

Council

Meeting No 5

Monday 13 May 2024

Notice No 5/1663

Notice Date 9 May 2024

minutes

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Present

The Right Hon The Lord Mayor - Councillor Clover Moore AO (Chair)

Members Deputy Lord Mayor - Councillor Robert Kok, Councillor HY William Chan, Councillor (Waskam) Emelda Davis, Councillor Sylvie Ellsmore, Councillor Lyndon Gannon, Councillor Shauna Jarrett, Councillor Linda Scott, Councillor Yvonne Weldon AM and Councillor Adam Worling.

At the commencement of business at 5.05pm, those present were:-

The Lord Mayor, Councillors Kok, Chan, Davis, Ellsmore, Gannon, Jarrett, Scott, Weldon and Worling.

The Chief Executive Officer, Chief Operating Officer, Chief Financial Officer, Director City Planning, Development and Transport, Director Legal and Governance, Director City Life, A/Director Strategic Development and Engagement, Director People Performance and Technology and Director City Services were also present.

Acknowledgement of Country and Opening Prayer

The Lord Mayor opened the meeting with an Acknowledgement of Country and opening prayer.

Webcasting Statement

The Chair (the Lord Mayor), advised that in accordance with the City of Sydney Code of Meeting Practice, Council meetings are audio visually recorded and webcast live on the City of Sydney website. The Chair (the Lord Mayor) asked that courtesy and respect be observed throughout the meeting and advised those in attendance to refrain from making defamatory statements.

Councillor Scott left the meeting of Council at 8.12pm during discussion on Item 10.3, and returned at 8.41pm, during discussion and before the vote on Item 11. Councillor Scott was not present at, or in sight of, the meeting of Council during voting on Item 10.3.

Item 1 Confirmation of Minutes

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

That the Minutes of the meeting of Council of Monday, 8 April 2024, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 2 Statement of Ethical Obligations and Disclosures of Interest

Statement of Ethical Obligations

In accordance with section 233A of the Local Government Act 1993, the Lord Mayor and Councillors are bound by the Oath or Affirmation of Office made at the start of the Council term to undertake their civic duties in the best interests of the people of the City of Sydney and the City of Sydney Council and to faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act 1993 or any other Act, to the best of their ability and judgement.

Disclosures of Interest

Councillor (Waskam) Emelda Davis disclosed a less than significant, non-pecuniary interest in Item 9.4 on the agenda, in that she has known Mudgin-Gal Aboriginal Corporation through her personal involvement with ASSIPJ advocacy work, and she also sits on the City of Sydney Aboriginal and Torres Strait Islander Advisory Panel with the Chair of Mudgin-Gal, Bronwyn Penrith.

Councillor Davis considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she did not discuss the grant with the applicant nor assist them in any way.

Councillor Sylvie Ellsmore disclosed a less than significant, non-pecuniary interest in Item 5.2(a) on the agenda, in that she has been involved in the Build A Bridge campaign as a member of REDWatch.

Councillor Ellsmore considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she receives no remuneration or derives any benefit.

Councillor Linda Scott made the following disclosures:

- a less than significant, non-pecuniary interest in Item 10.3 on the agenda, in that the profit-to-member superannuation fund that she chairs holds investments in Charter Hall. Councillor Scott is a member of CareSuper on the same terms and conditions as all other members who joined at the same time and as always, she brings her own mind to Council decisions in her role as a Councillor. This past weekend Councillor Scott participated in the Mother's Day Classic Foundation fundraiser, where funds raised are paid to the charity foundation to support ending breast and ovarian cancer. She did not receive any personal benefit or loss.

During the meeting of Council, Councillor Scott noted that Charter Hall, the applicant for Item 10.3, had made a contribution to the charity as part of her fundraising efforts. She did not personally seek this donation, nor meet with Charter Hall or discuss the charity donation with them. Out of an abundance of caution, Councillor Scott stepped away from the meeting of Council during discussion and voting on Item 10.3.

- a less than significant, non-pecuniary interest in Item 15.10 on the agenda, in that she is the Deputy President of the Australian Council of Superannuation Investors Limited (ACSI). Councillor Scott considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she applies her judgement to the decisions as a councillor for the City of Sydney.

Councillor Adam Worling made the following disclosures:

- a less than significant, non-pecuniary interest in Item 8.3 on the agenda, in that he represented the Lord Mayor by speaking at the City Recital Hall Amplification Renewal Project in July 2023 and since then has attended the venue to meet with City Hall CEO Justin Boschetti, and has accepted the City's protocol tickets to attend performances at the venue. Councillor Worling considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because he did not discuss the grant with anyone from City Recital Hall.
- a less than significant, non-pecuniary interest in Item 11 on the agenda, in that he is a member of Sydney Gay and Lesbian Mardi Gras, and in his role as Councillor has met with Claire 'Gil' Beckwith, the CEO, along with members of her team, to discuss the LGBTIQ+ community on multiple occasions. Councillor Worling considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because he did not discuss this Recovery Package with anyone from Mardi Gras.

No other Councillors disclosed any pecuniary or non-pecuniary interests in any matter on the agenda for this meeting of Council.

Item 3 Minutes by the Lord Mayor

Item 3.1 Vale Tony Bleasdale OAM

Minute by the Lord Mayor

To Council:

I wish to inform Council of the sudden passing of Tony Bleasdale, Mayor of Blacktown City Council, on 3 May 2024, whilst returning from a trip to Blacktown City's sister cities in China and Korea.

Tony arrived in Sydney from Merseyside in England in 1963 where he worked in the building industry for 40 years before starting his own labour hire business.

He was first elected as a Blacktown City Councillor in 1996 and since then, has served his communities with integrity and a genuine commitment to deliver good outcomes for residents and businesses in the area.

In 2010, he was awarded an Order of Australia Medal for his charity work and service to the community.

Following a three-year prelude as Deputy Mayor, Tony was elected as Mayor in 2019 and faced the challenge of transforming Blacktown City to meet the needs of its growing population with housing and jobs, most notably through the Blacktown Quarter project.

In 2021, we worked together alongside other Metropolitan Council mayors opposing the former NSW Government's proposed changes to local infrastructure contributions that threatened the ability for councils to fund and deliver essential community facilities. Tony was part of a delegation of mayors that met with the then Minister for Planning where he fiercely defended the future liveability of his community.

Just last month I visited him in Blacktown to see their impressive new animal shelter, Blacktown Animal Rehoming Centre (BARC), and the Blacktown Exercise, Sports and Technology Hub. He was proud of what they'd achieved, and his legacy will have a lasting impact on the community he served.

Tony was a wonderful community leader and will be dearly missed by many.

Recommendation

It is resolved that:

- (A) all persons attending this meeting of Council observe one minute's silence to commemorate the life of Tony Bleasdale OAM and his steadfast commitment to the Blacktown City community;
- (B) Council expresses its sincere condolences to Tony Bleasdale's wife, Nina, and their four children and all those who worked with him at Blacktown City Council; and
- (C) the Lord Mayor be requested to write to Tony Bleasdale's family conveying Council's condolences.

COUNCILLOR CLOVER MOORE AO

Lord Mayor

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

That the Minute by the Lord Mayor be endorsed and adopted.

Carried unanimously.

S051491

Note – all Councillors, staff and members of the public present stood in silence for one minute as a mark of respect to Tony Bleasdale.

Item 3.2 Bondi Junction Attack

Minute by the Lord Mayor

To Council:

On 13 April 2024, six people didn't come home from what should have been a regular day out at Bondi Junction's Westfield shopping centre.

Five women: Jade Young, Ashlee Good, Pikria Darchia, Yixuan Cheng and Dawn Singleton were murdered by a lone attacker. Faraz Tahir, who was working his first shift as a security guard was also killed as he tried to stop the attacker.

In that twenty minutes of terror, another 12 people were injured, including new mother Ashlee Good's nine-month-old baby.

Our community united in its horror and sadness over the attack. Local leaders joined community members to lay flowers at a makeshift memorial outside the shopping centre, and a black ribbon symbolising remembrance and mourning was projected onto the sails of the Sydney Opera House.

On 21 April 2024, I joined thousands at a candlelight vigil to honour those impacted. It was a moving display of resilience and strength.

Since the attack, the Australian Red Cross established a pop-up blood donation centre in Bondi, and the NSW Government activated support services to anyone impacted. The NSW Government also allocated \$18 million towards a Coronial Inquest into the attack.

I thank the first responders, police, paramedics and ordinary people, who acted so quickly and bravely to look after each other, restore safety and save lives.

I have written to the Mayor of Waverley on behalf of the City of Sydney offering our sincere condolences and assistance if needed.

I extend my deepest sympathy to the families of those who lost their lives, and those who have been injured.

I am proposing that the City of Sydney donate \$30,000 to Lifeline Northern Beaches Limited who offer crisis support and suicide prevention services and have a dedicated program for people affected by the Bondi Junction attack.

Recommendation

It is resolved that Council:

- (A) expresses its sincere condolences to the families and friends of those affected by the Bondi Junction attack, and all those affected in the community;
- (B) donate \$30,000 to Lifeline Northern Beaches Limited from the 2023/24 General Contingency Fund to support people affected by the Bondi Junction attack; and
- (C) endorse the Australian Red Cross blood collection drive and encourage people who can donate blood through the City's various communication channels.

COUNCILLOR CLOVER MOORE AO

Lord Mayor

Moved by the Chair (the Lord Mayor), seconded by Councillor Kok -

That the Minute by the Lord Mayor be endorsed and adopted.

Carried unanimously.

S051491

Item 3.3 Support for Community Legal Centres

Minute by the Lord Mayor

To Council:

On 19 February 2024, Council unanimously resolved to support my Lord Mayoral Minute, [Progressing Action on Safety for Our LGBTIQ+ Communities](#), which requested the Chief Executive Officer to investigate funding for local community legal centres that support members of the LGBTIQ+ communities seeking redress for acts of violence, discrimination, vilification, harassment or abuse against them. The outcome of that investigation will be reported to Council next month.

This was one of several actions Council supported following the LGBTIQ+ Safety Summit I hosted in partnership with ACON on 9 February 2024, which were set out in my Lord Mayoral Minute.

The Managing Principal Solicitor of the Inner City Legal Centre wrote to me supporting the Minute's recommendations relating to legal centres.

The letter explained that the Inner City Legal Centre provides the only LGBTQIA+ specific legal service in NSW. This includes the only Trans and Gender Diverse Legal Service, the only Sex Worker specific Legal Service and the only LGBTQIA+ specific domestic violence legal service and safe room in all of NSW. Eight staff, including six lawyers augmented by the support of over 100 committed volunteers provide these and other vital services.

The Centre receives annual funding of less than \$1 million through the State and Commonwealth National Legal Assistance Partnership, much of which is allocated towards support for priority groups. These priority groups do not include the LGBTQIA+ communities and sex workers, which means the Inner City Legal Centre does not receive targeted funds to help these groups.

Sector in crisis

Community legal centres across Australia face serious funding constraints. On 24 March 2024, Community Legal Centres Australia released its Sector in Crisis Report based on a survey of 117 community legal centres.

According to the Guardian, they reported having to turn away more than 1,000 people every day in 2023 due to budget constraints and short staffing. This was twice the number they were able to help. A snapshot of the report is available [here](#).

The Sector in Crisis report forms part of Community Legal Centres Australia's submission to the federal budget seeking at least \$125 million in additional funding for all community legal centres for the 2024-25 financial year as well as ongoing funding into the future. The outcome of this submission will be known when the Treasurer hands down the Commonwealth budget in Parliament on 14 May 2024.

In November 2023, following my Lord Mayoral Minute, [Support for Waterloo South Relocations](#), Council unanimously resolved for the Chief Executive Officer to consult with local community organisations in the area, including Redfern Legal Centre and the Aboriginal Legal Service, about what support residents will require during relocations and advise them about the City's available grant programs. An outcome from that request will also be presented to Council in June 2024.

I have written to the Treasurer and Attorney-General of both the Federal and NSW Governments requesting additional funding for community legal centres in their 2024-2025 budgets.

In the letter to me, the Inner City Legal Centre acknowledges that funding core legal assistance services is not the role of local councils. However, the City remains committed to helping address this resourcing crisis and ensure our most vulnerable communities are not denied the legal support they need including women, children and gender diverse people escaping violence.

Recommendation

It is resolved that:

(A) Council note:

- (i) following a Lord Mayoral Minute in November 2023, Council unanimously resolved for the Chief Executive Officer to consult with local community organisations in the area including Redfern Legal Centre about what support residents will require during relocations and advise them about the City's available grant programs. The outcomes of that request will be reported to Council in June 2024;
- (ii) following the LGBTIQA+ Safety Summit in February 2024, and in response to a Lord Mayoral Minute, Council unanimously resolved for the Chief Executive Officer to investigate funding for local community legal centres. The outcomes of that request will also be reported to Council in June 2024;
- (iii) on 19 March 2024, the Lord Mayor wrote to the NSW Treasurer and NSW Attorney General calling for increased funding to be included in the NSW State budget for Anti-Discrimination NSW and community legal centres; and
- (iv) on 24 March 2024, Community Legal Centres Australia released its Sector in Crisis Report stating that in 2022-23, inadequate funding and overwhelming demand for services and workforce challenges left community legal centres struggling to respond to community needs and they desperately require ongoing investment from the Federal and State Governments; and

(B) Council endorse the City of Sydney's advocacy to the Federal and State Governments requesting urgent additional and ongoing funding and support for community legal centres.

COUNCILLOR CLOVER MOORE AO

Lord Mayor

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

That the Minute by the Lord Mayor be endorsed and adopted.

Carried unanimously.

S051491

Item 3.4 Gender-Based Violence

Minute by the Lord Mayor

To Council:

One woman is killed every four days in Australia, twice as many as this time last year. At least 28 women have been killed in Australia this year alone. Many are killed by a current or former partner.

Thousands of people marched last month calling on governments to address the epidemic of women killed in violent attacks. I agree that the need to prevent violence against women, children and gender-diverse people is a national emergency.

Government action

In 2022, the Federal, State and Territory Governments released the National Plan to End Violence against Women and Children 2022-2032, which highlights how all parts of society must work together to end gender-based violence in one generation.

Last year, the first of two five-year action plans under the National Plan was released along with a dedicated Aboriginal and Torres Strait Islander Action Plan and more than \$2 billion in investment to deliver outcomes.

Investment needs to be directed to all our diverse communities. With some communities experiencing greater isolation and barriers to reporting and accessing support to become and stay safe, including LGBTIQ+, people with disability and culturally and linguistically diverse communities.

Research also tells us that police and the courts must do more to protect people who report violence and to stop people who are abusive and controlling from repeat offences. We need to regulate damaging industries including pornography and social media where sexual and gendered violence can be normalised as well as alcohol and gambling, which can exacerbate violence. We also need to support recovery to prevent intergenerational trauma and violence.

On 1 May 2024, the beginning of Domestic and Family Violence Prevention Month, the Federal Government announced a \$925 million investment to make the existing Leaving Violence program permanent. They must ensure financial support under this program is open to all as soon as possible, not just for those who meet its strict criteria, and is implemented alongside increased funding for community legal centres and wrap-around supports that people who need to escape their abuser.

On 7 May 2024, the Domestic, Family and Sexual Violence Commissioner Micaela Cronin held a crisis meeting with key organisations to review progress on the Federal Government's National Plan. They highlighted the need for urgent action to prioritise housing and to fund frontline services and recommended the plan is updated to address the increasing number of women killed and those taking their own lives to escape violence.

The Commissioner stated that all states and territories must commit to a coordinated roadmap to implement the plan and she will host a national roundtable to accelerate actions.

I welcome the NSW Government's recent announcement that they will invest \$230 million over the next four years including \$73 million towards reforming the NSW justice system to help people who report violence, including to improving bail laws. They will spend \$96 million expanding the Staying Home Leaving Violence program, which helps prevent homelessness, increase case management support and provide more specialist support workers for children.

They will also implement prevention and early intervention strategies to address the drivers of family violence and expand Domestic Violence NSW, including by teaching young children about healthy relationships. It is imperative that programs focus on boys and men who are more commonly the perpetrators of physical violence, sexual harassment and sexual violence.

The NSW Government has also launched a new advertising campaign to raise awareness and understanding of coercive control which is a common form of domestic violence where people who report violence have their freedoms restricted and controlled. This coincides with coercive control formally being considered a criminal offence in NSW from July 2024.

Domestic Violence NSW welcomed the government's investment but flagged that more stable housing and crisis accommodation is a vital part of the emergency response to domestic and family violence. The NSW Government must ensure the gender-based violence sector remains a priority in the long term and receives continued funding.

City of Sydney support and services in our area

While responses to domestic and family violence is the responsibility of the NSW Government and Police, the City leads and supports interagency networks to improve collaborative responses to gender-based violence and promote gender equality and respectful and non-violent relationships benefiting the whole community.

In partnership with the Women and Girls Emergency Centre, we deliver bystander training for our residents and licensed premises to equip them with the skills to respond with compassion and report all violence in our community.

