

**Item 3.****Development Application: 12A Dadley Street, Alexandria - D/2025/468****File Number:** D/2025/468**Summary**

<b>Date of Submission:</b>	29 May 2025
<b>Applicant:</b>	The Council of the City of Sydney
<b>Architect/Designer:</b>	Chief Operations Office
<b>Developer:</b>	The Council of the City of Sydney
<b>Owner:</b>	The Council of the City of Sydney
<b>Planning Consultant:</b>	Not applicable
<b>Heritage Consultant:</b>	Not applicable
<b>Cost of Works:</b>	\$0.00
<b>Zoning:</b>	SP2 – Infrastructure zone. The development is defined as a 'Community Facility', which is permissible with consent.
<b>Proposal Summary:</b>	<p>The application seeks consent for new hours of operation for the existing community centre of 7am to 12midnight Monday to Sunday. The application does not seek approval for any physical works.</p> <p>The application is reported to the Local Planning Panel because the applicant and landowner is the Council of the City of Sydney.</p> <p>The application was notified for a period of 28 days between 2 June 2025 and 3 July 2025. Eleven (11) submissions were received. Issues raised included the proposed operational model, the proposed extended hours, residential amenity impacts and no parking provision.</p> <p>The proposal is generally consistent with the requirements and objectives of the Sydney Local Environmental Plan</p>

2012 and Sydney Development Control Plan 2012 in terms of objectives and character of the local area.

**Summary Recommendation:** The development application is recommended for approval, subject to conditions.

**Development Controls:**

- (i) Environmental Planning and Assessment Act (EPA Act) 1979
- (ii) Environmental Planning and Assessment Regulation (EPA Regs) 2021
- (iii) Sydney Local Environmental Plan (SLEP) 2012
- (iv) Sydney Development Control Plan (SDCP) 2012

**Attachments:**

- A. Recommended Conditions of Consent
- B. Drawing
- C. Plan of Management
- D. Submissions

**Recommendation**

It is resolved that consent be granted to Development Application Number D/2025/468 subject to the conditions set out in Attachment A to the subject report.

**Reasons for Recommendation**

The application is recommended for approval for the following reasons:

- (A) The development is generally consistent with the objectives of Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012.
- (B) The continued use of the site as a community facility is consistent with the objectives of the SP2 - Infrastructure zone.
- (C) The development is compatible with the character of the Erskineville Oval locality and the Kingsclear Heritage Conservation Area.
- (D) The application has demonstrated the proposal will not result in unacceptable amenity impacts on surrounding properties.
- (E) The proposal is in keeping with the future desired character of the area and is considered to be in the public interest.

## Background

### The Reason the Application is Reported to the Local Planning Panel

1. The application is reported to the local Planning Panel for determination as it is identified in Schedule 3 of the Local Planning Panels Direction of 3 March 2024 as being within the following category:
  - (a) Conflict of Interest
2. The development application falls within the category of Conflict of Interest as the applicant and landowner is the Council of the City of Sydney.
3. The application is a Council-related Development Application as defined in the Environmental Planning Assessment Act. As such the application has been assessed in accordance with the Council's Council-related Development Applications Policy 31 March 2023.
4. The policy details the process for identifying and managing potential conflicts of interest, assessing the level of risk, and determining appropriate management controls.
5. When received Council-related Development Applications are assigned a level of risk in accordance with the policy and where relevant a management statement in accordance with the requirements of the Regulation is prepared. This management statement explains how Council will manage potential conflicts of interest.
6. The policy identifies any application for which the Local Planning Panel is the consent authority as being Medium Risk and has been assessed in accordance with the Policy..
7. The following applies to all applications which constitute Council-related development:
  - (a) development assessment staff not involved with preparing the application will assess the DA;
  - (b) development assessment staff will remain separated from the project team;
  - (c) development assessment staff involved in the assessment of the DA and reviewing of the report to be presented to the Local Planning Panel, complete a declaration confirming that they do not have a conflict of interest;
  - (d) written records are kept of all communications between applicant staff and applicants' representatives (whether staff or external consultants);
  - (e) substantial discussions only occur in the context of a formal meeting and written records of such meetings are kept;
  - (f) all Council-related Development Applications are publicly exhibited for a minimum of 28 days; and
  - (g) the management strategy is exhibited with the application and remains publicly available on the NSW Planning Portal.

