



INNER WEST LOCAL PLANNING PANEL
MEETING

9 March 2023

MINUTES

MINUTES of the **INNER WEST LOCAL PLANNING PANEL MEETING** held via Zoom
Teleconference on 9 March 2023

Present: Adjunct Professor David Lloyd KC, Ms Lindsey Dey, Mr Kenneth Hawke and Mr Brian Kirk.

Staff Present: Denise Benger - Team Leader Planning Policy, Louise Higginson - Senior Strategic Planner, Jarrad Sheather - Senior Strategic Planner and Thy Huynh - Administration Officer.

Meeting commenced: 12:00pm and finished at 12:04pm

**** ACKNOWLEDGEMENT OF COUNTRY**

I acknowledge the Gadigal and Wangal people of the Eora nation on whose Country we are meeting today, and their elders past, present and emerging.

**** DECLARATION OF PECUNIARY INTERESTS AND NON-PECUNIARY INTERESTS**

There were no declarations of interest.

Agenda Item 1	PPAP/2023/0001 - Enmore Road Special Entertainment Precinct
Description	Planning proposal to amend the <i>Inner West Local Environmental Plan 2022 (IWLEP 2022)</i> to designate part of Enmore Road, Enmore as a Special Entertainment Precinct.

DECISION OF THE PANEL

THAT the Inner West Planning Panel resolved as follows:

1. That it supports the Planning Proposal prepared by Inner West Council in principle.
2. That it supports the Planning Proposal prepared by Council officers dated February 2023 to amend the Inner West LEP 2022 to include part of Enmore Road, Enmore as a Special Entertainment Precinct as having sufficient strategic and site specific merit to be submitted to the Minister for Planning for a Gateway Determination in accordance with section 3.34 of the Environmental Planning and Assessment Act 1979.
3. The Panel, however, also recommends that the following changes be made to the Planning Proposal Report to provide more complete information in support of the Proposal and better inform the public.
 - a. Additional background information explaining how the geographic boundaries of the Precinct were determined.
 - b. Further details explaining how, and under what powers, amplified music is to be regulated by Council in accordance with The Special Entertainment Precinct Management Plan, and what enforcement regime and penalties may apply to repeat offenders.
 - c. A full explanation of the legislation that has triggered the declaration of the Special Entertainment Precinct, including gaming laws, the 24-hour economy and related legislation should be included. Hyperlinks to relevant legislation should be included throughout the report.
 - d. Consultation with Transport for NSW should be undertaken, not only because the area includes a Classified Road, but the precinct will be reliant on late night public transport.
 - e. A review of both the current and projected waste management and servicing should be undertaken.
 - f. The social and economic impacts on the SEP and interface areas should be further considered.
4. The Panel recommends the following changes to the proposed DCP or POM.
 - a. These need to go beyond noise control and include vibration, disturbance by patrons leaving venues late at night, security and safety, CCTV, lighting, signage and wayfinding, security guard to patron ratio, crowd management, shopfront vacancy management, landscaping, wall treatments (street art), support for art forms other than live music such as art galleries and “pop up” venues.
 - b. The requirement for venues within the Special Entertainment Precinct be similar to those for boarding houses and other entertainment facilities (such as the display of a 24 hour contact number, complaints register, regular review of the relevant POM, amongst others).

- c. Methods of communication in addition to the online options presented in the Planning Proposal should be included.
 - d. The management (including monitoring) of noise and hours of operation needs to be specified, to ensure that the Planning Proposal remains current and fit-for-purpose. This should be compared with the results of monitoring and surveys undertaken.
 - e. The title of section 7.6 should be amended to read “Police handling of noise complaints.”
5. The Panel suggests that the following matters be considered by staff in the implementation of the Special Entertainment Precinct.
- a. Council consider the appointment of a Place Manager to co-ordinate the implementation of the Special Entertainment Precinct and provide liaison with the Council, businesses and the local community.
 - b. Notes on section 10.7 planning certificates should cover a wider area than those properties within the Precinct.
 - c. FAQs should be provided in any community consultation regarding anticipated hours of operation.
 - d. Further consideration be given to the frequency and hours of operation of waste management.
 - e. Consultation with Transport for NSW, noting the status of Enmore Road as a Classified Road.
 - f. There be an annual review of the operation of the Precinct and its impacts, including an analysis of all complaints, non-compliances, submissions, and consultations with interested parties including stakeholders and the Police.
 - g. Council conduct a review of the residential parking scheme surrounding the Precinct as a priority.
 - h. Council undertake regular evening and night parking patrols in the vicinity of the Precinct.
 - i. Minor editing of the Planning Proposal document to achieve clarification.

Reasons for the recommendation

1. The Planning Proposal gives effect to the positive public responses during the initial trial of the Special Entertainment Precinct.
2. The Planning Proposal fulfills the Council’s resolution of 24 May 2021, 13 September 2022, and December 2022 supporting the establishment of the Enmore Road Special Entertainment Precinct.
3. The Planning Proposal assists in achieving the objectives of the following strategic plans:
 - The Greater Sydney Regional Plan: a metropolis of three cities.
 - The Eastern City District Plan: Planning Priority E4.
 - Our Inner West 2036 – Council’s Community Strategic Plan 2022.
 - Our Place Inner West - Local Strategic Planning Statement.
4. The Planning Proposal is generally consistent with all relevant State Environmental Planning Policies.
5. The Planning Proposal is consistent with all applicable s.91 Ministerial Directions.
6. Any potential adverse impacts can be satisfactorily controlled by the adoption of the proposed DCP, By the adoption of the proposed Special Entertainment Precinct Management Plan, And by the imposition of conditions of consent on individual development applications.

The decision of the panel was unanimous.

Agenda Item 2	
Description	<ol style="list-style-type: none"> 1. Recommendation on whether the following matters are better addressed in <i>Inner West LEP 2022</i> (LEP) or Inner West Comprehensive Development Control Plan (DCP) <ol style="list-style-type: none"> a. Landscaped area b. Dwelling mix c. Minimum lot size 2. Recommendation on whether or not carrying over the existing building envelope controls currently contained within Leichhardt DCP 2013 into the Inner West Comprehensive DCP is likely to result in an adverse planning outcome; noting that the former Leichhardt area does not currently contain controls for the maximum height of buildings in the R1 – General Residential zone on the Height of Buildings Map.

DECISION OF THE PANEL

THAT the Inner West Planning Panel resolved as follows:

1. Landscaped area and site coverage are to be retained as an LEP matter for the former Leichhardt area. The provisions should be reviewed and extended to apply across the entire LGA (all residential zones) as part of future amendments to the Inner West LEP 2022.

2. Dwelling mix is to be included as a DCP matter within the Comprehensive DCP. Further investigations should be carried out to rationalise the existing controls and determine the requirements for when dwelling mix controls should be applied.

3. Minimum subdivision lot size should be retained as a LEP control. The provisions should be reviewed and extended to apply across the entire LGA (all residential zones) as part of future amendments to the Inner West LEP 2022.

4. The building envelope controls for the former Leichhardt area should be retained as an interim measure within the Comprehensive DCP until such time that a review of the LEP height of building controls has been undertaken. The provisions regarding height of building should be reviewed and potentially extended to apply across the LGA as part of future amendments to the Inner West LEP 2022.

The decision of the panel was unanimous.

The Inner West Planning Panel Meeting finished at 12:04pm.

CONFIRMED:



**Adjunct Professor David Lloyd KC
Chairperson
20 December 2022**