

Minutes of the Transport, Heritage, Environment and Planning Committee - 12 September 2022

Members Lord Mayor - Councillor Clover Moore (Chair), Deputy Lord Mayor - Councillor Jess Scully, Councillor HY William Chan, Councillor (Waskam) Emelda Davis (Deputy Chair), Councillor Sylvie Ellsmore, Councillor Lyndon Gannon, Councillor Shauna Jarrett, Councillor Robert Kok, Councillor Linda Scott and Councillor Yvonne Weldon.

At the commencement of business at 3.17pm those present were -

The Lord Mayor, Councillors Chan, Davis, Ellsmore, Gannon, Jarrett, Kok, Scott, Scully and Weldon.

Adjournment

At 3.51pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Chan –

That the meeting of the Transport, Heritage, Environment and Planning Committee be adjourned for 10 minutes.

Carried unanimously.

At the resumption of the meeting of the Transport, Heritage, Environment and Planning Committee at 4.03pm, all Councillors were present.

Item 1

Confirmation of Minutes

Moved by Councillor Chan, seconded by Councillor Scully –

That the minutes of the meeting of the Transport, Heritage, Environment and Planning Committee of Monday 15 August 2022, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 2

Statement of Ethical Obligations and Disclosures of Interest

Councillor HY William Chan disclosed a less than significant, non-pecuniary interest in Item 5 on the agenda in that he previously worked on Transport for NSW's Sydney Metro West urban design and master planning, including for Hunter Street station. Councillor Chan stated that he considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because his involvement was for the Metro stations only and he was not involved in the over station developments relevant to this item.

No other Councillors disclosed any pecuniary or non-pecuniary interests in any matter on the agenda for this meeting of the Transport, Heritage and Planning Committee.

Item 3

Project Scope – Rosebery Quietway

The Transport, Heritage, Environment and Planning Committee decided that consideration of this matter shall be deferred to the meeting of Council on 19 September 2022.

Officer's Recommendation

It is resolved that Council:

- (A) approve the concept design for the Rosebery Quietway as shown in Attachment B to the subject report for proceeding to detailed documentation and construction tender; and
- (B) note the estimated project costs as detailed in Confidential Attachment D to the subject report.

Officer's Report

The officer's report on this matter can be found at Item 3 on the agenda of the meeting of the Transport, Heritage, Environment and Planning Committee on 12 September 2022.

X034672.001

Speakers

Sophia Galanos, Anthony Gothard, Maria Frietas, James Lidis (Design Collaborative), Francis O'Neill (Bicycle NSW) and David Errington addressed the meeting of the Transport, Heritage, Environment and Planning Committee on Item 9.3.

Item 4

Revised Project Scope - North Rosebery Park and Green Link

The Transport, Heritage, Environment and Planning Committee decided that consideration of this matter shall be deferred to the meeting of Council on 19 September 2022.

Officer's Recommendation

The officer's recommendation to the Transport, Heritage, Environment and Planning Committee was as follows -

It is resolved that Council:

- (A) endorse the revised scope of work for upgrades to the North Rosebery Park and Green Link, as described in the subject report and shown in Attachment C to the subject report, for progression of tendering and construction;
- (B) note that the total project forecast for the upgrades to the North Rosebery Park and Green Link given the additional scope and recent increase in market prices as provided in Confidential Attachment E to the subject report; and
- (C) approve additional funds for this project budget, to be sourced from the budget allocation for future year's New and Enhanced Parks Capital Program as outlined in Confidential Attachment E to the subject report.

Officer's Report

The officer's report on this matter can be found at Item 4 on the agenda of the meeting of the Transport, Heritage, Environment and Planning Committee on 12 September 2022.

X022419.003

The Transport, Heritage, Environment and Planning Committee recommends the following:

Item 5**Public Exhibition - Planning Proposal - Sydney Metro West Hunter Street Station Sites, Sydney - Sydney Local Environmental Plan 2012 Amendment**

It is resolved that:

