

Item 8

Report of the Transport, Heritage and Planning Committee - 6 May 2019

Item 8.1

Disclosures of Interest

(a) Section 451 of the Local Government Act 1993

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

(b) Local Government and Planning Legislation Amendment (Political Donations) Act 2008

No disclosures were made by any members of the public at this meeting of the Transport, Heritage and Planning Committee.

The Committee recommends the following:-

Item 8.2

Post Exhibition - Sydney Development Control Plan 2012 Amendment - Late Night Trading 2018 (Not Liquor Licensing)

It is resolved that:

- (A) Council note the matters raised in submissions to the public exhibition of Draft Sydney Development Control Plan: Late Night Trading 2018 at Attachment C to the subject report;
- (B) Council approve Draft Sydney Development Control Plan: Late Night Trading 2018, at Attachment A to the subject report, as amended in response to submissions; and
- (C) authority be delegated to the Chief Executive Officer to make any minor amendments to the Sydney Development Control Plan: Late Night Trading 2018 to correct any minor errors or omissions prior to finalisation of the development control plan.

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

Speakers

Ms Margaret Teague, Mr Jacob Hollier, Mr Peter Wright, Mr Adam Fynott, Ms Michelle Perry, Mr Liam Bathgate, Ms Catherine Capolupo, Ms Daria Grove, Mr Michael O'Brien-Brown, Ms Jeanette Brokman, Mr Michael Rodriguez, Ms Kerry Glasscock, Ms Amelia Colliver, Mr Tyson Koh, Mr Thomas Hespe, Mr Carrington Brigham, Mr Timo Bures, Ms Carly Roberts and Ms Beck Goldsby-Smith addressed the meeting of the Transport, Heritage and Planning Committee on Item 8.2.

X011942

The Committee recommends the following:-

Item 8.3

Post Exhibition - Planning Proposal - Heritage Listing of 1A Elizabeth Bay Road (Kingsley Hall), 22-24 Darlinghurst Road (The Bourbon) and 32-32A Darlinghurst Road (The Empire)

It is resolved that:

- (A) Council note the matters raised in response to the public exhibition and public authority consultation of Planning Proposal – Heritage Listing of 1A Elizabeth Bay Road (Kingsley Hall); 22-24 Darlinghurst Road (The Bourbon); and 32-32A Darlinghurst Road (The Empire), Potts Point as shown at Attachment D to the subject report;
- (B) Council approve Planning Proposal – Heritage listing of 1A Elizabeth Bay Road (Kingsley Hall); 22-24 Darlinghurst Road (The Bourbon); and 32-32A Darlinghurst Road (The Empire), Potts Point, as shown at Attachment A to the subject report, to be made as a local environmental plan under section 3.36 of the Environmental Planning and Assessment Act 1979; and
- (C) authority be delegated to the Chief Executive Officer to make any minor variations to Planning Proposal – Heritage listing of 1A Elizabeth Bay Road (Kingsley Hall); 22-24 Darlinghurst Road (The Bourbon); and 32-32A Darlinghurst Road (The Empire), Potts Point to correct drafting errors prior to finalisation of the local environmental plan.

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

Speaker

Mr Andrew Woodhouse addressed the meeting of the Transport, Heritage and Planning Committee on Item 8.3.

X018038

Item 8.4**Public Exhibition - Planning Proposal - 46 Chisholm Street, Darlinghurst – Sydney Local Environmental Plan 2012 Amendment**

The Transport, Heritage and Planning Committee decided that consideration on this matter be deferred to the meeting of Council on 13 May 2019.

Officer's Recommendation

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

It is resolved that:

- (A) Council approve the Planning Proposal: 46 Chisholm Street, Darlinghurst, as shown at Attachment A to the subject report, for submission to the relevant local plan-making authority with a request for a Gateway Determination;
- (B) Council approve Planning Proposal: 46 Chisholm Street, Darlinghurst for public authority consultation and public exhibition in accordance with any conditions imposed under the Gateway Determination;
- (C) Council seek authority from the relevant local plan making authority, to exercise the delegation of the relevant local plan making authority of all their functions under Section 3.31 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan as amended by Planning Proposal: 46 Chisholm Street, Darlinghurst; and
- (D) authority be delegated to the Chief Executive Officer to make any minor variations to Planning Proposal: 46 Chisholm Street, Darlinghurst following receipt of the Gateway Determination.

Officer's Report

The officer's report on this matter can be found at Item 4 on the agenda for the meeting of the Transport, Heritage and Planning Committee on 6 May 2019.

