

Item 9

Report of the Transport, Heritage and Planning Committee - 30 March 2020

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

Award of Heritage Floor Space - Capitol Theatre, Haymarket

It is resolved that:

- (A) Council approve the Capitol Theatre Conservation Management Plan, prepared by Urbis Pty Ltd, dated 28 January 2020, as required by the Sydney Local Environmental Plan 2012 and provided at Attachment E to the subject report;
- (B) Council approve the award of 10,871.25 square metres of heritage floor space, subject to:
 - (i) 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) covenants on title that ensure the continued maintenance and conservation of the building in line with the Capital Theatre Conservation Management Plan, prepared by Urbis Pty Ltd, dated 28 January 2020. 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
- (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.)

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The Committee recommends the following:-

Item 9.3

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) 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 35-37 Erskineville Road, Erskineville, 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 51-55 Missenden Road, Camperdown, as detailed in Attachment C; and
- (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 2 Defries Avenue, Zetland, as detailed in Attachment D.

(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.)

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