

Item 9

Report of the Transport, Heritage and Planning Committee - 10 March 2025

Item 9.1

Confirmation of Minutes

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

That the Minutes of the meeting of the Transport, Heritage and Planning Committee of Monday 10 February 2025, as circulated to Councillors, be confirmed.

Carried unanimously.

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

Councillor Jess Miller disclosed a less than significant, non-pecuniary interest in Item 9.3 on the agenda, in that she currently serves on the Board of the National Art School. Councillor Miller considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances as the National Art School was added in after exhibition and she was not aware of this recommendation until the Committee papers were published. She also had no communication with National Art School about 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 - Entertainment Sound Management - Sydney Development Control Plan 2012 Amendment and Special Entertainment Precincts Discussion Paper**

The Transport, Heritage and Planning Committee decided that consideration of this matter shall be deferred to the meeting of Council on 17 March 2025.

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 matters raised in response to the public exhibition of the draft Development Control Plan - Entertainment Sound Management as shown in Attachment A to the subject report;
- (B) Council approve the draft Development Control Plan - Entertainment Sound Management and maps as shown at Attachment B to the subject report;
- (C) authority be delegated to the Chief Executive Officer to make minor amendments to draft Development Control Plan - Entertainment Sound Management and maps to correct any minor errors or omissions prior to finalisation;
- (D) Council note the matters raised in response to the public exhibition of the Special Entertainment Precincts Discussion Paper as described in Attachment C to the subject report; and
- (E) Council endorse the establishment of Special Entertainment Precincts in late night trading areas identified in Attachment D to the subject report.

Officer's Report

The officer's report on this matter can be found at Item 3 on the agenda of the meeting of the Transport, Heritage and Planning Committee on 10 March 2025.

X009155.021

Speakers

Kathleen Donohue, John Baker (Walsh Bay Precinct Association), Ben Mulcahy, Zena Vaassen, Michele Fraser, Dr Kristen Sharp (National Art School), Greg Fisher (Qtopia), Scott MacKay, Melanie Tait (Milsons Point Community Resident Action Group / Milton Terrace Association), Jeanette Brokman and Lisa Waller 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 - 383-395A Kent Street, Sydney - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment

It is resolved that:

- (A) Council note the matters raised in response to the public exhibition of Planning Proposal - 383-395A Kent Street, Sydney, the draft Sydney Development Control Plan 2012 - 383-395A Kent Street, Sydney, and draft Voluntary Planning Agreement, as shown in Attachment D to the subject report;
- (B) Council approve Planning Proposal - 383-395A Kent Street, Sydney, as shown at Attachment A to the subject report, and request the relevant local plan making authority make the planning proposal as a Local Environmental Plan under section 3.36 of the Environmental Planning and Assessment Act 1979;
- (C) Council approve the draft Sydney Development Control Plan 2012 - 383-395A Kent Street, Sydney, as shown at Attachment B to the subject report, noting the approved Development Control Plan will come into effect on the date of publication of the subject Local Environmental Plan;
- (D) authority be delegated to the Chief Executive Officer to make any minor amendments to the Planning Proposal - 383-395A Kent Street, Sydney, and the draft Sydney Development Control Plan 2012 - 383-395A Kent Street, Sydney, to correct any minor errors or omissions prior to finalisation; and
- (E) Council note the draft Voluntary Planning Agreement, as shown at Attachment C to the subject report, will be executed under delegation of Council in accordance with the Environmental Planning and Assessment Act 1979.

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

X091069

The Transport, Heritage and Planning Committee recommends the following:

Item 9.5

Public Exhibition - Draft Display of Goods on the Footway Local Approvals Policy

It is resolved that:

- (A) Council approve the draft Display of Goods on the Footway Local Approvals Policy, as shown at Attachment A to the subject report, for public exhibition in accordance with section 160 of the Local Government Act 1993 and section 77 of the Local Government (General) Regulation 2021;
- (B) Council approve the draft Display of Goods on the Footway Local Approvals Policy shown at Attachment A to the subject report, for submission to the Office of Local Government with a request for the consent of the Department Chief Executive for the adoption of the Policy in accordance with section 162 of the Local Government Act 1993;
- (C) Council note that the Display of Goods on the Footway Local Approvals Policy, including any recommended changes, will be reported to Council for adoption following the exhibition period; and
- (D) authority be delegated to the Chief Executive Officer make any variations to the draft Display of Goods on the Footway Local Approvals Policy for clarity or correction of drafting errors prior to exhibition.

(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.)

S060627-02.026

The Transport, Heritage and Planning Committee recommends the following:

Item 9.6

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 E 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 2-4 Sterling Circuit, Camperdown 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 20 Pymont Bridge Road, Camperdown 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 26 Point Street, Pymont at this time; and
- (F) note the contents of Attachment E and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 22 Point Street, Pymont 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.)

S105001.002