

**ITEM 15. NOTICES OF MOTION****CODE OF MEETING PRACTICE – MEETING AGENDA AND BUSINESS (S103139)****1. By Councillor Forster**

It is resolved that:

**(A) Council note:**

- (i) Notices of Motion, drafted and submitted by Councillors, are generally of significant interest to the local community, its residents and businesses, and cover a broad range of issues and initiatives;
- (ii) Councillors' Notices of Motion are currently scheduled as the last item on the agenda for ordinary Council Meetings;
- (iii) in recognition of the Lord Mayor as the directly elected leader of Council, Lord Mayoral Minutes are dealt with immediately after the Confirmation of Minutes on the City of Sydney Council Meeting agenda, and prior to any other general business;
- (iv) in general, the business of ordinary Council Meetings takes four or more hours to debate and resolve, meaning that Notices of Motion by Councillors are routinely dealt with late in the evening, when no or very few members of the public remain in attendance; and
- (v) dealing with Councillors' Notices of Motion as the agenda item immediately following Lord Mayoral Minutes, and before the general business of Council, would make Council's debate and decision-making processes more transparent and accessible for a wider range of stakeholders, and encourage constituent engagement and participation in the business of Council; and

**(B) Council change the Order of Business followed by the City of Sydney Council under Clause 5.1 of its Code of Meeting Practice, adopted 13 May 2013, for the Council meeting of 21 March 2016, and all subsequent Council Meetings, until resolved otherwise, to the following:**

- 1. Prayer
- 2. Acknowledgement of Country
- 3. Apologies
- 4. Confirmation of minutes of previous meetings
- 5. Disclosures of Interest
- 6. Minutes by the Lord Mayor
- 7. Notices of Motion
- 8. Memoranda by the General Manager (Chief Executive Officer)
- 9. Matters for Tabling
- 10. Reports of Committees
- 11. Reports to Council
- 12. Questions on Notice
- 13. Supplementary Answers to Previous Questions
- 14. Confidential Items

**ARCHWAYS (S103138)****2. By Councillor Vithoukas**

It is resolved that:

**(A) Council note:**

- (i) the Archway 1 Art Studio and Archway 1 Theatre Company, who have been operating from their current premises at 11-13 The Crescent, Annandale since 2005 and 2012, were served an eviction notice by the City on 4 December 2015;
- (ii) at the Council meeting of 14 December 2015, it was resolved the CEO would undertake a review, prepare a further report and review of health and safety actions related to the site;
- (iii) the City of Sydney engaged consultants to carry out an inspection during December and the findings of that inspection were provided to Councillors via a CEO update on 29 January 2016;
- (iv) City of Sydney staff changed the locks and installed a sign on the premises of 11-13 The Crescent, Annandale, on the morning of Friday 29 January 2016, in accordance with the eviction notice of 4 December 2015; and
- (v) the City has been negotiating with the occupants, Stephan Reich and Rachel Jordan, about the vacation and clearing of the archways due to the planned Johnstons Creek development for a period of approximately six months; and

**(B) the Chief Executive Officer be requested to:**

- (i) ensure that the occupants are provided with supervised access to the site to personally oversee the removal of their belongings and the City to provide assistance, financial and otherwise, for this process to occur;
- (ii) work with the occupants to organise a farewell event to be held either on site or off site. The event would be held to acknowledge the community significance and history of the Archway 1 Art Studio and Archway 1 Theatre Company; and
- (iii) continue to work with the Archway 1 Art Studio and Archway 1 Theatre Company to investigate alternative venues for rehearsals and performances.

