

## Resolution of Local Planning Panel

**30 August 2023**

### Item 6

**Development Application: 644 George Street, Sydney - D/2023/55**

The Panel granted consent to Development Application Number D/2023/55 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~~):

#### **(31) PLAN OF MANAGEMENT**

- a) The Plan of Management is to be amended to remove any conflicts between consent conditions 37 and 38 and the Plan of Management. The amended Plan of Management is to be approved by the Area Planning Manager prior to the issue of an Occupation Certificate.***
- b) The use must always be operated / managed in accordance with the approved Plan of Management. In the event of any inconsistency, the conditions of this consent will prevail over the Plan of Management.***

~~*The use must always be operated / managed in accordance with the Plan of Management, prepared by Planning Lab signed and dated 13 June 2023 (Trim reference no: 2023/376241) that has been 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.

#### **(38) QUEUING**

No persons are to be permitted to queue outside the ***karaoke and café areas in tenancy 10.41 premises*** at any time. Security officers are to ensure that there is no queue for the ***karaoke and café areas in tenancy 10.41 premises*** and take all reasonable steps to ensure compliance with this condition.

**Reason**

To safeguard the amenity of the surrounding neighbourhood.

**(39) CESSATION OF SERVICE**

The premises may be open for business only between the operating hours in condition **26** ~~27~~ above. The operator must cease providing food/alcohol/entertainment at the premises 15 minutes before the required closing time.

**Reason**

To ensure the development operates within the approved hours of operation.

**Reasons for Decision**

The application was approved for the following reasons:

- (A) The proposal is consistent with the objectives of the SP5 Metropolitan Centre zone as it provides a diversity of compatible land uses that are characteristic of Sydney's global status and that serve the workforce, visitors and wider community, and promotes the efficient and orderly development of land in a compact urban centre.
- (B) The development satisfies the objectives and provisions of the Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012.
- (C) The proposal, subject to conditions, is consistent with the relevant late night trading provisions in Section 3.15 of the Sydney Development Control Plan 2012.
- (D) The development, subject to conditions, will ensure that the on-going operation of the development does not create unreasonable disturbance or nuisance to surrounding properties.
- (E) Condition 31 was amended to ensure no ambiguity on the plan being approved and referenced in the condition and remove all inconsistencies from the document prior to the issue of an Occupation Certificate, and to require ongoing compliance with the approved Plan of Management.
- (F) Condition 38 was amended to specifically refer to the karaoke and café areas in tenancy 10.41.
- (G) Condition 39 was amended to correctly reference Condition 26 (Hours of Operation).

Carried unanimously (3-0).

D/2023/55