

Resolution of Local Planning Panel

28 June 2023

Item 6

Development Application: 68-80 Erskine Street, Sydney - D/2023/92

The Panel granted consent to Development Application Number D/2023/92 subject to the conditions set out in Attachment A to the subject report, subject to the following amendment (additions shown in ***bold italics***, deletions shown in ~~strikethrough~~):

(10) PLAN OF MANAGEMENT – SEX SERVICES PREMISES

The use must always be operated and managed in accordance with the Plan of Management (as amended by Condition 3 of this consent), prepared by ABC Planning Pty Ltd and in consultation with Urban Realists Planning and Health Consultants dated November 2013, that has been approved by Council (Council Reference: 2023/080188).

Should there be any additional or altered activities/procedures to those specified in the approved plan of management that remain within the scope of the development consent, ***or change of ownership or management***, then the plan of management must be appropriately reviewed and submitted to and approved by Council.

In the event of any inconsistency, the conditions of this consent will prevail over the Plan of Management.

Reason

To ensure all parties are aware of the approved supporting documentation that applies to the development.

Reasons for Decision

The application was approved for the following reasons:

- (A) The development is consistent with the objectives of the SP5 Metropolitan Centre Zone as it promotes the primary role of the zone as a centre for employment, contributes towards commercial opportunities, as well as the diversity of compatible land uses within Sydney.

- (B) The proposal generally satisfies the objectives and provisions of the Sydney Local Environmental Plan 2012 including Clause 7.21 (Location of Sex Services Premises), and subject to conditions, will not create adverse amenity impacts nor cause disturbance in the neighbourhood.
- (C) The proposal is consistent with the relevant objectives of the Sydney Development Control Plan 2012.
- (D) The proposal is consistent with the permissible hours of operation of Section 3.15.4 of Sydney Development Control Plan 2012 and accords with Section 4.4.6 of Sydney Development Control Plan 2012 for sex services premises.
- (E) Subject to the recommended conditions of consent, the proposed development will maintain the existing level of amenity currently obtained for the site locality and adjoining sites and will not result in additional adverse environmental impacts. Conditions of consent are recommended to ensure the use continues to be managed in appropriate manner in accordance safe practices and the procedures outlined within the endorsed Plan of Management.
- (F) Condition 10 was amended to clarify that the Plan of Management remains in effect if the ownership or management of the premises changes.

Carried unanimously.

D/2023/92