(Note – this matter was dealt with by the Transport, Heritage and Planning Committee as follows:

Moved by Councillor Thalys, seconded by Councillor Scully –

That the recommendation contained in the officer's report to the Transport, Heritage and Planning Committee be adopted.

Following the speakers and discussion, the motion was withdrawn and the Transport, Heritage and Planning Committee decided that consideration of this matter be deferred to the meeting of Council on 13 May 2019.)

Speakers

Mrs Maria Kolb, Mr Anson Kolb and Mr Philip Bull addressed the meeting of the Transport, Heritage and Planning Committee on Item 8.4.

Extensions of Time

During discussion on Item 8.4, pursuant to the provisions of Clause 250(3) of the Local Government (General) Regulation 2005, it was –

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

That Mrs Maria Kolb be granted an extension of time to speak on this matter.

Carried unanimously.

During discussion on Item 8.4, pursuant to the provisions of Clause 250(3) of the Local Government (General) Regulation 2005, it was –

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

That Mr Philip Bull be granted an extension of time to speak on this matter.

Carried unanimously.

X020345

The Committee recommends the following:-

Item 8.5

Traffic Treatment - Parkham Place, Surry Hills - Permanent Road Closure to Traffic from Nobbs Lane to Parkham Lane

It is resolved that:

- (A) Council approve the permanent closure of Parkham Place between Nobbs Lane and Parkham Lane; and
- (B) a Traffic Management Plan be submitted to the Roads and Maritime Services for the permanent closure of Parkham Place between Nobbs Lane and Parkham Lane.

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

S120932

The Committee recommends the following:-

Item 8.6

Traffic Treatment - Parkham Lane, Surry Hills - Permanent Road Closure to Traffic from Olivia Lane to Bourke Street

It is resolved that:

- (A) Council approve the permanent closure of Parkham Lane to traffic from 106 metres west of Parkham Place to the western side of Olivia Lane;
- (B) a Traffic Management Plan be submitted to the Roads and Maritime Services for the permanent closure of Parkham Lane at Olivia Lane; and
- (C) a single lane connection be provided through the Parkham Lane closure and across community parkland to Bourke Street.

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

S120932

The Committee recommends the following:-

Item 8.7

Traffic Treatment - Olivia Lane, Surry Hills - Permanent Road Closure to Traffic from Nobbs Lane to Parkham Lane

It is resolved that:

- (A) Council approve the permanent closure of Olivia Lane between Nobbs Lane and Parkham Lane; and
- (B) a Traffic Management Plan be submitted to the Roads and Maritime Services for the permanent closure of Olivia Lane between Nobbs Lane and Parkham Lane.

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

S120932

The Committee recommends the following:-

Item 8.8

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 Q of the subject report;
- (C) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 814 George Street, Haymarket, as detailed in Attachment B;
- (D) exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order as recommended by the City's Investigation Officer to address the identified fire safety deficiencies in 383-389 Bulwara Road, Ultimo, as detailed in Attachment C;
- (E) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 278-284 Cleveland Street, Surry Hills, as detailed in Attachment D;
- (F) exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order as recommended by the City's Investigation Officer to address the identified fire safety deficiencies in 6-10 Minogue Crescent, Forrest Lodge, as detailed in Attachment E;
- (G) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 20-26 Bayswater Road, Potts Point, as detailed in Attachment F;
- (H) exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order as recommended by the City's Investigation Officer to address the identified fire safety deficiencies in 9 Wylde Street, Potts Point, as detailed in Attachment G;
- (I) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 231-235 Victoria Street, Darlinghurst, as detailed in Attachment H;
- (J) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 141 & 141A Victoria Street, Potts Point, as detailed in Attachment I;
- (K) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 9-11 Bayswater Road, Potts Point, as detailed in Attachment J;

- (L) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 12-18 Forbes Street, Woolloomooloo as detailed in Attachment K;
- (M) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 6-8 Orwell Street, Potts Point, as detailed in Attachment L;
- (N) exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order as recommended by the City's Investigation Officer to address the identified fire safety deficiencies in 84-84B Pitt Street, Sydney, as detailed in Attachment M;
- (O) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 10-24 Flinders Street, Darlinghurst, as detailed in Attachment N;
- (P) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 14 Darling Drive, Sydney, as detailed in Attachment O;
- (Q) exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order as recommended by the City's Investigation Officer to address the identified fire safety deficiencies in 156 Botany Road, Alexandria, as detailed in Attachment P; and
- (R) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 43-127 Morehead Street, Redfern, as detailed in Attachment Q.

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

S105001.002