We also work with Domestic Violence NSW and NSW Police to coordinate quarterly forums across the sectors working to respond to and reduce violence. During the United Nations 16 Days of Activism initiative, we help coordinate workshops and education programs in our area to draw attention to gender-based violence and call for action to challenge inequality.

We have a foster care program in conjunction with Sutherland Shire Council Animal Shelter, the Cat Protection Society and Animal Welfare League NSW to offer temporary emergency accommodation, and veterinary care for the pets of people fleeing domestic violence.

We provided \$1.5 million from our Affordable and Diverse Housing Fund to HammondCare in Darlinghurst to accommodate people at risk of homelessness including a dedicated floor for older women. \$7.8 million of our Affordable Housing levies has enabled Bridge Housing to provide and manage dedicated housing for Aboriginal women. We are also selling seven terrace houses in Darlinghurst at a discount to establish the first dedicated housing project for transgender women, who are highly at-risk in our community.

We have supported many community organisations in our area with grant funding. In 2023, we gave over \$16,000 to support a meal service at Lou's Place in Redfern and \$150,000 over three years towards a Domestic Violence Support Worker at the South Eastern Community Connect.

However, many are struggling to stay afloat. Lou's Place, for example, provides a refuge for a staggering 40 women escaping violence each day. This essential service relies heavily on volunteers with only ten paid staff. They receive no regular State Government funding, unlike other services.

There is a strong and consistent association between gender inequality and gender-based violence. Financial independence gives women more options if they find themselves in harmful relationships. At the City of Sydney, 43 per cent of our workforce is made up of women, and 51 per cent of our leadership roles are held by women. Since 2018, the City has had a gender pay gap in favour of women.

The City was among the first Australian organisations to develop and implement a Dealing with Domestic Violence at Work Policy and offer employees paid leave for medical appointments, legal proceedings and other activities related to dealing with domestic violence, which is now mandated at up to 10 days paid leave a year. These leave days help when it may not be safe to make plans and appointments outside of work hours and this type of leave isn't identified on payslips.

These are positive steps, but the legal, health and shelter services that support women and children to leave violence must be appropriately funded by Federal and State governments on an ongoing basis at the same time as a colossal cultural change is needed in Australia.

Recommendation

It is resolved that:

- (A) Council note that one woman is killed in Australia every four days with at least 28 women killed in Australia this year alone, many by a current or previous partner;
- (B) Council declares gender-based violence a national emergency;
- (C) in consultation with relevant stakeholders, the Chief Executive Officer be requested to investigate how the City of Sydney can offer further support for women, children and gender-diverse people escaping violence through our Affordable and Diverse Housing Fund, and report back to Council via the CEO Update; and
- (D) the Lord Mayor be requested to write to the Prime Minister, NSW Premier and other relevant Federal and State Government Ministers with a copy of this Lord Mayoral Minute acknowledging their respective funding commitments and urge them to ensure it is directed to services and housing that support women, children and gender-diverse people escaping violence as soon as possible.

COUNCILLOR CLOVER MOORE AO

Lord Mayor

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

That the Minute by the Lord Mayor be endorsed and adopted.

Carried unanimously.

S051491

Item 4 Memoranda by the Chief Executive Officer

There were no Memoranda by the Chief Executive Officer for this meeting of Council.

Item 5 Matters for Tabling

5.1 Disclosures of Interest

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

It is resolved that the Disclosures of Interest returns be received and noted.

Carried unanimously.

5.2 Petition

(a) Build a Bridge

The following Petition, of which notice was given by the Lord Mayor, Councillor Clover Moore, was tabled.

What a Difference a Bridge Would Make

The number of people living and working in and around the rail corridor from Redfern to Erskineville is growing rapidly.

Along with that goes more walking and cycling - healthy modes of transport we all want to encourage.

One problem though is the great length of the corridor, requiring very long journeys around the perimeter.

For a long time, a bridge has been proposed in planning for North Eveleigh to remedy this, and we believe that with Transport for NSW reviewing plans for this site the time has come to build it.

We need an active transport corridor to connect Waterloo Metro, Alexandria and South Eveleigh on one side, to Carriageworks, North Eveleigh, Darlington and Sydney University on the other.

We therefore call upon the Minister for Transport to approve the construction of this bridge as a matter of priority.

This is a joint campaign of Alexandria Residents Action Group, REDWatch and Friends of Erskineville.

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

It is resolved that the Petition be received and noted.

Carried unanimously.

S044250

Item 6 Report of the Corporate, Finance, Properties and Tenders Committee**PRESENT**

The Lord Mayor Councillor Clover Moore AO

(Chair)

Deputy Lord Mayor Councillor Robert Kok

(Deputy Chair)

Councillors HY William Chan, (Waskam) Emelda Davis, Sylvie Ellsmore, Lyndon Gannon, Shauna Jarrett, Yvonne Weldon AM and Adam Worling.

At the commencement of business at 2.04pm those present were -

The Lord Mayor, Councillors Chan, Davis, Ellsmore, Gannon, Jarrett, Kok and Worling.

Councillor Weldon arrived at the meeting of the Corporate, Finance, Properties and Tenders Committee at 2.07pm during discussion and before the vote on Item 6.3.

Apologies

Councillor Scott extended her apologies for her inability to attend the meeting of the Corporate, Finance, Properties and Tenders Committee.

The meeting of the Corporate, Finance, Properties and Tenders Committee concluded at 3.25pm.

Report of the Corporate, Finance, Properties and Tenders Committee

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

That the report of the Corporate, Finance, Properties and Tenders Committee of its meeting of 6 May 2024 be received, with Items 6.1 and 6.2 being noted, the recommendations set out below for Items 6.5, 6.7 to 6.11 inclusive, 6.13, 6.16 to 6.17 inclusive being adopted in globo, and Items 6.3, 6.4, 6.6, 6.12, 6.14 and 6.15 being dealt with as shown immediately following those items.

Carried unanimously.

Item 6.1**Confirmation of Minutes**

Moved by Councillor Kok, seconded by Councillor Worling –

That the Minutes of the meeting of the Corporate, Finance, Properties and Tenders Committee of Monday 25 March 2024, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 6.2

Statement of Ethical Obligations and Disclosures of Interest

No Councillors disclosed any pecuniary or non-pecuniary interests in any matters on the agenda for this meeting of the Corporate, Finance, Properties and Tenders Committee.

The Corporate, Finance, Properties and Tenders Committee recommended the following:

Item 6.3

2023/24 Quarter 3 Review – Delivery Program 2022-2026

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

It is resolved that:

- (A) Council note the financial performance of Council for the third quarter, ending 31 March 2024, including a Quarter 3 Net Operating Result for the year of \$80.9M and the full year forecast of \$115.0M, as outlined in the subject report and summarised in Attachment A to the subject report;
- (B) Council note the Quarter 3 Capital Works expenditure of \$128.2M and a revised full year forecast of \$196.9M, and approve the proposed adjustments to the adopted budget, including bringing forward \$2.0M of funds into the 2023/24 capital budget and \$1.0M from the capital works contingency as detailed in Attachment B to the subject report;
- (C) Council note the Technology and Digital Services Capital Works of \$12.5M, net of disposals and a full year forecast of \$16.7M;
- (D) Council note the Quarter 3 Plant and Equipment expenditure of \$5.7M, net of disposals and a revised full year forecast of \$16.2M and approve the proposed adjustments to the adopted budget as detailed in attachment B to the subject report;
- (E) Council note the Quarter 3 net Property Acquisitions of \$10.4M, and the full year forecast net Property Divestments of \$2.9M;
- (F) Council note the supplementary reports, which detail fee-waived and discounted community facilities hire, the quick response, street banner and venue hire support grants and sponsorship programs, major legal issues, international travel, property and land use matters approved under delegation and contracts over \$50,000 as detailed in Attachment C to the subject report; and
- (G) Council approve an increase of \$40,000 cash to the current year's 2023/24 Quick Response grant budget allocation to a new total of \$400,000. This increase in funds is to support the high demand in Quick Response grant applications and to be sourced from City Life's existing overall budget savings.

Carried unanimously.

X094861

Item 6.4**Public Exhibition - Integrated Planning and Reporting Program and Budget 2024/25**

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

It is resolved that:

- (A) Council endorse the suite of Integrated Planning and Reporting documents for public exhibition for a period of 28 days, including:
 - (i) the draft Operational Plan 2024/25 as shown at Attachment A to the subject report; and
 - (ii) and the draft Resourcing Strategy 2024 as shown at Attachment B to the subject report;
- (B) Council endorse the draft Operating and Capital Budget, and future years' forward estimates, as reflected in the Operational Plan 2024/2025 and draft Resourcing Strategy 2024 including:
 - (i) Operating income of \$716.4M, operating expenditure before depreciation of \$597.3M for an Operating Result of \$119.1M, and a Net Surplus of \$115.4M after allowing for interest, depreciation and capital contributions;
 - (ii) Capital Works expenditure of \$228.5M and a capital works contingency of \$8.0M;
 - (iii) Plant and Assets net expenditure of \$18.6M
 - (iv) Capital Works (Technology and Digital Services) of \$24.0M; and
 - (v) Net Property Acquisitions of \$28.0M;
- (C) Council endorse the draft Rates, Domestic Waste Management Charges, Stormwater Charges and User Fees and Charges discussed within the subject report and included within the draft Operational Plan 2024/25; and
- (D) authority be delegated to the Chief Executive Officer to approve any minor editorial and document design corrections prior to publication.

Carried unanimously.

X101909

Item 6.5**Investments Held as at 31 March 2024**

It is resolved that the Investment Report as at 31 March 2024 be received and noted.

Carried unanimously.

X020701

Item 6.6

Investments Held as at 30 April 2024

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

It is resolved that Investment Report as at 30 April 2024 be received and noted.

Carried unanimously.

X020701

Adjournment

At this stage of the meeting, at 6.26pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Kok –

That the meeting be adjourned for approximately 15 minutes.

Carried unanimously.

All Councillors were present at the resumption of the meeting of Council at 6.43pm.

Item 6.7

Public Exhibition - Grants and Sponsorship Policy and Guidelines

It is resolved that:

- (A) Council note that no changes will be made to the Grants and Sponsorship Policy, as shown at Attachment A to the subject report;
- (B) Council approve for public exhibition the draft Grants and Sponsorship Guidelines, as shown at Attachment B to the subject report;
- (C) Council note that the Grants and Sponsorship Guidelines, 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 to make minor editorial amendments for clarity or correction of drafting errors prior to the exhibition of the draft Grants and Sponsorship Guidelines.

Carried unanimously.

S117676

Item 6.8**Adoption - Archives Collection Management Policy**

It is resolved that:

- (A) Council adopt the updated Archives Collection Management Policy as shown at Attachment A to the subject report; and
- (B) authority be delegated to the Chief Executive Officer to make amendments to the Archives Collection Management Policy in order to correct any minor drafting errors and finalise design, artwork and accessible formats for publication.

Carried unanimously.

X093219

Item 6.9**Land Classification - 13 George Julius Avenue, Zetland**

It is resolved that Council classify 13 George Julius Avenue, Zetland (being Lot 1 in DP 1265902), which is to be transferred to Council for future public purposes, as operational land in accordance with section 31 of the Local Government Act 1993 (NSW), on the basis that:

- (A) the primary future use of the land is for park, open space, and active and/or passive recreation and road;
- (B) the classification is an interim measure to support construction and delivery of the new park and road; and
- (C) following completion of the park and road and conclusion of obligations set out in registered Planning Agreement AN390315 and Deed of Variation AS45538, the land will be further subdivided creating separate portions for the road to be dedicated and for the park to be classified as community land and categorised within a plan of management.

Carried unanimously.

X101722.005

Item 6.10**Land Classification - 2A Reed Street and 1A Tung Hop Street, Waterloo**

It is resolved that Council endorse the classification of 2A Reed Street, Waterloo (being Lot 7 in DP1275276) and 1A Tung Hop Street, Waterloo (being Lot 8 in DP1275276), both of which are proposed to be transferred to Council for future public purposes as road, as operational land in accordance with section 31 of the Local Government Act 1993 (NSW).

Carried unanimously.

X101724.005

Item 6.11**Land Classification - Lots 5 and 7, 2-38 Baptist Street and 397-399 Cleveland Street, Surry Hills**

It is resolved that Council endorse classifying Lot 5 and Lot 7 in Deposited Plan 1298679 as operational land in accordance with section 31 of the Local Government Act 1993 (NSW), being a subdivision of Lots 100 and 101 in DP 1285547 at 2-38 Baptist Street and 397-399 Cleveland Street, Redfern, on the basis that in the case of Lot 5, the primary future use is for a park and the classification is an interim measure to support operational management until it can be included within the Generic Plan of Management and classified as community and categorised as park.

Carried unanimously.

X101723.005

Item 6.12**Tender - T-2023-984 - City Civil Works**

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

It is resolved that:

- (A) Council accept the tender offer of Tenderer D for Work Lot 1, Tenderer D for Work Lot 2 and Tenderers A, B, D and F for Work Lot 3 for the City Civil Works contracts for the price and contingency outlined in Confidential Attachment A to the subject report for a contract term of five years with two optional extensions to the contract term of three years and two years respectively;
- (B) Council approve the total contract sum and contingency for the City Civil Works contracts as outlined in Confidential Attachment A to the subject report;
- (C) Council accept the Schedule of Rates for the City Civil Works contracts as presented in Confidential Attachment B to the subject report;
- (D) Council approve an exemption from tender in accordance with section 55(3)(i) of the Local Government Act 1993 for the duration of the contract term, including any extensions, for the procurement of items for Work Lot 3 that are not within the Schedule of Rates set out in Confidential Attachment B to the subject report contract to a cumulative upper limit of \$500,000 inclusive of GST per project;
- (E) Council note the reasons a satisfactory result would not be achieved by inviting tenders for the procurement of items referred to in clause (D) is due to the following extenuating circumstances:
 - (i) due to the variability of civil infrastructure, it is anticipated that there will be circumstances where works will be required that are not envisaged in the Schedule of Rates that are unusual, unique or unknown at the time of tender;
 - (ii) the ability to include these items under Work Lot 3 will allow for the effective delivery of civil infrastructure;
 - (iii) the time and cost to take the procurement of these items to market would disrupt the delivery of civil infrastructure; and

- (iv) the panel structure of Work Lot 3 and the requirements for competitive quotes will provide value for money for the procurement of these items; and
- (F) authority be delegated to the Chief Executive Officer to finalise, execute and administer the contracts relating to the tender (including exercising options, if appropriate) and to give effect to the approval in clause (D).

Procedural Motion

Moved by Councillor Ellsmore –

It is resolved that:

- (A) Council make public the names of the proposed successful tenderers for Items 6.12, 6.14 and 6.15;
- (B) Council note that information must only be kept confidential from the public during Council meetings for limited reasons, as outlined by the Local Government Act 1993 and related; and
- (C) Council note that:
 - (i) making public the names of the proposed successful tenderers as part of the debate about whether those tenderers should be granted the tenders does not, in itself, confer a commercial advantage on a person under the Local Government Act 1993 – Section 10A and is therefore not a reason for confidentiality;
 - (ii) under Section 10B of the Local Government Act 1993, a meeting is not to remain closed during the discussion (for commercial confidentiality) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security; and
 - (iii) there is a public interest in making the names of the successful tenderers public.

The Chair (the Lord Mayor) ruled the motion out of order, pursuant to clause 9.8 of the Code of Meeting Practice.

Amendment. Moved by Councillor Ellsmore, seconded by Councillor Weldon –

It is resolved that:

- (A) Council accept the tender offer of Tenderer D for Work Lot 1, Tenderer D for Work Lot 2 and Tenderers A, B, D and F for Work Lot 3 for the City Civil Works contracts for the price and contingency outlined in Confidential Attachment A to the subject report for a contract term of five years with two optional extensions to the contract term of three years and two years respectively;
- (B) Council approve the total contract sum and contingency for the City Civil Works contracts as outlined in Confidential Attachment A to the subject report;
- (C) Council accept the Schedule of Rates for the City Civil Works contracts as presented in Confidential Attachment B to the subject report;
- (D) future renewals or extensions of the contracts for Work Lots 1, 2 and 3 beyond the initial term are to be determined by the elected Council, not under delegation; and
- (E) authority be delegated to the Chief Executive Officer to finalise, execute and administer the contracts relating to the tender (including exercising options, if appropriate).

A show of hands on the amendment resulted in an equality of voting as follows –

Ayes (5) Councillors Ellsmore, Gannon, Jarrett, Scott and Weldon

Noes (5) The Chair (the Lord Mayor), Councillors Chan, Davis, Kok and Worling.

Pursuant to the provisions of clause 10.3 of the Code of Meeting Practice, the amendment was declared lost.

Amendment lost.

The substantive motion was carried on the following show of hands –

Ayes (6) The Chair (the Lord Mayor), Councillors Chan, Davis, Gannon, Kok and Worling

Noes (4) Councillors Ellsmore, Jarrett*, Scott and Weldon.