**SMALL BUSINESS GRANTS (S103138)****3. By Councillor Vithoukas**

It is resolved that:

**(A) Council note:**

- (i) the City of Sydney offers a range of grants and sponsorships for business. The City's grants and sponsorship program aims to strengthen Sydney's competitiveness, improve productivity and capacity, and promote business opportunities;
  - (ii) up to \$80,000 can be applied for per year under the Village Business Grants Program. Grant applications are submitted online, evaluated by the City of Sydney Grants Assessment Panel, who then provide a recommendation to Council;
  - (iii) some City of Sydney local business chambers and associations have been successfully awarded \$80,000 grants under the Village Business Grants Program, to fund business building activities in their areas, for a number of years;
  - (iv) currently, 11 business chambers and associations play an important and relevant role in providing support for local businesses that is independent of Government;
  - (v) in December 2015, several business chambers and associations received less than \$80,000 under the Village Business Grants Program, leaving a shortfall that may impact planned business initiatives in their relevant precincts;
  - (vi) on 20 January 2016, I convened a round-table discussion focusing on the Grants program. Executive members of the various local Chambers and Associations were invited. That discussion raised a number of issues with the current Grants process from the perspective of those who have applied for grants over the years; and
  - (vii) from this discussion a number of proposals were put forward to improve the grants process and outcomes; and
- (B) the Chief Executive Officer be requested to:
- (i) amend and update the current Village Business Grants Program to ensure:
    - (a) that sufficient funds are provided for in future budget allocations to ensure each existing chamber and association has the ability to apply for an annual Village Business Grant of up to \$80,000 each;
    - (b) if individual Chambers and Associations are unsuccessful in their initial application for any or all of their allocated \$80,000 grant, provisions should be made to enable them to re-apply for any remaining funds within that same financial year;
    - (c) the provision of greater flexibility to enable Business Chambers and Associations to organise and determine the size and number of projects within their allocated \$80,000 grant per annum; and
    - (d) collaboration and communication is enhanced between City of Sydney staff and those applying for grant funding; and
  - (ii) provide enhanced feedback on grant applications that may not meet the relevant criteria prior to the grant deadline to enable the applicants to amend their application.

**UPDATING SYDNEY WRITERS WALK PLAQUES (S103138)****4. By Councillor Vithoukas**

It is resolved that:

**(A) Council note:**

- (i) the Sydney Writers' Walk consists of a series of brass plaques bearing the names of notable writers who reside in or visited Australia;
- (ii) the brass plaques were installed into the footpath in 1991, extending from the International Passenger Terminal to the Sydney Opera House forecourt at East Circular Quay;
- (iii) the plaques detail the name, date of birth, date of death (as applicable) as well as the accomplishments of the writer;
- (iv) the details on a number of existing plaques are now out of date due to the death of some writers;
- (v) the plaques are located on land owned by the Sydney Opera House, Sydney Ports and Sydney Harbour Foreshore Authority;
- (vi) the plaques are relevant to acknowledging writers, especially during the annual Sydney Writers' Festival; and
- (vii) the City of Sydney provides substantial sponsorship for the Sydney Writers' Festival that supports the City's Creative City Cultural Policy objectives of Sharing Knowledge, Precinct Distinctiveness and a Partner for Big Ideas; and

**(B) the Lord Mayor write to the NSW Minister for the Arts to:**

- (i) request the out-of-date plaques be updated, as a matter of urgency, prior to the Sydney Writers' Festival that will be held between 16 and 22 May 2016; and
- (ii) request that the Minister also explore the possibility of extending the walk to acknowledge the lives and achievements of additional distinguished writers; and

**(C) a report back be provided to Councillors via the CEO update.****BUSINESS VILLAGE GRANTS ASSESSMENT PANEL (S103138)****5. By Councillor Vithoukas**

It is resolved that:

**(A) Council note:**

- (i) the City of Sydney offers a range of grants and sponsorships for business. The City's grants and sponsorship program aims to strengthen Sydney's competitiveness, improve productivity and capacity, and promote business opportunities;

