

Local Planning Panel

Meeting No 130

Wednesday 8 April 2026

Notice Date 1 April 2026

minutes

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Present

Graham Brown (Chair), Elisabeth Peet, Marcus Trimble and Judy MacGraw.

At the commencement of business at 5.05 pm, those present were:

Mr Brown, Ms Peet, Mr Trimble 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.

Order of Business

The Panel agreed that the order of business be altered, such that Item 7 be dealt with prior to Item 3, for the convenience of the registered speaker.

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 25 February 2026, which have been endorsed by the Panel Members and Chair of that meeting.

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

Speakers

Gino Gigliotti (McDonald's Australia) – on behalf of the applicant, Rachel McNeil (SLR Consulting) - on behalf of the applicant, and Tim Rogers (Colston Budd Rogers & Kafes) – on behalf of the applicant.

Item 4 Development Application: 98-106 Kippax Street, Surry Hills - D/2025/758

The Panel:

- (A) upheld the variation requested to Clause 4.3 (Height of Buildings) in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012;
- (B) upheld the variation requested to Section 19(2)(b) for the minimum landscaped area of the State Environmental Planning Policy (Housing) 2021, in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012;
- (C) upheld the variation requested to Section 19(2)(e) and (f) for minimum car parking spaces of the State Environmental Planning Policy (Housing) 2021, in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012;
- (D) determined that the requirement under Clause 6.21 of the Sydney Local Environmental Plan 2012 requiring a competitive design process is unreasonable or unnecessary in the circumstances; and
- (E) granted consent to Development Application Number D/2025/758 subject to the conditions set out in Attachment A to the subject report, subject to the following amendments (additions shown in ***bold italics***, deletions shown in ~~striketrough~~):

(27) UNIT 602 DESIGN MODIFICATIONS

The design of the building must be modified as follows:

- (a) An operable ***window*** ~~louvered fanlight~~ is to be incorporated ***to the external breezeway wall*** ~~the entrance door~~ of Unit 602 to achieve natural cross-ventilation.

Detailed drawings are to be submitted to and approved by Council's Director City Planning, Development and Transport prior to the issue of a Construction Certificate.

Reason

To require amendments to the approved plans and supporting documentation following assessment of the development.

Reasons for Decision

The application was approved for the following reasons:

- (A) The proposed development is consistent with the objectives of the MU1 Mixed Use zone.
- (B) The proposed development generally satisfies the relevant provisions of the State Environmental Planning Policy (Housing) 2021, notwithstanding the request to vary the minimum car space and minimum landscaped area controls, and is generally consistent with the Apartment Design Guide.
- (C) The proposed development satisfies the relevant objectives and provisions of the Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012.
- (D) Having considered the matters in Clause 6.21 of the Sydney LEP 2012, the proposal displays design excellence.

- (E) Based upon the material available to the Panel at the time of determining this application, the Panel is satisfied that:
- (i) the applicant has demonstrated that compliance with the height of buildings development standard in clause 4.3 of the Sydney LEP 2012 is unreasonable or unnecessary in the circumstances and that there are sufficient planning grounds to justify contravention of the development standard in accordance with the requirements of clause 4.6(3) of the Sydney LEP 2012;
 - (ii) the applicant has demonstrated that compliance with the minimum landscaped area, and minimum car parking spaces development standards in clauses 19(2)(b)(e) and (f) of the SEPP (Housing) 2021 are unreasonable or unnecessary in the circumstances and that there are sufficient planning grounds to justify contravention of the development standards in accordance with the requirements of clause 4.6(3) of the Sydney LEP 2012; and
 - (iii) the proposal is in the public interest because it is consistent with the objectives of the MU1 Mixed Use zone and the height of buildings, and the SEPP (Housing) 2021 development standards.
- (A) Condition 27 was amended to improve natural cross-ventilation and remove any reference to provision of a fanlight above the window.

Carried unanimously.

D/2025/758

Speaker

David Milliken (Owners Corporation of 69-81 Foveaux Street).

Item 5 Development Application: 21 Buckland Street, Alexandria - D/2025/1311

The Panel:

- (A) upheld the variation requested to Clause 4.4 Floor space ratio in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012; and
- (B) granted consent to Development Application Number D/2025/1311 subject to the conditions set out in Attachment A to the subject report.

Reasons for Decision

The application was approved for the following reasons:

- (A) The development is consistent with the objectives of the MU1 Mixed Use zone.
- (B) The proposal generally satisfies the objectives and provisions of the Sydney Local Environmental Plan 2012 and, subject to conditions, will not create adverse amenity impacts nor cause disturbance in the neighbourhood.
- (C) The proposal is consistent with the relevant objectives of the Sydney Development Control Plan 2012.
- (D) Based upon the material available to the Panel at the time of determining this application, the Panel is satisfied that the applicant has demonstrated that compliance with the floor space ratio development standard in clause 4.4 of the Sydney LEP 2012 is unreasonable or unnecessary in the circumstances and that there are sufficient environmental planning grounds to justify the contravention of the development standard in accordance with the requirements of clause 4.6(3) of the Sydney LEP 2012.

Carried unanimously.

