

COUNCIL

Meeting No 10
Monday 21 November 2016
Notice No 10/1579
Notice Date 17 November 2016

minutes

city of villages

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PRESENT

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

Councillors - Craig Chung, Christine Forster, Robert Kok, Jess Miller, Prof Kerry Phelps AM, Linda Scott, Jess Scully, Philip Thalys and Angela Vithoukcas.

At the commencement of business at 5.04pm, those present were:-

The Lord Mayor, Councillors Chung, Forster, Kok, Miller, Phelps, Scott, Scully, Thalys and Vithoukcas.

Councillor Vithoukcas left the meeting of Council at 7.11pm prior to discussion on Part B of Item 8.5 and returned at 7.12pm at the conclusion of discussion and voting on Part B of Item 8.5. Councillor Vithoukcas was not present at, or in sight of, the meeting of Council during discussion or voting on Part B of Item 8.5.

The Chief Executive Officer, Chief Operating Officer, Chief Financial Officer, Director City Operations, Director Legal and Governance, Director City Planning, Development and Transport, Director City Life, Director Workforce and Information Services, Acting Director City Engagement and Acting Director City Projects and Property were also present.

Opening Prayer

The Lord Mayor opened the meeting with prayer and an acknowledgement of country.

ITEM 1 CONFIRMATION OF MINUTES

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

That the minutes of the meeting of Council of Monday 24 October 2016, as circulated to Councillors, be confirmed.

Carried unanimously.

ITEM 2 DISCLOSURES OF INTEREST**(a) Section 451 of the Local Government Act 1993**

Councillor Linda Scott disclosed a less than significant, non-pecuniary interest in Item 6.2 on the agenda, in that Victoria Park is mentioned in connection with the University of Sydney, where she is employed, but it is not in any way related to the section in which she works.

Councillor Scott also disclosed a less than significant, non-pecuniary interest in Item 8.5 on the agenda, in that she is employed by the University of Sydney (an applicant that has not been recommended for a grant); also, her sons attend a SDN childcare centre (SDN Child and Family Services Pty Limited is an applicant that has not been recommended for a grant).

Councillor Scott also disclosed a less than significant, non-pecuniary interest in Item 9.2 on the agenda, in that she is a member of a car share scheme.

The Chair (the Lord Mayor) disclosed a less than significant, non-pecuniary interest in Item 9.2 on the agenda, in that she is a member of GoGet CarShare.

Councillor Angela Vithoukas disclosed a significant, non-pecuniary interest in Item 8.5 on the agenda, in that her goddaughter is related to members of the Monkey Baa Theatre Company, one of the grant recipients. Councillor Vithoukas said that, if this item could be dealt with in two parts, she would not be present for discussion or voting on the part dealing with the grant to Monkey Baa Theatre in clause (A) of the officer's recommendation.

Councillor Vithoukas also disclosed a less than significant, non-pecuniary interest in Item 8.5 on the agenda, in that she is a member of the CBD Sydney Chamber of Commerce Limited (a recommended recipient of a grant).

Councillor Philip Thalys disclosed a less than significant, non-pecuniary interest in Item 9.2 on the agenda, in that he is a member of GoGet CarShare.

Councillor Jess Scully disclosed a less than significant, non-pecuniary interest in Item 9.2 on the agenda, in that she is a member of GoGet CarShare.

Councillor Jess Miller disclosed a less than significant, non-pecuniary interest in Item 9.2 on the agenda, in that she is a member of GoGet CarShare.

(b) Local Government and Planning Legislation Amendment (Political Donations) Act 2008

No disclosures were made by any members of the public at this meeting of Council.

ITEM 3 MINUTES BY THE LORD MAYOR

There were no Minutes by the Lord Mayor at this meeting of Council.

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 Forster –

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

Carried unanimously.

5.2 Petitions

The following Petition, of which notice was given by Councillor Scott, was laid on the table:

(a) 4-6 Maddox Street Alexandria

“We are requesting the SCC to create of 1-2 car parking spaces instead of the proposed water garden outside 4-6 Maddox Street, Alexandria.

We the undersigned residents and friends oppose the creation of a garden bed stretching from Belmont Street to Belmont Lane on the south side of Maddox Street. With limited local parking, the area would benefit from the addition of 1-2 car parking spaces for the use of residents and clients of the local cafes. Local residents have been lobbying for this for many months.”

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

It is resolved that the Petition be received and noted.

Carried unanimously.

