

# Local Planning Panel

12 June 2024

# Application details

18 Huntley Street, Alexandria

D/2022/716/A

Applicant: Mr Kim Rothe

Owner: The Owners Strata Plan No. 99110

Planning Consultant: MatsuPlanning Services

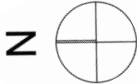
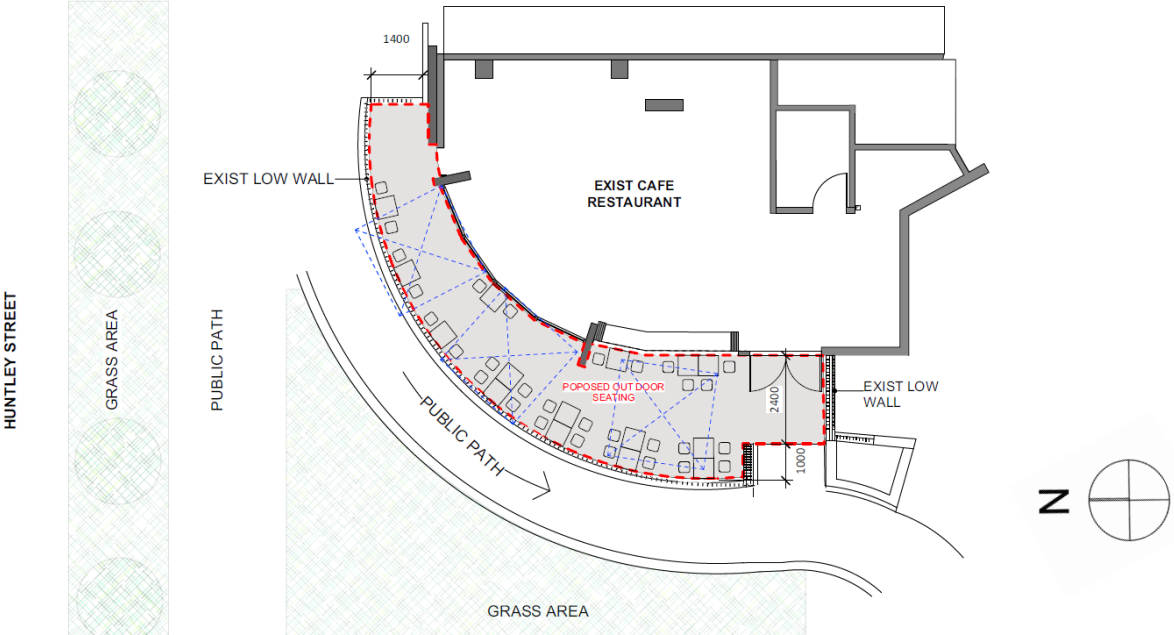
# Proposal

- amend Condition 12 (Plan of Management) to allow outdoor dining within the terrace area
- proposed outdoor capacity of 30 patrons
- increase internal capacity from 20 to 30 patrons
- increase staff to 12
- amend Condition 8 (Trading Hours) to allow use of the outdoor dining area between 7.00am and 8.00pm, Monday to Sunday

# Recommendation

Approval

# Proposal



proposed outdoor seating area

# Notification

- exhibition period 11 January 2024 to 26 January 2024
- 376 owners and occupiers notified
- 66 submissions received

# Submissions

- noise impacts to residents
- traffic impacts
- loss of parking
- loss of land value
- out of character for the area


# Site



★ Tenancy

# Submissions



 submitters



# Site



site as viewed from Huntley Street  
ground floor tenancy and outdoor terrace highlighted in red



approved internal layout of tenancy



outdoor seating area on the terrace

# Existing Consent (D/2022/716)

- approved use as a food and drink premises (cafe)
- internal hours -7.00am to 10.00pm, Monday to Saturday, and 7.00am to 8.00pm, Sunday
- indoor capacity of 20 patrons
- no liquor licence proposed at time of issue of consent

# Compliance with key LEP standards

	control	proposed	compliance
zone	R1 General Residential	outdoor dining associated with approved food and drink premises	yes

# Approved hours of operation (internal)

	DCP base hours & extended hours (All Other Areas)	approved hours
Monday to Saturday	Base: 7.00am to 10.00pm  Extended: 7.00am to 12 midnight	7.00am to 10.00pm
Sunday		7.00am to 8.00pm

# Proposed hours of operation (Outdoor)

	DCP base hours & extended hours (All Other Areas)	Recommended hours
Monday to Sunday	Base: 7.00am to 8.00pm  Extended: 7.00am to 10.00pm	7.00am to 8.00pm

# Issues

- acoustic impacts to residential dwellings directly above cafe
- acoustic mitigation and awning



# Acoustic Impacts

- acoustic impacts to residential dwellings located directly above cafe
- existing tenancy and terrace design does not achieve compliance with City's acoustic requirements
- acoustic report includes recommended attenuation measures, including construction of solid awning over outdoor terrace
- conditions recommended to ensure on-going compliance with acoustic report

# Acoustic mitigation and awning

- construction of a solid awning is not considered substantially the same development and did not form part of the proposed amendments
- condition recommended requiring the lodgement of a separate DA for the awning over the terrace within six (6) months of the determination of this application
- condition recommended that increased capacity (at 60 patrons) be approved for trial period of 6 months

# Recommendation

- approval subject to conditions, including:
  - Condition 14 to require compliance with the acoustic report
  - Condition 15(a) restricts combined indoor and outdoor patron capacity to 30 for the premises.
  - Notwithstanding Condition 15(a), Condition 15(b) permits a trial period of 6 months to operate with an increased capacity of 60 patrons. This is to allow for the lodgement of a separate DA for the external awning over the outdoor terrace.
  - Condition 16 requiring compliance with design specifications for awning