

Minutes of the Transport, Heritage, Environment and Planning Committee - 5 December 2022

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

At the commencement of business at 3.06pm those present were -

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

Hybrid Meeting Arrangements

The Chair (the Lord Mayor) advised that Councillor (Waskam) Emelda Davis and Councillor Linda Scott were attending the meeting of the Transport, Heritage, Environment and Planning Committee remotely, via audio visual link, pursuant to the provisions of clause 4.20 of the Code of Meeting Practice.

Apologies

Councillor Jess Scully extended her apologies for her inability to attend the meeting of the Transport, Heritage, Environment and Planning Committee.

Adjournment

At 3.35pm, 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 15 minutes.

Carried unanimously.

At the resumption of the meeting of the Transport, Heritage, Environment and Planning Committee at 3.53pm, those present were –

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

The meeting of the Transport, Heritage, Environment and Planning Committee concluded at 5.29pm.

Item 1

Confirmation of Minutes

Moved by Councillor Chan, seconded by Councillor Ellsmore –

That the minutes of the meeting of the Transport, Heritage, Environment and Planning Committee of Monday 14 November 2022, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 2

Statement of Ethical Obligations and Disclosures of Interest

Councillor Shauna Jarrett disclosed a less than significant, non-pecuniary interest in Item 11 on the agenda, in that she is an annual subscriber to the theatre program.

Councillor Jarrett considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she is merely an annual subscriber.

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

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

Item 3

Public Exhibition – Urban Forest Strategy

It is resolved that:

- (A) Council approve for public exhibition the draft Urban Forest Strategy (the Strategy), as shown at Attachment A to the subject report;
- (B) Council note that the Urban Forest Strategy including any recommended changes, will be reported to Council for adoption following the exhibition period; and
- (C) authority be delegated to the Chief Executive Officer to undertake minor editorial amendments for clarity or correction of drafting errors prior to the exhibition of the draft Urban Forest Strategy.

(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.)

X087075

Speaker

Christine Newton addressed the meeting of the Transport, Heritage, Environment and Planning Committee on Item 3.

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

Item 4

Public Exhibition – Street Tree Master Plan

It is resolved that:

- (A) Council approve for public exhibition the draft Street Tree Master Plan, as shown in the online link in Attachment A to the subject report;
- (B) Council note that the planting of street trees will be in accordance with the draft Street Tree Master Plan, from the start of the planting season commencing in mid-March 2023, unless a submission from the community is received that does not support the recommended species for that specific site;

- (C) Council note that the Street Tree Master Plan including any recommended changes, will be reported to Council for adoption following the exhibition period; and
- (D) authority be delegated to the Chief Executive Officer to undertake minor editorial amendments for clarity or correction of drafting errors prior to the exhibition of the draft Street Tree Master Plan.

(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.)

X085710

Speaker

Richard Churchill addressed the meeting of the Transport, Heritage, Environment and Planning Committee on Item 4.

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

Item 5

Public Exhibition – Tree Management and Donation Policy

It is resolved that:

- (A) Council approve for public exhibition the draft Tree Management and Donation Policy (the Policy), as shown at Attachment A to the subject report, for public exhibition ; and
- (B) Council note that the Tree Management and Donation Policy including any recommended changes, will be reported to Council for adoption following the exhibition period; and
- (C) authority be delegated to the Chief Executive Officer to undertake minor editorial amendments for clarity or correction of drafting errors prior to the exhibition of the draft Tree Management and Donation Policy.

(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.)

X085711

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

Item 6

Project Scope - George Street North Pedestrianisation

It is resolved that Council:

- (A) endorse the scope of works for the George Street North Pedestrianisation between Hunter Street and Essex Street as described in the subject report and as generally indicated in Attachment A to the subject report for progression to detailed design, documentation and construction of works;
- (B) note the financial implications as outlined in Confidential Attachment F to the subject report; and

