

Item 9

Report of the Transport, Heritage and Planning Committee - 14 September 2026

Item 9.1

Confirmation of Minutes

Moved by Councillor Miller, seconded by Councillor Worling –

That the Minutes of the meeting of the Transport, Heritage and Planning Committee of Monday 17 August 2026, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 9.2**Statement of Ethical Obligations and Disclosures of Interest**

Councillor Olly Arkins made the following disclosures:

- a less than significant non-pecuniary interest in Item 9.4 on the agenda, in that there are members of the NSW branch of the Labor Party that live in buildings recommended for heritage listing. Councillor Arkins considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she was not contacted by them on this Item.
- a less than significant non-pecuniary interest in Item 9.5 on the agenda, in that there are members of the NSW branch of the Labor Party that live in a building that is the subject of the report. Councillor Arkins considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she was not contacted by them on this Item.

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.

Item 9.3**Post Exhibition - Outdoor Dining Guidelines, Outdoor Dining Policy Review and Permanent Footpath Extensions**

The Transport, Heritage and Planning Committee decided that consideration of this matter shall be deferred to the meeting of Council on 21 September 2026.

Staff Recommendation

The staff recommendation to the Transport, Heritage and Planning Committee was as follows -

It is resolved that:

- (A) Council note the outcomes of engagement on the draft Outdoor Dining Guidelines in the Engagement Report as shown at Attachment A to the subject report
- (B) Council adopt the Outdoor Dining Guidelines as shown at Attachment B to the subject report and as amended
- (C) authority be delegated to the Chief Executive Officer to undertake minor editorial amendments prior to publication for clarity or correction of drafting errors and to finalise design, artwork and accessible formats
- (D) Council note the Outdoor Dining - Implementation Plan for permanent footpath extensions as shown at Attachment C to the subject report
- (E) Council rescind the Outdoor Dining Policy as shown at Attachment D to the subject report
- (F) Council note that a communications and education plan, as outlined in the subject report, will be undertaken for the initial implementation period of the new Outdoor Dining Guidelines up to 1 February 2027. In accordance with Council's Compliance Policy, enforcement action will be initially focused on education and voluntary compliance, except where immediate action is required to address significant issues of public safety
- (G) authority be delegated to the Chief Executive Officer to amend the Sydney streets code to reflect the dimensions of the continuous accessible clear path of travel adopted in the Outdoor Dining Guidelines as shown at Attachment B to the subject report.

Staff Report

The report on this matter can be found at Item 3 on the agenda for the meeting of the Transport, Heritage and Planning Committee on 14 September 2026.

X127800

Speakers

D'Arcy Roche (Walk Sydney) and Jason Leong addressed the meeting of the Transport, Heritage and Planning Committee on Item 9.3.

The Transport, Heritage and Planning Committee recommends the following:

Item 9.4

Post Exhibition - Planning Proposal - Modern Residential Flat Buildings Heritage Items - Sydney Local Environmental Plan 2012 Amendment

It is resolved that:

- (A) Council note the Engagement Report highlighting the submissions received during the public exhibition of the Planning Proposal - Modern Residential Flat Buildings Heritage Items, shown at Attachment A to the subject report
- (B) Council approve the amended Planning Proposal - Modern Residential Flat Buildings Heritage Items, 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
- (C) authority be delegated to the Chief Executive Officer to make any minor variations to the amended Planning Proposal - Modern Residential Flat Buildings Heritage Items shown at Attachment B to the subject report, to correct any drafting errors prior to finalisation of the local environmental plan.

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

X109515

Speakers

Riley Lukosius (Strata Embassy), Philip Archer, and Philip Thalís (Hill Thalís Architecture) 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 Reports 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 D to 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 390-396 Pitt Street, Haymarket
- (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 74-76 Roslyn Gardens, Rushcutters Bay
- (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 653-659 George Street, Haymarket at this time.

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

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