### The Site and Surrounding Development

8. The site has a legal description of Lot 6 & Lot 7 Section A in DP2307, known as 12A Dadley Street, Alexandria. It is irregular in shape with a site area of approximately 385.7 square metres. It has a primary street frontage of 26 metres to Renwick Street, a secondary street frontage of 21 metres to Dadley Street and a third frontage to Allen Lane of 11 metres. Levels on the site are relatively flat.
9. The site contains a vacant single-storey octagonal shaped blond-brick building (with a gross floor area of 134 square metres) and a small surrounding garden (253 square metres). The building was originally opened as a Baby Health Centre in 1964 by the N.S.W Minister for Health, which continued use until approximately 1999.
10. More recently the building was used by Aleena Aboriginal Home Care Service to provide Home and Community Care (HACC) facilities for elderly / disabled Aboriginal people with operating hours 9am to 5pm Monday to Friday, until the property was vacated on 16 May 2022.
11. The surrounding area is characterised primarily by residential dwelling houses, with a small three-storey residential flat building located immediately north of the site. A public reserve (The Jack Shuttleworth Reserve) is set directly to the south. The Cliff Noble Community Centre is located 60m southwest of the site, with local shops in Mitchell Road.
12. The site is located within the Kingsclear Heritage Conservation Area (HCA) (Heritage Ref: C3). The site is identified as a detracting building within the HCA. The nearest heritage items are located on the western side of Mitchell Road at Nos 7 to 11 (Heritage Item refs: I23 and I24).
13. The site is located within the Erskineville Oval locality area and is identified as being subject to flooding.
14. A site visit was carried out on 30 June 2025. Photos of the site and surrounds are provided below:



**Figure 1:** Aerial view of subject site and surrounds



**Figure 2:** Subject site viewed from corner of Daley Street and Renwick Street facing east





**Figure 3:** Subject site viewed from Dadley Street facing southeast



**Figure 4:** Front entrance of subject site on corner of Dadley Street and Renwick Street facing east





**Figure 5:** Rear courtyard area viewed from corner of Renwick Street and Allen Lane facing northwest

## History Relevant to the Development Application

### Development Applications

15. The following applications are relevant to the current proposal:

- **D/2002/635** – Development consent was granted on 23 October 2002 for alterations and additions to function as a community centre offering Home and Community Care Services to elderly Aboriginal people and Aboriginal people with disabilities, operating hours 9.00am to 5.00pm Monday to Friday.
- **D/2003/842** – Development consent was granted on 5 December 2012 for additions and alterations to existing HACC facility including new external laundry, new fence and landscaping and signage.
- **TPR/2015/7** – Development consent was granted on 20 January 2015 to prune 1 tree.

### Amendments

16. Following a preliminary assessment of the proposed development by Council Officers, a request for additional information was sent to the applicant on 22 July 2025:

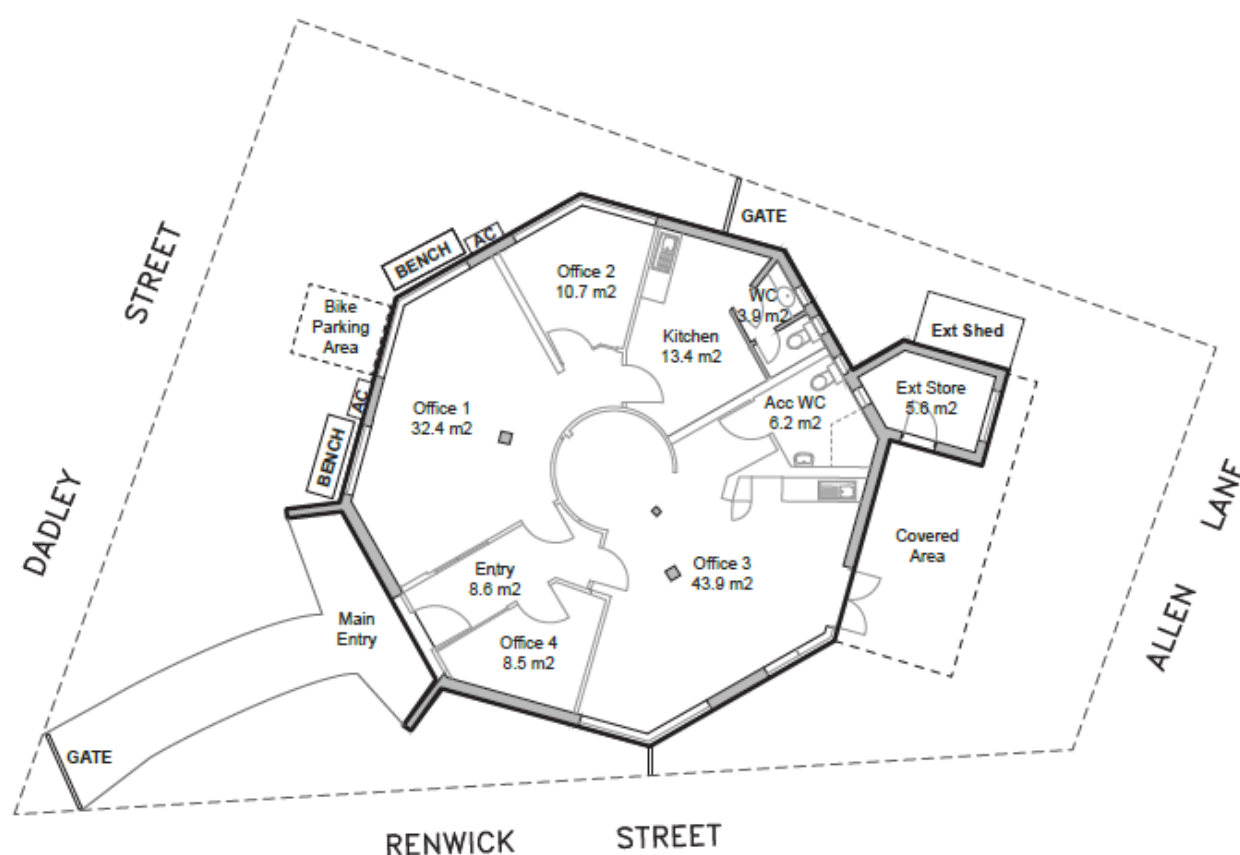
- Amend Plan of Management (POM) to reflect Council's internal complaint investigation procedures; and



- Provide further information on the existing parking situation and expected modes of travel.
17. The applicant responded to the request on 7 August 2025 and 15 August 2025, providing the requested information.

### Proposed Development

- The application seeks consent to operate the existing community facility between the hours of 7am - 12midnight, 7 days a week.
18. A proposed floor plan and a plan of waste management for the site are provided below.