- (ii) under the current Grants and Sponsorships Program Guidelines 2016, all applications received by the City are assessed by at least three relevant City staff. Some applications may also be assessed by external parties with particular skills or professional expertise to contribute to the assessment process;
  - (iii) Business Chambers and Associations, who represent small business owners in their associated precincts and work towards driving business engagement and development, currently apply for funding under a number of grant and sponsorship programs which include Business Improvement Grants, Village Business Grants and grants for commercial creative and business events;
  - (iv) under the Village Business Grants Program, individual Business Chambers and Associations can apply for a grant of up to \$80,000 per annum;
  - (v) in December 2015, several business chambers and associations received less than their anticipated grant of \$80,000 under the Village Business Grants program, leaving a shortfall that could impact planned business initiatives in their relevant precincts;
  - (vi) on 20 January 2016, I convened a round-table discussion focusing on the Grants program. Executive members of the various local Chambers and Associations were invited. That discussion raised a number of issues with the current Grants process from the perspective of those who have applied for grants over the years;
  - (vii) from this discussion a number of proposals were put forward to improve the grants process and outcomes;
  - (viii) the City of Melbourne currently operates a number of independent assessment panels (external and internal) that assess requests for grants and funding across a number of areas including business, social enterprise, arts, festivals and events and more. The purpose of the independent assessment panel is:
    - (a) to review, assess and provide objective, independent recommendations to Council in relation to funding for grants and sponsorship programs; and
    - (b) to ensure that guidelines and assessment criteria endorsed by Council have been applied consistently and equitably for all applications; and
- (B) the Chief Executive Officer be requested to:
- (i) put in place changes that would facilitate the inclusion of experienced small business owners as part of the City's grants assessment panel when reviewing, assessing and recommending allocations for applicants under future business grants programs; and
  - (ii) assess the feasibility of applying some or all of the principles and procedures of the City of Melbourne's independent internal and external assessment panels for grants and sponsorships.

**WESTCONNEX (S103137)****6. By Councillor Doutney**

It is resolved that:

- (A) Council note the strong community objection to works being undertaken by WestConnex Authority, particularly in relation to any removal of vegetation around Sydney Park; and
- (B) Council:
  - (i) not provide any approval sought for any test drilling or preparatory works in the City of Sydney LGA for WestConnex;
  - (ii) confirm the right of residents to peacefully protest at Sydney Park and other sites owned or managed by Council; and
  - (iii) notify the community of all proposals or scheduled activities for test drilling or preparatory works that Council is informed about by posting them on the City of Sydney website.

**BEFORE- AND AFTER-SCHOOL CARE (S103133)****7. By Councillor Scott**

It is resolved that:

- (A) Council note:
  - (i) the Resolution of Council from 28 July 2014 regarding the provision of before- and after-school care in the City of Sydney;
  - (ii) that the resolution of Council from 28 July 2014 requested that the CEO commission an update of the 2010 review of the out of school hours care needs of the communities in the City of Sydney to incorporate new demographic data, and that a report be provided to Councillors;
  - (iii) to date, no report has been provided to Councillors regarding the needs for before- and after-school care hours within the City of Sydney;
  - (iv) the City of Sydney LGA continues to experience a crisis in before- and after-school care impacting local families with school-aged children, with population modelling from the *City of Sydney Childcare Needs Analysis 2013* showing that the population aged 5 to 11 years set to grow by 88% between 2011 and 2031 and the population aged 0 to 4 years set to grow by 74% between 2011 and 2031; and
  - (v) Leichhardt Municipal Council's policy of opening up its town halls and community centres for out of hours school care has seen two of that Council's buildings approved to provide an out of school hours care service, resulting in 70 new places being created; and

- (B) the Chief Executive Officer be requested to:
- (i) fast track an investigation of the feasibility of opening spaces within Council-owned properties such as town halls and community centres to out of school hours providers;
  - (ii) provide the results of the feasibility study to Councillors;
  - (iii) develop a draft policy based on the feasibility study for the provision of out of school hours care in Council-owned buildings; and
  - (iv) where feasible and necessary, lodge development applications for City venues to ensure space is available when needed.

