

Local Planning Panel

Meeting No 131

Wednesday 29 April 2026

Notice Date 22 April 2026

minutes

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Present

Jan Murrell (Chair), Vanessa Holtham, Elizabeth Kinkade and Jayden Bregu.

At the commencement of business at 5:01pm, those present were:

Ms Murrell, Ms Holtham, Ms Kinkade and Mr Bregu.

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.

Adjournment

Following the discussion on Item 5, at 6:36pm, the meeting was adjourned to allow Panel members to consider matters raised by the speakers in Item 3.

All Panel members were present at the resumption of the meeting of the Local Planning Panel at 7:03pm.

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

Item 3 Development Application: 158-160 Abercrombie Street, Redfern - D/2025/1210

The Panel granted consent to Development Application Number D/2025/1210 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 ~~strike through~~):

(6) NATIONAL CONSTRUCTION CODE COMPLIANCE - CHANGE OF USE/CLASSIFICATION (NO BUILDING WORK PROPOSED)

Pursuant to Section 62 of the Environmental Planning and Assessment Regulation 2021, the building must comply with:

- (a) the Category 1 fire safety provisions in the Regulation;
- (b) the fire protection and structural capacity requirements as defined in the Regulation, and
- (c) Section 14 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

Prior to a Construction Certificate / any Occupation Certificate being issued for the new use, documentation detailing compliance with this condition including the performance requirements of the *Building Code of Australia* ~~as prescribed below~~ ***as relevant*** must be submitted to and be approved by the Registered Certifier or Principal Certifier.

- ~~(i) Fire isolated stair shafts — Part C2;~~
- ~~(ii) Fire isolated stair construction — Part D3;~~
- ~~(iii) Visibility in an emergency, exit signs and warning systems — Part E4;~~
- ~~(iv) Upgrade of the existing smoke detection system to an Early Warning Detection System as a Performance Requirement — AS 1670.1 — 2018 — Part E — Specs.~~

Note: The obligations under this condition to comply with the Category 1 fire safety provisions * and fire safety and structural adequacy requirements may require building work to be carried out even though none is proposed or required in this consent. A Construction Certificate must therefore be obtained prior to work commencing for any building work required to be undertaken.

* *Category 1 fire safety provisions* are the following provisions of the *Building Code of Australia*, namely, E1P3, E1P4, E1P6, E2P1, E2P2 and E3P2 in Volume One of the Code and H3P2 in Volume Two of the Code.

Reason

To ensure the building and approved use affords adequate fire safety in accordance with the Building Code of Australia.

(7) VERIFICATION OF ACOUSTIC REPORT PRIOR TO OCCUPATION CERTIFICATE

Prior to the issue of any occupation certificate, the Certifier must ensure the following:

- (a) A suitably qualified acoustic consultant must be appointed in accordance with the definition noted in the City of Sydney - Environmental Noise Technical Requirements, dated October 2025.
- (b) The consultant must inspect and review the completed development and ensure that:
 - (i) The final building work is assessed for compliance with the relevant acoustic Construction Certificate(s), **via appropriate verification testing**, the approved acoustic report, and all applicable noise-related conditions and documentation of this consent.
 - (ii) Any non-compliances identified under (i) above are documented in writing, with specific reference to the relevant acoustic criteria, and must include a scope of work necessary to rectify the issues and achieve compliance.
 - (iii) All requirements under this clause are completed to the written satisfaction of the Certifier.
- (c) Following completion of item (b), the consultant must notify the Certifier in writing of any identified non-compliances.

Reason

To ensure the development complies with construction and fit out plans and the relevant standards in the approved acoustic report.

(9) TRADING HOURS - SENSITIVE USES

The trading hours are regulated as follows:

- (a) The permitted trading hours on the ground floor are restricted to between 10.00am and 12.00 midnight Monday to Sunday.
- (b) The permitted trading hours on the first floor are restricted to between 10.00am and 10.00pm Monday to Sunday.
- (~~bc~~) Notwithstanding (~~ab~~) above, the premises may trade between 10.00pm and 12:00 midnight for a trial period of two years from the date of the Occupation Certificate.
- (~~ed~~) Should the operator seek to continue the extended operating hours outlined in (~~bc~~) above, an application must be lodged with Council within 30 days before the end of the trial period. Council's consideration of a proposed continuation and/or extension of the hours permitted by the trial will be based on, among other things, the performance of the operator in relation to the compliance with development consent conditions, any substantiated complaints received and any views expressed by NSW Police and Liquor & Gaming.

