

# Local Planning Panel

Meeting No 115

Wednesday 14 May 2025

Notice Date 7 May 2025

*minutes*

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#### **Present**

Dr Robert Stokes (Chair), Mr Stephen Pearse, Ms Louise Sureda and Ms Judy MacGraw.

At the commencement of business at 5:03pm, those present were:

Dr Stokes, Mr Pearse, Ms Sureda and Ms MacGraw.

The Executive Manager Planning and Development was also present.

The Chair opened the meeting with introductory comments about the purpose and format of the meeting and an acknowledgement of country.

**Item 1      Disclosures of Interest**

In accordance with section 4.9 of the Code of Conduct for Local Planning Panel Members, all panel members have signed a declaration of interest in relation to each matter on the agenda.

No members disclosed any pecuniary or non-pecuniary interests in any matter on the agenda for this meeting of the Local Planning Panel.

**Item 2      Confirmation of Minutes**

The Panel noted the minutes of the Local Planning Panel of 30 April 2025, which have been endorsed by the Chair of that meeting.

**Item 3      Development Application: 153 Redfern Street, Redfern - D/2024/1218**

The Panel refused consent for Development Application Number D/2024/1218.

**Reasons for Decision**

The application was refused for the following reasons:

- (A) The application has been assessed in accordance with section 4.15(1) of the Environmental Planning and Assessment Act, 1979 ('the Act'). The proposed takeaway food and drink premises is not suitable for the site for the following reasons:
  - (i) The proposal does not demonstrate that the site can be safely and practically serviced, particularly in relation to site deliveries and waste collection. Inadequate provision for on-site servicing results in reliance on off-site loading in the public domain that are not suitably located or designed to accommodate the ongoing operational needs of the development.
  - (ii) The submitted Waste Management Plan is inadequate and does not provide sufficient detail to demonstrate that waste can be appropriately stored, collected, or managed on the site.
  - (iii) The proposal does not demonstrate safe and practical customer access to the site, particularly considering the mix of pedestrians and food delivery riders expected to use the premises. The proposal does not provide bicycle parking racks for visitors or delivery riders, which will likely result in parked bicycles obstructing the public domain.
  - (iv) The proposal to operate 24 hours a day, 7 days a week does not comply with the late night trading management objectives and provisions of the Sydney DCP 2012 and would likely have a significant impact on the locality.
- (B) The proposal does not comply with the design excellence provisions under Clause 6.21C of the Sydney LEP 2012 and does not sufficiently respond to the heritage controls outlined in the Sydney LEP 2012 and Sydney DCP 2012. The site is located on a prominent corner and has high visibility within the surrounding context. The proposal would negatively impact the heritage significance of the surrounding conservation area.
- (C) The proposal is not consistent with the objectives of SEPP (Industry and Employment) 2021 – Chapter 3 Advertising and Signage as set out in Clause 3.1 and does not satisfy the assessment criteria specified in Schedule 5.
- (D) The proposal does not comply with the relevant objectives and provisions of the Sydney DCP 2012, including controls relating to signage, waste management, hours of operation, accessible design, active street frontage, heritage, transport and parking, and the public domain.
- (E) The proposal has not adequately addressed crime prevention through environmental design, and several concerns have been raised by NSW Police in their objection to the development. The submitted Plan of Management does not adequately outline how the operation could be effectively managed.

- (F) Matters raised by internal and external referrals have not been addressed and are unresolved. It is not possible to mitigate or minimise the unresolved impacts through conditions of approval.
- (G) The development is unsatisfactory when assessed pursuant to the matters for consideration at section 4.15(1)(e) of the EP&A Act. The proposed development is not in the public interest.

Carried unanimously.

D/2024/1218

**Speakers**

Nicola Mansfield, Andrew Wilkinson, Angela Karpin AM and Douglas Williams.

Jack Holliday (McDonalds Australia Ltd) – on behalf of the applicant, and Rachel McNeil (SLR Consulting) – on behalf of the applicant.

The meeting of the Local Planning Panel concluded at 6:00pm.

CHAIR