

**Item 9**

**Report of the Transport, Heritage and Planning Committee - 2 December 2019**

**Item 9.1**

**Disclosures of Interest**

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.

**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**

### **Camperdown Ultimo Collaboration Alliance and Work Plan**

It is resolved that:

- (A) Council note the recommendations of the Camperdown-Ultimo Collaboration Area Place Strategy prepared by the Greater Sydney Commission, detailed in Attachment A to the subject report;
- (B) Council note the findings of the Camperdown-Ultimo Collaboration Area Innovation Study prepared by Hill PDA, detailed in Attachment B to the subject report;
- (C) Council endorse the City's continued participation in the Camperdown-Ultimo Collaboration Alliance and associated work plan; and
- (D) Council note that the final amount of the City's contribution is yet to be finalised but it will be no more than \$50,000. Every effort will be made to absorb this additional cost within the City's existing operational budget. Should that not be possible, funds will be sought from CEO contingency.

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

2019/569655

The Committee recommends the following:-

### **Item 9.3**

#### **Public Exhibition – Planning Proposal – 4-22 Wentworth Avenue, Surry Hills - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment**

The Transport, Heritage and Planning Committee decided that consideration of this matter shall be deferred to the meeting of Council on 9 December 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 Planning Proposal – 4-22 Wentworth Avenue, Surry Hills, shown at Attachments C1-C4 to the subject report, for submission to the Department of Planning, Industry and Environment with a request for a Gateway Determination;
- (B) Council approve the Planning Proposal – 4-22 Wentworth Avenue, Surry Hills, shown at Attachments C1-C4 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, Industry and Environment to exercise the delegation of all functions under the relevant local plan making authority 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 – 4-22 Wentworth Avenue, Surry Hills;
- (D) Council approve Draft Sydney Development Control Plan 2012 – 4-22 Wentworth Avenue, Surry Hills shown at Attachment D to the subject report for public authority consultation and public exhibition together with the Planning Proposal;
- (E) authority be delegated to the Chief Executive Officer to make any minor variations to Planning Proposal – 4-22 Wentworth Avenue, Surry Hills, 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 – 4-22 Wentworth Avenue, Surry Hills, to correct any drafting errors or to ensure it is consistent with the Planning Proposal following the Gateway Determination.

#### **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 and Planning Committee on 2 December 2019.

#### **Speakers**

Mr Ed Lippman addressed the meeting of the Transport, Heritage and Planning Committee on Item 9.3.

X018846

The Committee recommends the following:-

#### **Item 9.4**

#### **Post 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 note the matters raised in response to the public exhibition of the Planning Proposal for 72-84 Foveaux Street Surry Hills and draft Development Control Plan for 72-84 Foveaux Street, Surry Hills as shown in Attachment E to the subject report;
- (B) Council approve Planning Proposal: 72-84 Foveaux Street, Surry Hills as shown at Attachment A to the subject report, to be made as a local environmental plan;
- (C) Council approve the draft Development Control Plan for 72-84 Foveaux Street, Surry Hills, shown at Attachment B to the subject report, noting the approved development control plan will come into effect on the date of publication of the subject local environmental plan; and
- (D) authority be delegated to the Chief Executive Officer to make any minor variations to Planning Proposal 72-84 Foveaux Street, Surry Hills and draft Development Control Plan for 72-84 Foveaux Street, Surry Hills, to correct any minor errors or omissions prior to finalisation.

(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.)

X023555

The Committee recommends the following:-

### **Item 9.5**

#### **Post Exhibition - Planning Proposal – Heritage Listing - Former Kwong War Chong & Co Building - 82-84 Dixon Street, Haymarket - Sydney Local Environmental Plan 2012**

It is resolved that:

- (A) Council note the submissions received during the public exhibition of the planning proposal, shown at Attachment C to the subject report;
- (B) Council approve the planning proposal, shown at Attachment A to the subject report, for finalisation and making as a local environmental plan under section 59 of the Environmental Planning and Assessment Act 1979; and
- (C) authority be delegated to the Chief Executive Officer to make any minor amendments to the planning proposal, to correct any minor drafting errors prior to finalisation and making 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 Councillor Chung, and carried unanimously.)