- (C) approve the following traffic changes, subject to approval processes in accordance with the requirements of the Roads Act 1993, noting that the Local Pedestrian Cycling and Traffic Calming Committee will consider the traffic changes at meetings held on 8 December 2022:
- (i) installation of traffic treatments to close the southbound traffic lanes of George Street, between Essex Street and Hunter Street to general traffic;
 - (ii) installation of traffic treatments to close the northbound traffic lanes of George Street, between Hunter Street and Essex Street to general traffic;
 - (iii) installation of traffic treatments to close Margaret, Jamison, Bond, Dalley and Hunter Streets at George Street to general traffic;
 - (iv) installation of traffic treatments to change the direction of Wynyard Lane from southbound to northbound;
 - (v) installation of a shared zone on Margaret Street between Wynyard Lane and Carrington Street and traffic treatments to change the direction of Margaret Street from two-way to one-way westbound between Wynyard Lane and York Street;
 - (vi) installation of traffic treatments to change the direction of Wynyard Street from two-way to one-way eastbound;
 - (vii) installation of traffic treatments to change the flow of traffic on Jamison Street from one-way westbound to two-way;
 - (viii) installation of traffic treatments to change the flow of traffic on Bond Street west of the Australia Square car park from one-way westbound to two-way;
 - (ix) installation of traffic treatments to improve the geometry of the Bridge and Grosvenor Streets intersection;
 - (x) installation of traffic treatments to improve the intersection performance at Grosvenor and Harrington Streets;
 - (xi) installation of traffic treatments to improve the intersection performance at Margaret and Carrington Streets;
 - (xii) installation of traffic treatments to improve the intersection performance at Lang, York and Jamison Streets;
 - (xiii) installation of traffic treatments to improve the intersection performance at George and Essex Streets;
 - (xiv) removal of the “No Right Turn” 6.30am – 10.00am, 3pm – 7pm Mon-Fri” restriction on Grosvenor Street (westbound) into Harrington Street;
 - (xv) removal of the “No Left Turn” restriction on York Street (southbound) to Jamison Street;
 - (xvi) removal of the “No Right Turn” restriction on George Street (southbound) to Essex Street; and
 - (xvii) removal of the “No Right Turn 6.30am – 9.30am, 3pm – 7pm Mon-Fri” restriction on Margaret Street (eastbound) into York Street.

(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.)

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

Item 7

Project Scope - Arthur Street Reserve, Surry Hills

It is resolved that Council:

- (A) endorse the scope of improvements to the playground and streetscape at Arthur Street Reserve, Surry Hills as described in the subject report and shown in the revised Draft Concept Plan as shown at Attachment B to the subject report, for progression to relevant approvals, preparation of construction documentation, tender and construction; and
- (B) approve the additional funds required to deliver the project as outlined in Confidential Attachment D to the subject report.

(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.)

X083884.002

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

Item 8

Permanent Road Closure - Part Park Road, Alexandria

It is resolved that:

- (A) Council endorse the permanent road closure of Park Road, Alexandria, in accordance with section 38E of the Roads Act 1993 and as shown as Proposed Lot 1 in the Draft Plan of First Title Creation at Attachment F to the subject report;
- (B) authority be delegated to the Chief Executive Officer to approve the publication of a Government Gazette to give effect to the permanent road closure; and
- (C) Council note that upon publication of the Government Gazette, the land comprising the former road will remain vested in Council as operational land under the Local Government Act 1993.

(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.)

X017670.002

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

Item 9

Traffic Treatment - Proposed Road Closure - Farnell Street, Surry Hills

It is resolved that Council approve the installation of traffic treatments to close Farnell Street, Surry Hills, between Fitzroy and Sandwell Streets to vehicular traffic.

(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.)

