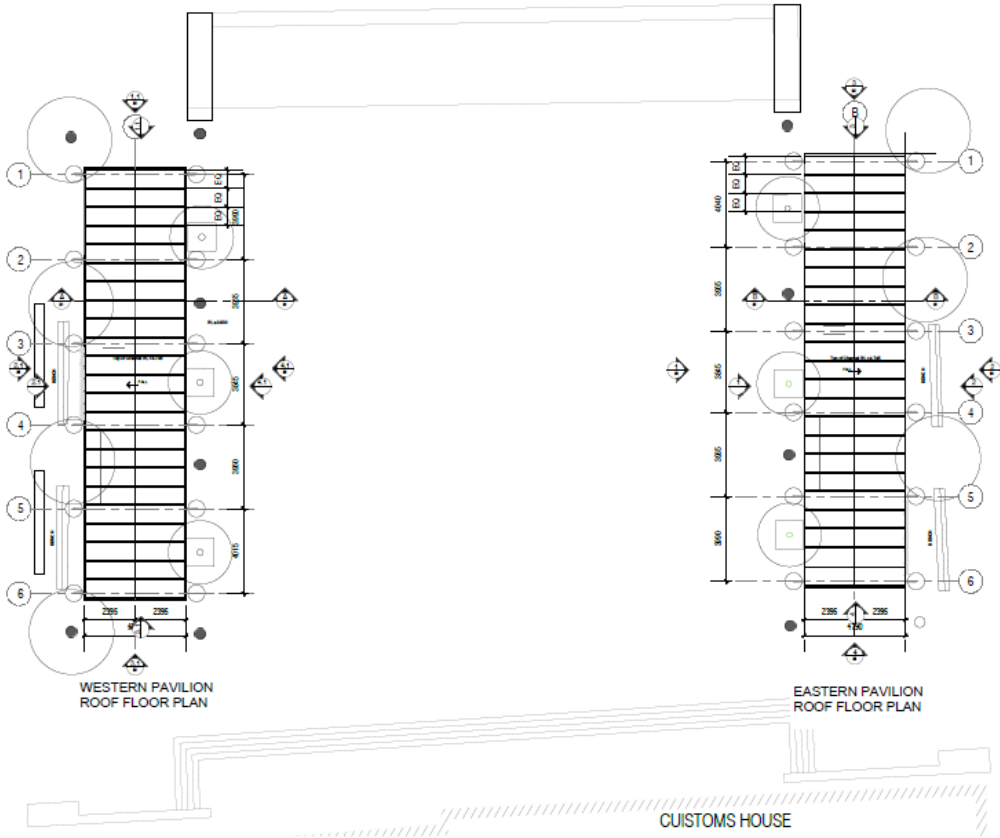


WESTERN PAVILION
 INTERNAL=91sqmt
 EXTERNAL=131.7sqmt

EASTERN PAVILION
 INTERNAL=103sqmt
 EXTERNAL=69.8sqmt



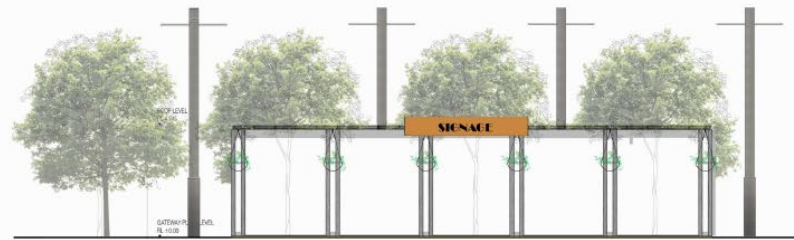
area and seating plan



roof plan