Procedural Motion

Moved by Councillor Chung, seconded by Councillor Forster –

That, for the convenience of the public present, Item 15.5 be brought forward and dealt with before Item 6 to enable it to be dealt with in conjunction with the Petition.

Carried unanimously.

GARDEN BED REMOVAL MADDOX STREET ALEXANDRIA (S129259)

5. Moved by Councillor Chung, seconded by Councillor Forster -

It is resolved that:

(A) Council note:

- (i) Maddox Street Alexandria and the area bounded by Huntley and Harley Streets and Mitchell and Euston Roads have extremely limited street parking for resident vehicles;

- (ii) residents in the area have been calling on Council to permit parking immediately outside 4-6 Maddox Street for a number of years;
 - (iii) removal of extremely valuable potential parking spaces adversely affects local residents and businesses;
 - (iv) 33 residents signed a petition seeking to halt the installation of the garden bed outside 4-6 Maddox Street and the petition was forwarded to senior staff prior to the commencement of the work; and
 - (v) a significant number of residents have told Councillors that they were not consulted about the proposed garden bed; and
- (B) Council request the Chief Executive Officer to:
- (i) take steps to remove the recently installed rain garden outside 4-6 Maddox Street Alexandria and reinstate the road surface;
 - (ii) install appropriate signage to permit resident parking in the area outside 4-6 Maddox Street Alexandria; and
 - (iii) plant suitable trees along the wide footpath immediately outside 4-6 Maddox Street Alexandria in line with the City's local area green canopy target of 50%.

Foreshadowed Motion. Councillor Miller foreshadowed that, should the motion moved by Councillor Chung be lost or withdrawn, she would move an alternative motion.

The motion moved by Councillor Chung was lost on the following show of hands –

Ayes (4) Councillors Chung, Forster, Scott and Vithoukias

Noes (6) The Lord Mayor, Councillors Kok, Miller, Phelps, Scully and Thalís.

Motion lost.

Councillor Miller then moved her foreshadowed motion, seconded by Councillor Scully, as follows:

It is resolved that:

- (A) Council note:
- (i) in August 2016, the Local Pedestrian, Cycling and Traffic Calming Committee agreed to a proposal to widen the footpath in Maddox Street, between Belmont Street and Belmont Lane, and to install a raingarden and trees;
 - (ii) the project will not impact on existing parking availability, as the kerb space along Maddox Street between Belmont Street and Belmont Lane, including in front of 4-6 Maddox Street, was previously signposted as 'No Parking' across two redundant driveways;
 - (iii) Alexandria has a low percentage of tree canopy compared to the rest of the City of Sydney and the section of Maddox Street in which the raingardens have been installed had little existing tree cover or other greenery;

- (iv) the project will increase the tree canopy in the area and contribute to the City's target of increasing tree canopy to 50 per cent of the local government area by 2030;
 - (v) the raingardens will improve drainage in the street by absorbing rainfall from gutters;
 - (vi) in planning the raingardens and trees, Council followed its normal processes for consulting with residents and stakeholders. Of the 37 letters sent out during consultation, two responses supported the proposal and one response opposed the proposal; and
 - (vii) subsequently, 33 residents signed a petition seeking to halt the installation of the garden bed outside 4-6 Maddox Street and the petition was forwarded to senior staff prior to the commencement of the work; and
- (B) Council request the Chief Executive Officer to write to the petition signatories outlining the consultation process used for this project and the benefits the raingarden and trees will bring to the local community.

Amendment. Moved by Councillor Chung, seconded by Councillor Forster –

That the motion be amended by the addition, in clause (B), of the following new clause:

- (ii) Council seek resident input into whether they would like parking to replace the garden at 4-6 Maddox Street Alexandria.

Foreshadowed Amendment. Councillor Forster foreshadowed that she would move the following amendment –

That the motion be amended by the addition, in clause (B), of the following new clause:

- (iii) that Council consult with Roads and Maritime Services about the possibility of increasing the parking generally in Maddox Street, including 4-6 Maddox Street.

The amendment moved by Councillor Chung was lost on the following show of hands –

Ayes (4) Councillors Chung, Forster, Scott and Vithoukias

Noes (6) The Lord Mayor, Councillors Kok, Miller, Phelps, Scully and Thalís.

Amendment lost.

Councillor Forster then moved her foreshadowed amendment, seconded by Councillor Chung.

The amendment was lost on the following show of hands –

Ayes (4) Councillors Chung, Forster, Scott and Vithoukias

Noes (6) The Lord Mayor, Councillors Kok, Miller, Phelps, Scully and Thalís.