### **LGNSW ELECTIONS (S103133)**

8. By Councillor Scott

It is resolved that:

- (A) Council note:
- (i) the finding of the Australian Electoral Commissioner that an irregularity occurred in relation to the elections of Vice Presidents and other Directors of Local Government NSW; and
  - (ii) that a hearing has been set in the Federal Court for 29 March 2016 with the court to determine whether the officers were validly elected; and
- (B) Council indicate its preference that the re-run election, if required, be conducted by a postal ballot as soon as possible following the judgement.

### **REVIEW OF PLANNING CONTROLS TO SUPPORT DIVERSITY IN THE LATE-NIGHT ECONOMY (S103133)**

9. By Councillor Scott

It is resolved that:

- (A) Council note:
- (i) the need for a diverse late-night economy to support the City's social and cultural goals set out in *OPEN Sydney: Future directions for Sydney at night*; and
  - (ii) that, according to the Phase 4 Report of the City's *Late Night Management Areas Research* recently completed in September 2015, there was no change in the proportion of cafés or restaurants, and pubs, taverns and bars open through the night across the City of Sydney between 2012 and 2015;
- (B) the Chief Executive Officer be requested to undertake a review of the City's planning controls to ensure the City can adopt global best practice to encourage diversity in the City's late-night economy; and

- (C) the Chief Executive Officer provide an update on the findings to Councillors by mid-2016, with a view to bringing a report to Council by the end of 2016.

**GRANTS AND SPONSORSHIPS FUNDING ALLOCATION (S103133)****10. By Councillor Scott**

It is resolved that:

- (A) Council note:
- (i) the allocated budget for the Village Business Grant Program in 2015/2016 is \$650,000, with \$609,325 having been awarded to recipients to date;
  - (ii) in the financial year 2013/2014, funds totalling \$726,583 were awarded as part of the City's Village Business Grant Program; and
  - (iii) in the financial year 2014/2015, funds totalling \$719,500 were awarded as part of the City's Village Business Grant Program; and
- (B) Council request that funds allocated towards grants and sponsorships outlined in the City's Grants and Sponsorship Policy not exhaust at the end of each financial year, but that any funds not allocated are re-allocated towards future budgets in the same grants and sponsorships category.

**WATERSHED GREEN LIVING CENTRE (S103133)****11. By Councillor Scott**

It is resolved that:

- (A) Council note the City's continued partnership with Marrickville Council to support the Watershed Green Living Centre, Newtown; and
- (B) the Chief Executive Officer be requested to provide a report to Council in 2016 with a proposal to increase the budget and programs offered to the Watershed Green Living Centre in order to facilitate increased provision of environmental sustainability programs and initiatives to inner-city communities and businesses.

**INCREASE FUNDING FOR VILLAGE BUSINESS GRANT PROGRAM (S103135)****12. By Councillor Mandla**

It is resolved that:

- (A) Council note that:
- (i) in June 2015, Council resolved Item 6.18 – Village Business Grant Program 2015/16 Round One Allocations approving cash grants and value in kind (VIK) recommendations for 2015/16 and 2016/17;



