

Item 9

Report of the Transport, Heritage and Planning Committee - 17 June 2019

Item 9.1

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 9.2

Public Exhibition - Planning Proposal: 72-84 Foveaux Street, Surry Hills - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment

It is resolved that:

- (A) Council approve Planning Proposal: 72-84 Foveaux Street, Surry Hills, as amended, shown at Attachment A to the Information Relevant to Item 2 Memorandum, for submission to the relevant local-plan making authority with a request for Gateway Determination;
- (B) Council approve Planning Proposal: 72-84 Foveaux Street, Surry Hills, as amended, shown at Attachment A to the Information Relevant to Item 2 Memorandum for public authority consultation and public exhibition in accordance with any conditions imposed under the Gateway Determination;
- (C) Council seek authority from the local-plan making authority 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 to put into effect Planning Proposal: 72-84 Foveaux Street, Surry Hills, as amended;
- (D) Council approve the draft Sydney Development Control Plan 2012 - 72-84 Foveaux Street, Surry Hills, as amended, shown at Attachment B to the Information Relevant to Item 2 Memorandum 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: 72-84 Foveaux Street, Surry Hills, as amended, following receipt of the Gateway Determination; and
- (F) authority be delegated to the Chief Executive Officer to make any minor variations to Draft Sydney Development Control Plan 2012 - 72-84 Foveaux Street, Surry Hills, as amended, to correct any drafting errors and/or to ensure it is consistent with the Planning Proposal following the Gateway Determination.

(Note - At the meeting of the Transport, Heritage and Planning Committee, this alternative recommendation as per the Information Relevant To Item 2 - Public Exhibition - Planning Proposal: 72-84 Foveaux Street, Surry Hills - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment dated 17 June 2019 from the Director City Planning Development and Transport, as circulated prior to the meeting, was moved by the Chair (the Lord Mayor), seconded by Councillor Thalís, and carried unanimously).

Speakers

Mr Angelo Candalepas and Ms Sue Ritchie addressed the meeting of the Transport, Heritage and Planning Committee on Item 9.2.

X023555

Item 9.3**Policy - Low Rise Medium Density Housing Code**

The Transport, Heritage and Planning Committee decided that consideration on this matter be deferred to the meeting of Council on 24 June 2019.

Officer's Recommendation

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

- (A) note the information in this report; and
- (B) note the Low Rise Medium Density Housing Code will come into effect in the local government area on 1 July 2019.

Officer's Report

The officer's report on this matter can be found at Item 3 of the agenda for the meeting of the Transport, Heritage and Planning Committee on 17 June 2019.

X018248

The Committee recommends the following:-

Item 9.4

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 in Attachments B to G 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 19-35 Bayswater Road, Potts Point, known as "Flamingo Lounge" 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 at 99-105 Darlinghurst Road, Potts Point, 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 39-43 Darlinghurst Road, Potts Point, known as "Showgirls", 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 27 Orwell Street, Potts Point, known as "Jolly Swagman Backpackers", 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 250 Pitt Street, Sydney, known as "The Penthouse", as detailed in Attachment F; and
- (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 at 53-59 Great Buckingham Street, Redfern, as detailed in Attachment G.

(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).

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