Substantive motion carried.

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

X096712.003

Points of Order

During discussion of Item 6.12, Councillor Worling raised a point of order, stating that pursuant to clause 13.1 of the Code of Meeting Practice, Councillor Ellsmore's comments during debate would disclose confidential information.

The Chair (the Lord Mayor) upheld the point of order.

Councillor Ellsmore raised a further point of order, stating that the Chief Executive Officer had misrepresented the Item.

The Chief Executive Officer clarified her statement.

Councillor Weldon raised a further point of order, stating that, pursuant to clause 6.4 of the Code of Meeting Practice, the Chair (the Lord Mayor) had made comments suggesting an unfavourable personal reflection on another Councillor.

The Chair (the Lord Mayor) did not uphold the point of order.

Extension of Time

During discussion on this matter, pursuant to provisions of clause 9.29 of the Code of Meeting Practice, it was –

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

That Councillor Chan be granted an extension of time of one minute to speak on this matter.

The motion was carried on the following show of hands –

Ayes (9) The Chair (the Lord Mayor), Councillors Chan, Davis, Gannon, Jarrett, Scott and Worling

Noes (1) Councillor 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.

Misrepresentation

During discussion of Item 6.12, Councillor Scott stated that she had been misrepresented in respect to comments made by Councillor Chan and clarified her position accordingly.

Councillor Chan then stated that he had been misrepresented in respect to comments made by Councillor Scott and clarified his position accordingly.

Pursuant to clause 14.11 of the Code of Meeting Practice, the Chair (the Lord Mayor) called both Councillors to order.

Item 6.13

Tender - T-2023-1015 - Management and Operation of the Kings Cross and Goulburn Street Parking Stations

It is resolved that:

- (A) Council accept the offer of Tenderer C for the Management and Operation of the Kings Cross and Goulburn Street Parking Stations for the Schedule of Rates outlined in Confidential Attachment B to the subject report, for a period of three years, with two optional extension periods of one year each if appropriate;
- (B) Council note that the total contract sum and contingency for the Management and Operation of the Kings Cross and Goulburn Street Parking Stations is outlined in Confidential Attachment B to the subject report;
- (C) authority be delegated to the Chief Executive Officer to, finalise, execute and administer the contracts relating to the tender; and
- (D) authority be delegated to the Chief Executive Officer to exercise the option(s) referred to in clause (A) above, if appropriate.

Carried unanimously.

X099251

Item 6.14

Tender - T-2023-966 - Sports Field Maintenance Services

Moved by Councillor Kok, seconded by Councillor Worling –

It is resolved that:

- (A) Council accept the offer of Tenderer A for Sports Field Maintenance Services for a period of three years, with the option of an extension of two further terms of two years each, if appropriate;
- (B) Council note that the total contract sum and contingency for Sports Field Maintenance Services is outlined in Confidential Attachment A to the subject report;
- (C) authority be delegated to the Chief Executive Officer to finalise, execute and administer the contract relating to the tender; and
- (D) authority be delegated to the Chief Executive Officer to exercise the option referred to (A) above, if appropriate.

Amendment. Moved by Councillor Ellsmore, seconded by Councillor Scott –

That the motion be amended such that clause (D) be removed.

The amendment was lost on the following show of hands –

Ayes (4) Councillors Ellsmore, Jarrett, Scott and Weldon

Noes (6) The Chair (the Lord Mayor), Councillors Chan, Davis, Gannon, Kok and Worling.

Amendment lost.

The substantive motion was carried on the following show of hands –

Ayes (6) The Chair (the Lord Mayor), Councillors Chan, Davis, Gannon, Kok and Worling

Noes (4) Councillors Ellsmore, Jarrett*, Scott and Weldon.

Substantive motion carried.

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

X094136

Item 6.15**Tender - T-2023-1119 - Bush Restoration Services**

Moved by Councillor Kok, seconded by Councillor Davis –

It is resolved that:

- (A) Council accept the offer of Tenderer E for the Bush Restoration Services Tender for a period of three years, with the option of an extension of two further terms, of three years each, if appropriate;
- (B) Council note that the total contract sum and contingency for Bush Restoration Services Tender is outlined in Confidential Attachment A to the subject report;
- (C) authority be delegated to the Chief Executive Officer to finalise, execute and administer the contract relating to the Tender; and
- (D) authority be delegated to the Chief Executive Officer to exercise the option referred to in (A) above, if appropriate.

Amendment. Moved by Councillor Ellsmore, seconded by Councillor Weldon –

It is resolved that:

- (A) Council defer the acceptance of offers from tenderers for the Bush Restoration Services Tender for a period of three years, with the option of an extension of two further terms, of three years each, if appropriate, so that Council can consult or otherwise engage with the volunteer bush care groups who currently work with council to deliver Council's bush regeneration services; and
- (B) Council note that the total contract sum and contingency for Bush Restoration Services Tender is outlined in Confidential Attachment A to the subject report.

The amendment was lost on the following show of hands –

Ayes (4) Councillors Ellsmore, Jarrett, Scott and Weldon

Noes (6) The Chair (the Lord Mayor), Councillors Chan, Davis, Gannon, Kok and Worling.

Amendment lost.

The substantive motion was carried on the following show of hands –

Ayes (7) The Chair (the Lord Mayor), Councillors Chan, Davis, Gannon, Kok, Scott and Worling

Noes (3) Councillors Ellsmore, Jarrett and Weldon.

Substantive motion carried.

X089145

Item 6.16**Exemption from Tender – Kronos Technical Upgrade**

It is resolved that:

- (A) Council approve an exemption from tender in accordance with section 55(3)(i) of the Local Government Act 1993 to enter into a contract with Kronos Australia Pty Limited (ABN: 17 074 408 067) for the transition to the Kronos Software-as-a-Service platform;
- (B) Council note that a satisfactory result would not be achieved by inviting tenders for this work because:
 - (i) Kronos is the core workforce management and time and attendance system used by the City;
 - (ii) the existing supplier is the proprietary owner of the Kronos Software-as-a-Service product; and
 - (iii) the costs associated with transferring to a different supplier and implementing a new product, together with the implications on the day-to-day operations of the City do not support undertaking a competitive tender process; and
- (C) authority be delegated to the Chief Executive Officer to negotiate, finalise, execute and administer (including exercising options, if appropriate) the contract relating to the Kronos' transition to a cloud-based platform and Software-as-a-Service on terms acceptable to the City for the term and total contract sum detailed in Confidential Attachment A to the subject report.

Carried unanimously.

X101622

Item 6.17**Exemption from Tender - Link and Epsom Road Design**

It is resolved that:

- (A) Council approve an exemption from tender in accordance with section 55(3)(i) of the Local Government Act 1993 for the designer for the Link Road and Epsom Road intersection for the price and contingency outlined in Confidential Attachment B to the subject report;
- (B) Council note that a satisfactory result would not be achieved by inviting tenders for this work because:
 - (i) the existing head design consultant has existing detailed knowledge of the project and has documented the current design to detailed design;
 - (ii) the head design consultant completes quality work and has been contracted by the City on other projects; and
 - (iii) if a tender is required it will add further delays to the delivery of the intersection, and will increase the cost and time to finalise the intersection design;

- (C) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to Link Road and Epsom Road intersection;
- (D) Council note the proposed design of the new signalised intersection at Attachment A to the subject report; and
- (E) Council approve the additional funds sought from Future Public Domain Upgrade Initiatives as outlined in Confidential Attachment B to the subject report, noting that the additional costs of the project are eligible to be recouped from developer contributions for infrastructure in the area.

Carried unanimously.

X099020

Item 7 Report of the Environment Committee

PRESENT

The Lord Mayor Councillor Clover Moore AO

(Chair)

Councillor Adam Worling

(Deputy Chair)

Deputy Lord Mayor Councillor Robert Kok, Councillors HY William Chan, (Waskam) Emelda Davis, Sylvie Ellsmore, Lyndon Gannon, Shauna Jarrett and Yvonne Weldon AM.

At the commencement of business at 3.45pm those present were -

The Lord Mayor, Councillors Chan, Davis, Ellsmore, Gannon, Jarrett, Kok, Weldon and Worling.

Apologies

Councillor Scott extended her apologies for her inability to attend the meeting of the Environment Committee.

The meeting of the Environment Committee concluded at 4.04pm.

Report of the Environment Committee

Moved by Councillor Worling, seconded by Councillor Kok –

That the report of the Environment Committee of its meeting of 6 May 2024 be received, with Items 7.1 and 7.2 being noted, the recommendation set out below for Item 7.4 being adopted in globo, and Items 7.3 and 7.5 being dealt with as shown immediately following those items.

Carried unanimously.

Item 7.1

Confirmation of Minutes

Moved by Councillor Worling, seconded by Councillor Kok –

That the Minutes of the meeting of the Environment Committee of Monday 25 March 2024, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 7.2

Statement of Ethical Obligations and Disclosures of Interest

No Councillors disclosed any pecuniary or non-pecuniary interests in any matter on the agenda for this meeting of the Environment Committee.

The Environment Committee recommended the following:

Item 7.3

Project Scope - Redfern Community Centre Open Space, Yellomundee Park and Hugo Street Reserve

Moved by Councillor Worling, seconded by Councillor Kok –

It is resolved that Council:

- (A) note that the development of the Redfern Waterloo Public Domain Plan is ongoing;
- (B) endorse the scope of works for Redfern Community Centre Open Space, Yellomundee Park and Hugo Street Reserve upgrades as described in the subject report for progression to tender, design development, documentation, approvals, and construction;
- (C) note that traffic calming options for adjacent streets will be consulted on further as part of a separate, but related project; and
- (D) note the financial implication as outlined in Confidential Attachment E to the subject report.

Amendment. Moved by Councillor Ellsmore, seconded by Councillor Jarrett –

That the motion be amended such that clause (A) read as follows –

- (A) note that the development of the Redfern Waterloo Public Domain Plan is ongoing and that a number of issues raised during consultation and community engagement will be further considered during the next stage of the project, including but not limited to traffic, pedestrian safety and the location of seating;

Amendment carried unanimously.

Amended motion carried unanimously.

Immediately after the vote, it was moved by the Chair (the Lord Mayor), seconded by Councillor Ellsmore –

That pursuant to clause 16.17(a) of the Code of Meeting Practice, Item 7.3 be recommitted to allow Councillor Jarrett to speak on the matter.

Carried unanimously.

The motion was recommitted, and carried unanimously.

X031129

Speakers

Melissa Carney and Tracey Duncan addressed the meeting of the Environment Committee on Item 7.3.

Item 7.4

Project Scope - Glebe Street Playground Renewal, Glebe

It is resolved that Council:

- (A) endorse the scope of improvements to the playground and reserve at Glebe Street Playground, Glebe as described in the subject report and shown in the draft Concept Plan at Attachment B to the subject report, for progression to relevant approvals, preparation of construction documentation, tender and construction; and
- (B) note the financial implications as outlined in Confidential Attachment D to the subject report.

Carried unanimously.

X090851.002

Item 7.5

Project Scope - Ada Villa Terrace, Erskineville

Moved by Councillor Worling, seconded by Councillor Scott –

It is resolved that Council:

- (A) endorse the scope of improvements to the Ada Villa Terrace (59 Erskineville Road), Erskineville as described in the subject report and shown in the Draft Concept Plan as Attachment B to the subject report, for progression to relevant approvals, preparation of construction documentation tender and construction; and
- (B) note the financial implications as outlined in Confidential Attachment D to the subject report.

Carried unanimously.

X090878.001

Item 8 Report of the Cultural and Creative Committee**PRESENT**

The Lord Mayor Councillor Clover Moore AO

(Chair)

Councillor Lyndon Gannon

(Deputy Chair)

Deputy Lord Mayor Councillor Robert Kok, Councillors HY William Chan, (Waskam) Emelda Davis, Sylvie Ellsmore, Shauna Jarrett, Yvonne Weldon AM and Adam Worling.

At the commencement of business at 4.05pm those present were -

The Lord Mayor, Councillors Chan, Davis, Ellsmore, Gannon, Jarrett, Kok, Weldon and Worling.

Apologies

Councillor Scott extended her apologies for her inability to attend the meeting of the Cultural and Creative Committee.

The meeting of the Cultural and Creative Committee concluded at 4.14pm.

Report of the Cultural and Creative Committee

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

That the report of the Cultural and Creative Committee of its meeting of 6 May 2024 be received, with Items 8.1 and 8.2 being noted, and the recommendation set out below for Item 8.3 being adopted in globo.

Carried unanimously.

Item 8.1**Confirmation of Minutes**

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

That the Minutes of the meeting of the Cultural and Creative Committee of Monday 4 March 2024, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 8.2

Statement of Ethical Obligations and Disclosures of Interest

Councillor Adam Worling disclosed a less than significant, non-pecuniary interest in Item 8.3 on the agenda, in that he represented the Lord Mayor by speaking at the City Recital Hall Amplification Renewal Project in July 2023. Since then, he has attended the venue to meet with City Hall CEO Justin Boschetti and has accepted the City's Protocol tickets to attend performances at the venue.

Councillor Worling considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because he did not discuss Item 8.3 with anyone from City Recital Hall and it has not influenced his decision today.

No other Councillors disclosed any pecuniary or non-pecuniary interests in any matter on the agenda for this meeting of the Cultural and Creative Committee.

The Cultural and Creative Committee recommended the following:

Item 8.3

Grants and Sponsorship - Ad Hoc Grant - City Recital Hall Limited - Additional Funding Request

It is resolved that:

- (A) Council approve a cash grant of \$300,000 (excluding GST) in 2024/25 to City Recital Hall Limited to provide additional operational support and financial stability; and
- (B) authority be delegated to the Chief Executive Officer to negotiate and enter into a deed of variation to the current operational funding agreement with City Recital Hall Limited to provide the cash grant approved by this report.

Carried unanimously.

X000633

Speaker

Rachel Lauanders (City Recital Hall) addressed the meeting of the Cultural and Creative Committee on Item 8.3.

Item 9 Report of the Resilient Communities Committee**PRESENT**

The Lord Mayor Councillor Clover Moore AO
(Chair)

Councillor (Waskam) Emelda Davis
(Deputy Chair)

Deputy Lord Mayor Councillor Robert Kok, Councillors HY William Chan, Sylvie Ellsmore, Lyndon Gannon, Shauna Jarrett, Yvonne Weldon AM and Adam Worling.

At the commencement of business at 4.15pm those present were -

The Lord Mayor, Councillors Chan, Davis, Ellsmore, Gannon, Jarrett, Kok, Weldon and Worling.

Apologies

Councillor Scott extended her apologies for her inability to attend the meeting of the Resilient Communities and Economy Committee.

The meeting of the Resilient Communities and Economy Committee concluded at 4.19pm.

Report of the Resilient Communities and Economy Committee

Moved by Councillor Davis, seconded by Councillor Kok –

That the report of the Resilient Communities and Economy Committee of its meeting of 6 May 2024 be received, with Items 9.1 and 9.2 being noted, and the recommendations set out below for Items 9.3 and 9.4 inclusive being adopted in globo.

Carried unanimously.

Item 9.1**Confirmation of Minutes**

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

That the Minutes of the meeting of the Resilient Communities and Economy Committee of Monday 12 February 2024, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 9.2

Statement of Ethical Obligations and Disclosures of Interest

Councillor Davis disclosed a less than significant, non-pecuniary interest in Item 9.4 on the agenda, in that she has known the Mudgin-Gal Aboriginal Corporation through her personal involvement with ASSIPJ doing advocacy work. Councillor Davis also sits on the City of Sydney Aboriginal and Torres Strait Islander Advisory Panel with the Chair of Mudgin-Gal, Bronwyn Penrith.

Councillor Davis considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because all grants received are determined by an independent and carefully selected staff panel under delegation to ensure that the process is transparent and accountable, and she did not discuss the grant with the applicant or assist them in any way.

No other Councillors disclosed any pecuniary or non-pecuniary interests in any matter on the agenda for this meeting of the Resilient Communities and Economy Committee.

The Resilient Communities and Economy Committee recommended the following:

Item 9.3

Grants and Sponsorship - Post Exhibition - Dixon Street Improvement Grant Guidelines and Haymarket Activation Grant Guidelines

It is resolved that Council:

- (A) adopt the Dixon Street Improvement Grant Guidelines as shown at Attachment A to the subject report;
- (B) adopt the Haymarket Activation Grant Guidelines as shown at Attachment B to the subject report;
- (C) note the submissions received from the community on the exhibited draft Grant Program Guidelines as shown at Attachment D to the subject report; and
- (D) note the proposed budget implications as described in the subject report and that programs will be incorporated into future budgets for public exhibition and endorsement by Council.

Carried unanimously.

