

Resolution of Local Planning Panel

19 March 2025

Item 3

Development Application: 306-312 Cleveland Street, Surry Hills - D/2024/1069

The Panel granted consent to Development Application Number D/2024/1069 subject to the conditions set out in Attachment A to the subject report.

Reasons for Decision

The application was approved for the following reasons:

- (A) The site is located within a locality that provides a broad mix of commercial uses. The development is consistent with the objectives of the MU1 Mixed Use Zone in that it provides for a diversity of business land uses and in accordance with an accepted plan of management, minimises conflict between the site and land uses within the adjoining R1 General Residential zone.
- (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 proposed development intends to utilise an existing 'primary' entry to the premises from Cleveland Street and proposes to limit the use of the rear lane for access. The proposal is generally consistent with the relevant objectives of the Sydney Development Control Plan 2012 in relation to sex services premises.
- (D) The proposed development does not seek to expand the approved hours of operation for the premises, noting part of the subject site has been used as a sex services premises since 1999. No complaints have been logged in the City's records system during in the previous 5 years.
- (E) The proposal provides accessible entry and parking for patrons and sex worker with mobility impairments. Amendments have been made to include additional heritage conservation works to the building.

- (F) The proposal will not result in a reduction in affordable housing within the locality, per Clause 47 of the Housing SEPP 2021, noting the premises has not been occupied as a boarding house within the period commencing 5 years before the lodgement of the subject development application.
- (G) Subject to the recommended conditions of consent, the proposed development will maintain an acceptable level of residential amenity for the site locality and adjoining sites. Conditions of consent are recommended to ensure the use continues to be managed in an appropriate manner in accordance safe practices and the procedures outlined within the endorsed Plan of Management.

Carried unanimously.

D/2024/1069