

Local Planning Panel

20 March 2024

Application details

64-68 Macleay Street, Elizabeth Bay

D/2010/763/G

Applicant: Mr Stephen Choularton

Owner: The Council of City of Sydney

Proposal

continuation of market use in Fitzroy Gardens on Saturdays for a further 5 years.

Recommendation

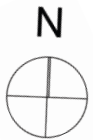
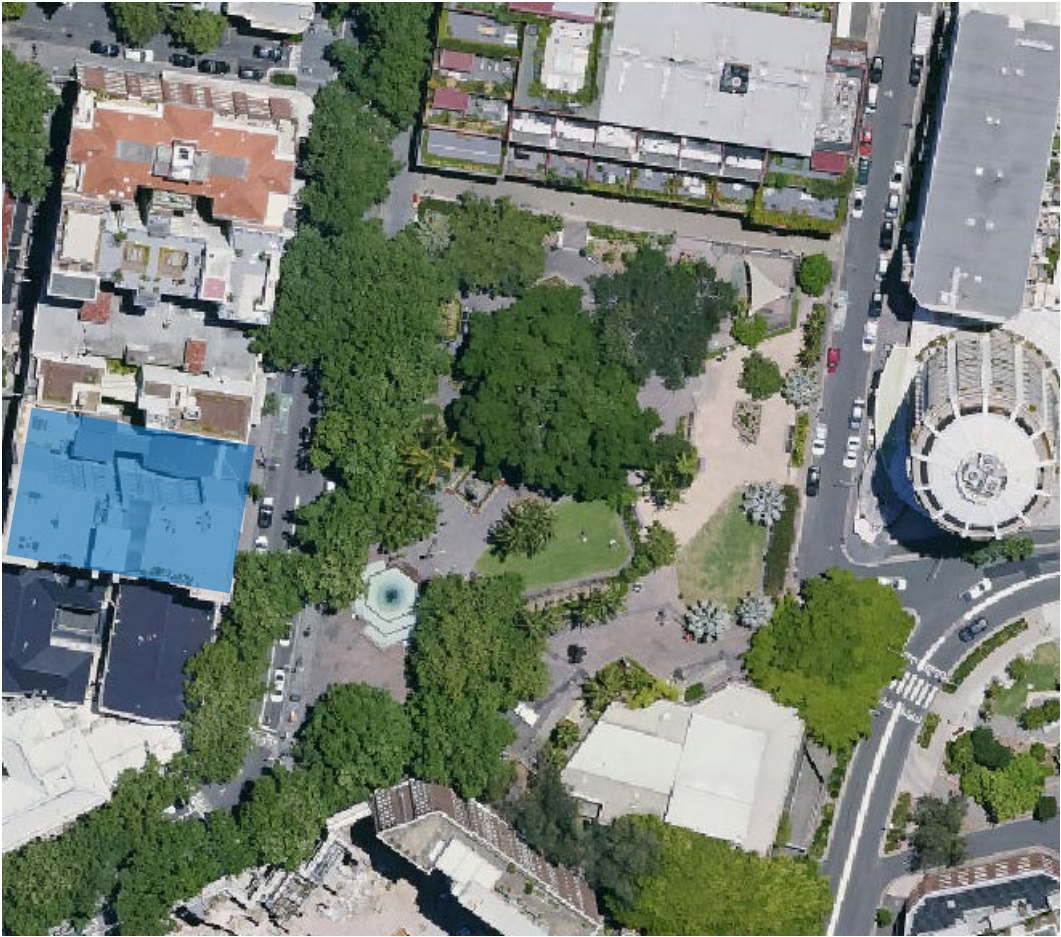
approval subject to updated conditions

Notification

- exhibition period 30 October 2023 to 14 November 2023
- 657 owners and occupiers notified
- 3 submissions received

