

7 April 2015

Manager, Key Sites
Department of Planning and Environment
GPO Box 39
Sydney NSW 2001

Email: Amy.Watson@planning.nsw.gov.au

Attn: Amy Watson

Dear Sir/Madam,

Re: Consent 86/0459 – Retail Market, Paddington

This letter pertains to the aforementioned development consent granted by the Department of Planning and Environment (DPE) on the 30th December 1987, for land located at Oxford, Elizabeth, Gordon and Newcombe Streets Paddington and 24-28 Gordon Street, Paddington. The consent was for retail markets, commonly known as the Paddington Markets. Due to an approved mixed use development to be located at 24-28 Gordon Street (also known as 1 Newcombe Street), a modification to the original market consent is required, as this site is currently used as car parking for stall holders.

Background

The Market Consent (86/0459) currently requires that 'Area 2' being 24-28 Gordon Street will provide 79 car parking spaces free of charge for stall holders. It also states that in the event the parking site is no longer available, the markets shall cease.

City of Sydney Council granted development consent (D/2010/1932) for a mixed use development located at 1 Newcombe Street, Paddington (24-28 Gordon Street), on the 14 May 2012. Part A of this deferred commencement approval requires the following to be satisfied prior to the consent becoming operative:

- (1) *That if 79 car parking spaces cannot be provided, free of charge, on market days for stall holders with market stalls located in the school and church premises at 3*
- (2) *95 Oxford Street, Paddington NSW, during any period of time (including the construction phase), then the equivalent number of car spaces shall be provided, in the same terms, at an alternative site approved by the relevant consent authority and the consent dated 18 December 1987 shall be modified accordingly.*

The proposed modification to the Department responds to this condition and is further detailed in this letter.

A section 96 Modification has been recently submitted to City of Sydney for design changes to the building in response to other conditions of Part A of the deferred commencement consent (D/2010/1932). The relevant plans and details of this section 96 modification have been included in this submission for reference, however a full copy of documentation may be requested if more information is required.

Proposed Modification

The proposed modification is for both the temporary car parking arrangements for the Paddington markets while the proposed development is under construction, and for the permanent car parking arrangements that will then be utilised on completion of the basement car parking.

During the construction period, 1 Newcombe Street will not be available for stall holder parking, and as such an alternative parking location will be provided. Sydney Boys High School has agreed that 79 car parking spaces can be utilised on Saturdays, during the construction period, for market stall holders. Stall holders will drop their belongings at the markets (as per current procedure) and then drive to the School to leave their car. A shuttle bus will then take the stall holders back to the markets. At the conclusion of the markets each Saturday afternoon, the shuttle bus will transport the market stall holders from the markets back to Sydney Boys High to retrieve their cards, load their remaining stall equipment and depart from the markets. This is a temporary measure only for the construction period of the basement car park which is estimated at 6 months. A Temporary Parking & Traffic Management Plan is enclosed by separate attachments and provides further details of the temporary parking solution.

Once the basement car park has been completed, 79 car parking spaces will be available for stall holders on Saturdays, through a stacked parking regime. Stall holders will be able to drop their items at the market (as per current procedure), then park in the lower basement level (Basement 2). This procedure is outlined in the Traffic Management Plan prepared for the proposed development which is enclosed by separate attachment. This will be appropriately managed to ensure limited conflicts with residents or other users of the building.

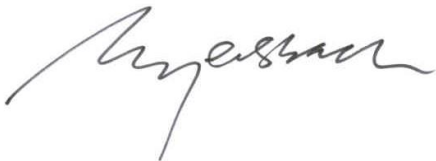
This modification seeks to modify the following conditions of the original consent, to allow for the aforementioned temporary and permanent parking measures:

3. The car parking area shall provide car parking, free of charge, for at least seventy nine (79) cars. An attendant shall supervise the parking of cars within the area at all times. The car parking area shall be restricted to the parking of vehicles of stallholders or traders of the markets. The car parking area shall not open prior to 7:30a.m.

4. In the event that the car parking area ceases to be available to the applicant for car parking purposes in accordance with these conditions, the use of the school and church premises for markets shall cease forthwith.

We trust this information is sufficient for the DoPE to continue to assessment. Please do not hesitate to contact me if you require anything further. I can be emailed at gerbach@macroplan.com.au or telephone me on 9221 5211. Alternatively, you can contact Sally Prowd from our office on prowd@macroplan.com.au.

Yours sincerely,



Wayne Gersbach
General Manager – NSW

Attachments:

1. Temporary Parking and Traffic Management Plan, prepared by Parking and Traffic Consultants Pty Ltd
2. Section 96 Traffic Management Plan (Permanent Solution, on completion of the development), prepared by Parking and Traffic Consultants Pty Ltd
3. Relevant Section 96 modification Architectural Plans prepared by MBMO Architects
4. Section 96 modification Statement of Environmental Effects prepared by MacroPlan Dimasi