

Item 9**Report of the Transport, Heritage and Planning Committee - 10 May 2021****Item 9.1****Disclosures of Interest**

Councillor Christine Forster declared a pecuniary interest in Item 9.2 on the agenda in that she is an owner/occupier of a property overlooking the council-owned properties on Oxford Street. Councillor Forster advised that she would not be present at, or in sight of, the meeting at any time this matter is being considered, discussed or voted on by the Council or Committee.

No other 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 Transport, Heritage and Planning Committee recommends the following:

Item 9.2

Public Exhibition - Planning Proposal - Oxford Street Creative Precinct - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment

It is resolved that:

- (A) Council approve the Planning Proposal – Oxford Street Creative and Cultural Precinct, 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 – Oxford Street Creative and Cultural Precinct, 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 under the relevant local plan making authority under Section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan and put into effect the Planning Proposal – Oxford Street Creative and Cultural Precinct;
- (D) Council approve the draft Development Control Plan – Oxford Street Creative and Cultural Precinct, shown at Attachment B to the subject report for public authority consultation and public exhibition together with the Planning Proposal; and
- (E) authority be delegated to the Chief Executive Officer to make any minor variations to Planning Proposal – Oxford Street Creative and Cultural Precinct and draft Development Control Plan – Oxford Street Creative and Cultural Precinct, to correct any drafting errors or to ensure consistency with any 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.)

X026153

Speakers

Mr Ben Mulcahy addressed the meeting of the Transport, Heritage and Planning Committee on Item 9.2.

The Transport, Heritage and Planning Committee recommends the following:

Item 9.3

Public Exhibition - Planning Proposal - Performance Standards for Net Zero Energy Buildings - Local Environmental Plans and Development Control Plan Amendments

It is resolved that:

- (A) Council approve the Planning Proposal – Performance Standards for Net Zero Energy Buildings, as shown at Attachment A of the subject report, to be submitted to the Minister for Planning and Public Spaces with a request for a Gateway determination;
- (B) authority be delegated to the Chief Executive Officer to make any variations to the Planning Proposal – Performance Standards for Net Zero Energy Buildings, following receipt of the Gateway determination;
- (C) Council approve the Planning Proposal – Performance Standards for Net Zero Energy Buildings, as shown at Attachment A of the subject report, for public authority consultation and public exhibition in accordance with any conditions imposed under the Gateway determination;
- (D) Council seek authority from the Minister for Planning and Public Spaces 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 and to put into effect the Planning Proposal – Performance Standards for Net Zero Energy Buildings;
- (E) Council approve the Draft Development Control Plan 2012 – Performance Standards for Net Zero Energy Buildings 2021, shown at Attachment B of the subject report, for public authority consultation and public exhibition as both a development control plan and design guide concurrent with the planning proposal; and
- (F) authority be delegated to the Chief Executive Officer to make any minor variations to the Draft Development Control Plan – Performance Standards for Net Zero Energy Buildings 2021 to correct any drafting errors and 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.)

X012106.011

The Transport, Heritage and Planning Committee recommends the following:

Item 9.4

Post Exhibition - Planning Proposal - 92-98 Brougham Street, Potts Point - Sydney Local Environmental Plan 2012 Amendment

It is resolved that:

- (A) Council note matters raised in response to the public exhibition of the Planning Proposal – 92-98 Brougham Street, Potts Point, as detailed in this report and as shown in Attachment A to the subject report;
- (B) Council approve the Planning Proposal – 92-98 Brougham Street, Potts Point, as shown at Attachment B to the subject report, to be made as a local environmental plan under section 3.36 of the Environmental Planning and Assessment Act 1979; and
- (C) authority be delegated to the Chief Executive Officer to make any minor amendments to Planning Proposal – 92-98 Brougham Street, Potts Point, as shown at Attachment B to the subject report 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 the Chair (the Lord Mayor), and carried unanimously.)

X037821

Speakers

Ms Jillian Christie, Ms Vanessa Moore, Mr Stephen Gouge and Mr Phillip George addressed the meeting of the Transport, Heritage and Planning Committee on Item 9.4.

The Transport, Heritage and Planning Committee recommends the following:

Item 9.5

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 and C to 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 as recommended by the City's Investigation Officer at 539-541 Elizabeth Street, Surry Hills as detailed in Attachment B to the subject report; and
- (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 as recommended by the City's Investigation Officer at 21 Cooper Street, Surry Hills as detailed in Attachment C to the subject report.

(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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