

1st January 2022

Liquor & Gaming NSW
GPO Box 7060
Sydney NSW 2001
<https://lnnoticeboard.onegov.nsw.gov.au/searchresultcontact.us@liquorandgaming.nsw.gov.au>

cc: Duty Officer
Leichhardt Police Area Command
1/3 Talfourd St
Glebe 2037

Dear Sir/Madam

Re: APP-0009419895
262-264 Glebe Point Road, Glebe

The Glebe Society was founded in 1969 and has over 400 members. We work to care for the environment, community and heritage of Glebe.

We are very concerned about the application for a liquor licence for 200 patrons at the above address and ask that it be refused. The basis of our objection is set out below.

Its Location

The premises are located in a residential neighbourhood. They are situated in the Toxteth Estate. The objectives for this locality in the City of Sydney Development Control Plan are that it *continue to be a predominantly residential neighbourhood supported by the existing educational and cultural/religious institutions.*

The site is zoned R1 residential. The current use as tourist and visitor accommodation is a prohibited use for this land under the City of Sydney 2012 Local Environment Plan.

While the use of the premises as a backpacker hostel may have been approved under previous planning arrangements it should not, given it is now a prohibited use, be compounded by the granting of a liquor licence.

This is an inner-city area where residences are built in close proximity to each other. The application for a licence on three levels, the lower ground floor, ground floor and roof will have a deleterious impact on neighbours, particularly in terms of noise.

Within a 100-metre radius of the site there are around 200 residences including free standing houses, conjoined houses and to the east, residential flats.

No part of the site should be used as licenced premises.

The Roof Terrace

Providing a licence for the roof terrace is a particular cause of concern because it will encourage the congregation of large groups of people and create adverse visual and acoustic privacy impacts to surrounding residences.

The Sydney City Development Control Plan identifies the need for roof terraces to respect visual and acoustic privacy. The Council of Sydney's Local Planning panel recently deleted a roof terrace from a development application for a house at 43 Avona Avenue (a property 150 metres from 262 Glebe Point Road) because of concerns about privacy and noise. The same principle should be applied to this application and the licence application rejected.

Hours of Operation

The hours of operation are excessive. The use of the building, which is a large backpackers, hostel naturally encourages people to congregate and drink. This produces other noise including conversation, laughter and amplified music. The NSW Department of Environment has quite strict noise control guidelines about noise in residential neighbourhoods including that electrically amplified sound is not to be heard in habitable rooms of neighbouring houses after 10pm from Sunday to Thursdays.

Need

The Glebe Point Road precinct which adjoins the Toxteth Estate to the south includes commercial and recreational facilities. One of its planning objectives is *to provide services for locals and visitors alike*. The Glebe Point Road Precinct includes several hotels as well as other licensed premises. The needs of the residents of 262-264 Glebe Point Road for liquor and social interaction are already well catered for in the adjoining Glebe Point Road Precinct. There is no need to introduce licensed premises for 200 patrons at 262-264 Glebe Point Road which, as indicated above, is part of the Toxteth Estate a residential area where tourist and visitor accommodation is now a prohibited use. A liquor licence of this scale is quite contrary to the planning controls of the Toxteth Estate and quite unnecessary because of the proximity of the Glebe Point Road precinct.

Restrictive Covenants

The site is part of the Toxteth Estate which was created by the executors of the George Allen estate in the late 19th century. The titles of the subdivision had a covenant attached stipulating that *no building or other erection now or to be hereafter built or erected on the said Lots shall be occupied or used as an hotel or public house or for or in connection with the manufacture storage or sale of spiritous or fermented liquors*.

It is important that the Liquor licencing board ascertain whether this covenant is still in force as it would prohibit the application from being approved.

Yours sincerely



Ian Stephenson
President

Attachment 1



The roof terrace at 262-264 Glebe Point Road viewed from the neighbouring house at 266 Glebe Point Road.