Submissions

- noise
- traffic
- damage to vegetation



submissions

Site



looking towards Macleay Street



looking towards Baroda Street

Fitzroy Gardens

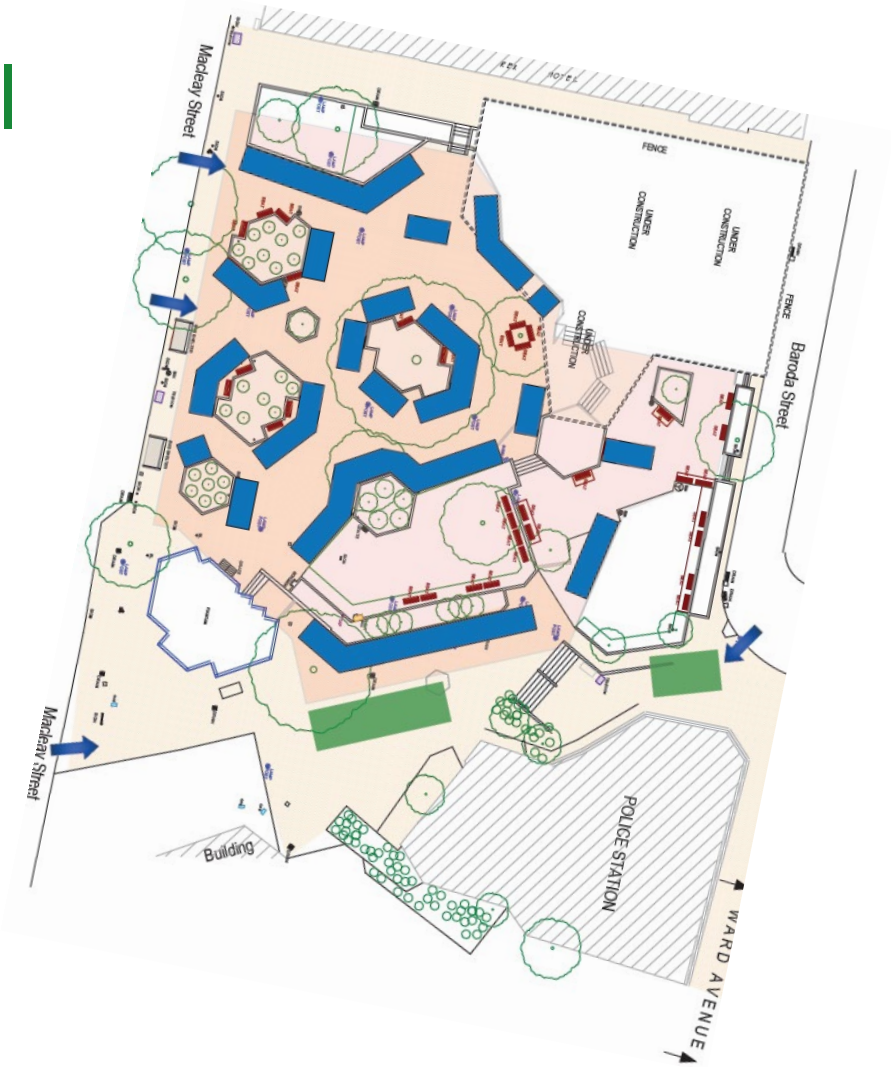


Macleay Street vehicle entry



looking towards Baroda Street vehicle entry

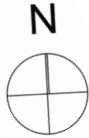
Proposal



stalls



loading area



Compliance with key LEP provisions

	control	proposed	compliance
zoning RE1	permitted with consent	Saturday market	yes
heritage conservation	conserve heritage significance of items and HCA	Saturday market	acceptable heritage impact, subject to conditions

Compliance with DCP controls

	control	proposed	compliance
transport and parking	appropriately manage transport demand	no significant increases to traffic and parking demand bump in and bump can be managed	yes

Hours of operation

	base hours & extended hours	proposed hours	recommended hours
General operation on Saturdays	base & extended hours - 07:00am to midnight	7:00am to 3:30pm	as proposed
one saturday per year in conjunction with the Annual Kings Cross Festival	base and extended hours - 07:00am to midnight	7:00am ad 7:00pm	as proposed

Issues

Management of use:

- noise
- traffic
- damage to vegetation

Noise management

- market has operated for a number of years without any significant compliance issues
- no spruiking/amplified noise condition recommended
- continued use supported by Council's Environmental Health Unit subject to updated conditions

Traffic management

- additional traffic controller at the Baroda Street access point at bump-in and bump-out
- continued use supported by Council's Transport Specialist subject to recommended updated Traffic Management Plan condition

Damage to vegetation

- no market stalls or associated equipment will be positioned on the grass areas within Fitzroy Gardens
- no vehicles permitted to drive on any grassed areas within Fitzroy Gardens
- condition requiring care to be taken with parklands and landscaping
- issues relating to damage can be resolved via landowner agreement

Recommendation

approval subject to updated conditions