

Item 9

Report of the Transport, Heritage, Environment and Planning Committee - 9 May 2022

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 Transport, Heritage, Environment and Planning Committee recommends the following:

Item 9.2

Post Exhibition - Planning Proposal - Enterprise Area Review - Sydney Local Environmental Plan 2012, Sydney Development Control Plan 2012 Amendment

It is resolved that:

- (A) Council note the requirements of the Gateway Determination issued by the Department of Planning and Environment to amend the contents of Planning Proposal: Enterprise Area Review, prior to public exhibition, as shown at Attachment C to the subject report;
- (B) Council note the matters raised in response to the public exhibition of Planning Proposal: Enterprise Area Review and draft Sydney Development Control Plan 2012: Southern Enterprise Area Amendment, as described in this report and shown at Attachment D to the subject report;
- (C) Council approve the Planning Proposal: Enterprise Area Review, with amendments in response to submissions, as shown at Attachment A to the subject report, to be sent to the Department of Planning and Environment to be made as a local environmental plan under Section 3.36 of the Environmental Planning and Assessment Act 1979;
- (D) Council approve Sydney Development Control Plan 2012: Southern Enterprise Area Amendment, with amendments in response to submissions, as shown at Attachment B to the subject report, noting that it will come into effect on the date of publication of the subject local environmental plan, in accordance with Clause 21 of the Environmental Planning and Assessment Regulation 2000;
- (E) authority be delegated to the Chief Executive Officer to make minor amendments to Planning Proposal: Enterprise Area Review and Sydney Development Control Plan 2012: Southern Enterprise Area Amendment to correct any minor errors or omissions prior to finalisation; and
- (F) Council note the City of Sydney Employment Lands Strategy 2014-2019 will continue to guide development in the City's enterprise areas until an updated strategy is prepared, publicly exhibited and adopted.

(Note – at the meeting of the Transport, Heritage, Environment and Planning Committee, this recommendation was moved by Councillor Chan, seconded by Councillor Scully, and carried on the following show of hands:

Ayes (8) The Chair (the Lord Mayor), Councillors Chan, Davis, Gannon, Kok, Scott, Scully and Weldon

Noes (1) Councillor Ellsmore*

* Councillor Ellsmore abstained from voting on this matter. Pursuant to the provisions of clause 9.4 of the Code of Meeting Practice, Councillor Ellsmore is taken to have voted against the motion.)

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Speakers

Nicole Leuning (Smart Design Studio) and Anthony Kunz (Planning Lab) addressed the meeting of the Transport, Heritage, Environment and Planning Committee on Item 9.2.

The Transport, Heritage, Environment and Planning Committee recommends the following:

Item 9.3

Public Exhibition - Planning Proposal - 757-763 George Street, Haymarket - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment

It is resolved that:

- (A) Council approve Planning Proposal - 757-763 George Street, Haymarket as shown at Attachment A to the subject report, to be submitted to the Minister for Planning and Homes with a request for Gateway Determination;
- (B) Council approve Planning Proposal - 757-763 George Street, Haymarket, as 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 Homes 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 put into effect Planning Proposal - 757-763 George Street, Haymarket;
- (D) Council approve Draft Sydney Development Control Plan 2012 - 757-763 George Street, Haymarket Amendment as 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 – 757-763 George Street, Haymarket and Draft Sydney Development Control Plan 2012 – 757-763 George Street, Haymarket Amendment to correct any drafting errors or ensure it is consistent with the Planning Proposal following the Gateway Determination; and
- (F) authority be delegated to the Chief Executive Officer to prepare a draft planning agreement in accordance with the letter of offer dated 2 May 2022 at Attachment C to the subject report and the requirements of the Environmental Planning and Assessment Act 1979, to be exhibited concurrently with the Planning Proposal.

(Note – at the meeting of the Transport, Heritage, Environment and Planning Committee, this recommendation was moved by Councillor Chan, seconded by the Chair (the Lord Mayor), and carried on the following show of hands:

Ayes (8) The Chair (the Lord Mayor), Councillors Chan, Davis, Gannon, Kok, Scott, Scully and Weldon

Noes (1) Councillor Ellsmore*

* Councillor Ellsmore abstained from voting on this matter. Pursuant to the provisions of clause 9.4 of the Code of Meeting Practice, Councillor Ellsmore is taken to have voted against the motion.)

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The Transport, Heritage, Environment and Planning Committee recommends the following:

Item 9.4

Approved Variations to Development Standards Reported to the Department of Planning and Environment

It is resolved that the subject report be received and noted.

(Note – at the meeting of the Transport, Heritage, Environment and Planning Committee, this recommendation was moved by Councillor Chan, seconded by the Chair (the Lord Mayor), and carried on the following show of hands:

Ayes (8) The Chair (the Lord Mayor), Councillors Chan, Davis, Gannon, Kok, Scott, Scully and Weldon

Noes (1) Councillor Ellsmore*

* Councillor Ellsmore abstained from voting on this matter. Pursuant to the provisions of clause 9.4 of the Code of Meeting Practice, Councillor Ellsmore is taken to have voted against the motion.)

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The Transport, Heritage, Environment 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 of the subject report;
- (C) note the contents of Attachment B and exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 2-4 Cunningham Street, Haymarket; and
- (D) note the contents of Attachment C and exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 23-25 Pyrmont Bridge Road, Camperdown.

(Note – at the meeting of the Transport, Heritage, Environment and Planning Committee, this recommendation was moved by Councillor Chan, seconded by Councillor Scully, and carried on the following show of hands:

Ayes (8) The Chair (the Lord Mayor), Councillors Chan, Davis, Gannon, Kok, Scott, Scully and Weldon

Noes (1) Councillor Ellsmore*

* Councillor Ellsmore abstained from voting on this matter. Pursuant to the provisions of clause 9.4 of the Code of Meeting Practice, Councillor Ellsmore is taken to have voted against the motion.)

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