**Figure 6:** Proposed floor plan

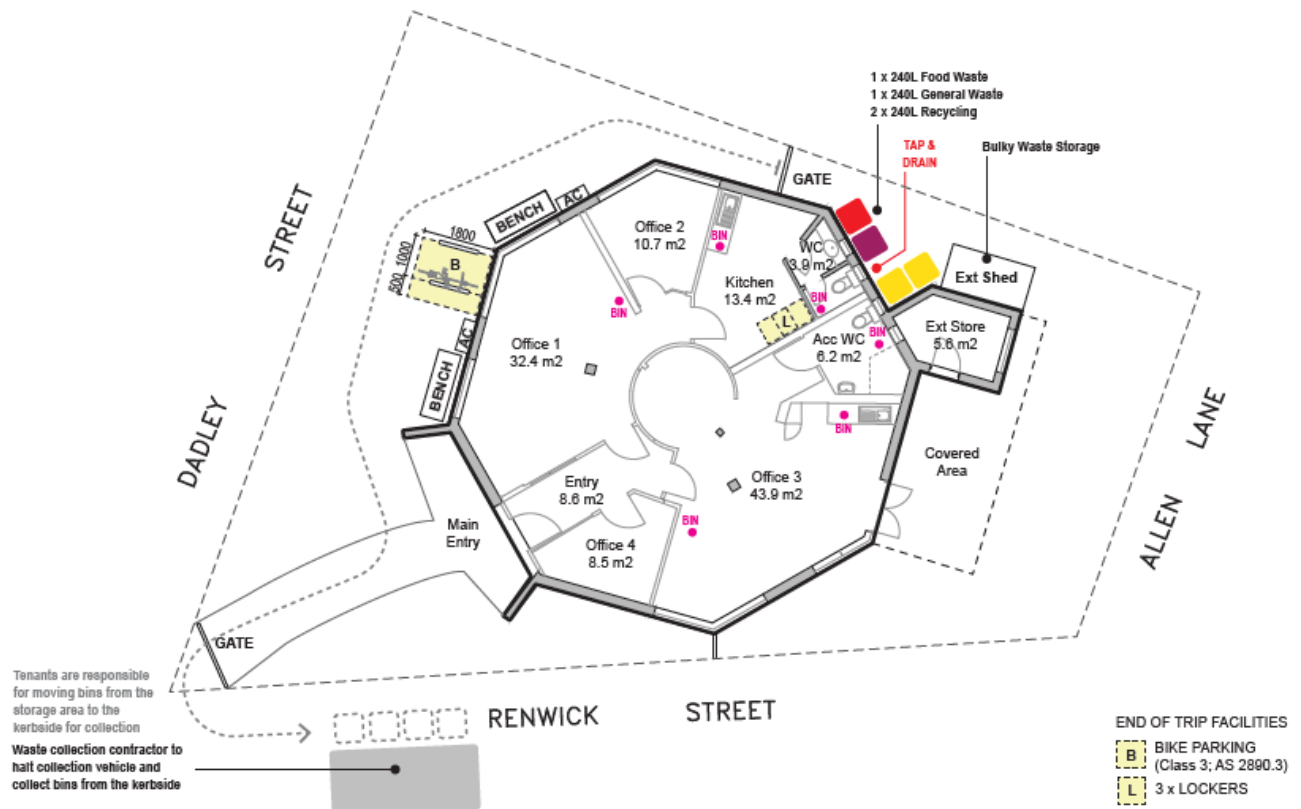


Figure 7: Proposed waste management plan

## Assessment

19. The proposed development has been assessed under Section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

## Local Environmental Plans

### Sydney Local Environmental Plan 2012

20. An assessment of the proposed development against the relevant provisions of the Sydney Local Environmental Plan 2012 (SLEP) is provided in the following sections.

### Part 2 Permitted or prohibited development

Provision	Compliance	Comment
2.3 Zone objectives and Land Use Table	Yes	<p>The site is located in the SP2 Infrastructure zone.</p> <p>The proposed development is defined as 'Community Facility' under the purpose shown on the Land Zoning Map and is permissible with consent in the zone.</p> <p>The proposal generally meets the objectives of the zone.</p>

**Part 4 Principal development standards**

Provision	Compliance	Comment
4.3 Height of buildings	Yes	<p>A maximum building height of 9 metres is permitted.</p> <p>No change to the existing height of the building is proposed.</p> <p>The proposed development complies with the maximum height of buildings development standard.</p>
4.4 Floor space ratio	Yes	<p>A maximum floor space ratio of 1:1 or 386 square metres is permitted.</p> <p>No change to the existing gross floor area of 134 square metres is proposed.</p> <p>The proposed development complies with the maximum floor space ratio of 1:1 development standard.</p>