Note: These hours do not apply to the outdoor dining areas.

Reason

To ensure the premises trades within the approved trading hours.

(11) PLAN OF MANAGEMENT

The use must always be operated / managed in accordance with the Plan of Management titled The Eveleigh Hotel Plan of Management, dated 25 November 2025, signed by Todd Buncome. In the event of any inconsistency, the conditions of this consent will prevail over the Plan of Management.

The Plan of Management can be revised at any time through the submission of a Section 4.55 modification application.

Note: Any changes to the Plan of Management must be approved by Council's Area Planning Manager.

Note: The complaints register must be available to Council at any given time.

Reason

To ensure all parties are aware of the approved supporting documentation that applies to the development.

(16) ACOUSTIC TESTING

Three months after the implementation of the acoustic attenuation measures, testing is to be conducted by a suitably qualified acoustic consultant which demonstrates the performance of noise mitigation measures against Council's Noise Criteria. This information is to be provided to Council's Area Planning Manager for approval. Note that further works may be required should Council's Noise Criteria not be complied with.

Reason

To ensure that noise mitigation measures are implemented as per the Acoustic Report.

(17) SECURITY GUARDS

Security guards are to be provided on Friday and Saturday nights.

Reason

To reasonably maintain residential amenity.

Reasons for Decision

The application was approved for the following reasons:

- (A) The development, subject to conditions, is consistent with the objectives of the R1 - General Residential zone.
- (B) The development, subject to conditions, is consistent with the objectives and provisions of the Sydney Local Environmental Plan 2012 and the Sydney Development Control Plan 2012.
- (C) Issues raised in the submissions have been considered in the assessment and conditions of consent have been included to address these concerns.
- (D) The development, subject to conditions, is unlikely to result in significant adverse environmental or amenity impacts on the surrounding locality.

- (E) Condition 6 was amended to provide flexibility for Certifiers to conduct the appropriate assessment.
- (F) Condition 7 was amended to provide an additional acoustic assessment checkpoint.
- (G) Condition 9 was amended to clarify the proposed extended trading hours are not applicable to outdoor dining areas, and to correct typography errors.
- (H) Condition 11 was amended to ensure any modifications be submitted to and approved by Council, and ensure the complaints register be available to Council upon request.
- (I) Condition 16 was added to ensure compliance with the Acoustic report.
- (J) Condition 17 was added to reasonably maintain residential amenity.

Community objections

A number of objectors provided oral and further written submissions at the Panel meeting. Representatives from the applicant also provided oral submissions. The objectors raised the following matters:

- Acoustic amenity impacts
- Late night trading
- Poor venue management and patron behaviour
- Outdoor dining non-compliance
- Public nuisance and safety concerns
- Parking and traffic impacts

The Panel was satisfied that the issues raised during the Panel meeting have been satisfactorily addressed in the Council Officer's report, advice from the applicant's representatives, advice from Council staff and conditions of consent.

The Panel concluded that the proposed development is suitable for approval.

Carried unanimously.

D/2025/1210

Speakers

Jason Leong, Peter Zurcher, Judex (Far West Redfern Dwellers) and Frances Tracey.

Liz Crosby, Todd Buncombe (Eveleigh Hotel) – on behalf of the applicant, and Rhydian Cook (Eveleigh Hotel) - on behalf of the applicant.

Item 4 Development Application: 431 Glebe Point Road, Glebe - D/2025/1006

The Panel:

- (A) upheld the variation requested to Clause 4.3 Height of buildings development standard in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012;
- (B) 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
- (C) granted consent to Development Application Number D/2025/1006 subject to the reasons below and the conditions set out in Attachment A to the subject report, subject to the following amendments (additions shown in ***bold italics***, deletions shown in ~~strike through~~):

(2) HOUSING AND PRODUCTIVITY CONTRIBUTION

Before the issue of any Construction Certificate the housing and productivity contribution (HPC) set out in the table below is required to be made.

Housing and productivity contribution	Amount
Housing and productivity contribution (base component)	\$127,925.46
Transport project component	-
Total housing and productivity contribution	\$127,925.46

The HPC must be paid using the NSW planning portal.