Amendment lost.

The motion moved by Councillor Miller was carried unanimously.

ITEM 6 REPORT OF THE CORPORATE, FINANCE, PROPERTIES AND TENDERS COMMITTEE - 14 NOVEMBER 2016

PRESENT

Councillor Clover Moore
(Chair)

Deputy Lord Mayor, Councillor Prof Kerryn Phelps AM
(Deputy Chair)

Councillors Craig Chung, Christine Forster, Robert Kok, Jess Miller, Linda Scott, Jess Scully, Philip Thalys and Angela Vithoulkas.

At the commencement of business at 2.06pm those present were -

The Lord Mayor, Councillors Chung, Forster, Kok, Miller, Phelps, Scott, Scully, Thalys and Vithoulkas.

The meeting of the Corporate, Finance, Properties and Tenders Committee and its Sub-Committee concluded at 3.28pm.

Report of the Corporate, Finance, Properties and Tenders Committee

Moved by Councillor Phelps, seconded by Councillor Miller -

That the report of the Corporate, Finance, Properties and Tenders Committee of its meeting of 14 November 2016 be received, and the recommendations set out below for Items 6.3, 6.4 and 6.6 to 6.20 inclusive be adopted, with Item 6.1 being noted, and Items 6.2 and 6.5 being dealt with as shown immediately following those items.

Carried unanimously.

ITEM 6.1

DISCLOSURES OF INTEREST

Councillor Linda Scott disclosed a less than significant, non-pecuniary interest in Item 6.2 on the agenda, in that Sydney University is mentioned briefly in regard to a collaboration with Victoria Park. Councillor Scott stated that she is employed by the University, but not in any way related to the department which is handling this matter.

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

The Committee recommended the following:

ITEM 6.2**2016/17 QUARTER 1 REVIEW - DELIVERY PROGRAM 2014-2017 (S096187)**

It is resolved that Council:

- (A) note the financial performance of Council for the first quarter, ending 30 September 2016, including the Quarter 1 Net Surplus of \$44.9M and the full year Net Surplus forecast of \$60.9M, as outlined in the subject report and summarised in Attachment A to the subject report;
- (B) approve the formal write-off of a commercial rent-related debt for \$172,834 inclusive of GST, as outlined in paragraphs 15 and 16 of the subject report;
- (C) note the Quarter 1 Capital Works expenditure of \$44.1M, a revised full year forecast of \$286.7M and approve the proposed adjustments to the adopted budget, including the transfer of \$0.2M from capital works contingency as detailed in Attachment B to the subject report;
- (D) note the Information Services capital expenditure of \$2.4M, net of disposals, and a full year forecast of \$11.8M;
- (E) note the Quarter 1 Plant and Assets expenditure of \$1.2M, net of disposals, and full year forecast of \$25.3M; and
- (F) note the supplementary reports, including contracts issued over \$50,000, major legal issues and the Quick Response, Banner Pole and Reduced Rate Grant Programs in Quarter 1, as detailed in Attachment C to the subject report.

At the meeting of Council, it was moved by Councillor Phelps, seconded by Councillor Thalís –

That the recommendation of the Corporate, Finance, Properties and Tenders Committee be adopted.

Carried unanimously.

ITEM 6.3**INVESTMENTS HELD AS AT 31 OCTOBER 2016 (X005605)**

It is resolved that the Investment Report as at 31 October 2016 be received and noted.

Carried unanimously.

ITEM 6.4**PUBLIC PRESENTATION OF THE 2015/16 FINANCIAL STATEMENTS AND AUDITOR'S REPORTS (X005160)**

It is resolved that Council:

- (A) present the 2015/16 Annual Financial Statements and auditor's reports to the public; and

- (B) adopt the 2015/16 Annual Financial Reports, subject to the receipt of any submissions over the ensuing seven day period.

Carried unanimously.

ITEM 6.5

NAMING PROPOSAL – GIRARD PLAZA (FORMERLY NAPOLEON PLAZA) - POST EXHIBITION (X005053)

The Corporate, Finance, Properties and Tenders Committee decided that consideration of this matter be deferred to the meeting of Council on 21 November 2016.

At the meeting of Council, it was moved by Councillor Phelps, seconded by Councillor Scully –

It is resolved that Council:

- (A) defer naming the public open space located in Central Sydney, bounded by Kent Street, Sussex Street and Napoleon Street, formerly proposed as “Napoleon/Girard Plaza”; and
- (B) request the Chief Executive Officer develop an alternative naming recommendation for consideration by Council, preferably recognising an aboriginal or female leader with historical association to the area.

