

Attachment F

**Resolution of Council and Central Sydney
Planning Committee**

Resolution of Council

24 OCTOBER 2016

ITEM 9.3

POST EXHIBITION - OUTDOOR DINING AND DISPLAYS OF GOODS ON THE FOOTWAY

(S060627-02)

The Transport, Heritage and Planning Sub-Committee decided that consideration of this matter be deferred to the meeting of Council on 24 October 2016.

At the meeting of Council, it was moved by Councillor Thalys, seconded by Councillor Kok -

It is resolved that:

- (A) Council note the matters raised during the public exhibition, shown at Attachment A to the subject report;
- (B) Council adopt the Outdoor Dining Policy and Outdoor Dining Guidelines, as amended and shown at Attachments B and C, respectively, to the subject report;
- (C) Council note that, if adopted, the Outdoor Dining Policy and the Outdoor Dining Guidelines will rescind and replace Council's Outdoor Café Policy 2001 in the area to which it applies;
- (D) authority be delegated to the Chief Executive Officer to make any minor variations to correct drafting errors in the Outdoor Dining Policy and Outdoor Dining Guidelines prior to finalisation;
- (E) Council endorse the Outdoor Dining Action Plan, shown at Attachment D to the subject report, and request that the Chief Executive Officer report back to Council on the implementation of the Outdoor Dining Action Plan;
- (F) Council amend the register of Delegations from the Council to the Chief Executive Officer to align the approvals delegation and the owner's consent delegation with the maximum seven year approval period in the Outdoor Dining Policy at Attachment B;

- (G) Council, noting the matters raised during public exhibition, endorse the Local Approvals Policy for the Display of Goods, as amended and shown at Attachment E to the subject report, and:
- (i) seek concurrence from the Office of Local Government for the exemptions set out in Part 1 of the draft Local Approvals Policy in accordance with the Local Government Act 1993; and
 - (ii) seek concurrence from Roads and Maritime Services to issue a general approval under the Roads Act 1993 for the use of the footway;
- (H) Council approve the Planning Proposal: Sydney Local Environmental Plan 2012 – Exempt Development – Displays of Goods on the Public Footway, shown at Attachment F to the subject report:
- (i) for submission to the Greater Sydney Commission with a request for a Gateway Determination; and
 - (ii) for public authority consultation and public exhibition in accordance with the Gateway Determination;
- (I) Council seek authority from the Greater Sydney Commission to exercise the delegation of the Greater Sydney Commission for all of the functions under section 59 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan to put into effect Planning Proposal: Sydney Local Environmental Plan 2012 – Exempt Development – Displays of Goods on the Public Footway;
- (J) authority be delegated to the Chief Executive Officer to make any minor variations to the Planning Proposal: Sydney Local Environmental Plan 2012 – Exempt Development – Displays of Goods on the Public Footway following receipt of the Gateway Determination; and
- (K) Council note that the Local Approvals Policy for the Display of Goods will be reported back to Council for adoption on completion of the steps outlined in clause (F) and following exhibition of the planning proposal referred to in clause (G).

Motion carried.

Resolution of Central Sydney Planning Committee

13 OCTOBER 2016

ITEM 7

PLANNING PROPOSAL – SYDNEY LOCAL ENVIRONMENTAL PLAN 2012 – EXEMPT DEVELOPMENT – DISPLAYS OF GOODS ON THE FOOTWAY

(S060627-02)

Moved by Mr Webster, seconded by Councillor Kok -

It is resolved that:

- (A) the Central Sydney Planning Committee note the recommendation to Council's Planning and Development Committee on 10 October 2016 that Council endorse the Local Approval Policy for the Display of Goods on the Footway shown at Attachment A to the subject report;
- (B) the Central Sydney Planning Committee approve the Planning Proposal: Sydney Local Environmental Plan 2012 – Exempt Development – Displays of Goods on the Footway, shown at Attachment B to the subject report:
 - (i) for submission to the Greater Sydney Commission with a request for a Gateway Determination; and
 - (ii) for public authority consultation and public exhibition in accordance with the Gateway Determination;
- (C) the Central Sydney Planning Committee note the recommendation to Council's Planning and Development Committee on 10 October 2016 that:
 - (i) Council seek authority from the Greater Sydney Commission to exercise the delegation of the Greater Sydney Commission for all of the functions under section 59 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan to put into effect Planning Proposal: Sydney Local Environmental Plan 2012 – Exempt Development – Displays of Goods on the Footway; and

- (ii) Council authorise the Chief Executive Officer to make any minor variations to the Planning Proposal: Sydney Local Environmental Plan 2012 – Exempt Development – Displays of Goods on the Footway following receipt of the Gateway Determination.

Carried unanimously.