**Part 5 Miscellaneous provisions**

Provision	Compliance	Comment
5.10 Heritage conservation	Yes	<p>The site is located within the Kingsclear Heritage Conservation Area HCA (C3).</p> <p>No physical works are proposed.</p>
5.21 Flood planning	Yes	<p>The site is identified as being subject to flooding. The City's Probable Maximum Flood (PMF) mapping indicates a portion of the site is at risk of flooding.</p> <p>No physical works are proposed to the building and no additional flood risk measures are required.</p>

**Part 7 Local provisions – general**

Provision	Compliance	Comment
Division 1 Car parking ancillary to other development		
Other land uses	Yes	<p>The 'Community Facility' land use is not prescribed any specific parking provision under the SLEP.</p> <p>Where the development comprises a land use not specified a specific parking rate in the SLEP, the proposed rate of</p>



Provision	Compliance	Comment
		<p>car parking provision proposed, in this case no on site car parking, is to be justified via a Parking and Access Report.</p> <p>This information was provided on 7 and 15 August 2025.</p> <p>See further details in the Discussion section below.</p>
Division 4 Miscellaneous		
7.14 Acid Sulfate Soils	Yes	<p>The site is located on land with class 5 Acid Sulfate Soils.</p> <p>The application does not propose works requiring the preparation of an Acid Sulfate Soils Management Plan.</p>

## Development Control Plans

### Sydney Development Control Plan 2012

21. An assessment of the proposed development against the relevant provisions within the Sydney Development Control Plan 2012 is provided in the following sections.

#### Section 2 – Locality Statements

22. The site is located within the Erskineville Oval locality. The proposed development is in keeping with the unique character and the design principles of the Erskineville Oval locality. The existing building is to be retained and no external changes are proposed. No trees or vegetation are proposed to be removed, maintaining the pleasantly landscaped area.

#### Section 3 – General Provisions

Provision	Compliance	Comment
3.5 Urban Ecology	Yes	The proposed development does not involve the removal of any trees and will not have an adverse impact on the local urban ecology.
3.7 Water and Flood Management	Yes	<p>The site is identified as being on flood prone land.</p> <p>No physical works are proposed to the building and no additional flood risk measures are required.</p>

Provision	Compliance	Comment
3.9 Heritage	Yes	<p>The site is located within the Kingsclear Heritage Conservation Area (HCA) (Heritage Ref: C3).</p> <p>The building is identified as a detracting building to the HCA.</p> <p>No physical works are proposed.</p>
3.11 Transport and Parking	Yes	<p>No vehicle access or vehicle parking is provided for the site.</p> <p>See further details in the Discussion section below.</p>
3.13 Social and Environmental Responsibilities	Yes	<p>The proposed development provides adequate passive surveillance and is generally designed in accordance with the CPTED principles.</p>
3.14 Waste	Yes	<p>An appropriate Waste Management Plan accompanies the development application.</p> <p>Waste collection is proposed once per week, occurring between 6am 10pm Monday to Friday, and 8am 10pm on weekends and public holidays.</p> <p>Waste is to be collected from Renwick Street kerbside, with bins to be transferred to/from the collection area by the tenants.</p> <p>A condition is recommended to ensure the proposed development complies with the relevant provisions of the City of Sydney's 'Guidelines for Waste Management in New Development'.</p>
3.15 Late Night Trading Management	Yes	<p>The proposal is defined as a 'Category B - Low Impact Premises' and is not located within a late night trading area.</p> <p>The proposed internal operating hours are from 7am to 12midnight, 7 days a week, with a maximum patron capacity of 25 persons.</p> <p>See further details in the Discussion section below.</p>