At the time of payment, the amount of the HPC is to be adjusted in accordance with the *Environmental Planning and Assessment (Housing and Productivity Contributions) Order 2024* (HPC Order).

The HPC may be made wholly or partly as a non-monetary contribution (apart from any transport project component) if the Minister administering *the Environmental Planning and Assessment Act 1979* agrees.

The HPC is not required to be made to the extent that a planning agreement excludes the application of Subdivision 4 of Division 7.1 of the *Environmental Planning and Assessment Act 1979* to the development, or the HPC Order exempts the development from the contribution.

~~The amount of the contribution may be reduced under the HPC Order, including if payment is made before 1 July 2025.~~

Reason

To require contributions towards the provision of regional infrastructure.

(4) BUILDING HEIGHT

- (a) The height of the building must not exceed RL ~~48.26~~ **48.41** (AHD) to the top of the new building additions.
- (b) Prior to an Occupation Certificate being issued, a Registered Surveyor must provide certification that the height of the building accords with (a) above, to the satisfaction of the Principal Certifier.

Reason

To ensure the constructed development complies with the approved height.

(5) FLOOR SPACE RATIO - ALL OTHER AREAS

The following applies to Floor Space Ratio:

- (a) The Floor Space Ratio for the ~~business~~ use must not exceed 2.46:1.
- (b) Prior to an Occupation Certificate being issued, a Registered Surveyor must provide certification of the total and component Gross Floor Areas (by use) in the development, utilising the definition under Sydney Local Environmental Plan 2012, applicable at the time of development consent, to the satisfaction of the Principal Certifier.

Reason

To ensure the constructed development complies with the approved floor space ratio.

(9) SERVICE VEHICLE SIZE LIMIT

The size of vehicles servicing the property must be a maximum length of 6.4m and a maximum height of ~~2.2m~~ **2.6m**.

Reason

To maintain the orderly operation of vehicle parking and loading areas.

(17) TREE(S) APPROVED FOR REMOVAL

- (a) The tree(s) detailed in Table below are approved for removal. Tree removal must not occur until the Construction Certificate has been issued.

Table 1 – Tree Removal:

Tree Number	Species:	Location
3	Elaeocarpus reticulatus (Blueberry Ash)	SW corner boundary
6	Banksia integrifolia (Coastal Banksia)	Northern boundary - Leichhardt St

7	Banksia integrifolia (Coastal Banksia)	Northern boundary - Leichhardt St
10	Corymbia cirtiodora (Lemon-scented Gum)	Northern boundary - Leichhardt St
12	Corymbia cirtiodora (Lemon-scented Gum)	Northern boundary - Leichhardt St
13	Melaleuca bracteata (Black Tea Tree)	Northern boundary - Leichhardt St
14	Melaleuca bracteata (Black Tea Tree)	Northern boundary - Leichhardt St
20	Banksia integrifolia (Coastal Banksia)	Southern boundary
20A	Acacia sp. (Wattle)	Southern boundary
24A	Jacaranda mimosifolia (Jacaranda) Lemon Scented Gum	Southern boundary
25	Corymbia cirtiodora (Lemon-scented Gum)	Southern boundary

- (b) Tree removal works must be carried out by a qualified Arborist (minimum AQF Level 3) and in accordance with SafeWork's Code of Practice - Amenity Tree Industry.

Reason

To identify the trees that can be removed.

(24) ALLOCATION OF PARKING

The number of car parking spaces to be provided for the development must comply with the table below. Details confirming the parking numbers must be submitted to the satisfaction of the Registered Certifier prior to the issue of a Construction Certificate.

Car Parking Type	Number
Residential spaces	23
Residential small car spaces	9 6
Accessible residential spaces	5
Service vehicle spaces	1
Motorcycle parking	1

Reason

To ensure the allocation of parking is in accordance with the Council's DCP.

(58) COMPLIANCE WITH ARBORIST'S REPORT

- (a) All recommendations, Tree Protection Specifications (TPS), Tree Protection Plan (TPP) and Methodology Statements contained in the approved Arboricultural Report prepared by Tree Wise Me, Dated ~~4 July 2025~~ **15 September 2025**, must be implemented during the demolition, construction and use of the development.

Reason

To ensure that works affecting trees are carried out in an appropriate manner and in accordance with the approved arborist's report.

