

Resolution of Council

24 August 2020

Item 11.6

Heritage Protection and Compliance

Moved by Councillor Scott, seconded by the Chair (the Lord Mayor) –

It is resolved that:

(A) Council note:

- (i) heritage protection in the City of Sydney is guided by Federal, State and City policies and planning instruments to protect the heritage character of the City's neighbourhoods; including in:
 - (a) Rosebery, which is recognised as a special character area that has been forged and protected over time, initially through a covenant imposed by the original owners and now carefully crafted planning controls;
 - (b) parts of Surry Hills, Paddington and a range of other City suburbs, which are protected by their listing as heritage conservation areas in the City's planning instruments; and
 - (c) buildings and other objects of heritage significance, protected by their listing on local, state and federal heritage registers;
- (ii) the City of Sydney's Compliance Policy and the Prosecution and Civil Enforcement Policy guides the City's enforcement activities and decisions regarding City involvement in legal proceedings, in order to, amongst other activities, protect the heritage and character of the City of Sydney;
- (iii) both the Compliance Policy and Prosecution and Civil Enforcement Policy are scheduled for review in August 2020;

- (iv) City staff are currently undertaking a comprehensive Local Environmental Plan and Development Control Plan Review that will inform amendments to the planning controls to provide greater clarity, certainty and confidence for land owners, neighbours and developers about appropriate development within the City of Sydney, including its conservation areas; and
 - (v) the City of Sydney values the protection of heritage and has a strong history of undertaking enforcement to protect the heritage of the City's conservation areas, other heritage buildings and other heritage items; and
- (B) the Chief Executive Officer be requested to:
- (i) ensure that the scheduled review of the City of Sydney's Compliance Policy and the Prosecution and Civil Enforcement Policy considers whether they are meeting the objectives for the protection of the City's heritage character, and obligations under State and Federal law and regulation;
 - (ii) report back via CEO Update on progress with the City's review of the Compliance Policy and the Prosecution and Civil Enforcement Policy including changes made to the policies to strengthen the enforcement of heritage in the City of Sydney; and
 - (iii) provide updates on formal enforcement action taken by City staff with respect to the protection of heritage via the CEO Update.

Carried unanimously.

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