S117676

Item 9.4**Grants and Sponsorship – Aboriginal and Torres Strait Islander Collaboration Fund**

It is resolved that:

- (A) Council approve the cash recommendation for the Aboriginal and Torres Strait Islander Collaboration Fund program as shown at Attachment A to the subject report;
- (B) Council note the applicant who was not recommended in obtaining a cash grant for the Aboriginal and Torres Strait Islander Collaboration Fund program as shown at Attachment B to the subject report;
- (C) Council note that all grant amounts are exclusive of GST;
- (D) authority be delegated to the Chief Executive Officer to negotiate, execute and administer agreements with any organisation approved for a grant or sponsorship under terms consistent with this resolution and the Grants and Sponsorship Policy; and
- (E) authority be delegated to the Chief Executive Officer to correct minor errors to the matters set out in this report, noting that the identity of the recipient will not change, and a CEO Update will be provided to Council advising of any changes made in accordance with this resolution.

Carried unanimously.

S117676

Item 10 Report of the Transport, Heritage, Environment and Planning Committee

PRESENT

The Lord Mayor Councillor Clover Moore AO
(Chair)

Councillor HY William Chan
(Deputy Chair)

Deputy Lord Mayor Councillor Robert Kok, Councillors (Waskam) Emelda Davis, Sylvie Ellsmore, Lyndon Gannon, Shauna Jarrett, Yvonne Weldon AM and Adam Worling.

At the commencement of business at 4.21pm those present were -

The Lord Mayor, Councillors Chan, Davis, Ellsmore, Gannon, Jarrett, Kok, Weldon and Worling.

Apologies

Councillor Scott extended her apologies for her inability to attend the meeting of the Transport, Heritage and Planning Committee.

Moved by Councillor Chan, seconded by Councillor Kok –

That the apology of Councillor Scott be accepted and leave of absence from the meeting of the Transport, Heritage and Planning Committee be granted.

Carried unanimously.

The meeting of the Transport, Heritage and Planning Committee concluded at 4.47pm.

Report of the Transport, Heritage and Planning Committee

Moved by Councillor Chan, seconded by Councillor Kok –

That the report of the Transport, Heritage and Planning Committee of its meeting of 6 May 2024 be received, with Items 10.1 and 10.2 being noted, the recommendation set out below for Item 10.4 being adopted in globo, and Item 10.3 being dealt with as shown immediately following that item.

Carried unanimously.

Item 10.1

Confirmation of Minutes

Moved by Councillor Chan, seconded by Councillor Kok –

That the Minutes of the meeting of the Transport, Heritage and Planning Committee of Monday 25 March 2024, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 10.2

Statement of Ethical Obligations and 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.

The Transport, Heritage and Planning Committee recommended the following:

Item 10.3

Public Exhibition - Planning Proposal - 383-395A Kent Street, Sydney - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment

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

It is resolved that:

- (A) Council approve Planning Proposal - 383-395A Kent Street, Sydney, 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 - 383-395A Kent Street, Sydney, 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 - 383-395A Kent Street, Sydney;
- (D) Council approve the Draft Sydney Development Control Plan 2012 - 383-395A Kent Street, Sydney, 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 variations to Planning Proposal - 383-395A Kent Street, Sydney, 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 Draft Sydney Development Control Plan 2012 - 383-395A Kent Street, Sydney, 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 22 April 2024 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.

Carried unanimously.

X091069

Speaker

Mark Stante (Charter Hall) addressed the Transport, Heritage and Planning Committee on Item 10.3.

Item 10.4

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 Attachment 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 229 Oxford Street, Darlinghurst 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 15-17 Hunter Street, Sydney 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 37 York Street, Sydney at this time;
- (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 228 Elizabeth Street, Surry Hills at this time;
- (G) note the contents of Attachment F and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 13 –15A Bridge Street, Sydney at this time;
- (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 174-186 Goulburn Street, Surry Hills at this time; and
- (I) note the contents of Attachment H and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 212-214 Elizabeth Street, Surry Hills at this time.

Carried unanimously.

S105001.002

Adjournment

At this stage of the meeting, at 8.22pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Kok –

That the meeting be adjourned for approximately 10 minutes.

Carried unanimously.

At the resumption of Council at 8.38pm, the Chair (the Lord Mayor), Councillors Chan, Davis, Ellsmore, Gannon, Jarrett, Kok, Weldon and Worling were present.

Councillor Scott returned at 8.41pm, during discussion and before the vote on Item 11.

Item 11 Recovery Package - Sydney Gay and Lesbian Mardi Gras Ltd

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

It is resolved that:

- (A) Council approve a payment of \$550,000 to Destination NSW as a contribution towards the \$1.1 million recovery package to Sydney Gay and Lesbian Mardi Gras Ltd;
- (B) Council note that by providing this rescue package which includes the revenue lost as a consequence of the cancellation of Fair Day, the City and NSW Government will have contributed to reconciling the financial situation arising from the 2024 Festival and the already contracted grant funding will contribute to starting work on delivering the 2025 festival and beyond;
- (C) Council note that having accepted this recovery package Sydney Gay and Lesbian Mardi Gras Ltd can make no further claims for support relating to the 2024 Festival;
- (D) Council note that funding for the City's contribution to the recovery package for Sydney Gay and Lesbian Mardi Gras Ltd will come from savings in the 2023/24 City Life Divisional Budget;
- (E) Council note that the recovery package amount is exclusive of GST;
- (F) Council approve a variation to the existing grant agreement to bring forward payment of the 2024/25 grant to Sydney Gay and Lesbian Mardi Gras Ltd in full by 1 July 2024, conditional upon receiving the acquittal report from the 2024 Festival and a full independent financial and operational audit for ongoing operations, to support Sydney Gay and Lesbian Mardi Gras Ltd to plan for 2025 events; and
- (G) authority be delegated to the Chief Executive Officer to negotiate, execute and administer entering into agreements to implement these resolutions.

Amendment. Moved by Councillor Weldon, seconded by Councillor Jarrett –

It is resolved that:

- (A) Council note that prior to this report, Councillors were not informed of the significant financial pressures facing Sydney Gay and Lesbian Mardi Gras Ltd;
- (B) Council was briefed on this matter at 2.00pm today and the corresponding report was added to the Council papers late on Friday;
- (C) Council have not been provided with any correspondence or documentation from the NSW Government or Sydney Gay and Lesbian Mardi Gras Ltd;
- (D) Council defer the decision to approve the proposed payment of \$550,000, until the June 2024 Council meeting; and
- (E) Council be provided with relevant correspondence from the NSW Government and Sydney Gay and Lesbian Mardi Gras Ltd in relation to the provision of recovery funding.

The amendment was lost on the following show of hands –

Ayes (4) Councillors Ellsmore, Gannon, Jarrett and Weldon

Noes (6) The Chair (the Lord Mayor), Councillors Chan, Davis, Kok, Scott and Worling.

Amendment lost.

The substantive motion was carried on the following show of hands –

Ayes (7) The Chair (the Lord Mayor), Councillors Chan, Davis, Ellsmore, Kok, Scott and Worling

Noes (3) Councillors Gannon, Jarrett* and Weldon*.

Substantive motion carried.

*Note – Councillors Jarrett and Weldon abstained from voting on this matter. Pursuant to the provisions of clause 10.4 of the Code of Meeting Practice, Councillors Jarrett and Weldon are taken to have voted against the motion.

X038946

Points of Order

During discussion of Item 11, Councillor Davis raised a point of order, stating that pursuant to clause 9.36 of the Code of Meeting Practice, all Councillors must be heard without interruption.

The Chair (the Lord Mayor) upheld the point of order.

Councillor Chan raised a further point of order, stating that pursuant to clause 8.18 of the Code of Meeting Practice, all Councillors must put questions directly and succinctly.

The Chair (the Lord Mayor) upheld the point of order.

Misrepresentation

During discussion of Item 11, Councillor Chan stated that he had been misrepresented in respect to comments made by Councillor Weldon.

Item 12 Exemption from Tender - Planning Agreement - 118-130 Epsom Road and 905 South Dowling Street, Zetland

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

It is resolved that:

- (A) Council approve an exemption from tender in accordance with section 55(3)(i) of the Local Government Act 1993 to contribute \$7,169,889 to the Planning Agreement for 118-130 Epsom Road and 905 South Dowling Street, Zetland;
- (B) Council note that a satisfactory result would not be achieved by inviting tenders for this work because:
 - (i) the developer will be delivering community infrastructure in the form of new roads, trunk drain and parks as works-in-kind required by Clause 6.14 of Sydney Local Environmental Plan 2012;
 - (ii) the infrastructure works will be co-ordinated and delivered as one project in a timely manner as part of the re-development of the entire site at 118-130 Epsom Road and 905 South Dowling Street, Zetland;
 - (iii) delivery as part of the Planning Agreement will facilitate completion of Mulgu Park, the adjoining pedestrian areas and two pocket parks approximately four years earlier, which will reduce disruption to the local community as works could not otherwise commence until the developer's works were completed and land dedicated to the City;
 - (iv) physical constraints prevent the separate delivery of new parks by the City in a cost-efficient manner, due to substantial level changes necessitating temporary and redundant works such as retaining walls;
 - (v) delivering the new parks separately would restrict the pedestrian and vehicle access to the new development, necessitating a lengthy and expensive construction methodology by the City; and
 - (vi) the engagement of the developer to do the works provides value for money to the City as the offer by Karimbla Properties (No. 60) Pty Ltd has been peer reviewed by the City's quantity surveyor and provides financial savings when compared to the works being undertaken separately by the City in the future, including through elimination of temporary works, whole-of-site access for excavation, bulk earthworks, etc and given the developer's existing knowledge, resources and experience associated with the project site; and
- (C) Council endorse the City's payment of \$7,169,889 from the Epsom Park Precinct New Open Space project contained in the draft capital works budget and Long Term Financial Plan as a partial payment of the cost of the developer's works for the construction of Mulgu Park, the adjoining pedestrian areas and two pocket parks as part of the Planning Agreement for 118-130 Epsom Road and 905 South Dowling Street, Zetland.

The motion was 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.

Item 13 Questions on Notice

1. Public Defibrillator Installation

By Councillor Scott

Question

Noting previous concerns in 2016, that Automated External Defibrillators (AED)'s installed would be damaged and vandalised, and yet no City AED's have been damaged or vandalised in the past 12 months, will the City consider installing Automated External Defibrillators (AED) near City owned open spaces and outdoor sporting facilities? If so, how many and when?

X086668

Answer by the Chief Executive Officer

The City has installed and maintains 65 Automated External Defibrillators (AED) at community facilities across the Local Government Area (LGA). These locations include recreation centres, aquatic leisure centres, libraries, and other Council facilities. As previously advised the AEDs are placed inside facilities, not in the public domain, thus limiting the instances of damage.

The City encourages sporting groups to purchase AEDs as part of their first aid provisions when using the City's outdoor facilities. The City, NSW Government and other organisations offer financial assistance to acquire and train users of AEDs. These can be found at:

<https://www.sport.nsw.gov.au/grants/local-sport-defibrillator-grant-program>

<https://www.cityofsydney.nsw.gov.au/grants-sponsorships>

<https://www.defibshop.com.au/faq/grants-fundraising-donations/>

2. Accessible City Communications

By Councillor Scott

In 2013, former Disability Discrimination Commissioner Graeme Innes AM successfully sued RailCorp NSW in the Federal Magistrates Court. It was alleged by Mr Innes RailCorp NSW's failure to provide audible announcements breached Federal Disability Discrimination Law, as Mr Innes is vision impaired.

The Federal Magistrates Court ruled RailCorp's failure to make adequate announcements represents indirect discrimination. As a result, Mr Innes was awarded compensation.

Question

1. Has the City considered the implications of this decision, and if so, what steps have been taken to make changes to City communications?
2. In what ways has the City taken steps to mitigate against the risk of future claims against the City in light of this decision?

3. What measures does the City have planned in future to ensure our communications are accessible to all members of the public, including those living with a disability?

X086668

Answer by the Chief Executive Officer

1. Yes, the City was aware of the decision and reviewed any implications on operations at the time. At all times staff ensure that our communications are accessible to as wide an audience as possible and constantly review and update our processes and procedures with this aim in mind, including in response to any feedback from members of our community.
2. Staff are responsible for ensuring we provide communications that are accessible to everyone. When communicating with people with disability or creating accessible communications, City staff consider:
 - digital and print accessibility
 - inclusive language and communicating with people with disability;
 - producing and procuring inclusive and accessible materials; and
 - seeking feedback and advice from peak bodies and/or the City's Inclusion (Disability) Advisory Panel on specific projects where necessary.
3. Staff are provided with training, guidelines, information and resources to assist them to create accessible communications. Guidance includes:
 - checklists for alternative formats;
 - ensuring websites, applications and native apps aim to meet accessibility requirements as per the [Web Content Accessibility Guidelines](#) (WCAG);
 - producing digital document formats for accessibility;
 - creating print materials for accessibility;
 - including accessibility clauses in any procurement documentation; and
 - a directory of suppliers to consider when planning, creating and procuring inclusive and accessible communication materials.

Our community can request any of our communications in an alternative format including Braille, Auslan video, captioned video, audio, accessible Word and PDF documents, and Easy English.

3. Gender Breakdown of City of Sydney Staff Versus City of Sydney Contractors and Outsourced Workers

By Councillor Scott

Question

1. What is the total number of staff in all eight City divisions, broken down by gender? Please provide figures from 2022/23 and 2023/24.
2. What is the total number of outsourced or contract workers specifically procured to backfill already existing City roles in 2022/23 and in 2023/24? Please break these figures down by eight City divisions, and gender.
3. What is the City's current budget for outsourcing or contracting workers specifically to backfill already existing City roles in 2023/24? What was the City's total budget for outsourced workers and/or contractors in 2022/23? Please provide the proposed figures for 2024/25.
4. Are the outsourced employees entitled to the same pay and terms and conditions to that of the City's employment?
 - (a) If not, please detail how many roles for outsourced employees or contractors are provided with higher payment? Please detail how many roles for outsourced employees or contractors are provided at payment?
 - (b) Do the City's gender pay parity reporting figures include contractors and/or outsourced providers? If not, why not?

X086668

Answer by the Chief Executive Officer

1. Tables below show the total number of employees by division and gender (excluding casuals and agency staff).

Division	30 June 2023		
	Number female employees	Number male employees	Total employees
Chief Executive Office	36	14	50
Chief Financial Office	30	28	58
Chief Operations Office	55	66	121
City Life	257	89	346
City Planning Development & Transport	81	150	231
City Services	126	553	679
Legal & Governance	25	14	39
People Performance & Technology	107	93	200
Strategic Development & Engagement	60	30	90

Division	31 March 2024		
	Number female employees	Number male employees	Total employees
Chief Executive Office	36	15	51
Chief Financial Office	32	29	61
Chief Operations Office	62	69	131
City Life	253	97	350
City Planning Development & Transport	90	148	238
City Services	145	579	724
Legal & Governance	25	12	37
People Performance & Technology	113	91	204
Strategic Development & Engagement	62	32	94

2. Tables below show agency workers specifically procured to backfill already existing City roles by division and gender.

Division	30 June 2023		
	Number female agency workers	Number male agency workers	Total
Chief Executive Office	1		1
Chief Financial Office	3	4	7
Chief Operations Office	4	8	12
City Life	27	4	31
City Planning Development & Transport	14	7	21
City Services	16	43	59
Legal & Governance	1		1
People Performance & Technology	12	7	19
Strategic Development & Engagement	3		3

Division	31 March 2024		
	Number female agency workers	Number male agency workers	Total
Chief Executive Office	1		1
Chief Financial Office	3	1	4
Chief Operations Office	4	8	12
City Life	20	4	24
City Planning Development & Transport	9	5	14
City Services	4	15	19
Legal & Governance	1		1
People Performance & Technology	7	3	10
Strategic Development & Engagement	3		3

**Excludes same day, next day for short unplanned absences where there are mandatory minimums for workers on any shift.*

3. The City does not budget for agency (contracting) workers to backfill existing City positions. Instead, we budget for a full complement of approved positions. When there is a need to backfill a position with an agency worker, for example due to a resignation, long term sick leave or parental leave, the salaries and wages already budgeted for the position are used to fund the agency worker.
4. Pay rates and terms and conditions for agency workers are set in accordance with the relevant state industry awards and federal modern awards such as the Local Government Industry Award, Children Services Award, and the Education Services Award. Some specialist workers are paid above these award rates when there is high competition for talent or skill shortages.

The City does not include agency workers in its gender pay reporting as these workers are not City of Sydney employees. The Workforce Gender Equality Agency requirements for gender pay reporting state that “consultants, contractors and labour hire should not be included in your report”.

4. Electric Vehicle Chargers

By Councillor Scott

Question

1. How many Electric Vehicle (EV) chargers available for public use exist in the City of Sydney? Please list their locations.
2. How many EV chargers has the City of Sydney installed? Please list their locations?
3. Are there any applications submitted for further EV chargers to be installed? Please break down by City led versus not, and list their locations?
4. Does the City have plans for the 2024/25 year to install further EV chargers? If so, when and where?

