

Item 8

Report of the Transport, Heritage and Planning Committee - 20 July 2020

Item 8.1

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.

Item 8.2**Low Rise Housing Diversity Code - Consultation Outcomes**

The Transport, Heritage and Planning Committee decided that consideration of this matter shall be deferred to the meeting of Council on 27 July 2020.

Officer's Recommendation

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

It is resolved that:

- (A) Council note the Low Rise Housing Diversity Code came into effect on 1 July 2020;
- (B) Council receive and note the subject report; and
- (C) the Lord Mayor be requested to write to the Minister for Planning and Public Spaces, asking the outcomes of the consultation be noted and again requesting the Rosebery special character area identified in *Sydney Local Environmental Plan 2012* be exempted from the Low Rise Housing Diversity Code.

Officer's Report

The officer's report on this matter can be found at Item 2 on the agenda of the meeting of the Transport, Heritage and Planning Committee on 20 July 2020.

Speakers

Mr Wayne Moody, Mr James Lidis and Mr John Sciberras addressed the meeting of the Transport, Heritage and Planning Committee on Item 8.2.

X030568

The Committee recommends the following:-

Item 8.3

Post Exhibition - Planning Proposal and Local Approvals Policy - Display of Goods on the Footway

It is resolved that:

- (A) Council considers the post exhibition amendments made to the Local Approvals Policy: Display of Goods on the Footway to not be substantial and that further public exhibition is not required;
- (B) Council adopt the Local Approvals Policy: Display of Goods on the Footway, shown at Attachment A to the subject report;
- (C) Council approve the Planning Proposal: Display of Goods on the Footway, shown at Attachment B to the subject report, to be made as a local environmental plan under S3.36 of the Environmental Planning and Assessment Act 1979;
- (D) Council approve the General Consent under S138 of the Roads Act 1993, shown at Attachment C to the subject report;
- (E) Council note the concurrent approval of the Local Approvals Policy issued by the Office of Local Government under S162 of the Local Government Act 1993, shown at Attachment D to the subject report;
- (F) Council note the approval and the general terms of concurrence of the General Consent under S138 of the Roads Act 1993 issued by Transport for NSW, shown at Attachment E to the subject report; and
- (G) Authority be delegated to the Chief Executive Officer to make minor amendments to the Planning Proposal: Display of Goods on the Footway and Local Approvals Policy 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 Thalís, seconded by Councillor Scully, and carried unanimously.)

S060627-02.011

The Committee recommends the following:-

Item 8.4

Public Exhibition - Planning Proposal - 1-3 Burrows Road, St Peters - Sydney Local Environmental Plan 2012 Amendment and Draft Sydney Development Control Plan 2012

It is resolved that:

- (A) Council approve Planning Proposal - 1-3 Burrows Road, St Peters, shown at Attachment A to the subject report, to be submitted to the Minister for Planning and Public Spaces with a request for Gateway Determination;
- (B) Council approve Planning Proposal - 1-3 Burrows Road, St Peters, shown at Attachment A to the subject report for public authority consultation and public exhibition in accordance with any conditions imposed under the Gateway Determination;
- (C) Council seek authority from the Minister for Planning and Public Spaces to exercise the delegation of the functions under section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan and to put into effect Planning Proposal - 1-3 Burrows Road, St Peters;
- (D) Council approve the draft Sydney Development Control Plan 2012 - 1-3 Burrows Road, shown at Attachment B to the subject report 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 - 1-3 Burrows Road, St Peters, 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 - 1-3 Burrows Road, St Peters to correct any drafting errors or ensure it is consistent with the Planning Proposal following the Gateway Determination.

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

X019338

The Committee recommends the following:-

Item 8.5

Public Exhibition - Planning Proposal - 17-31 Cowper Street and 2A-2D Wentworth Park Road, Glebe - Sydney Local Environmental Plan 2012 Amendment and Draft Sydney Development Control Plan 2012

It is resolved that:

- (A) Council approve the Planning Proposal – 17-31 Cowper Street and 2A-2D Wentworth Park Road, Glebe, shown at Attachment A 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 – 17-31 Cowper Street and 2A-2D Wentworth Park Road, Glebe, shown at Attachment A to the subject report 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 of the relevant local plan making authority under Section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan to put into effect the Planning Proposal – 17-31 Cowper Street and 2A-2D Wentworth Park Road, Glebe;
- (D) Council approve the draft Sydney Development Control Plan 2012 – 17-31 Cowper Street and 2A-2D Wentworth Park Road, Glebe shown at Attachment B 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 – 17-31 Cowper Street and 2A-2D Wentworth Park Road, Glebe, 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 – 17-31 Cowper Street and 2A-2D Wentworth Park Road, Glebe to correct any drafting errors or ensure it is consistent with the Planning Proposal following the Gateway Determination.

(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.)

Speakers

Mr Denis Doherty addressed the meeting of the Transport, Heritage and Planning Committee on Item 8.5.

X031277

The Committee recommends the following:-

Item 8.6

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 K 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 197-199 Castlereagh Street, Sydney 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 as recommended by the City's Investigation Officer at 5 Defries Avenue and 5 Hutchinson Walk, Zetland 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 as recommended by the City's Investigation Officer in 715-723 George Street, Haymarket as detailed in Attachment D;
- (F) 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 as recommended by the City's Investigation Officer in 169-179 Thomas Street, Haymarket 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 as recommended by the City's Investigation Officer in 161 Sussex Street, Sydney as detailed in Attachment F;
- (H) 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 as recommended by the City's Investigation Officer in 100 Murray Street, Sydney 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 as recommended by the City's Investigation Officer in 488 George Street, Sydney as detailed in Attachment H;
- (J) 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 in 803-813 George Street, Haymarket 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 as recommended by the City's Investigation Officer in 93-105 Quay Street, Haymarket 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 as recommended by the City's Investigation Officer in 49-51 Market Street, Sydney as detailed in Attachment K.

(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