X088131.005

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

Item 10

Public Exhibition - Planning Proposal - 118-130 Epsom Road and 905 South Dowling Street, Zetland - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment

It is resolved that:

- (A) Council approve Planning Proposal - 118-130 Epsom Road and 905 South Dowling Street, Zetland, as shown at Attachment A to the subject report, for submission to the Department of Planning and Environment with a request for Gateway Determination;
- (B) Council approve Planning Proposal - 118-130 Epsom Road and 905 South Dowling Street, Zetland, 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 Department of Planning and Environment to exercise the delegation of all the functions under Section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan and to put into effect Planning Proposal - 118-130 Epsom Road and 905 South Dowling Street, Zetland;
- (D) Council approve Draft Sydney Development Control Plan 2012 - 118-130 Epsom Road and 905 South Dowling Street, Zetland, shown at Attachment B to the subject report, for public authority consultation and public exhibition concurrent with the Planning Proposal;
- (E) authority be delegated to the Chief Executive Officer to make any minor variations to Planning Proposal - 118-130 Epsom Road and 905 South Dowling Street, Zetland and Draft Sydney Development Control Plan 2012 - 118-130 Epsom Road and 905 South Dowling Street, Zetland to correct any drafting errors or to ensure consistency with the Gateway Determination; and
- (F) authority be delegated to the Chief Executive Officer to prepare and exhibit a draft planning agreement in accordance with the letter of offer dated 3 November 2021 at Attachment C to the subject report and the requirements of the Environmental Planning and Assessment Act 1979.

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

Ayes (8) The Chair (the Lord Mayor), Councillors

Noes (1) Councillor Ellsmore*

*Note – Councillor Ellsmore abstained from voting on this matter. Pursuant to the provisions of clause 10.4 of the Code of Meeting Practice, Councillor Ellsmore is taken to have voted against the motion.)

X087876

Speakers

Jane Grusovin and Matthew Lennartz (Meriton) addressed the meeting of the Transport, Heritage, Environment and Planning Committee on Item 10.

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

Item 11

Public Exhibition - Planning Proposal - Stables Theatre 10 and 12 Nimrod Street, Darlinghurst - Sydney Local Environmental Plan 2012 Amendment

It is resolved that:

- (A) Council approve Planning Proposal - Stables Theatre 10 and 12 Nimrod Street, Darlinghurst as shown as Attachment A to the subject report, for submission to the Department of Planning and Environment with a request for a Gateway Determination;
- (B) Council approve the Planning Proposal - Stables Theatre 10 and 12 Nimrod Street, Darlinghurst 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 Department of Planning and Environment to exercise the delegation of all the functions under Section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan and to put into effect the Planning Proposal - Stables Theatre 10 and 12 Nimrod Street, Darlinghurst; and
- (D) authority be delegated to the Chief Executive Officer to make any minor variations to Planning Proposal - Stables Theatre 10 and 12 Nimrod Street, Darlinghurst to ensure consistency with the Gateway Determination.

(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.)

X083757

Speaker

Bruce Meagher (Griffin Theatre Company) addressed the meeting of the Transport, Heritage, Environment and Planning Committee on Item 11.

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

Item 12

Post Exhibition - Planning Proposal - Heritage Floor Space Amendment - Sydney Local Environmental Plan 2012 Amendment

It is resolved that:

- (A) Council note matters raised in response to the public exhibition of Planning Proposal - Heritage Floor Space Amendment, as shown in Attachment E to the subject report;
- (B) Council approve Planning Proposal - Heritage Floor Space Amendment, as amended, following the Gateway Determination and as shown at Attachment A to the subject report, and request the relevant local plan making authority make the amendment as a Local Environmental Plan under section 3.36 of the Environmental Planning and Assessment Act 1979;
- (C) authority be delegated to the Chief Executive Officer to make any minor amendments to the Planning Proposal – Heritage Floor Space Amendment to correct any minor errors or omissions prior to finalisation; and
- (D) Council approve the amendment to the Alternative Heritage Floor Space Allocation Scheme, shown at Attachment B.

(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.)

X091559

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

Item 13

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 the Chair (the Lord Mayor), and carried unanimously.)

S040864

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

Item 14

Fire Safety Reports

It is resolved that Council:

- (A) note the contents of the Fire Safety Report Summary Sheet, as shown at Attachment A to the subject report;
- (B) note the inspection reports by Fire and Rescue NSW, as shown at Attachments B to D of the subject report;
- (C) note 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 13 Oatley Road, Paddington;
- (D) note the contents of Attachment C and exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 2 York Street, Sydney; and
- (E) note the contents of Attachment D and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 1 Towns Place, Millers Point.

(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