

## Relevant Information for Council

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**FILE:** X021737 **DATE:** 15 May 2020

**TO:** Lord Mayor and Councillors

**FROM:** Graham Jahn, Director City Planning, Development and Transport

**SUBJECT:** Information Relevant to Item 8.4 – Post Exhibition – Planning Proposal – 1-11 Oxford Street, Paddington – Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment

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### Alternative Recommendation

It is resolved that:

- (A) Council note matters raised in response to the public exhibition of the Planning Proposal: 1-11 Oxford Street, Paddington and draft Sydney Development Control Plan 2012: 1-11 Oxford Street, Paddington, as detailed in this report and as shown in Attachment E to the subject report;
- (B) Council approve the Planning Proposal: 1-11 Oxford Street, Paddington, as shown at Attachment A, to be made as a local environmental plan under section 3.36 of the Environmental Planning and Assessment Act 1979;
- (C) Council approve the draft Sydney Development Control Plan 2012: 1-11 Oxford Street, Paddington, as shown at Attachment B, **subject to the amendment of public domain, green roof, loading, servicing and access provisions in Section 6.3.x.x subclause (2) to read 'Four new trees are to be provided on Oxford Street, as shown in 'Figure 6.xx: 1-11 Oxford Street, Paddington – Public domain, loading, servicing and access' and a replacement full width awning is provided that improves pedestrian amenity (sun and rain protection), is sympathetic to heritage and accommodates the new trees.'**, noting that it will come into effect on the date of publication of the subject Local Environmental Plan, in accordance with Clause 21 of the Environmental Planning and Assessment Regulation 2000; and
- (D) authority be delegated to the Chief Executive Officer to make any minor amendments to Planning Proposal: 1-11 Oxford Street, Paddington and draft Sydney Development Control Plan 2012: 1-11 Oxford Street, Paddington to correct any minor errors or omissions prior to finalisation.

## **Background**

At the meeting of the Transport, Heritage and Planning Committee on 11 May 2020, further information was sought in relation to the transport and access assessment and the requirement for awnings related to the development of the site.

## **Transport Assessment**

A traffic and transport assessment report was submitted in support of the Planning Proposal, as shown at Attachment A. The report notes that the traffic generation and travel demands arising from the Planning Proposal and concept design will be consistent with the existing land uses on the site. The current uses are restaurant, guitar school, office suites, bar/nightclub and a café without no on-site parking, loading or waste pickup facilities. The proposed uses are a boutique hotel, event space, medical support space, restaurant and roof top food and beverage. There is little increase in population between the existing uses and the proposed uses.

The boutique hotel will contribute to the supply of visitor accommodation including for patients (and their families), both domestic and international, who have medical consultations at nearby institutions. The medical support space is multipurpose and could be used for medical education and training with an optic fibre connection. There is a truck loading dock, truck lift and driveway in the new proposal accessed from South Dowling Street as far away from the Oxford Street intersection as practical. The loading dock has been designed to accommodate the manoeuvring requirements of a small rigid vehicle and for it to enter and leave the site in a forward direction.

This was supported as an improvement and acceptable by Council's Transport Planners. Note that subsequent reports were updated as yield was reduced which reduced the impact. The Planning Proposal was referred to Transport for NSW (TfNSW) who did not object to the proposal but recommended the following:

- vehicle access to be as far as possible from the Oxford Street and South Dowling Street intersection
- the access point should be for service vehicles only
- access be restricted to left-in-left-out movements
- all loading for waste and other service vehicles be provided on site
- their support for the stopping restrictions in South Dowling Street being altered to accommodate pick-up and set-down, subject to further investigation and consultation in any future development application (DA).

The draft Development Control Plan includes controls consistent with recommendations from Transport for NSW to minimise traffic impacts on Oxford Street and South Dowling Street, which are both State controlled roads. The controls require access to the off-street waste and servicing area be restricted to a single driveway with left-in-left-out, accommodating a small rigid truck and located in the south-western corner of the building away from Oxford Street. The draft Development Control Plan also requires the submission of a transport management plan, incorporating all operations and servicing on the site, being submitted with the development application. The requirement for on-site loading and servicing with restricted access will improve the current situation which has waste collection, loading and servicing from the Oxford Street footpath.

Transport for NSW has given in-principle agreement for the provision for pick-up and drop-off on South Dowling Street. Pick-up and drop-off can also currently occur from no stopping zones on South Dowling and Oxford streets, which is allowed for taxis under (NSW) Road Rules r187. It is also noted that there is a specific 'no stopping taxis excepted (limit 1 minute)' area adjacent to the Palace Verona Cinema, approximately 50m to the east of the site.

## Awnings

Concern has been raised about potential removal of the existing continuous awning and its replacement with awnings over the entrances as this will reduce the protection from sun and rain for pedestrians. This was proposed primarily to provide the space for planting of four new street trees on Oxford Street in between the new awnings. The change to the awnings would allow for a full tree canopy that will in time improve the visual and physical amenity of the area through greening, shade, urban cooling and biodiversity. This was considered acceptable from a heritage perspective as documentary evidence in the heritage impact statement shows that the original 1911 picture theatre had no awning along Oxford Street.

However, an alternative recommendation has been proposed in this memorandum to amend section 6.3.x.x subclause (2) under the *Public domain, green roof, loading, servicing and access* section of the draft DCP to provide a replacement awning that provides pedestrian amenity (sun and rain protection), is sympathetic to heritage and allows for increased tree planting to Oxford Street as follows with deleted text shown as ~~striketrough~~ and new text as **bold**:

Four new trees are to be provided on Oxford Street, ~~allowing the replacement of the continuous awning with entry awnings,~~ as shown in 'Figure 6.xx: 1-11 Oxford Street, Paddington – Public domain, loading, servicing and access' **and a replacement full width awning is to be provided that improves pedestrian amenity (sun and rain protection), is sympathetic to heritage and accommodates the new trees.**

Alternatively, if Council prefers to retain the existing continuous awning, rather than the proposal to require the four new trees in Oxford Street, it could be resolved that provision (2) in section 6.3.x.x Public domain, green roof, loading, servicing and access of the draft DCP be deleted.

Prepared by: Peter Failles, Senior Planner

**Attachments**

**Attachment A.** Transport Impact Assessment Report

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Approved

A handwritten signature in black ink, appearing to read 'GJahn', is positioned to the right of the 'Approved' text.

**GRAHAM JAHN AM**

Director City Planning, Development and  
Transport