## Discussion

### Late Night Trading Management

23. The proposed operating hours trigger the late-night trading provisions under Section 3.15 of the SDCP. The community use is not neatly defined as a 'premises' within Section 3.15; however, it would most closely be characterised as a 'Category B - Low Impact Premises'. The site does not fall within a defined late-night trading area, nevertheless, as per 3.15(2) all proposals outside of late night trading areas are subject to these provisions.
24. The current approved operating hours are Monday to Friday 9am to 5pm. The application proposes to extend the internal operating hours to 7am to 12midnight, 7 days a week (with 7am to 8pm outside hours).
25. As per Table 3.8 of the SDCP, proposed hours of operation for the premises are as follows:

	Indoor	Outdoor
<b>Proposed base hours</b>	7am to 10pm	7am to 8pm
<b>Proposed extended hours</b>	10pm to 12midnight	n/a

26. The intensity of the use of the community facility will be limited by its small size and a proposed maximum capacity of 25 patrons at any one time. The proposed hours of operation fall within the extended hours permissible for the premises and complies with Section 3.15 of the SDCP.
27. Section 3.15.4(3) and (9) of the SDCP requires any hours that are beyond base hours be subject to a trial period of 2 years in the first trial, and 5 years in second and subsequent trials. The duration of 2 years is considered acceptable in this instance as:
  - (a) The site has no recent history of substantiated complaints or compliance issues.
  - (b) The proposed hours are the same as the approved operating hours of the nearby Cliff Noble Community Centre at 24 Suttor Street, Alexandria, and Alexandra Town Hall at 73 Garden Street, Alexandria.
  - (c) An appropriate Category 'B' Plan of Management (POM) has been provided and is deemed satisfactory by the City's Licensed Premises and Late-Night Trading Officer.
28. Alcohol may be served on the premises in conjunction with events related to cultural and community activities. Prior consent will be required from the City's Health and Building team for the supply and consumption of alcohol at the venue, and if necessary, will also require an appropriate liquor licence under the Liquor Act 2007, which must be provided to the City 14 days prior to the event. No alcohol is permitted to be consumed outside the Venue at any time.



29. The City's Conditions of Hire and the POM for the site provide comprehensive guidelines for minimising any residential amenity impacts, including restricting outdoor access after 8pm, no amplified sound after 10pm and a maximum patronage of 25 persons.
30. An appropriate condition is recommended to require compliance with the Plan of Management.

### **Noise management**

31. Specific clauses are incorporated into the City's Conditions of Hire and lease/licences to minimise disturbance to neighbours. A formal comprehensive complaints procedure is implemented by the City. The City monitors noise and would respond to any complaints promptly on each occasion.
32. Regardless of the operating model, all tenants and hirers will be responsible for noise management and need to comply with the City's Conditions of Hire, which includes noise controls.
33. The Conditions of Hire and POM for the site are both comprehensive and provide clear advice as to the acceptable use of the site. Appropriate conditions will be applied to the planning consent requiring compliance with the Plan of Management.

### **Food provision**

34. With appropriate approvals, food can be served on the premises in conjunction with related to cultural and community activities. Where a hirer is self-catering, the hirer must be aware of and comply with the health guidelines for the safe preparation, handling and serving of food at functions, as per the Conditions of Hire.
35. Submissions relating to the proposed development raised concerns with outdoor cooking and associated noise from the use of the garden area at unsociable times.
36. The applicant confirmed that the centre does not provide an on-site BBQ and no outdoor cooking is allowed and that no alcohol is to be consumed outside the centre at any time. The POM stipulates that no access is allowed to any external areas after 8pm.