X086668

Answer by the Chief Executive Officer

1. The City monitors the public website, [Plugshare](#), which is a crowdsourced platform that provides public and private EV charging locations (the City cannot verify the exact number of chargers, or their condition, at any point in time):
 - there are now around 60 publicly accessible charging locations, up from around 30 in early 2023;
 - together, these locations provide approximately 222 charge points/spaces, up from approximately 120 in early 2023; and
 - the number of “super-fast” charge point (above 25 kW) is 26, compared to 16 in early 2023.

2. The City has enabled nine on-street chargers and 17 spaces with the trial of pole-based chargers in 2023. The nine on-street chargers are in the following locations:
 - 16 Kent Street, Millers Point;
 - 12 Trinity Avenue, Dawes Point;
 - 55 Pyrmont Street, Pyrmont;
 - 8 Brown Street, Newtown;
 - 15 Carillion Avenue, Camperdown;
 - 3-19 Yurong Street, Darlinghurst;
 - 2 Huntley Street, Alexandria;
 - 27 Morley Avenue, Rosebery; and
 - 75 St Johns Road, Glebe.
3. The City has endorsed eight additional on-street locations for a NSW grant application in our area, which are subject to review and consideration by the Local, Pedestrian, Cycling and Traffic Calming Committee, following community consultation. The outcome of this grant round is imminent and new locations should be announced shortly.
4. Refer to the response to part 3 above.

5. Significant Trees

By Councillor Scott

On 8 September 2014 in the Daily Telegraph the Lord Mayor committed to plant eight more trees for every "significant tree" chopped down, noting at least 110 established trees will disappear from the city, 140 in Surry Hills and 70, in Moore Park.

Question

1. Please detail, broken down by suburb, how many trees were cut down as part of the light rail project? Of these, broken down by suburb, how many were significant trees?
2. Please detail, broken down by year and suburb, how many trees have been planted over and above the City's existing targets to compensate for this loss? Please also detail how many of these trees are significant, over and above the City's existing targets.

X086668

Answer by the Chief Executive Officer

The NSW Planning approval for the project required Transport for NSW (TfNSW) and their contractors to plant replacement trees to offset the number of trees there were required to be removed. The general offset requirements were:

Size of removed tree	Minimum Offset planting requirement
Large tree (trunk diameter greater than 60cm)	8 trees
Medium tree (trunk diameter greater than 15cm but less than or equal to 60cm)	4 trees
Small tree (trunk diameter less than or equal to 15cm)	2 trees

Acciona (the light rail contractor) removed 264 trees along the project alignment from City of Sydney streets and parks (Sydney and Surry Hills), including an avenue of significant but over-mature and declining Cottonwood trees in Surry Hills. Acciona planted 315 trees adjacent to the new light rail as part of the project, leaving a balance of 775 trees required to be planted by Acciona. In addition, Transport for NSW removed a further 67 trees from Olivia Gardens and the Langton Centre in Surry Hills, requiring a further 238 trees to be planted by Transport for NSW. Similar but separate arrangements were in place to compensate for trees removed from within Centennial Parklands.

In 2019, at the end of the project, ALTRAC and Transport for NSW did not have the expertise or necessary commercial arrangements in place to plant their required number of trees within our Local Government Area to meet their obligations. The City entered into deeds of agreement with both organisations to plant the required number of trees on their behalf. Under these agreements, 1,022 trees were planted by the City, and the planting work was completed by 2021.

There is other tree planting work associated with the light rail, with 58 planted for projects such as George Street South and Wimbo Park. Around 30 further trees (current estimate) are planned to be planted as part of future associated projects, such as the George Street North Pedestrianisation and Loftus Street projects. City staff plant trees in every available location and have a program in place to create new opportunities for planting, such as inroad planting locations.

Therefore, the required offset replacement planting within the City's streets and parks has been completed. 1,395 trees have been planted to replace the 331 trees removed. A table of the completed tree planting per suburb is outlined below.

Suburb	No Trees
Alexandria	59
Annandale	8
Beaconsfield	6
Camperdown	48
Centennial Park	20
Chippendale	54
Darlinghurst	78
Darlington	7
Elizabeth Bay	3
Erskineville	19
Forest Lodge	38
Glebe	122

Suburb	No Trees
Haymarket	32
Millers Point	32
Moore Park	1
Newtown	14
Paddington	14
Potts Point	12
Pymont	54
Redfern	25
Rosebery	36
Rushcutters Bay	2
Surry Hills	235
Sydney	279
The Rocks	1
Ultimo	23
Waterloo	134
Woolloomooloo	8
Zetland	31
Total	1395

6. City Owned Properties

By Councillor Scott

Question

1. How many City properties are owned that are residential?
2. Please detail, broken down by year since 2004, all City residential properties and whether they have been vacant or occupied, and income earned.
3. Aside from those recently resolved by Council to be dedicated to affordable housing providers or women's shelters, please list all current residential properties owned by the City, and their address.

X086668

Answer by the Chief Executive Officer

As at March 2024, the City owns one residential dwelling 247-257 Bulwara Road, Ultimo – a two-bedroom unit on title with a larger property tenanted at \$700 per week.

The City's creative live and work spaces grant program offers residential properties to artists and creative practitioners at below market rental.

This program is offered in response to the challenges artists and creative practitioners face in obtaining affordable inner-city housing and creative facilities. It provides support for up to 18 months with specific lease terms.

There are eight Creative Live and Work Spaces as follows:

1. 113-115 William Street, Darlinghurst – six x one-bedroom apartments
2. 770 Elizabeth Street, Waterloo (Waterloo Library) – one x 2.5 bedroom apartment
3. 119 Bathurst St, Sydney (City of Sydney Creative Studios) – one x studio apartment

7. Zetland Pedestrian Safety

By Councillor Scott

The issue of pedestrian safety on the plaza and traffic signals at the intersection of Paul Street/Zetland Avenue was raised at the Local, Pedestrian, Cycling and Traffic Committee on 16 February 2023.

On Sunday 5 May 2024 residents report a further example of a near miss accident involving a pedestrian, and that risks to pedestrians continue to occur on a regular basis.

Question

1. When will the safety review of this dangerous space be concluded?
2. When are recommendations expected to be considered by?
3. When does the City expect to budget for any recommendations?
4. When are works or rezoning expected to be completed?

X086668

Answer by the Chief Executive Officer

The City is not currently undertaking a formal safety review of the Green Square Plaza area.

The thoroughfare on the northern edge of the Green Square Plaza, which forms part of Tweed Place, is designated as a public 'shared zone'. In a shared zone, pedestrians have the right of way and drivers are legally required to give way to pedestrians. A shared zone includes a 10km/h speed limit and parking is maintained within marked parking bays. It is designed to allow for mobility parking, short term parking and loading activities for the nearby library and future retail uses. The final configuration of the shared zone will connect to Ebsworth Avenue via a new road called Barker Street. When this final configuration is implemented, the City will close the vehicle connection to Paul Street. Until Barker Street is open, Transport for NSW has allowed vehicles in Tweed Place to access Paul Street. A 'Left Turn Only' restriction applies to this temporary arrangement to discourage through traffic using the 'Shared Zone'.

The issue of pedestrian safety in Tweed Place (part of Green Square Plaza) and the intersection with Paul Street was raised by the Chair of the Local Pedestrian, Cycling and Traffic Calming Committee (LPCTCC) at the 16 February 2023 meeting and the matter was referred to South Sydney Traffic Police for enforcement. The Police are the appropriate authority to enforce moving traffic violations including speeding and disobeying 'left turn only' and 'give way to pedestrians' signage. Community members are encouraged to report illegal driving directly to the Police. Increased enforcement should alleviate the concerns observed. Since the plaza opened, the City has monitored the location for any conflicts generated by the design of the space and its current uses. In response to this monitoring, further changes have been made to parking controls and areas where a vehicle may access. The City will continue to monitor conditions and review the operation of the shared zone.

The final configuration planned for this location is subject to land dedication and the completion of development works. This timing cannot be determined.

8. Council Investments and Financial Position, as of April 2024

By Councillor Ellsmore

Question

1. Of the total cash investments of \$787.7M held by the City of Sydney as of 30 April 2024, how much in total is considered 'unrestricted'?
2. Of the City's cash investments which are considered 'unrestricted', what amounts have been earmarked for specific activities or projects?

Please provide details including:

- (a) What are these activities or projects for which 'unrestricted' cash investments are earmarked, and how much has been earmarked for each?
 - (b) When or over what timeline will these activities or projects require funding? (that is, when will the funding be needed)?
 - (c) In what report or document is this list of activities or projects for which 'unrestricted' funding is earmarked reported?
3. What is the amount of developer contributions within the City's total cash and investments of \$787.7M? Are these considered restricted or unrestricted?
 4. What is the amount of affordable housing contributions in the development account of any of the City's total cash and investments of \$787.7M? Are these considered restricted or unrestricted?
 5. How much of the City's total cash and investments of \$787.4M has been earmarked for affordable housing, including grants for affordable housing? Please provide details.

X086664

Answer by the Chief Executive Officer

1. The restrictions balances are updated quarterly, the balance of restricted funds at April 2024 is as per the Quarter 3 budget review statement: \$89.9M Externally Restricted and \$240.3M Internally Restricted (total of \$330.2M restricted funds).
2. The City's Long Term Financial Plan (LTFP) sets out details of the amounts, services, facilities, activities, capital works and acquisitions that will be funded by the City's accumulated cash and future revenue streams. The LTFP includes all sources of restricted and unrestricted funds, both known and estimated over the ten years of the plan. Essentially, any Council activity not funded by specifically restricted funds will be funded by current or future unrestricted cash.

It must be recognised that the City does not restrict all of the funds that are required to satisfy its known and projected commitments, including much of its capital works program. In a year when the City receives less revenue or funds than budgeted, this impacts our surplus and the cash available to fund future programs, and the overall funding and commitments are therefore re-balanced as part of the annual budget and LTFP each year. The converse is true, in years where revenues exceed budgets (e.g. interest revenue), however in rising

interest rate environments it is worth noting that the costs of programs and capital works also tend to rise which absorbs the additional funding that is now available.

3. As noted in the Quarter 3 report, the figure for developer contributions was reported as \$47.1M. These contributions are considered restricted. External restrictions represent cash holdings that have not yet been discharged in accordance with the conditions of their receipt.
4. As noted in the Quarter 3 report, the balance of the affordable housing fund was reported as \$9.2M. These are considered internal restrictions as they represent funds set aside on the basis of a Council resolution.
5. Of the \$9.2M balance noted above, \$7.0M has already been committed via Council resolution as set out below:

Indigenous Residential College, UTS (ROC 9 March 2020) - \$1.0M

RJ Williams Redevelopment, Glebe – Wesley Community Services (ROC 14 December 2020) - \$3.0M

William Booth House, Surry Hills – Salvation Army (ROC 14 December 2020) - \$3.0M

The draft Long Term Financial Plan includes a further cash transfer of \$5.0M (representing the balance of the \$10.0M previously resolved by Council), and forecasts additional funds of \$4.6M arising from the proceeds from the sale of surplus properties, as approved by Council in March 2024.

The total funds available within the Affordable and Diverse Housing Fund, would then total \$11.8M. This represents the current balance of \$9.2M less the \$7.0M of grants already committed, plus the \$5.0M of new funds and the \$4.6M of estimated sale proceeds. The Long Term Financial Plan forecasts that all of these funds will be expended over the 10 year life of the plan.

9. Solar Panels and Battery Infrastructure in Council-Owned Facilities

By Councillor Ellsmore

Question

1. Which Council-owned community venues, including town halls and community centres, have solar panels installed? (Please list)
2. Which Council-owned community venues, including town halls and community centres, have batteries or other sustainability infrastructure installed? (Please list)
3. Which Council-owned landmark venues have solar panels installed? (Please list)
4. Which Council-owned landmark venues have batteries or other sustainability infrastructure installed? (Please list)
5. Which other Council-owned buildings solar panels installed? (Please list)
6. Which other Council-owned buildings have batteries or other sustainability infrastructure installed? (Please list)
7. Which Council owned buildings are due for energy upgrades to install solar systems and/or solar infrastructure in the next three years? (Please list)

X086664

Answer by the Chief Executive Officer

This information will be provided as a Supplementary Answer in a future Council Business Paper.

10. Water Saving Infrastructure in Council-Owned Facilities

By Councillor Ellsmore

Question

1. Which Council-owned other community venues, including halls, have water saving infrastructure such as water tanks and grey water systems installed? (Please list)
2. Which Council-owned landmark community venues have water saving infrastructure such as water tanks and grey water systems installed? (Please list)
3. Which other Council-owned buildings have water saving infrastructure such as water tanks and grey water systems installed? (Please list)
4. Which Council owned buildings are due for energy upgrades to install solar systems and/or water saving infrastructure in the next three years? (Please list)

X086664

Answer by the Chief Executive Officer

This information will be provided as a Supplementary Answer in a future Council Business Paper.

11. Public Toilets and Water Facilities

By Councillor Ellsmore

Question

1. What new public toilets are proposed in the City of Sydney Local Government Area? Where can the community access details of the current and planning public toilet locations?
2. QMS has a development application for the installation on a Council-funded public toilet in the Ellen Lawman Rest Area at 116-126 Erskineville Road, Erskineville. Did the Council consider making the toilets in the Erskineville Town Hall regularly open to the public? (If yes or no, please provide details)
3. What Council strategies or plans guide the implementation of drinking fountains, bubblers and places to refill water bottles in the City of Sydney Local Government Area? Where can the community access details of the locations of bubblers?
4. What new water fountains, bubblers and places to refill water bottles are planning to be built by Council in coming financial year (2024/5)?

X086664

Answer by the Chief Executive Officer

This information will be provided as a Supplementary Answer in a future Council Business Paper.

12. Forward Projections of the City of Sydney's Cash Position

By Councillor Ellsmore

Question

1. What was the total City of Sydney's cash investments in 2014/15?
2. What was the value of the City of Sydney's commercial property investments in 2014/15?
3. In the City of Sydney Long Term Financial Plan 2014/15 to 2023/24, the City of Sydney's cash reserves were estimated to decrease significantly over ten years:
 - (a) What amount were the City of Sydney's cash investments projected to have been reduced to by 2023/24?
 - (b) What were the key assumptions or aspects of the model used to make these ten-year long term financial projections in 2014/15?
 - (c) What are the main factors that account for the variation between what was modelled in 2014/15 and the City's actual cash investment position reached by 2023/24?
4. What was the total City of Sydney's cash investment in 2019/20?
5. What was the value of the City of Sydney's commercial property investments in 2019/20?
6. In the City of Sydney Long Term Financial Plan 2019/20 to 2028/29, the City of Sydney's cash reserves were estimated to decrease significantly over ten years:
 - (a) What amount were the City of Sydney's cash investments projected to have been reduced to by 2023/24?
 - (b) What were the key assumptions or aspects of the model used to make these ten year long term financial projections in 2019/20?
 - (c) What are the main factors that account for the variation between what was modelled in 2019/20 and the City's actual cash investment position reached by 2023/24?
7. The draft City of Sydney Long Term Financial Plan (2024/25) which includes the draft City of Sydney Resourcing Strategy (2024/25) includes a projection that over ten years the Council's cash position will reduce from \$787.7m in 2024/25 to \$263m in 2033/34.
 - (a) Have the same assumptions and/or modelling that were used in 2014/15 and 2019/20 to make the ten-year cash investment projections been used again for the ten-year projection for 2024/25?
 - (b) If yes, please provide of the updated assumptions and/or modelling?

X086664

Answer by the Chief Executive Officer

This information will be provided as a Supplementary Answer in a future Council Business Paper.

13. Investment Income, Property Acquisitions and Divestments in 2023/24

By Councillor Ellsmore

Question

1. What is the current value of the Council's commercial property portfolio?
2. What is the estimated profit (that is, income once costs have been considered) for the Council from its commercial property portfolio in 2023/24?
3. What is the estimated yield in 2023/24 from:
 - (a) Council's commercial property investments?
 - (b) Council's cash investments?
 - (c) Other Council investments? (please provide details)
4. What was the budget for commercial properties:
 - (a) to be acquired by the Council in 2023/24?
 - (b) to be sold or otherwise divested by Council in 2023/24?
5. What is the draft 2024/25 budget for commercial properties (as presented to the 6 May 2024 Corporate, Finance, Properties and Tenders Committee meeting):
 - (a) to be acquired by the Council in 2024/5?
 - (b) to be sold or otherwise divested by Council in 2024/25?
6. What is the projected yield in 2024/25 from:
 - (a) Council's commercial property investments?
 - (b) Council's cash investments?
 - (c) Other Council investments?
7. The Capital Budget Review Statement for Q3 2023/24 was tabled at the 6 May 2024 Corporate, Finance, Properties and Tenders Committee meeting notes at 3.1 that the approved Council budget for Property Acquisition/ (Divestment) in the 2023/24 financial year was \$189.5 million in 2023/24, but that -\$2.9 million is forecast.

Please provide details as to difference between the budget versus the projected figures.

X086664

Answer by the Chief Executive Officer

This information will be provided as a Supplementary Answer in a future Council Business Paper.

