

Resolution of Local Planning Panel

24 November 2021

Item 4

Development Application: 255-255A Castlereagh Street, Sydney - D/2021/693

The Panel granted consent to Development Application No. D/2021/693 subject to the conditions set out in Attachment A to the subject report, subject to the following amendments (additions shown in ***bold italics***, deletions shown in ~~strikethrough~~):

(7) HOURS OF OPERATION - SENSITIVE USES

The hours of operation are regulated as follows:

- (a) The hours of operation must be restricted to between 10.00am and 12.00am (midnight) Monday to Sunday, inclusive.
- (b) Notwithstanding (a) above, the use may operate between 12.00am (midnight) and 3.00am for a trial period of 1 year from the date of issue of the ~~Occupation Certificate~~ ***Liquor Licence***. Council's Health and Building Unit is to be informed in writing of the date of commencement of the trial hours. Email notification is to be sent to liquor@cityofsydney.nsw.gov.au
- (c) A further application may be lodged to continue the operating hours outlined in (b) above not less than 30 days before the end of the trial period. Council's consideration of a proposed continuation and/or extension of the hours permitted by the trial will be based on, among other things, the performance of the operator in relation to the compliance with development consent conditions, any substantiated complaints received and any views expressed by the Police.

Reasons for Decision

The application was approved for the following reasons:

- (A) The use is permissible with consent in the B8 Metropolitan Centre zone.
- (B) The proposal satisfies the requirement of the Design Excellence provisions.
- (C) The use is considered to be in keeping with the area, given its predominantly commercial and retail character.
- (D) The submitted Plan of Management has been assessed as acceptable. It adequately addresses the operational, safety and security requirements of the premises.
- (E) The development is consistent with the objectives of the Sydney Development Control Plan 2012.
- (F) Condition 7 was modified to enable the operating hours trial to span the full twelve month period.

Carried unanimously.

D/2021/693