### **Operational model**

37. The community centre is proposed to operate as a community facility, defined in the SLEP as a building or place for the physical, social, cultural or intellectual development or welfare of the community. The proposed operational model is designed to allow for maximum flexibility for a variety of services and programs to be delivered, subject to the policies and procedures of the City.
38. Anticipated uses include administrative and operational tasks, community oriented educational and recreational classes, community support or self-help groups, special events or workshops etc. The centre is not anticipated to be used until midnight every day of the week. The temporary use of the facilities through venue hire will be administered and managed by the City of Sydney's Community Venues team through a Conditions of Hire agreement.
39. If the services are to be delivered by a third-party provider, the provider will be subject to the terms and conditions of a lease or license agreement.

40. No objection to the proposed operational model and accompanying Plan of Management was raised by the City's Licensed Premises & Late-Night Licensing team, nor the Environmental Health Team.
41. The City has a well-established venue hire policy, noise management procedures and a formal comprehensive complaints procedure. The City is well versed in managing community buildings and does not intend allowing intrusive noisy uses at the site, and will take the necessary steps to promptly address any issue if it were to arise.

### **Traffic and parking**

42. Historically, three on-street car parking spaces were allocated to the Alexandria Home Care vehicles between 8am and 6pm, Monday to Friday. This dedicated parking was specifically for the home care service and does not carry over to the community centre now the home care service no longer operates at the site.
43. No vehicle access or car parking is proposed to be provided on site.
44. Nevertheless, unrestricted on-street parking is available on Renwick Street and on-street parking is available on Dudley Street, subject to the following parking restriction:
  - 2P free parking Monday to Friday 8am – 6pm (Area 36 Permit Holders Excepted).
45. A Travel Mode survey was submitted based on a similar community facility (Cliff Noble Community Centre) within the local area to understand the modes of transport likely to be used by users of the community facility.
46. The Travel Mode Survey identified the following:
  - Walking 55%
  - Public transport / Community bus 25%
  - Car (driving and drop off) 15%
  - Bicycle 5%
47. The Survey identified that 10% of patrons arriving at the Cliff Noble Centre drove to the site, with 5% being dropped off. Based on the survey and 25-person capacity of the subject site, a maximum of around three people are expected to drive to the site at any one time.
48. Duration of group events and sessions is stated to be 2 hours or less. The 2P parking along Dudley Street (up to 7 spaces) can be used for people arriving by car, noting that approximately three people are expected to drive. Given the availability of on-street parking around the site, parking demand for the proposed use can be accommodated within the local area.

### **Public transport**

49. Notwithstanding the nil parking provision on site, the centre is centrally positioned in the neighbourhood and likely to be utilised predominantly by local residents. Public transport is easily accessible to and from the site with bus stops along Mitchell Street, Henderson Road, and Wyndham Street. Redfern Train Station and Erskineville Train Station are located 850m and 950m from the site respectively.

### Bicycle parking

50. The Travel Mode survey of Cliff Noble Community Centre states that 5% of patrons are expected to ride a bicycle to the site.
51. Based on this, around two people could be expected to ride to the subject site. A condition is recommended to require the provision of a minimum of two bicycle parking spaces (1x class 3 rail) be provided within the bicycle parking area allocated on site.
52. A condition is recommended to require the provision of appropriate bicycle parking and lockers on the site.

### Servicing

53. Servicing, deliveries, loading/unloading is expected to occur up to 3 x per week, with vehicles using available on-street parking up to 100m from the site. Duration of servicing can range from 15 minutes to 1 hour, therefore the 2P parking along the site frontage can be utilised for this purpose.

## Consultation

### Internal Referrals

54. The application was discussed with Council's:
  - (a) Environmental Health Unit;
  - (b) Transport and Access Unit; and
  - (c) Waste Management Unit.
55. The above advised that the proposal is acceptable subject to conditions. Where appropriate, these conditions are included in the Notice of Determination.

## Advertising and Notification

56. In accordance with the City of Sydney Community Participation Plan 2019, the proposed development was notified for a period of 28 days between 3 June 2025 and 2 July 2025. A total of 230 properties were notified and 11 submissions were received.
57. The submissions raised the following issues:
  - (a) **Issue:** Increased noise impacts will result from increased intensity of spaces.  
  