14. Tracking of Carbon Emissions from Operations and Carbon Credits Purchased by the City of Sydney

By Councillor Ellsmore

Question

1. How does the City of Sydney track and report on carbon emissions from City of Sydney operations?
2. Where can the public access reporting the total carbon emissions from City of Sydney operations?
3. Where can the public access reporting on carbon offsets purchased by the City of Sydney, to offset the estimated carbon emissions from operations?
4. What were the estimated total carbon emissions from City of Sydney operations:
 - (a) In 2021/22?
 - (b) In 2022/23?
 - (c) Projected for 2023/24?
 - (d) Projected for 2024/25?
5. Does this include estimated carbon emissions from operations undertaken by contractors engaged by City of Sydney, or services purchased by the City of Sydney?
6. How does the City of Sydney track and collect this information from or by contractors and external organisations?
7. Are estimations of the carbon emissions from waste services undertaken by contractors included in the report of carbon emissions from City of Sydney operations?
8. Are estimates of the carbon emissions from civil services undertaken by contractors included in the report of carbon emissions from City of Sydney operations, including footpath maintenance and road upgrades?
9. If not included in the answer to questions above (estimated total carbon emissions from City of Sydney operations), what were the total carbon emissions from City of Sydney operations undertaken by contractors engaged by City of Sydney, or services purchased by the City of Sydney?
 - (a) In 2021/22?
 - (b) In 2022/23?
 - (c) Projected for 2023/24?
 - (d) Projected for 2024/25?

10. What carbon offsets were purchased by the City of Sydney:
 - (a) In 2021/22?
 - (b) In 2022/23?
 - (c) Purchased to date, and total projected to be purchased for 2023/24?
 - (d) Purchased to date, and total projected to be purchased for 2024/25?
11. What proportion of carbon offsets were Australian Carbon Credit Units:
 - (a) In 2021/22?
 - (b) In 2022/23?
 - (c) In 2023/24?
 - (d) In 2024/25?
12. What were the other types of carbon credits purchased, and in what proportions?
13. What is expected to be the total cost to Council of purchasing carbon credits of all types:
 - (a) In 2021/22?
 - (b) In 2022/23?
 - (c) In 2023/24?
 - (d) In 2024/25?
14. How does the City of Sydney decide which and how many carbon offsets it will purchase? Is there a policy, plan or guideline which the public can access?
15. To what extent has the Council achieved its goal of switching to '100% high quality Australian regenerative offsets by 2025' as set out in the City's *Environmental Strategy 2021-25* (Action 3)?
16. Has the Council reviewed the environmental assessment of Australian regenerative offsets by ANU Professors Andrew McIntosh and Don Butler, plus other eminent scientists, published in *Community, Earth and Environment* in March 2024 (<https://doi.org/10.1038/s43247-024-01313-x>)?
17. How does the City of Sydney assess the mitigation impacts from carbon offsets?
18. When did the City of Sydney last review its policies in relation to the purchase and use of carbon offsets?

X086664

Answer by the Chief Executive Officer

This information will be provided as a Supplementary Answer in a future Council Business Paper.

15. Value of Civil Works Contracts

By Councillor Ellsmore

Question

1. As reported to the elected Councillors at Item 12 of Corporate, Finance, Properties and Tenders Committee on 6 May 2024, the current contracts for Civil and Sydney Street Infrastructure works ('civil works') expire on 26 September 2024:
 - (a) Which companies are these current contracts for civil works with?
 - (b) What works are delivered by each of these contracts?
 - (c) What is the term of each of the current contracts for civil works (i.e. how many years are these contracts for)?
 - (d) What is the total value of each of these contracts?
 - (e) What date were these contracts for civil works entered into?
 - (f) Do any of these contracts have options to extend beyond 26 September 2024?
 - (g) How many other current contracts for civil works does the Council have? (please provide details)

2. What was the process that Council undertook to select the companies who were contracted, to undertake the current civil works under the current contracts?

3. Item 12 of Corporate, Finance, Properties and Tenders Committee Report on 6 May 2024 recommends that Council enter into 3 Work Lots – Capital Programs, Minor Works Programs and Major Projects:
 - (a) What is the length of these contracts?
 - (b) Which of these Work Lots is proposed to be undertaken by one supplier only?
 - (c) Which of these Work Lots is proposed to be undertaken by a panel?
 - (d) Did the Council consider a budget or range of total cost, which responses to the tender would need to provide in order to be accepted? If yes, how can elected Councillors access this information/ analysis/ advice?
 - (e) What evaluation or analysis was undertaken to ensure value for money would be achieved?
 - (f) How can elected Councillors access this information/analysis/advice?
 - (g) Was a business case or cost benefit analysis undertaken? How can elected Councillors access this information/ analysis/ advice?
 - (h) How much did the tender cost Council?
 - (i) What dates was the tender advertised?

4. What options were considered before the tender for the Capital Programs, Minor Works Programs and Major Projects was released, or in the evaluation of the tender responses received?
- (a) Did the Council consider the costs and benefit of undertaking these services in house?
 - (b) Did the Council consider the costs and benefits of directly contracting these services?
 - (c) Did the council consider the costs and benefits of extending existing contracts?
 - (d) Did the Council consider the costs and benefits of undertaking an EOI on terms shorter than 5 years?

In all cases above, how can elected Councillors access this information/analysis/advice?

5. The Council undertakes some civil works using Council staff. What was the cost or total budget of civil works undertaken by council staff:
- (a) In 2021/22
 - (b) In 2022/23
 - (c) In 2023/24
 - (d) In the draft budget for 2024/25?
 - (e) Projected for 2025/26?

X086664

Answer by the Chief Executive Officer

- 1.
- (a) Sydney Civil Pty Ltd and Quality Management & Constructions Pty Ltd.
 - (b) Refer to the 6 May 2024 [report](#) to the Corporate, Finance, Properties and Tenders Committee for the type of works delivered by each of these contracts.
 - (c) The services completed under the Civil and Sydney Street Infrastructure works contract include traffic control, emergency response works, design, earthworks, drainage, utility works, road pavements, kerbs, gutters, footways, landscaped spaces, street furniture, electrical items and traffic signals.
 - (d) Five years.
 - (e) The total forecast expenditure for these contracts over the five-year term is \$320M excluding GST.
 - (f) 27 September 2019.
 - (g) No.
 - The number of contracts fluctuates, as Council is constantly procuring goods and services for civil works. This includes procurement of goods and services for a specific project through to minor maintenance items. Some contract examples include:
 - supply of goods such as concrete, asphalt, pavers and hardware items;

- unique services such as the restoration of a heritage item;
 - hire of plant such as an elevated work platform;
 - service provision such as traffic control;
 - arrangements with a public authority or their appointed service provider such as change to electrical cabling or traffic signal works; and
 - use of Southern Sydney Regional Organisation of Councils (SSROC) contracts for road paving and line marking
2. A Request For Tender process was undertaken to appoint the two contractors for the Civil and Sydney Street Infrastructure works contracts.
- 3.
- (a) Refer to the 6 May 2024 [report](#) to the Corporate, Finance, Properties and Tenders Committee.
 - (b) Refer to the 6 May 2024 [report](#) to the Corporate, Finance, Properties and Tenders Committee.
 - (c) Refer to the 6 May 2024 [report](#) to the Corporate, Finance, Properties and Tenders Committee.
 - (d) The Expression of Interest and Request for Tender indicated an estimated annual spend of approximately \$100M (combined across all Work Lots), with no guarantee of work being awarded. This value was estimated based on possible works included in the Long-Term Financial Plan that may be delivered under the City Civil Works contract.
 - (e) Refer to the 6 May 2024 [report](#) to the Corporate, Finance, Properties and Tenders Committee.
 - (f) Councillors may request a confidential briefing.
 - (g) Refer to the 6 May 2024 [report](#) to the Corporate, Finance, Properties and Tenders Committee. Councillors may request a confidential briefing for further information.
 - (h) Costs for external services, including financial assessments, quantity surveyor, financial assessment, probity, legal and advertising fees were approximately \$332,000 including GST
 - (i) Refer to the 6 May 2024 [report](#) to the Corporate, Finance, Properties and Tenders Committee.
4. Refer to the 6 May 2024 [report](#) to the Corporate, Finance, Properties and Tenders Committee.
- (a) Yes.
 - (b) Yes.
 - (c) No.
 - (d) Yes.
- Councillors may request a confidential briefing.

5. Budgets and costs for civil works were not recorded based on whether the works are undertaken by Council staff. This information is not available.

16. Value of Recent Contracts with External Civil Works Contractors

By Councillor Ellsmore

Question

1. In the 2021/22 financial year, what is the value of contracts that the City of Sydney entered into with:
 - (a) Mack Civil Pty Ltd;
 - (b) Sydney Civil Pty Ltd;
 - (c) Quality Management & Constructions Pty Ltd;
 - (d) Ward Civil & Environmental Engineering Pty Ltd;
 - (e) Fulton Hogan Industries Pty Ltd; and
 - (f) Marine & Civil Maintenance Pty Ltd.
2. In the 2022/23 financial year, what is the value of contracts that the City of Sydney entered into with:
 - (a) Mack Civil Pty Ltd;
 - (b) Sydney Civil Pty Ltd;
 - (c) Quality Management & Constructions Pty Ltd;
 - (d) Ward Civil & Environmental Engineering Pty Ltd;
 - (e) Fulton Hogan Industries Pty Ltd; and
 - (f) Marine & Civil Maintenance Pty Ltd.
3. In the 2023/24 financial year what is the value of contracts that the City of Sydney entered into with:
 - (a) Mack Civil Pty Ltd;
 - (b) Sydney Civil Pty Ltd;
 - (c) Quality Management & Constructions Pty Ltd;
 - (d) Ward Civil & Environmental Engineering Pty Ltd;
 - (e) Fulton Hogan Industries Pty Ltd; and
 - (f) Marine & Civil Maintenance Pty Ltd.

Include contracts and services contracted

4. What is the total value of civil works contracts that the City of Sydney has entered into, with any company:
- (a) In the 2021/22 financial year;
 - (b) In the 2022/23 financial year;
 - (c) In the 2023/24 financial year; and
 - (d) For the 2024/25 financial year (to date).

Please include contracts and services contracted.

X086664

Answer by the Chief Executive Officer

1. Expenditure for 2021/22 is (rounded):
- (a) Mack Civil Pty Ltd: \$0
 - (b) Sydney Civil Pty Ltd: \$57,260,000
 - (c) Quality Management & Constructions Pty Ltd: \$17,701,000
 - (d) Ward Civil & Environmental Engineering Pty Ltd: \$22,054,000
 - (e) Fulton Hogan Industries Pty Ltd: \$218,000
 - (f) Marine & Civil Maintenance Pty Ltd: \$4,552,000
2. Expenditure for 2022/23 is (rounded):
- (a) Mack Civil Pty Ltd: \$1,776,000
 - (b) Sydney Civil Pty Ltd: \$49,551,000
 - (c) Quality Management & Constructions Pty Ltd: \$18,622,000
 - (d) Ward Civil & Environmental Engineering Pty Ltd: \$1,717,000
 - (e) Fulton Hogan Industries Pty Ltd: \$385,000
 - (f) Marine & Civil Maintenance Pty Ltd: \$8,275,000
3. Expenditure to date for 2023/24 is (rounded):
- (a) Mack Civil Pty Ltd: \$1,841,000
 - (b) Sydney Civil Pty Ltd: \$44,955,000
 - (c) Quality Management & Constructions Pty Ltd: \$19,458,000
 - (d) Ward Civil & Environmental Engineering Pty Ltd: \$766,000
 - (e) Fulton Hogan Industries Pty Ltd: \$324,000
 - (f) Marine & Civil Maintenance Pty Ltd: \$5,111,000

4. Contracts and services are not recorded based on whether the works are civil works or otherwise, and therefore the total value is not available.

17. Sports Field Maintenance

By Councillor Ellsmore

Question

As reported to the elected Councillors at Item 14 Tender - T-2023-966 - Sports Field Maintenance Services at the 6 May 2024, Corporate, Finance, Properties and Tenders Committee, the City of Sydney manages 13 natural turf sports fields. The recommended tender is for maintenance of Redfern Oval, annual renovations and ad-hoc maintenance for all other natural turf sports fields within the City of Sydney.

1. What are the current maintenance arrangements for the Council's natural turf sports fields?
2. What is the budget to maintain the Council's natural sports fields:
 - (a) For works conducted by Council staff in 2021/22?
 - (b) For works conducted by contractors or otherwise completed by external companies in 2021/22?
 - (c) For works conducted by Council staff in 2022/32
 - (d) For works conducted by contractors or otherwise completed by external companies in in 2023/24?
 - (e) In the draft Council budget for 2024/25, for works conducted by Council staff in 2024/25
 - (f) In the draft Council budget for 2024/25, for works conducted by contractors or otherwise completed by external companies in contractors in 2024/25?
3. What current contracts exist with external companies for the maintenance of the City of Sydney's natural turf sports fields?
4. What are the details of these contracts? Specifically:
 - (a) Which companies are these current contracts for sports field maintenance with?
 - (b) What works are delivered by each of these contracts?
 - (c) What is the term of each of the current contracts (i.e. how many years are these contracts for)?
 - (d) What is the total value of each of these contracts?
 - (e) What date were these contracts entered into?
 - (f) When do these contracts expire?

X086664

Answer by the Chief Executive Officer

The City's sports fields are currently maintained using a mix of in-house and contract provided services. This includes:

Routine maintenance

- 12 natural turf sports fields maintained by City operational staff and contract staff (not subject of the tender report)
- one sports field (Redfern Oval) is maintained under a specialist contract as outlined in the tender report due to the higher service level to comply with NRL standards (subject of this report)

Routine sports field maintenance activities include:

- Mowing;
- Weeding/weed control;
- Watering/Irrigation;
- Aeration;
- Top dressing;
- Field Preparation/line marking;
- Turf cricket wicket maintenance where applicable;
- Sports field Infrastructure; and
- Litter and cleansing.

Maintenance practices vary per field based on levels of booked use, unbooked use, asset mix, soil profile and turf species to meet the outcomes specified in the parks service levels.

Seasonal renovations for all 13 natural sports fields is currently undertaken under contract:

- Redfern Oval – seasonal renovations through the Redfern Oval Maintenance Services Contract (subject of the tender report)
- 12 natural sports fields - renovations carried out using Landscape Minor Work Part B – Sports Field Works (subject of this report)

The tender consolidates the following existing contracts:

Redfern Oval Maintenance Services

- Contractor - Green Options Pty Ltd
- Scope - Redfern Oval turf maintenance including renovation, playing surface preparation, infrastructure maintenance and playing field cleansing.
- Term - 1 April 2018- 30 June 2024

Landscape Minor Work Part B – Sports Field Works - Schedule of Rates Contract

- Contractor - The Green Horticulture Group
- Scope – seasonal renovations of 12 natural sports fields
- Term - 12 June 2019 – 11 June 2024

Sports field maintenance is budgeted for and provided as part of the broader parks and open space maintenance budget.

The City's parks and open space maintenance budgets for FY23-FY25 are:

- FY23 - \$26,242,042;
- FY24 - \$28,336,130; and
- FY25 - \$31,298,973.

This budget includes:

- Parks servicing general;
- Horticulture maintenance;
- Turf and sport field maintenance;
- Infrastructure maintenance;
- Cleansing maintenance and waste removal;
- Water features;
- Weed control;
- Community gardens;
- City Farm;
- Environmental monitoring;
- Urban ecology;
- City Farm;
- Irrigation;
- Bush Restoration;
- Living Colour; and
- Salaries and Wages.

18. Bush Restoration Services

By Councillor Ellsmore

Question

As reported to the elected Councillors at Item 15 - Tender - T-2023-1119 - Bush Restoration Service Report at the 6 May 2024, Corporate, Finance, Properties and Tenders Committee, the City of Sydney together with its community groups and volunteers have established bush restoration areas within the City's parks and open spaces network, with the aim of restoring native vegetation and fauna habitat within its highly urbanised environment. Bush restoration sites include Sydney Park wetlands and terrestrial areas, Federal Park and Bicentennial Park coastal saltmarsh, Prince Alfred Park native meadow, Glebe Foreshore Walk, Harold Park and other City owned bush restoration sites across the Local Government Area. The proposed contract is to provide Bush Restoration Services.

1. What are the current maintenance arrangements for Council's Bush Restoration Services.
2. What current contracts are in place? Please provide details including:
 - (a) Which organisations are these current contracts with?
 - (b) What works are delivered by each of these contracts?
 - (c) What is the term of each of the current contracts (i.e. how many years are these contracts for)?
 - (d) What is the total value of each of these contracts?
 - (e) What date were these contracts entered into?
 - (f) When do these contracts expire?
 - (g) Which of the current contracted services are provided by not for profit organisations?
3. What local or volunteer bush care groups does the current contractor work with or have partnerships within the City of Sydney?
4. Were these groups consulted about proposed changes to the Council's contract?
5. What measures are put in place to maintain the relationships with bush care groups if contract arrangements are changed?
6. What is the budget for Council's Bush Restoration Services:
 - (a) In total in 2021/22?
 - (b) For works conducted by Council staff in 2021/22?
 - (c) For works conducted by contractors or otherwise completed by external companies in 2021/22?
 - (d) In total in 2022/23?
 - (e) For works conducted by Council staff in 2022/23?
 - (f) For works conducted by contractors or otherwise completed by external companies in 2023/24?

