

17 April 2023

Manager Planning Assessment  
City of Sydney Town Hall House  
456 Kent Street Sydney NSW 2000  
Email: dasubmissions@cityofsydney.nsw.gov.au

Dear Manager

Re: FA/2023/136

Friend in Hand Hotel, 58 Cowper Street, Glebe, Application to renew outdoor dining permit

Attention: Rose Koc

The Society makes the following submission in relation to the application to renew the Friend in Hand's outdoor dining permit.

The hotel is located in Glebe's St Phillips Locality. This is almost exclusively a residential area zoned R1. The objectives of the R1 zoning are:

- *To provide for a variety of housing types and densities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To maintain the existing land use pattern of predominantly residential uses.*

The Friend in Hand Hotel is the only non-residential use in this part of the St Phillips estate and is in close proximity to many houses.



Figure 1 The outdoor dining area is close to many houses, particularly numbers 60 and 62 Cowper Street whose living rooms and bedrooms have no setback from the street.

The objectives of the R1 zoning prioritizes residential use. Other uses are permitted if they provide services to meet the day to day needs of residents.

The **City of Sydney’s Outdoor Dining Guidelines** reinforce these objectives by including provisions intended to protect the amenity of neighbourhoods. It is important that the provisions intended to protect the amenity of this residential neighbourhood be applied to this application.

There are three areas which are important:

- I. The hours of trading
- II. The type of furniture, and
- III. The arrangement of the furniture

### The hours of trading

The proposed hours of use are between 10.00am to 10.00pm, Monday to Saturday and 12.00pm to 10.00pm Sunday. Section 6.2 of the Council guidelines states that *in considering operating hours for outdoor dining, the City will assess: – how close an outdoor dining area is to nearby dwellings and other noise sensitive uses and Section 3 that the City may approve alternative hours of operation and size of area, to allow outdoor dining that will not have an adverse noise impact on the neighbourhood.*

Given the location of the hotel in a residential neighbourhood, and the close proximity of the outdoor trading area to a houses, the trading hours should be restricted to 10.00am to 8.00pm, Monday to Saturday and 12.00pm to 8.00pm Sunday.

It is noted that it is a condition of the Toxteth Hotel at 345 Glebe Point Rd Glebe that the outdoor area on Glebe Point Road cease to be used after 8pm. The same condition should apply to the Friend in Hand.

### The type of furniture

The City’s Outdoor Dining Guidelines include the requirement that outdoor furniture *should be removed and stored safely outside of outdoor trading hours* [COS] Outdoor Dining Guidelines Section 05, p. 19, March 2023.

The furniture currently in use comprises large wooden tables with attached benches. These cannot be easily removed outside of trading hours which means that people sit at them and create noise after 10pm. A condition of the approval should be that the furniture be easily moved and be put away at the close of outdoor trading.



Figure 2 The existing furniture does not meet the requirement for removal at the close of outdoor trading.

### The arrangement of the furniture

The City’s Outdoor Dining Guidelines also provide direction as to the arrangement of tables and seating in order to reduce the impact of noise (see Figure 3 below).

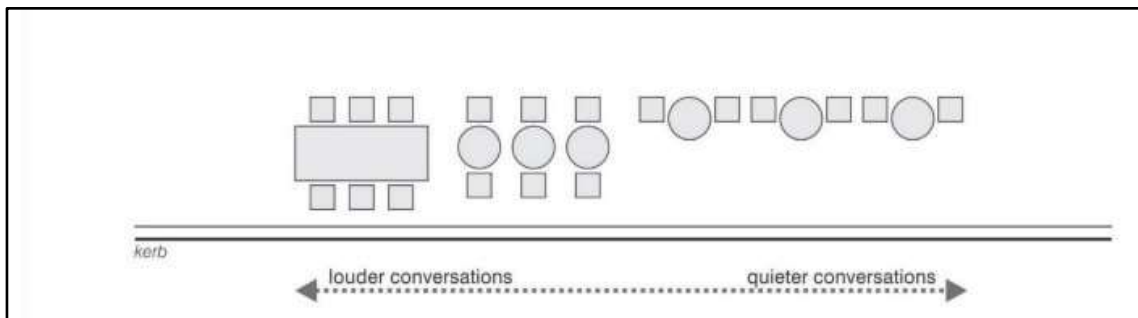


Figure 3 Guidelines to the arrangement of furniture in outdoor dining areas

The current arrangement of furniture is a cluster of 4 tables each accommodating 6 people making a total of 24 patrons. This arrangement is at the loud end of the guidelines shown in Figure 3 above. The seating should be reconfigured to reduce the potential noise impact as per City’s Outdoor Dining Guidelines [Section 06, p. 23]

### The Design of the Barriers

The outdoor dining area is located in the St Phillips Locality and the St Phillips Heritage Conservation Area. The St Phillips locality statement requires that **development is to be sympathetic to its surrounds**.

The City’s Outdoor Dining Guidelines recommend that *barriers around outdoor dining areas do not give the appearance that the public space has been*. As much as possible, outdoor dining areas are to remain open and inviting. The large scaled concrete barriers currently in place are neither open nor inviting. In addition they incongruous in a heritage conservation area.

It is understood that these barriers were seen as a temporary solution to facilitate outdoor dining during the Covid pandemic. They should not become permanent design features of the *City of Villages*. It is recommended that Council develop exemplars to be used for future renewal applications in order to assist businesses in having well designed barriers for their roadway dining areas which fit in with the character of their neighbourhoods.

### Recommendation

The application for renewal of the outdoor dining area should be subject to the following conditions:

1. Trading hours be restricted to 10.00am to 8.00pm, Monday to Saturday and 12.00pm to 8.00pm Sunday.
2. That the existing furniture be replaced by furniture which can be more easily removed and stored outside the permitted hours of use of the outdoor dining area
3. That the furniture be removed and stored at the close of trading hours
4. That there be a furnishing plan based on Council’s guidelines for arrangements which facilitate quieter conversations, as per figure 3 above.

Yours sincerely

Ian Stephenson  
President