**Response:** All tenants and hirers will be responsible for noise management and will need to comply with the City's Conditions of Hire - Community Venues regulations and the Plan of Management for the site. A maximum patronage of 25 persons is proposed and outdoor access is restricted after 8pm.



- (b) **Issue:** Traffic and parking impacts.

**Response:** The accompanying Travel Mode surveys demonstrates most users will access the site via public transport, bicycle or walking. Sufficient public parking is available in proximity of the site for the anticipated number of users expected to use a vehicle.

- (c) **Issue:** Proposed uses are too ambiguous.

**Response:** The operational nature of a community centre is as a "community facility" which is to be used for the physical, social, cultural or intellectual development or welfare of the community. Council owns the building and has agency over any group, tenant or lessee that might occupy the building. Regardless of the operating model, all tenants, hirers etc. will be responsible for noise management and adherence to the Plan of Management for the site.

- (d) **Issue:** Building not fit-for-purpose.

**Response:** The building is classed as a 'Class 9b' which is an assembly building where people gather for social, theatrical, political, religious, or civic purposes. The building class is considered appropriate for the existing community facility use.

- (e) **Issue:** Privacy impacts from windows facing residential buildings.

**Response:** The building, as constructed, has existed in this location since the early 1960's. The community facility use was approved in 2002. No physical works are proposed to the external facade of the building.

- (f) **Issue:** Waste management concerns.

**Response:** The Waste Management Plan for the site is considered to be in accordance with the City's 'guidelines for waste management in new developments'. Council's Cleansing and Waste Officer raised no concerns with the proposed Waste Management Plan for the site and a planning condition is applied to the consent to require compliance with the City's waste guidelines.

- (g) **Issue:** Odours from outside cooking space.

**Response:** There is no BBQ provided in the garden and outdoor cooking is not permitted. A suitably worded condition is recommended to restrict any outside cooking.

- (h) **Issue:** Plan of Management is too vague.

**Response:** The Plan of Management was reviewed by Council's Licensed Premises and Late Night Licensing and Environmental Health officers. No concerns were raised from either section regarding the level of detail within the Plan of Management.

- (i) **Issue:** Alcohol on site will not be effectively managed.

**Response:** Prior consent will be required from the City for the supply and consumption of alcohol at the venue and will also require an appropriate liquor licence under the Liquor Act 2007. The City's Conditions of Hire - Community Venues appropriately regulates the non-staffed use of the community centre.

## **Financial Contributions**

### **Contribution under Section 7.11 of the EP&A Act 1979**

58. The development is undertaken by or on behalf of Council and is a development type excluded from the need to pay a contribution.

### **Contribution under Section 7.13 of the Sydney Local Environmental Plan 2012**

59. As the development is for the purpose of community facilities the development is excluded and is not subject to a Section 7.13 affordable housing contribution.

## **Relevant Legislation**

60. Environmental Planning and Assessment Act 1979.

## **Conclusion**

61. Approval is sought for new hours of operation for the community centre of 7am 12 midnight, 7 days a week (7am to 8pm outside hours). The application does not seek approval for any physical works.
62. The application is reported to the Local Planning Panel as the applicant and landowner is The Council of the City of Sydney.
63. A total of 11 submissions were received. Issues raised include the proposed operational model, the proposed extended hours, potential residential amenity impacts and nil parking provision. These concerns are addressed within the report.
64. The site is long-established within a residential neighbourhood area. It is considered that the proposed use/extended hours can be appropriately managed so as to minimise impacts on surrounding premises.

65. The proposal is in keeping with the desired future character of the Erskineville Oval locality and the Kingsclear Heritage Conservation Area, and is considered to be in the public interest.
66. The proposal is generally consistent with the objectives, standards and guidelines of the relevant planning controls, and recommended for approval subject to appropriate conditions.

**ANDREW THOMAS**

Executive Manager Planning and Development

Julie Terzoudis, Planner