- (g) In the draft Council budget for 2024/5, in total for 2024/25?
- (h) In the draft Council budget for 2024/5, for works conducted by Council staff in 2024/25
- (i) In the draft Council budget for 2024/5, for works conducted by contractors or otherwise completed by external companies in contractors in 2024/25?

X086664

Answer by the Chief Executive Officer

Specialist bush restoration services are currently undertaken primarily through the Bush Restoration Services Contract.

- Contractor – National Trust of Australia
- Scope - Terrestrial bush restoration, soil management, community greening event supervision
- Term – January 2019 - January 2024 (original) with interim engagement until June 2024

Some additional maintenance services in bush restoration areas are currently undertaken by a range of arrangements including short term contracts (for example nest box installation and Sydney Park aquatic and riparian weed management) and volunteer Bushcare work. National Trust of Australia are the only not for profit provider engaged by the City to provide bush restoration services.

The City values the community's contribution in greening their local natural environment and getting involved with managing and maintaining bush restoration areas. There are currently five volunteer bush care groups (approx. 50 volunteers) currently working within City of Sydney parks. These groups are diverse; from long established groups to new groups.

The City's Community Greening, Gardens and Volunteering Coordinator and Urban Ecologist will liaise with Bushcare volunteer groups to organise materials and the level of coordination required from the contractor. This may vary from regular coordination with new Bushcare groups as they become established and gain skills and experience or occasionally for established Bushcare and Landcare groups. Coordination and supervision may include:

- WHS requirements (e.g. induction) and ensuring activities are undertaken safely as volunteers are covered by City insurance and WHS obligations;
- Ensuring activities are aligned with achieving the objectives of the City's Bush Restoration Management Plan and Urban Ecology Strategic Action Plan;
- Providing ongoing education, training and skill building; and
- Plant and material supply.

Bush restoration services are budgeted for and provided as part of the broader parks and open space maintenance budget.

The City's parks and open space maintenance budgets for FY23-FY25 are:

- FY23 - \$26,242,042;
- FY24 - \$28,336,130; and
- FY25 - \$31,298,973.

This budget includes:

- Parks servicing general;
- Horticulture maintenance;
- Turf and sport field maintenance;
- Infrastructure maintenance;
- Cleansing maintenance and waste removal;
- Water features;
- Weed control;
- Community gardens;
- City Farm;
- Environmental monitoring;
- Urban ecology;
- City Farm;
- Irrigation;
- Bush Restoration;
- Living Colour; and
- Salaries and Wages.

19. Food Organics

By Councillor Ellsmore

Question

1. What is the estimated amount of food scraps which could be directed and recycled in the City of Sydney?
 - (a) In 2019/20 (if known)
 - (b) In 2020/21 (if known)
 - (c) In 2021/22 (if known)
 - (d) In 2022/23 (if known)
 - (e) In 2023/24 (if known)
 - (f) Anticipated for 2024/5?
2. What are the numbers of households who have participated in the City of Sydney's food scraps trial:

- (a) In 2019/20
 - (b) In 2020/21
 - (c) In 2021/22
 - (d) In 2022/23
 - (e) In 2023/24
 - (f) Anticipated for 2024/5?
3. What was the budget allocated for the City of Sydney's food scraps trial and other food organics recycling initiatives:
- (a) In 2019/20
 - (b) In 2020/21
 - (c) In 2021/22
 - (d) In 2022/23
 - (e) In 2023/24
 - (f) In the draft budget 2024/5?
4. What is the total amount of food scraps redirected as a result of the City of Sydney's food scrap trials and other initiatives:
- (a) In 2019/20
 - (b) In 2020/21
 - (c) In 2021/22
 - (d) In 2022/23
 - (e) In 2023/24
 - (f) Anticipated for 2024/5?
5. What new initiatives for food recycling are included in the draft 2024/5 City of Sydney budget?
6. Does the City of Sydney intend to rollout food organics recycling, alongside or as part of an amended program of recycling for garden organics, in the 2024/25 financial year?
7. When does the City of Sydney currently estimate it will rollout food organics recycling to the whole Local Government Area?

X086664

Answer by the Chief Executive Officer

This information will be provided as a Supplementary Answer in a future Council Business Paper.

20. Community Centre Upgrades

By Councillor Ellsmore

Question

1. Which community centres and town halls owned by the City of Sydney underwent upgrades in 2023/24?
2. Which community centres and town halls owned by the City of Sydney are proposed for upgrades in the draft 2024/25 budget?
3. What upgrades are proposed?

X086664

Answer by the Chief Executive Officer

1. Completed projects in 2023/24:
 - Waterloo Library - Chimney, Window And External Surface Renovation
 - Redfern Town Hall - Main Small Halls Ceiling and Wall Restoration
 - Haymarket Library - Heritage Renewal Works
 - KGV – Basketball Court Digital Score Boards
 - Prince Alfred Park Pool - Umbrellas Replacement
 - Eveleigh Early Learning Centre - Playground Renewal
 - Ian Thorpe Aquatic Centre - Roof and Balcony Renewal
 - Newtown Library - Facade Renewal and Repainting
 - Ultimo Community Centre - Rooftop Courts Fence Replacement
 - 107 Redfern Street - Structural Remediation
 - 180 George Street - Innovation Space Fit-out
 - 119 Redfern Street – Building Upgrade and New Lift
2. Current projects:
 - Darlington Activity Centre – Works to enable re-opening
 - Pyrmont Community Centre Upgrade
 - ABC Pool - Re-tiling of Pools
 - Sydney Town Hall External Works Stage 3
 - City Recital Hall Base Building Works

- Sydney Park Brick Kilns - Renewal Works
 - Green Square Public School and Community Spaces
 - Huntley Street Recreation Centre – Indoor Courts
3. Projects proposed to commence in FY25 (subject to budget endorsement) – major renewal and upgrade of existing community facilities
- Redfern Community Centre, Redfern
 - Ron Williams Centre, Redfern
 - Major future projects in draft long term plan (subject to budget endorsement) - major renewal and upgrade of existing community facilities
 - Redfern Community Centre, Redfern
 - Ron Williams Centre, Redfern
 - Paddington Town Hall, Paddington
 - KGV Centre, Millers Point
 - Erskineville Town Hall, Erskineville
 - Customs House, Sydney
 - Ultimo Community Centre, Ultimo
 - Glebe Point Road Community Facilities Precinct (St Helen's, Nurses Quarters, Glebe Library and Benledi House)

New community facilities

- Childcare Centre (Fig and Wattle Street, Ultimo)
- Indoor Recreation Centre (Fig and Wattle Street, Ultimo)
- Chippendale Community Facility
- Waterloo Town Centre Community Facilities

21. Affordable Housing Developer Contributions

By Councillor Ellsmore

Question

1. What is the estimated value of new development in the City of Sydney:
 - (a) In 2019/20
 - (b) In 2020/21
 - (c) In 2021/22
 - (d) In 2022/23

- (e) In 2023/24
 - (f) Anticipated for 2024/5?
2. What is the amount of affordable housing contributions that the City of Sydney collected from development:
- (a) In 2019/20
 - (b) In 2020/21
 - (c) In 2021/22
 - (d) In 2022/23
 - (e) In 2023/24
 - (f) Anticipated for 2024/5?
3. Over what areas of the Local Government Area does the City of Sydney have an affordable housing developer contribution scheme, which collects a percentage based on the cost of a development?
4. What are the rates of affordable housing developer contributions based on the cost of development that the City of Sydney collects?
5. Over what areas of the Local Government Area does the City of Sydney have an affordable housing developer contribution scheme based on the value created from a change to zoning (also known as a mandatory inclusionary zoning scheme or value uplift capture)?
6. What are the rates of affordable housing developer contributions based on value uplift capture?
7. What is the estimated value of new development in the City of Sydney CBD specifically (if known):
- (a) In 2019/20
 - (b) In 2020/21
 - (c) In 2021/22
 - (d) In 2022/23
 - (e) In 2023/24
 - (f) Anticipated for 2024/25?
8. What affordable housing contribution schemes apply to the Sydney CBD?

X086664

Answer by the Chief Executive Officer

This information will be provided as a Supplementary Answer in a future Council Business Paper.

22. City of Sydney E-Scooter and E-Bike Parking

By Councillor Scott

Question

1. How many e-scooter and e-bike Parking Racks are available for public use in the City of Sydney? Please list their locations.
2. Please detail any results from the City's Pyrmont trial.
3. Following the City's Pyrmont trial, does the City have any plans to extend the e-scooter and e-bike parking restrictions in other areas of the City? If yes, please list their locations and a timeframe for this.
4. What is the current clearing process for dumped e-scooters and e-bikes in the City?
5. Broken down by suburb, how many dumped e-scooters and e-bikes have been cleared by the City in the last 12 months?

X086668

Answer by the Chief Executive Officer

This information will be provided as a Supplementary Answer in a future Council Business Paper.

Item 14 Supplementary Answers to Previous Questions

There are no supplementary Answers to Previous Questions on Notice for this meeting of Council.

Item 15 Notices of Motion**Item 15.1 Road Safety at Fort Street Public School, Millers Point**

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

It is resolved that:

(A) Council note:

- (i) in 2016, the then NSW Minister for Roads, Duncan Gay announced cycle ramps would be built on both ends of the Sydney Harbour Bridge by 2020 for \$35 million;
- (ii) the northern connection is due to start construction by Transport for NSW (TfNSW) in mid-2024. However, Transport for NSW has remained silent on timing for the delivery of the southern connection since they exhibited plans in November 2017;
- (iii) the southern cycling connection between the Harbour Bridge and the Kent Street cycleway is currently via Upper Fort Street (mixed traffic) and along the Cahill Expressway (shared path);
- (iv) this current arrangement puts several different road users in conflict: people cycling to work, families and children walking to Fort Street Public School and people driving their children to school. It is not safe or appropriate as it requires people walking to share steep, narrow paths with fast travelling motorists and cyclists; and
- (v) the newly renovated Fort Street Public School now caters for 550 students, more than double the previous school population. This, together with the delivery of the northern cycle connection, is expected to increase the number of people using the Harbour Bridge each day when it opens in late 2025;

(B) Council further note:

- (i) the City has been advocating for Transport for NSW to progress the southern cycling connection, however interim measures are needed in consultation with Fort Street Public School and Schools Infrastructure NSW to address the unsafe situation on Upper Fort Street and the shared path, as soon as possible, such as:
 - (a) converting Upper Fort Street and Watson Road to a 10km/h shared zone or reducing speed limits on Upper Fort Street and Watson Road to at most 20km/h, noting that Fort Street School's approved Green Travel Plan assumes that these streets are both 10km/h shared zones already;
 - (b) reducing vehicle speeds through traffic calming measures, clearer signage including school zone markings, footpath widening and a driver education program; and
 - (c) reviewing parking restrictions in the area and the school's pick-up and drop off arrangements to reduce vehicle movements and conflicts; and

- (ii) on 7 May 2024, the Lord Mayor raised this issue in a letter to and meeting with the Minister for Transport calling on her to accelerate delivery of the southern connection to the Sydney Harbour Bridge and in the meantime ensure Transport for NSW works with the City to address road safety concerns around Fort Street Public School; and
- (C) the Lord Mayor be requested to write again to the Minister for Transport with a copy of this motion requesting that Transport for NSW work with the City on implementing the interim safety solutions outlined in (B)(i) with priority given to reducing road speeds, in consultation with relevant stakeholders and subject to any approvals required.

Carried unanimously.

X099886

**Item 15.2 Local Emergency Management Committee Representatives City of Sydney
- A Person Living with a Disability**

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

It is resolved that:

(A) Council note:

- (i) the City of Sydney Local Emergency Management Committee (LEMC) is established under the State Emergency and Rescue Management (SERM) Act 1989 No 165;
- (ii) the Local Emergency Management Committee (LEMC) are responsible for the prevention of, preparation for, response to and recovery from emergencies and disasters within a Local Government Area (LGA);
- (iii) responsibilities of the Local Emergency Management Committee include activities such as the development of emergency management plans, emergency risk management consistent with the State Emergency Management Committee and Plan, making recommendations and assisting in the coordination of, multi-agency training and exercises; and
- (iv) the City of Sydney membership is via the organisation (not an individual), and includes local representatives from NSW Police, NSW Rural Fire Service, State Emergency Service, Fire and Rescue NSW, Ambulance Service, and Marine Rescue;

(B) the Chief Executive Officer be requested to:

- (i) request member organisations of the Local Emergency Management Committee consult with those living with disability on how they are impacted during emergencies;
- (ii) report back to Councillors via the CEO Update on the above; and
- (iii) consult with and report back to the Inclusion (Disability) Advisory Panel on the implementation of above; and

(C) the Lord Mayor be requested to write to the Local Emergency Management Committee to request:

- (i) consideration and consultation of people who are living with a disability when developing and writing the scenarios for both deployment and desk top exercises, ensuring responding agencies are able to test their capability and capacity to meet the needs of people with disability in emergency situations; and
- (ii) that City-wide emergency response drills, run on a range of scenarios from time to time, always include a person living with disability and consider how those living with disability might be impacted.

Carried unanimously.

X086655

Item 15.3 Collaborating on Community Wellbeing in Glebe

By Councillor Davis

It is resolved that:

(A) Council note:

- (i) last month there was a distressing incident where some young people were alleged to have assaulted a food delivery rider on Glebe Point Road late at night. The Police have since arrested a man and five young people involved. Three young people - aged between 14 and 17 - will appear before the children's court and two children aged twelve will participate in youth conferences;
- (ii) following negative media attention and frustrated that Aboriginal and Torres Strait Islander kids in Glebe were being blamed, more than 40 First Nations people, including local Elders and workers from Glebe Youth Services, Scarred Tree Indigenous Ministries, met on 30 April 2024 to discuss the issues and identify their priorities for a community-led response:
 - (a) listening at the meeting were City of Sydney staff and Council representatives, Kobi Shetty - Member for Balmain; and representatives from the Office of the Lord Mayor;
 - (b) the community agreed they wanted a community-led response and identified priorities including:
 - change the narrative around the kids of Glebe to counter negative media;
 - increase funding and support for Glebe Youth Services, a Glebe-based service that has the trust of young people and the community in Glebe; and
 - reinstate the Street Beat Bus operated by Weave Youth and Community Services to take kids home when the After Dark program finishes; and
 - (c) the community thanked staff from Glebe Youth Service for their extraordinary work in engaging with local stakeholders and supporting local young people and families. They acknowledged that Glebe Youth Service do not have enough case workers to manage the current workload and meet community needs;
- (iii) on 2 May 2024, local Police held an extraordinary Community Safety Precinct Meeting to discuss the same issues with Glebe Youth Service, Scarred Tree Indigenous Ministries, City of Sydney staff including the Chief Executive Officer, Homes NSW, Broadway Shopping Centre, and representatives from the Council of Glebe Groups and Forest Lodge and Glebe Groups, as well as representatives from my Office and the Office of the Lord Mayor. Everyone agreed:
 - (a) with the priorities identified by the community at the earlier meeting, including the need for the Street Beat Bus to take kids home;
 - (b) that the wellbeing and safety of kids must be prioritised, that everyone wants to prevent kids entering the youth justice system and that local services and agencies need to work with the community to collectively solve this problem; and

- (c) that the NSW Government needs to contribute with enhanced funding and more funding certainty for all youth services and case workers, including for Glebe Youth Services;
 - (iv) immediately following the meeting local services and agencies, including the City of Sydney, began mapping existing services to identify:
 - (a) what services, programs and recreational activities are available;
 - (b) whether there is capacity within the existing resources of other agencies and services to better support better support Glebe, Ultimo and Pyrmont youth program providers and organisations, including the After Dark Program in the short and medium term; and
 - (c) the ongoing resource and funding gaps and what additional programs and services are needed and should be resourced by the NSW Government; and
 - (v) the City agreed to coordinate this mapping process working closely with Glebe Youth Services and to consult with local young people about the response;
- (D) Council further note:
 - (i) After Dark is an award-winning program of safe, supervised night-time activities for young people, run by Glebe Youth Service. The program was developed in response to concerns from local Police, businesses and community members about at-risk behaviour of young people on the streets late at night and early morning, and runs from a safe space where young people are less likely to come into contact with Police in negative ways;
 - (ii) since 2004, the City has provided about \$3.4 million to Glebe Youth Service to run the program, and year on year funding has been increasing. Initially funded for \$75,000, funding increased to about \$110,000 in 2016; \$220,000 in 2019 and \$294,000 in the 2023/24 financial year; and
 - (iii) currently the program offers a teen-only space on Friday nights from 6.30pm to 10pm, and a community-wide event each Saturday night from 6.30pm to 10pm. A healthy meal is also provided, along with activities including basketball, music, art, movies, cultural activities and more; and
- (E) the Chief Executive Officer be requested to:
 - (i) continue to work with local area specific community services and grass roots community organisations to identify existing youth services programs and activities across the city, any potential gaps, and any systemic funding issues; and
 - (ii) investigate options for the City to provide additional youth programs and support for youth across the city, particularly in Glebe, Ultimo and Pyrmont and report back to Council as appropriate.