#### **Speakers**

Ms Ann Toy, Ms Daphne Lowe Kelley, Ms Sheryl Cumines, and Mr James Phillips addressed the meeting of the Transport, Heritage and Planning Committee on Item 9.5.

X023484

The Committee recommends the following:-

## Item 9.6

### Award of Heritage Floor Space - Haymarket Library

It is resolved that:

- (A) Council approve the Haymarket Library Conservation Management Plan, prepared by Urbis Pty Ltd, dated 7 December 2018, as required by the Sydney Local Environmental Plan 2012 and provided at Attachment C to the subject report;
- (B) Council approve the award of 1,125.38 square metres of heritage floor space, subject to:
  - (i) placing covenants on title, as required by the Sydney Local Environmental Plan 2012, to ensure that no development can occur on the site that either:
    - (a) increases the gross floor area of the heritage building; or
    - (b) increases the height of the heritage building;
  - (ii) placing covenants on title that ensure the continued maintenance and conservation of the building in line with the Haymarket Library Conservation Management Plan, prepared by Urbis Pty Ltd, dated 7 December 2018. This covenant must include a requirement for ongoing provision of adequate insurance and a maintenance fund, as required by the Sydney Development Control Plan 2012; and
  - (iii) completion of works required to address the active decay of the stonework on the building, as outlined in paragraphs 30 and 31 of the independent consultant's report prepared by Hector Abrahams Architects. These works are to be completed and verified by a suitably qualified person prior to the registration of the heritage floor space in the Heritage Floor Space Register;
- (C) authority be delegated to the Chief Executive Officer to confirm the calculation of the final award and finalise the deed and required covenants in accordance with (B) above.

(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.)

X022160

The Committee recommends the following:-

## Item 9.7

### Award of Heritage Floor Space - Corporation Building, Haymarket

It is resolved that:

- (A) Council approve the Corporation Building Conservation Management Plan, prepared by Urbis Pty Ltd, dated 13 August 2019, as required by the Sydney Local Environmental Plan 2012 and provided at Attachment C to the subject report;
- (B) Council approve the award of 744.75 square metres of heritage floor space (60 per cent of the total heritage floor space that could be awarded), subject to:
  - (i) placing covenants on title, as required by the Sydney Local Environmental Plan 2012, to ensure that no development can occur on the site that either:
    - (a) increases the gross floor area of the heritage building; or
    - (b) increases the height of the heritage building;
  - (ii) placing covenants on title that ensure the continued maintenance and conservation of the building in line with the Corporation Building Conservation Management Plan, prepared by Urbis Pty Ltd, dated 13 August 2019. This covenant must include a requirement for ongoing provision of adequate insurance and a maintenance fund, as required by the Sydney Development Control Plan 2012;
- (C) Council approve the award of the balance of the total heritage floor space being 496.5 square metres (40 per cent of the total heritage floor space that could be awarded) upon the completion of the conservation works set out in Attachment B to the subject report. These works must be completed and verified by a suitably qualified person prior to registration of the heritage floor space in the Heritage Floor Space Register, and within 18 months of the registration of the initial award; and
- (D) authority be delegated to the Chief Executive Officer to confirm the calculation of the final award and finalise the deed and required covenants in accordance with parts (B) and (C) above.

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

X023843

The Committee recommends the following:-

## Item 9.8

### 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 F of the subject report;
- (C) 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 550 Botany Road, Alexandria, as detailed in Attachment B;
- (D) 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 1-73 Broadway, 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 1-21 Bay Street, Glebe, 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 1-7 Castlereagh Street, Sydney as detailed in Attachment E; and
- (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 827-837 George Street, Haymarket, as detailed in Attachment F.

(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.)

S105001.002