

Item 11

Report of the Transport, Heritage and Planning Committee - 17 June 2024

Item 11.1

Confirmation of Minutes

Moved by Councillor Chan, seconded by the Chair (the Lord Mayor) –

That the Minutes of the meeting of the Transport, Heritage and Planning Committee of Monday 6 May 2024, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 11.2**Statement of Ethical Obligations and Disclosures of Interest**

Councillor Shauna Jarrett disclosed a less than significant, non-pecuniary interest in Item 11.6 on the agenda, in that she has a personal and professional relationship with Rob Stokes. Councillor Jarrett considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because he is just a professional colleague and friend.

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.

The Transport, Heritage and Planning Committee recommends the following:

Item 11.3

Post Exhibition - A City for Walking Strategy and Action Plan - Continuing the Vision

It is resolved that:

- (A) Council note the submissions and feedback received through the public exhibition period as shown at Attachment A to the subject report;
- (B) Council adopt A City for Walking Strategy and Action Plan - Continuing the Vision incorporating amendments following the public exhibition process, as shown at Attachment C to the subject report; and
- (C) authority be delegated to the Chief Executive Officer to make minor amendments to A City for Walking Strategy and Action Plan - Continuing the Vision in order to correct any minor drafting errors and finalise design, artwork and accessible formats for publication.

(Note – at the meeting of the Transport, Heritage and Planning Committee, this recommendation was moved by Councillor Chan, seconded by the Chair (the Lord Mayor), and carried unanimously.)

X092554

Speakers

Gisele Mesnage, Dr Megan Sharkey (BetterStreets) and Regina Haertsch (WalkSydney Inc) addressed the meeting of the Transport, Heritage and Planning Committee on Item 11.3.

The Transport, Heritage and Planning Committee recommends the following:

Item 11.4

Public Exhibition - Planning Proposal - 242-258 Young Street, Waterloo - Sydney Local Environmental Plan 2012 Amendment and Draft Design Guide

It is resolved that:

- (A) Council approve Planning Proposal - 242-258 Young Street, Waterloo, as 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 - 242-258 Young Street, Waterloo, 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 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 Planning Proposal - 242-258 Young Street, Waterloo;
- (D) Council approve the draft Design Guide 242-258 Young Street, Waterloo, as shown at Attachment B to the subject report, for public exhibition concurrent with the Planning Proposal;
- (E) authority be delegated to the Chief Executive Officer to make any variations to Planning Proposal - 242-258 Young Street, Waterloo, to correct any drafting errors or to ensure consistency with the Gateway Determination;
- (F) authority be delegated to the Chief Executive Officer to make any variations to the draft Design Guide 242-258 Young Street, Waterloo, to correct any drafting errors or ensure it is consistent with the Planning Proposal following the Gateway Determination; and
- (G) Council note the Chief Executive Officer will prepare a draft planning agreement in accordance with the letter of offer dated 2 May 2024, shown at Attachment C to the subject report, and the requirements of the Environmental Planning and Assessment Act 1979, to be exhibited in accordance with the Act.

(Note – at the meeting of the Transport, Heritage 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 (9) The Chair (the Lord Mayor), Councillors Chan, Davis, Gannon, Jarrett, Kok, Scott, Weldon and Worling

Noes (1) Councillor Ellsmore*.

Carried.

*Note – Councillor Ellsmore abstained from voting on this matter. Pursuant to the provisions of clause 10.4 of the Code of Meeting Practice, Councillor Ellsmore is taken to have voted against the motion.)

X093892

Speakers

Richard Huynh (Sustainable Development Group Limited) and Ben Craig (Ethos Urban) addressed the meeting of the Transport, Heritage and Planning Committee on Item 11.4.

The Transport, Heritage and Planning Committee recommends the following:

Item 11.5

Public Exhibition - Planning Proposal - 8-24 Kippax Street, Surry Hills - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendments

It is resolved that:

- (A) Council approve Planning Proposal – 8-24 Kippax Street, Surry Hills, as 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 – 8-24 Kippax Street, Surry Hills, 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 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 Planning Proposal – 8-24 Kippax Street, Surry Hills;
- (D) Council approve the Draft Sydney Development Control Plan 2012 – 8-24 Kippax Street, Surry Hills, 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 variations to Planning Proposal – 8-24 Kippax Street, Surry Hills, to correct any drafting errors or to ensure consistency with the Gateway Determination; and
- (F) authority be delegated to the Chief Executive Officer to make any variations to Draft Sydney Development Control Plan 2012 – 8-24 Kippax Street, Surry Hills, 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 Chan, seconded by the Chair (the Lord Mayor), and carried unanimously.)

X101286

Speaker

Juliet Wittenoom Louw (Ethos Urban) addressed the meeting of the Transport, Heritage and Planning Committee on Item 11.5.

The Transport, Heritage and Planning Committee recommends the following:

Item 11.6

Local Planning Panel - Appointment of Members

It is resolved that Council:

- (A) endorse the appointment of Robert Stokes as Chair of the City of Sydney Local Planning Panel for a three-year period commencing 1 July 2024;
- (B) endorse the appointment of Jan Murrell as Alternate Chair of the City of Sydney Local Planning Panel until 28 February 2027;
- (C) endorse the appointment of Graham Brown as Alternate Chair of the City of Sydney Local Planning Panel for a three year period commencing 1 July 2024;
- (D) endorse the appointments of four additional expert members from the Minister's list of eligible expert members to the City of Sydney Local Planning Panel, being Elizabeth Kinkade, Kara Krason, Elisabeth Peet and Louise Sureda for a period of three years from the date of appointment;
- (E) endorse the appointment of one additional community representative to the City of Sydney Local Planning Panel, being David Green (subject to probity checks) for a period of three years from the date of appointment; and
- (F) endorse the use of the appointed expert members for the independent role on Council's Review of Determinations Panel, subject to their acceptance of the invitation.

(Note – at the meeting of the Transport, Heritage 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 –

Aye (8) The Chair (the Lord Mayor), Councillors Chan, Davis, Gannon, Jarrett, Kok, Scott and Worling

Noes (2) Councillors Ellsmore and Weldon*.

Carried.

*Note – Councillor Weldon abstained from voting on this matter. Pursuant to the provisions of clause 10.4 of the Code of Meeting Practice, Councillor Weldon is taken to have voted against the motion.)

X102821

The Transport, Heritage and Planning Committee recommends the following:

Item 11.7

Fire Safety Reports

It is resolved that:

- (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 H of the subject report;
- (C) note the contents of Attachment B and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 359-361 Pitt Street, Sydney at this time;
- (D) note the contents of Attachment C and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 156-160 Goulburn Street, Surry Hills at this time;
- (E) note the contents of Attachment D and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 405-411 Sussex Street, Haymarket at this time;
- (F) note the contents of Attachment E and exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 301 Kent Street, Sydney;
- (G) note the contents of Attachment F and exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 782 Bourke Road, Waterloo;
- (H) note the contents of Attachment G and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 252 Botany Road Alexandria at this time; and
- (I) note the contents of Attachment H and exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 33-35A York Street, Sydney.

(Note – at the meeting of the Transport, Heritage and Planning Committee, this recommendation was moved by Councillor Chan, seconded by the Chair (the Lord Mayor), and carried unanimously.)

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