1 EASTERN PAVILION EAST ELEVATION
SCALE: 1:100 @ A1



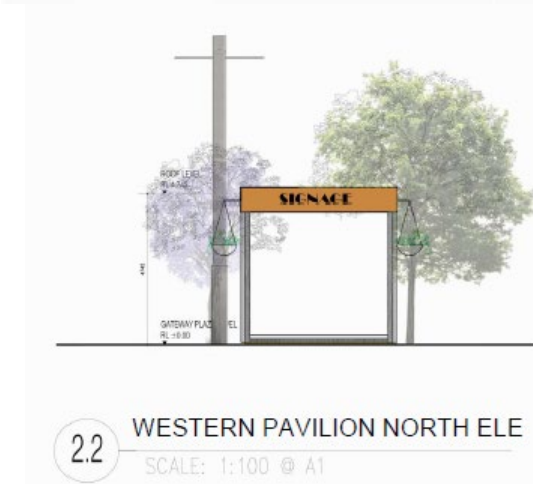
2 WESTERN PAVILION EAST ELEVATION
SCALE: 1:100 @ A1



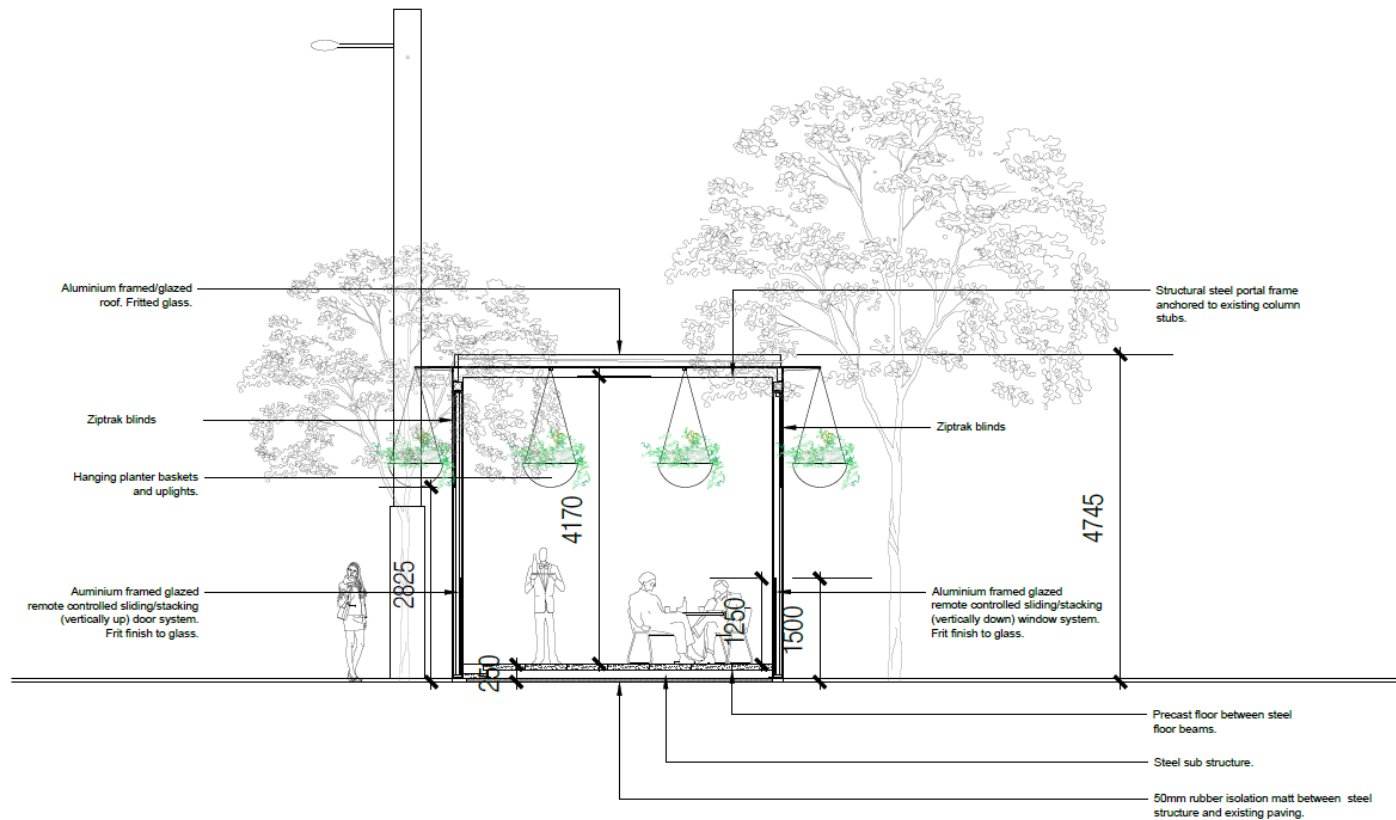
1.1 EASTERN PAVILION WEST ELEVATION
SCALE: 1:100 @ A1