Note – at the meeting of Council, the content of the original Notice of Motion was varied by Councillor Davis. Subsequently it was –

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

It is resolved that:

(A) Council note:

- (i) last month there was a distressing incident where some young people were alleged to have assaulted a food delivery rider on Glebe Point Road late at night. The Police have since arrested a man and five young people involved. Three young people - aged between 14 and 17 - will appear before the children's court and two children aged twelve will participate in youth conferences;
- (ii) following negative media attention and, frustrated that Aboriginal and Torres Strait Islander kids in Glebe were being blamed, more than 40 First Nations people, including local Elders and workers from Glebe Youth Services, Scarred Tree Indigenous Ministries, met on 30 April 2024 to discuss the issues and identify their priorities for a community-led response;
 - (a) listening at the meeting were City of Sydney staff, Councillor Yvonne Weldon, Kobi Shetty - Member for Balmain; and representatives from the Office of the Lord Mayor;
 - (b) the community agreed they wanted a community-led response and identified priorities including:
 - change the narrative around the kids of Glebe to counter negative media;
 - increase funding and support for Glebe Youth Services, a Glebe-based service that has the trust of young people and the community in Glebe; and
 - reinstate the Street Beat Bus operated by Weave Youth and Community Services to take kids home when the After Dark program finishes;
 - (c) the community thanked staff from Glebe Youth Service for their extraordinary work in engaging with local stakeholders and supporting local young people and families. They acknowledged that Glebe Youth Service do not have enough case workers to manage the current workload and meet community needs;
 - (d) the community thanked and endorsed the work of Glebe Youth Service's Aboriginal youth worker Kirawhan Fernando (whose part-time role has been funded by a City grant). The community recognised that Aboriginal social workers are best placed to work with the Aboriginal community; and
 - (e) cultural-specific City of Sydney Council known and funded organisations that have a longstanding relationship working directly with youth and community such as KaraTitui Torres Aboriginal and Torres Strait Islander Corporation, ASSI-Port Jackson and culturally and linguistically diverse advocacy groups;

- (iii) on 2 May 2024, local Police held an extraordinary Community Safety Precinct Meeting to discuss the same issues with Glebe Youth Service, Scarred Tree Indigenous Ministries, City of Sydney staff including the Chief Executive Officer, Homes NSW, Broadway Shopping Centre, and representatives from the Council of Glebe Groups and Forest Lodge and Glebe Groups, as well as representatives from my Office and the Office of the Lord Mayor. Everyone agreed:
 - (a) with the priorities identified by the community at the earlier meeting, including the need for the Street Beat Bus to take kids home;
 - (b) that the wellbeing and safety of kids must be prioritised, that everyone wants to prevent kids entering the youth justice system and that local services and agencies need to work with the community to collectively solve this problem; and
 - (c) that the NSW Government needs to contribute with enhanced funding and more funding certainty for all youth services and case workers, including for Glebe Youth Services;
 - (iv) immediately following the meeting local services and agencies, including the City of Sydney, began mapping existing services to identify:
 - (a) what services, programs and recreational activities are available;
 - (b) whether there is capacity within the existing resources of other agencies and services to better support better support Glebe, Ultimo and Pyrmont youth program providers and organisations, including the After Dark Program in the short and medium term; and
 - (c) the ongoing resource and funding gaps and what additional programs and services are needed and should be resourced by the NSW Government; and
 - (v) the City agreed to coordinate this mapping process working closely with Glebe Youth Services and to consult with local young people about the response;
- (B) Council further note:
- (i) After Dark is an award-winning program of safe, supervised night-time activities for young people, run by Glebe Youth Service. The program was developed in response to concerns from local Police, businesses and community members about at-risk behaviour of young people on the streets late at night and early morning, and runs from a safe space where young people are less likely to come into contact with Police in negative ways;
 - (ii) since 2004, the City has provided about \$3.4 million to Glebe Youth Service to run the program, and year on year funding has been increasing. Initially funded for \$75,000, funding increased to about \$110,000 in 2016; \$220,000 in 2019 and \$294,000 in the 2023/24 financial year; and
 - (iii) currently the program offers a teen-only space on Friday nights from 6.30pm to 10pm, and a community-wide event each Saturday night from 6.30pm to 10pm. A healthy meal is also provided, along with activities including basketball, music, art, movies, cultural activities and more; and

(C) the Chief Executive Officer be requested to:

- (i) continue to work with local area specific community services and grass roots community organisations to identify existing youth services programs and activities across the city, any potential gaps, and any systemic funding issues; and
- (ii) investigate options for the City to provide additional youth programs and support for youth across the city, particularly in Glebe, Ultimo and Pyrmont and report back to Council as appropriate.

Carried unanimously.

X086660

Item 15.4 Improved City Hate-Speech Graffiti Removal and Reporting

By Councillor Scott

It is resolved that:

(A) Council note:

- (i) the City of Sydney values and respects the range of identities, perspectives, experiences and lifestyles of our community, including those from multi-cultural backgrounds, different religions, all ages, people with disability, people with diverse gender identities, LGBTIQ+ communities and those who have experiences of advantage or disadvantage;
- (ii) everyone has the right to feel safe in our City;
- (iii) under the NSW Anti-Discrimination Act 1977, Section 20C, it is unlawful for a person, by a public act, to incite hatred towards, serious contempt for, or severe ridicule of, a person or group of persons on the ground of the race of the person or members of the group and on the basis of homosexuality, transgender status, and HIV/AIDS vilification;
- (iv) there are also criminal protections in section 93Z of the Crimes Act 1900 which address protections for matters of race, religion, sexual orientation, gender identity, intersex status and HIV/AIDS status;
- (v) under the NSW Anti-Discrimination Act 1977, Section 2B, in this division, public act includes:
 - (a) any form of communication to the public, including speaking, writing, printing, displaying notices, broadcasting, telecasting, screening and playing of tapes or other recorded material;
 - (b) any conduct (not being a form of communication referred to in (a)) observable by the public, including actions and gestures and the wearing or display of clothing, signs, flags, emblems and insignia; and
 - (c) the distribution or dissemination of any matter to the public with knowledge that the matter promotes or expresses hatred towards, serious contempt for, or severe ridicule of, a person or group of persons on the grounds of the race of the person or members of the group;
- (vi) under the NSW Anti-Discrimination Act 1977, and according to the Anti-Discrimination Guidelines for Local Councils, legal responsibility for unlawful discrimination committed by, or on behalf of, the Council usually rests with Council itself;
- (vii) City staff have analysed the available data and estimate that there have been 25 incidents of hate-speech graffiti in 2023/24 out of a total of 2,771 (nine months to 31 March), occurring within the boundaries of the City of Sydney, compared to 53 for 2022/23 (12 months to 30 June) out of a total of 4,371;
- (viii) currently, reporting hate graffiti for removal to Council goes through the same process as reporting any other graffiti or posters/bills through the 'report illegal graffiti' online form;

- (ix) community members are advised through this process, Council will respond within two business days and offensive or hateful graffiti will be 'prioritised'. The reporting party is asked whether the graffiti is hateful or offensive and they must explain why it is offensive;
 - (x) community members who have reported hate-speech graffiti may be distressed at the prospect of themselves, their families and loved ones being repeatedly exposed to hate graffiti over 'two business days';
 - (xi) two business days is not an acceptable timeframe for the removal of hate-speech graffiti; and
 - (xii) the removal process of graffiti is work carried out by City of Sydney contractors; and
- (B) the Chief Executive Officer be requested to:
- (i) fund the development of an updated reporting mechanism for hate-speech graffiti:
 - (a) within this reporting mechanism, ensure community members making reports of hate-speech receive a response indicating the Council takes discrimination very seriously and will urgently respond;
 - (b) set new key performance indicators (KPIs) for contractors employed by the City of Sydney, in line with Council's legal and moral obligations to uphold anti-discrimination laws; and
 - (c) consult with all relevant stakeholders and City of Sydney inclusion groups prior to finalising updated reporting and graffiti removal mechanisms;
 - (ii) ensure City staff be directed to action reports of discriminatory graffiti immediately on receiving them and communicate with the community when such graffiti is cleared; and
 - (iii) report back to Council via CEO Update with progress of new reporting and graffiti removal mechanisms.

Note – at the meeting of Council, the content of the original Notice of Motion was varied at the outset by Councillor Scott. Subsequently it was –

Moved by Councillor Scott, seconded by Councillor Kok –

It is resolved that:

- (A) Council note:
- (i) the City of Sydney values and respects the range of identities, perspectives, experiences and lifestyles of our community, including those from multi-cultural backgrounds, different religions, all ages, people with disability, people with diverse gender identities, LGBTIQ+ communities and those who have experiences of advantage or disadvantage;
 - (ii) everyone has the right to feel safe in our City;
 - (iii) under the NSW Anti-Discrimination Act 1977, Section 20C, it is unlawful for a person, by a public act, to incite hatred towards, serious contempt for, or severe ridicule of, a person or group of persons on the ground of the race of the person or members of the group and on the basis of homosexuality, transgender status, and HIV/AIDS vilification;

- (iv) there are also criminal protections in section 93Z of the Crimes Act 1900 which address protections for matters of race, religion, sexual orientation, gender identity, intersex status and HIV/AIDS status;
- (v) under the NSW Anti-Discrimination Act 1977, Section 2B, in this division, public act includes:
 - (a) any form of communication to the public, including speaking, writing, printing, displaying notices, broadcasting, telecasting, screening and playing of tapes or other recorded material;
 - (b) any conduct (not being a form of communication referred to in (a)) observable by the public, including actions and gestures and the wearing or display of clothing, signs, flags, emblems and insignia; and
 - (c) the distribution or dissemination of any matter to the public with knowledge that the matter promotes or expresses hatred towards, serious contempt for, or severe ridicule of, a person or group of persons on the grounds of the race of the person or members of the group;
- (vi) under the NSW Anti-Discrimination Act 1977, and according to the Anti-Discrimination Guidelines for Local Councils, legal responsibility for unlawful discrimination committed by, or on behalf of, the Council usually rests with Council itself;
- (vii) City staff have analysed the available data and estimate that there have been 25 incidents of hate-speech graffiti in 2023/24 out of a total of 2,771 (nine months to 31 March), occurring within the boundaries of the City of Sydney, compared to 53 for 2022/23 (12 months to 30 June) out of a total of 4,371;
- (viii) currently, reporting hate graffiti for removal to Council goes through the same process as reporting any other graffiti or posters/bills through the 'report illegal graffiti' online form;
- (ix) community members are advised through this process, Council will respond within two business days and offensive or hateful graffiti will be 'prioritised'. The reporting party is asked whether the graffiti is hateful or offensive and they must explain why it is offensive;
- (x) community members who have reported hate-speech graffiti may be distressed at the prospect of themselves, their families and loved ones being repeatedly exposed to hate graffiti over 'two business days';
- (xi) two business days is not an acceptable timeframe for the removal of hate-speech graffiti;
- (xii) the removal process of graffiti is work carried out by City of Sydney contractors;
- (xiii) the City of Melbourne has currently allocated \$100 million on cleaning and security enforcement under the current term; and
- (xiv) under the new City of Melbourne arrangements, there is now a one-hour response timeframe for the removal of offensive graffiti and materials within council areas; and

- (B) the Chief Executive Officer be requested to:
- (i) allocate funding for the development of an updated reporting mechanism for hate-speech graffiti in the 2024/25 City budget;
 - (a) within this reporting mechanism, ensure community members making reports of hate-speech receive a response indicating the Council takes discrimination very seriously and will urgently respond;
 - (b) set new key performance indicators (KPIs) for city staff and contractors employed by the City of Sydney, in line with Council legal and moral obligations to uphold anti-discrimination laws, that hate speech graffiti will be removed in one hour; and
 - (c) consult with all relevant stakeholders and City of Sydney inclusion groups prior to finalising updated reporting and graffiti removal mechanisms;
 - (ii) ensure Council staff be directed to communicate in a timely way with those who report it when such graffiti is cleared; and
 - (iii) report back to Council via CEO update with progress of new reporting and graffiti removal mechanisms.

Amendment. Moved by Councillor Kok, seconded by Councillor Worling –

It is resolved that:

- (A) Council note:
- (i) the City of Sydney values and respects the range of identities, perspectives, experiences and lifestyles of our community, including those from multi-cultural backgrounds, different religions, all ages, people with disability, people with diverse gender identities, LGBTIQ+ communities and those who have experiences of advantage or disadvantage;
 - (ii) everyone has the right to feel safe in our City;
 - (iii) under the NSW Anti-Discrimination Act 1977, Section 20C, it is unlawful for a person, by a public act, to incite hatred towards, serious contempt for, or severe ridicule of, a person or group of persons on the ground of the race of the person or members of the group and on the basis of homosexuality, transgender status, and HIV/AIDS vilification;
 - (iv) there are also criminal protections in section 93Z of the Crimes Act 1900 which address protections for matters of race, religion, sexual orientation, gender identity, intersex status and HIV/AIDS status;
 - (v) under the NSW Anti-Discrimination Act 1977, Section 2B, in this division, public act includes:
 - (a) any form of communication to the public, including speaking, writing, printing, displaying notices, broadcasting, telecasting, screening and playing of tapes or other recorded material;
 - (b) any conduct (not being a form of communication referred to in (a)) observable by the public, including actions and gestures and the wearing or display of clothing, signs, flags, emblems and insignia; and

- (c) the distribution or dissemination of any matter to the public with knowledge that the matter promotes or expresses hatred towards, serious contempt for, or severe ridicule of, a person or group of persons on the grounds of the race of the person or members of the group;
 - (vi) under the NSW Anti-Discrimination Act 1977, and according to the Anti-Discrimination Guidelines for Local Councils, legal responsibility for unlawful discrimination committed by, or on behalf of, the Council usually rests with Council itself;
 - (vii) City staff have analysed the available data and estimate that there have been 25 incidents of hate-speech graffiti in 2023/24 out of a total of 2,771 (nine months to 31 March), occurring within the boundaries of the City of Sydney, compared to 53 for 2022/23 (12 months to 30 June) out of a total of 4,371;
 - (viii) currently, reporting hate graffiti for removal to Council goes through the same process as reporting any other graffiti or posters/bills through the 'report illegal graffiti' online form;
 - (ix) community members are advised through this process, Council will complete graffiti removal in up to two business days and offensive or hateful graffiti will be 'prioritised'. The reporting party is asked whether the graffiti is hateful or offensive and they must explain why it is offensive;
 - (x) the City's Graffiti Management Policy and maintenance program enables the City to remove particularly offensive graffiti within four hours of it being reported to the City, requires priority zones with high pedestrian counts to be inspected every 24 hours, and that graffiti in City-managed parks and open spaces is removed within 24 hours; and
 - (xi) the removal process of graffiti is work carried out by City of Sydney contractors; and
- (B) the Chief Executive Officer be requested to:
- (i) review the City's existing process and policy for reporting and removing graffiti that is hateful, discriminates, vilifies or is offensive; and
 - (ii) investigate how the process can be improved including:
 - (a) ensuring community members making reports of hate-speech receive a response indicating the Council takes discrimination very seriously and will urgently respond;
 - (b) confirming that key performance indicators (KPIs) for contractors employed by the City of Sydney, are in line with Council's legal and moral obligations to uphold anti-discrimination laws; and
 - (c) consulting with all relevant stakeholders and City of Sydney inclusion groups prior to finalising updated reporting and graffiti removal mechanisms;
 - (iii) ensure City staff continue to action reports of discriminatory graffiti immediately on receiving them and communicate with the community when such graffiti is cleared; and
 - (iv) report back to Council via CEO Update with progress of new reporting and graffiti removal mechanisms.

The amendment was carried on the following show of hands –

Ayes (7) The Chair (the Lord Mayor), Councillors Chan, Davis, Gannon, Jarrett, Kok and Worling

Noes (3) Councillors Ellsmore, Scott and Weldon.

Amendment carried.

The amended motion was carried unanimously.

X086655

Following Item 15.4, at 10.04pm, the Chair (the Lord Mayor) stated that, as it was now after 10.00pm, and in accordance with clauses 17.1 and 17.3(a) of the Code of Meeting Practice, the remaining items of business on the agenda (Items 15.5 to 15.11 inclusive) would be deferred to the next ordinary meeting of Council.

At 10.04 pm the meeting concluded.

Chair of a meeting of the Council of the City
of Sydney held on Monday 24 June 2024 at which
meeting the signature herein was subscribed.