(83) LOADING DOCK SCHEDULE/REGISTER

The on-site small rigid vehicle loading bay space is also to be available for all residents for use by removal vehicles, bulky good deliveries and similar. This shall be managed either by a schedule showing residents when they can use the dock, or by a register managed on site to allow residents to reserve a time period for their deliveries.

The size of vehicles accessing this loading bay must be a maximum length of 6.4m and maximum height of ~~2.2m~~ **2.6m**.

This information is to be made available to all residents/tenants of the building.

Reason

To ensure that the loading bay space is appropriately managed.

Reasons for Decision

The application was approved for the following reasons:

- (A) 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 Local Environmental Plan 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 Local Environmental Plan 2012.
 - (ii) the applicant has demonstrated that compliance with the floor space ratio development standard in Clause 4.4 of the Sydney Local Environmental Plan 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 Local Environmental Plan 2012.
- (B) The proposal exhibits design excellence in accordance with the requirements contained in Clause 6.21C of Sydney Local Environmental Plan 2012.
- (C) The proposal retains the heritage significance of the site being a local heritage item.
- (D) The proposal retains the heritage significance of heritage items in proximity of the site and the Glebe Point Road Heritage conservation Area.
- (E) The proposal is generally consistent with the relevant objectives and provisions of Sydney Development Control Plan 2012.
- (F) Conditions have been amended in line with requests made by the applicant.

Carried unanimously.

D/2025/1006

Speakers

John Sleeman.

Daniel Brindle (BBC Consulting Planners) – on behalf of the applicant and David Earp (TKD Architects) - on behalf of the applicant.

Item 5 Development Application: 183-187 Harris Street, Pyrmont - D/2025/1163

The Panel:

- (A) did not support the variation to Clause 4.3 'Height of Buildings' development standard as requested in accordance with Clause 4.6 'Exceptions to Development Standards' of the Sydney LEP 2012;
- (B) did not support the variation to Clause 4.4 'Floor Space Ratio' development standard as requested in accordance with Clause 4.6 'Exceptions to Development Standards' of the Sydney LEP 2012; and
- (C) refused consent to Development Application D/2025/1163 for the reasons outlined below.

Reasons for Decision

The application was refused for the following reasons:

- (A) Council is not satisfied that the applicant has demonstrated that compliance with Clause 4.3 Height of Building development standard of the Sydney LEP 2012 is unreasonable or unnecessary in the circumstances and there are insufficient environmental planning grounds to justify the contravention of the development standard in accordance with Clause 4.6(3) of the Sydney LEP 2012.
- (B) Council is not satisfied that the applicant has demonstrated that compliance with Clause 4.4 Floor Space Ratio development standard of the Sydney LEP 2012 is unreasonable or unnecessary in the circumstances and there are insufficient environmental planning grounds to justify the contravention of the development standard in accordance with Clause 4.6(3) of the Sydney LEP 2012.
- (C) The development breaches the bulk and massing controls including the Clause 4.3 height of buildings and Clause 4.4 floor space ratio development standards of the Sydney LEP 2012, the height in storeys controls under Section 4.2.1.1 of the Sydney DCP 2012. The additional bulk and mass from the new third storey will be visible from the side elevations from the public domain exceeding the current roofline and the noncompliances to achieve this additional storey are an indication of overdevelopment for the site.
- (D) The apartment design does not meet Section 147(1)(a) of the SEPP (Housing) 2021 as it does not meet Design Principles 2 (Built Form and Scale) or 5 (Landscape) under Schedule 9 of the SEPP.
- (E) The apartment design does not comply with the Building Separation at zone boundaries under Design Criteria 2F, Communal Open Space under Design Criteria 3D-1, Deep Soil Zones under Design Criteria 3E-1 and Ceiling Heights under 4C-1 of the Apartment Design Guide.
- (F) The development does not exhibit design excellence as per Section 6.21C of the Sydney LEP 2012.

- (G) There is insufficient information and detail to demonstrate compliance with technical requirements including accessibility, landscaping, waste, transport, environmental impacts, surveying, sustainability and public domain requirements.
- (H) The public interest is not achieved by this development for the reasons above.

Carried unanimously.

D/2025/1163

The meeting of the Local Planning Panel concluded at 7:18pm.

CHAIR