

Resolution of Local Planning Panel

8 April 2026

Item 3

Section 8.2 Review of Determination: 212-214 King Street, Newtown - RD/2025/585/B

The Panel refused consent for Review of Determination Application number RD/2025/585/B.

Reasons for Decision

The review application was refused for the following reasons:

- (A) The proposal does not demonstrate site suitability in accordance with section 4.15(1)(c) of the Environmental Planning and Assessment Act, 1979, as it does not adequately demonstrate safe and practical pedestrian access to the site and along the footway, particularly considering the proposed servicing arrangements and food delivery riders expected to use the premises that will conflict with pedestrian flow on the footpath. The proposal does not provide on-site parking spaces for delivery riders, which will likely result in parked bicycles or motorcycles obstructing the public domain.
- (B) The proposal does not comply with the design excellence provisions under Clause 6.21C of the Sydney Local Environmental Plan 2012 as it does not sufficiently respond to the suitability of the land for development, impact on the public domain and the pedestrian, cycle, service access and circulation requirements.
- (C) The proposal does not comply with the relevant objectives and provisions of the Sydney Development Control Plan 2012, including controls relating to waste management, transport and parking, and the public domain.
- (D) The proposal does not demonstrate proper management relating to pedestrian and road safety, and traffic related concerns raised by the NSW Police in their comment on the original proposed development.
- (E) Matters raised by internal and external referrals on the original development application are unresolved, particularly that the proposal does not provide onsite visitor bicycle parking spaces or onsite loading. It is not possible to mitigate or minimise the unresolved impacts through conditions of approval.

- (F) The development is unsatisfactory when assessed pursuant to the matters for consideration at section 4.15(1)(b)(c) and (e) of the Environmental Planning and Assessment Act, 1979 including that the proposed development is not in the public interest.

Carried unanimously.

RD/2025/585/B