

Relevant Information for Local Planning Panel

FILE: D/2024/520 **DATE:** 6 November 2024

TO: Local Planning Panel Members

FROM: Andrew Thomas, Executive Manager Planning and Development

SUBJECT: Information Relevant To Item 8 – Development Application: 18-20 York Street, Sydney – D/2024/520

Alternative Recommendation

It is resolved that consent be granted to Development Application Number D/2024/520, subject to the conditions detailed in Attachment A to the subject report to the Local Planning Panel on 6 November 2024, subject to the following amendments (additions shown in **bold italics**, deletions shown in ~~strikethrough~~):

Condition 4:

(4) **GROUND FLOOR LICENSED PREMISES – PRIMARY PURPOSE**

The primary purpose of the **ground floor** premises is as a restaurant with the kitchen to be open and substantial food service to be available to patrons at all times during the approved hours of operation. The sale and supply of liquor must cease when the kitchen ceases to operate. All patrons **in the ground floor level restaurant** are to have an allocated seat ~~and the number and location of tables and chairs provided for seated dining must be in accordance with the approved floor plan at all times.~~

Reason

To ensure the premises operates in accordance with the relevant liquor license.

Background

On 1 November 2024, the applicant contacted the City's Planner requesting that Condition 4 be amended to clarify that only the ground floor is to operate as a restaurant with all patrons to be seated. The applicant confirmed in this correspondence the primary purpose of the ground floor will be as a restaurant and that as detailed in the information submitted with the application, the basement level is proposed as a bar and live music venue.

It was intended that Condition 4 only apply to the restaurant on the ground floor of the premises. It was not the intention to limit the use of the basement level. As detailed in the planning assessment report, the use of the basement as a bar and live music venue is supported subject to the recommended conditions.

An amendment to Condition 4 has been proposed in the alternative recommendation above to clarify the original intention that this condition applies only to the ground floor level of the premises. The amended condition does not apply to the use and operation of the basement level.

It is recommended that consideration be given by the Panel to amend Condition 4 accordingly.

Prepared by: Callum Byrnes-Krickl, Planner

Approved

A handwritten signature in black ink, appearing to read 'A-T', is positioned to the right of the 'Approved' text.

ANDREW THOMAS

Executive Manager Planning and
Development