D/2025/1311

Speaker

Sarah Carr (Smith & Tzannes) – on behalf of the applicant.

Item 6 Development Application: 553 Crown Street, Surry Hills - D/2026/49

The Panel:

- (A) granted consent to Development Application Number D/2026/49 subject to the conditions set out in Attachment A to the subject report, subject to the following amendments (additions shown in ***bold italics***, deletions shown in ~~strikethrough~~):

(2) DESIGN MODIFICATIONS

The design of the building must be modified as follows:

- (a) Windows WEX-1.02 and WEX-1.01 on the western elevation are to contain translucent glass treatments to improve visual privacy.
- (b) The proposed projecting wall sign is to have a minimum clearance ***for pedestrian safety and responds to the architectural detail of the façade*** ~~of 2.6m measured from the existing ground level of the footway immediately below the underside of the sign.~~
- (c) The balustrade to the first-floor balcony on the eastern elevation should be a separated handrail with a gap above the iron work.
- (d) The materials and samples schedule is to be amended to detail all rainwater services including downpipes, gutters, rainwater heads and spreaders visible from the public domain as metal.
- (e) The materials and samples schedule is to be amended to detail the floor treatment to the entryway.

The modifications are to be submitted to and approved by Council's Area Coordinator Planning Assessments or Area Planning Manager prior to the issue of a Construction Certificate.

Reason

To require amendments to the approved plans and supporting documentation following assessment of the development.

(19) BOUNDARY WINDOWS COVENANT

All windows adjacent to the western ***and northern*** boundaries of the site must be sealed, bricked up or otherwise enclosed, prior to the construction of any building abutting, adjoining or adjacent to such windows. A positive covenant is to be registered on the Titles of all units/tenancies facing the affected boundary and is to be created appurtenant to Council, containing terms reasonably required by Council and will be drafted by Council's solicitor at the cost of the applicant, in accordance with the City's Fees and Charges. Evidence of the registration of the positive covenant is to be submitted to and acknowledged by Council prior to the issue of any Construction Certificate.

Reason

To ensure the constructed development does not inhibit the future redevelopment of adjoining sites.

- (B) upheld the variation requested to Clause 4.4 of the Sydney LEP 2012 in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012.

Reasons for Decision

The application was approved for the following reasons:

- (A) The proposed development is consistent with the objectives of the E1 Local Centre zone.
- (B) The proposed development satisfies the relevant objectives, provisions and aims of the Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012.
- (C) Having considered the matters in Clause 6.21 of the Sydney LEP 2012, the proposal exhibits design excellence.
- (D) Based upon the material available to the Panel when determining this application, the Panel is satisfied that the applicant has demonstrated that compliance with the floor space ratio development standard in Clause 4.4 of the Sydney LEP 2012 is unreasonable or unnecessary in the circumstances and that there are sufficient environmental planning grounds to justify the contravention of the development standard in accordance with the requirements of Clause 4.6(3) of the Sydney LEP 2012.
- (E) The proposal is in the public interest because it is consistent with the objectives of the E1 Local Centre zone and the floor space ratio development standard.
- (F) Condition 2(b) was amended to allow flexibility for a review of site constraints and existing conditions on site.
- (G) Condition 19 was amended to extend the condition to the northern boundary.

Carried unanimously.

D/2026/49

Speaker

Simon Rochowski (studioplusthree) – on behalf of the applicant.

Item 7 Development Application: 5-11 Bridge Street, Sydney – D/2025/1335

The Panel granted consent to Development Application Number D/2025/1335 subject to the conditions set out in Attachment A to the subject report, subject to the following amendments (additions shown in ***bold italics***):

(9) COMPLIANCE WITH ACCESS REPORT

The recommendations of the Access Report prepared by ABE Consulting Ref 25386 dated 12 November 2025 are to be implemented as far as is reasonably practicable to the satisfaction of the Certifier prior to the issue of a Construction Certificate.

Reason

To ensure the premises provide adequate accessibility measures in accordance with the National Construction Code.

Remaining conditions to be renumbered accordingly.

Reasons for Decision

The application was approved for the following reasons:

- (A) The development, subject to conditions, is consistent with the objectives of the SP5 Metropolitan Centre Zone.
- (B) The proposal exhibits design excellence and generally satisfies the objectives and provisions of the Sydney Local Environmental Plan 2012, subject to conditions.
- (C) The proposal is consistent with the relevant objectives of the Sydney Development Control Plan 2012, subject to conditions.
- (D) Subject to the recommended conditions of consent, the proposed development has acceptable impacts on the heritage significance of the site.
- (E) Subject to the recommended conditions of consent, the proposed development will have an acceptable impact on the amenity of the site locality and will not result in unreasonable adverse environmental impacts to adjoining sites. Conditions of consent are recommended to ensure the premises are managed in accordance with the endorsed Plan of Management and relevant standards.
- (F) Condition 9 was added to ensure accessibility is addressed prior to the issue of a Construction Certificate.

Carried unanimously.

D/2025/1335

Speaker

Giovanni Cirillo (Planning Lab) – on behalf of the applicant.

The meeting of the Local Planning Panel concluded at 5.53 pm.

CHAIR