- (A) Council approve Planning Proposal - Sydney Metro West Hunter Street Station sites, Sydney as shown at Attachment A to the subject report, to be submitted to the Minister for Planning and Homes with a request for Gateway Determination;
- (B) Council approve Planning Proposal - Sydney Metro West Hunter Street Station sites, Sydney as shown at Attachment A to the subject report, for public authority consultation and public exhibition in accordance with any conditions imposed under the Gateway Determination;
- (C) Council seek authority from the Minister for Planning and Homes to exercise delegation of all the functions under Section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan and put into effect Planning Proposal - Sydney metro West Hunter Street Station sites, Sydney;
- (D) Council approve and endorse the draft Design Guidelines - Sydney Metro West Hunter Street Station sites, Sydney, shown at Attachment B to the subject report, in their capacity as the relevant planning authority;
- (E) Council approve the draft Design Guidelines - Sydney Metro West Hunter Street Station sites, Sydney, shown at Attachment B to the subject report, for public exhibition for a period of 28 days;
- (F) authority be delegated to the Chief Executive Officer to make any minor variations to Planning Proposal - Sydney Metro West Hunter Street Station sites, Sydney and draft Design Guidelines - Sydney Metro West Hunter Street station sites, Sydney to correct any drafting errors or ensure it is consistent with the Planning Proposal following the Gateway Determination; and
- (G) authority be delegated to the Chief Executive Officer to prepare a draft planning agreement in accordance with the letter of offer dated 12 July 2022 at Attachment C to the subject report and the requirements of the Environmental Planning and Assessment Act 1979, to be exhibited concurrently with the Planning Proposal.

(Note – at the meeting of the Transport, Heritage, Environment and Planning Committee, this recommendation was moved by Councillor Chan, seconded by Councillor Scully, and carried unanimously.)

X089148

The Transport, Heritage, Environment and Planning Committee recommends the following:

Item 6

Public Exhibition - Planning Proposal - Heritage Floor Space Amendment - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment

It is resolved that:

- (A) Council approve the Planning Proposal - Heritage Floor Space Amendment, shown at Attachment A to the subject report, for submission to the Minister for Planning and Public Spaces with a request for a Gateway Determination;
- (B) Council approve the Planning Proposal - Heritage Floor Space Amendment for public authority consultation and public exhibition in accordance with any conditions imposed under the Gateway Determination;
- (C) Council seek confirmation from the Minister for Planning and Public Spaces that it has the authority to exercise the plan-making functions of the Minister under section 3.36 of the Environmental Planning and Assessment Act 1979;
- (D) Council approve the Draft Sydney Development Control Plan 2012 – Heritage Floor Space Amendment, shown at Attachment C to the subject report for public authority consultation and public exhibition;
- (E) authority be delegated to the Chief Executive Officer to make any minor variations to the Planning Proposal - Heritage Floor Space Amendment and Draft Sydney Development Control Plan 2012 following receipt of the Gateway Determination; and
- (F) Council approve the draft amendments to the Alternative Heritage Floor Space Allocation Scheme, shown at Attachment B to the subject report, for public exhibition to be undertaken currently with the Planning Proposal - Heritage Floor Space amendment.

(Note – at the meeting of the Transport, Heritage, Environment and Planning Committee, this recommendation was moved by Councillor Chan, seconded by Councillor Scully, and carried on the following show of hands:

Ayes (9) The Chair (the Lord Mayor), Councillors Chan, Davis, Gannon, Jarrett, Kok, Scott, Scully and Weldon

Noes (1) Councillor Ellsmore.)

X091559

Speaker

David Lewis (The Great Synagogue) addressed the meeting of the Transport, Heritage, Environment and Planning Committee on Item 9.6.

The Transport, Heritage, Environment and Planning Committee recommends the following:

Item 7

Fire Safety Reports

It is resolved that Council note:

- (A) the contents of the Fire Safety Report Summary Sheet, as shown at Attachment A to the subject report;
- (B) the inspection reports by Fire and Rescue NSW, as shown at Attachments B to H of the subject report;
- (C) the contents of Attachment B and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 111 Fitzroy Street, Surry Hills;
- (D) the contents of Attachment C and exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 1 and 5-9 Rothschild Avenue, Rosebery;
- (E) the contents of Attachment D and exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 387 George Street, Sydney;
- (F) the contents of Attachment E and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 2-38 Barr Street, Camperdown;
- (G) the contents of Attachment F and exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 100-102 Clarence Street, Sydney;
- (H) the contents of Attachment G and exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 456 Kent Street, Sydney;
- (I) the contents of Attachment H and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 420-426 Pitt Street, Haymarket.

(Note – at the meeting of the Transport, Heritage, Environment and Planning Committee, this recommendation was moved by Councillor Chan, seconded by the Chair (the Lord Mayor), and carried unanimously.)

S105001.002

The Transport, Heritage, Environment and Planning Committee recommends the following:

Item 8

Approved Variations to Development Standards Reported to the Department of Planning and Environment

It is resolved that the subject report be received and noted.

(Note – at the meeting of the Transport, Heritage, Environment and Planning Committee, this recommendation was moved by Councillor Chan, seconded by Councillor Scully, and carried unanimously.)

S040864