- (ii) in December 2015, Council resolved Item 6.26 – Village Business Grant Program 2015/16 Round Two Allocations approving cash grants and value in kind (VIK) recommendations for 2015/16 and 2016/17;
  - (iii) the Village Grants Community Groups include Chippendale Creative Precinct, Darlinghurst Business Partnership, Glebe Chamber of Commerce, Newtown Precinct Business Association, Paddington Business Partnership, Potts Point Partnership, Pyrmont Ultimo Chamber of Commerce, South Sydney Business Chamber and Walsh Bay Arts and Commerce;
  - (iv) the village economies that these groups represent contribute \$25 billion dollars per annum to the City's GDP and account for 60% of the jobs in the City's workforce;
  - (v) their unique precincts are essential to making Sydney a major tourist destination, a vibrant global city and a desirable place to live, work and play;
  - (vi) only \$609,325 was distributed to Village Community Groups (including Newtown) in this current financial year as compared to \$776,041.50 which was distributed to Village Community Groups (including Newtown) in each of the last two fiscal years;
  - (vii) all of the Village Grants community groups did not receive between \$1,000, and \$47,950 worth of funding;
  - (viii) the executive committees of the Village Community groups will have to cut programs, administrative support staff and promotional efforts on behalf of our various business precincts;
  - (ix) Council confirmed in Chamber an expectation that the Village Grants Community Groups would receive the whole amount of the grant and speakers confirmed they were shocked that they subsequently did not receive the whole amount of the grant; and
  - (x) the City of Sydney has become unnecessarily prescriptive in providing grants that limit entrepreneurship and business freedom to adjust to market conditions and demands; and
- (B) the Chief Executive Officer be requested to:
- (i) increase the grant funds of \$23,600 to Chippendale Creative Precinct during the current fiscal year;
  - (ii) increase the grant funds of \$10,000 to Glebe Chamber of Commerce during the current fiscal year;
  - (iii) increase the grant funds of \$9,800 to Haymarket Chamber of Commerce during the current fiscal year;
  - (iv) increase the grant funds of \$6,000 to Potts Point Partnership during the current fiscal year;
  - (v) increase the grant funds of \$21,000 to Pyrmont Ultimo Chamber of Commerce during the current fiscal year; and

- (vi) increase the grant funds of \$47,950 to South Sydney Business Chamber during the current fiscal year.

### **WEBCASTING (S103135)**

#### **13. By Councillor Mandla**

It is resolved that Council:

(A) note that:

- (i) as there is no record kept of discussions in Committee and Council meetings, there is often debate as to what was and what wasn't said in a particular meeting. With no record of discussions, Councillors and the community miss the productivity boost of being able to benefit from watching past deliberations;
- (ii) participatory democracy is at the heart of Local Government. Public access to proceedings can only increase confidence in Local Government;
- (iii) the City of Sydney Council presents itself as Green, Global and Connected, with a commitment to consultation and community involvement;
- (iv) technology, specifically webcasting via live streaming over the Internet, is an ideal means to increase participatory democracy and drastically reduce the carbon footprint of running Council and Committee meetings;
- (v) many Council and Committee meetings are held at irregular hours. The public gallery is small. A member of the public can wait hours for an agenda item to be dealt with;
- (vi) Council has to'd and fro'd on Webcasting having approved investigation, approved Webcasting and then run a rescission motion against it. In light of the recent success of my motion to adopt board portal technology and move papers to electronic format, using webcasting technology to record discussions will be successful and lead to more productive better community engagement; and
- (vii) internationally, most US Local Governments, 80% in the UK, and European Union Local Governments and over half the Local Governments of Wales webcast their proceedings; and

(B) request the Chief Executive Officer to:

- (i) by 30 April 2016, commence live streaming of Council and Committee meetings to the web, with archiving to enable viewing at a later date; and
- (ii) implement a training program for Councillors and relevant staff dealing with technical and legal issues of webcasting in preparation for live streaming of Council and Committee proceedings.

**ALTERATION OF COUNCIL AGENDA AND CODE OF MEETING PRACTICE  
(S103135)**

14. By Councillor Mandla

It is resolved that:

(A) Council note that:

- (i) Questions on Notice are one of the most important democratic tools that a Councillor possesses in representing the community;
- (ii) Questions on Notice are often the only method that a Councillor has to get real answers to City of Sydney matters;
- (iii) Questions on Notice are currently at the end of the agenda and ought to have a more prominent position at the top of the agenda; and
- (iv) answers to Questions on Notice are often supplied just before Council meetings and, at least on one occasion, during the meeting, precluding Councillors from properly reading the answers and limiting their ability to absorb the information and to debate matters during the Council meeting; and

(B) the Chief Executive Officer be requested to:

- (i) amend the Code of Meeting Practice so that Questions on Notice are Item 5 on the agenda (after Memoranda by the Chief Executive Officer and before Matters for Tabling); and
- (ii) amend the Code of Meeting Practice so that the answers to Questions on Notice must be provided by noon on the day of the Council meeting.