2.1 WESTERN PAVILION WEST ELEVATION
SCALE: 1:100 @ A1



elevations



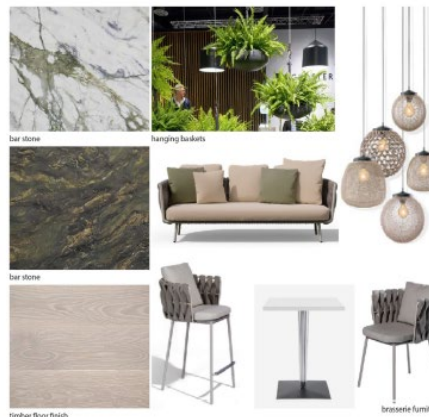
section



photomontage



bar furniture



bar stone

hanging baskets

bar stone

timber floor finish

brasserie furniture

Proposed indoor interior and finishes

Proposed furniture and materials, comfortable, practical furniture suitable for indoor and outdoor use

furniture/design details

Compliance with key LEP standards

	control	proposed	compliance
height clause 4.3 clause 6.17	Royal Botanic Gardens Sun Access Plane	4.75m	yes
floor space ratio clause 4.4	no prescribed maximum FSR	pavilions can be enclosed on all sides FSR 0.11:1 (194sqm)	n/a
development requiring authorising preparation of a DCP clause 7.20	site area > 1,500sqm in Central Sydney preparation of DCP or justification required	applicant has not addressed control	no

Hours of operation

	Sydney DCP 2012 permissible hours	proposed hours	compliance
Mondays to Sundays	base: 7.00am – 10.00pm extended: 10.00pm – 1.00am	base: 9.00am - 12.00 midnight	no application recommended for refusal - no Crown landowners consent and design issues
Thursdays to Saturdays and New Years Eve		extended: 12.00 midnight – 2.00am, subject to 5-year trial period	

Previous approved operation



previous outdoor dining areas
Quay Bar (left) and Young Alfred Café (right) 2018



previous moveable karts and furniture under the existing fixed shade structure

Design Advisory Panel

- DAP reviewed pre DA and current proposal
- do not support the proposal and provided the following recommendations:
 - proposal should adopt similar operations to the former Quay Bar and Young Alfred Restaurant (moveable karts, loose furniture and servery)
 - retain existing canopy structures in interim
 - well-designed fit-for-purpose structures to be designed by the City should form part of future plans for Customs House Square

Issues

- Crown landowners consent not granted - inconsistent with CBD Civic Spaces Plan of Management
- design and heritage impacts
- non-compliance with design and public domain requirements of:
 - DCP 2012
 - City North Public Domain Plan
 - Outdoor Dining Policy and Guidelines
- inconsistent with late night trading management hours of Section 3.15 of DCP

landowner consent

- southern half of square is Crown land - under care and control of City
- Crown Land Management Act requires proposal to be consistent with adopted Plan of Management
- proposal inconsistent with CBD Civic Spaces Plan of Management – requires land to be used for public open space, recreation, events and gathering
- Crown Land landowner consent not given for lodgement of DA

Design and heritage

- does not appropriately respond to constraints of the site - Crown land, heritage significance and setting of Customs House
- pavilions detract from the setting and views of Customs House
- contrary to objectives of Circular Quay Special Character Area
- semi-permanent enclosable structures restricts the use of the square to facilitate public events or gatherings
- raised floor and level changes - relies on ramps to facilitate accessible entry
- impacts on existing trees within the Square

Recommendation

Refusal