Carried unanimously.

Speakers

Mr William Lloyd addressed the meeting of the Corporate, Finance, Properties and Tenders Committee on Item 6.5.

ITEM 6.6

LEASE - BLUE MOUNTAINS INTERNATIONAL HOTEL MANAGEMENT SCHOOL - LEVELS 4 AND 5, 540 GEORGE STREET, SYDNEY (S091297)

It is resolved that:

- (A) Council approve the granting of a lease for a second further term from 30 April 2018 to 29 April 2022, under the essential terms and conditions as set out at Attachment A to the subject report; and
- (B) authority be delegated to the Chief Executive Officer to finalise the terms of the lease, and authorise its execution on behalf of the Council.

Carried unanimously.

ITEM 6.7**EXEMPTION FROM TENDER – UTILITY MANAGEMENT INFORMATION SYSTEM – CONTRACT EXTENSION (X004808)**

It is resolved that:

- (A) in accordance with the Local Government Act 1993, section 55(3)(i), Council approve exemption from tender for the extension to the existing service contract up to the amount and period indicated in confidential Attachment D to the subject report;
- (B) Council note the reasons why a satisfactory result would not be achieved by inviting tenders are:
 - (i) the City has already commenced the tendering process to procure a Software as a Service (SaaS) solution in mid-2016 with implementation of the service by mid-2017;
 - (ii) to ensure the continuous monitoring, management and reporting on utilities until the new SaaS solution is implemented and fully operational by mid-2017, and avoid interruptions to data and management of utilities; and
 - (iii) the contract extension cost is considered fair and reasonable; and
- (C) authority be delegated to the Chief Executive Officer to finalise the terms of the contract with Loquinar Pty Ltd to accommodate the extension outlined in clause (A) above.

Carried unanimously.

ITEM 6.8**EXEMPTION FROM TENDER - EXTENSION OF TEMPORARY HOARDING HIRE AND NEW HOARDING AND HIRE 14-26 WATTLE STREET, ULTIMO (S098888.004)**

It is resolved that:

- (A) Council approve exemption from tender and engagement of Cooper Constructions for the sum set out in confidential Attachment B to the subject report for:
 - (i) a variation to extend the current hire contract for hoarding to Wattle Street for 18 months (highlighted in red on Attachment A to the subject report);
 - (ii) the construction of a Class B safety hoarding to Fig Street; and
 - (iii) a variation to the current contract to include the hire fee for Fig Street for 18 months (highlighted in yellow on Attachment A to the subject report); and
- (B) Council note that the exemption is sought under section 55, Chapter 6, Part 3 of the Local Government Act 1993, because a satisfactory result would not be achieved by inviting such tenders, given the extenuating circumstances as outlined in the subject report.

Carried unanimously.

ITEM 6.9

EXEMPTION FROM TENDER – ARTSREADY TRAINEESHIP PROGRAM (X001671)

It is resolved that Council:

- (A) approve an exemption from tender in accordance with section 55(3)(i) of the Local Government Act 1993 noting that, because of the unavailability of competitive or reliable tenderers, a satisfactory result would not be achieved by inviting tenders to provide the ArtsReady Traineeship program for a further three years for the calendar year period 2017-2019;
- (B) note that the reason why a satisfactory result would not be achieved by inviting tenders is going to tender would not deliver a competitive process as AFL Sports Ready Limited is the only group training organisation with a commitment to the arts/cultural/creative sector and a dedicated traineeship program to assist organisations with talent management; and
- (C) Council enter into a contract with AFL Sports Ready Limited for three years from 2017 to 2019.

Carried unanimously.

ITEM 6.10

TENDER – RECORDS AND ARCHIVES DIGITISATION SERVICES (X005032)

It is resolved that:

- (A) Council accept the tender offer of Tenderer 'A' for Category 1: Bulk digitisation for a period of three years, with the option of an extension of two years, if appropriate;
- (B) Council accept the tender offer of Tenderer 'E' for Category 2: On-demand digitisation for a period of three years, with the option of an extension of two years, if appropriate;
- (C) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender; and
- (D) authority be delegated to the Chief Executive Officer to exercise the options referred to in clauses (A) and (B), if appropriate, and negotiate the price to extend the contract accordingly.

Carried unanimously.

ITEM 6.11

TENDER - CONSTRUCTION OF A NEW PARK AT 222 PALMER STREET, DARLINGHURST (S089994)

It is resolved that:

- (A) Council approve the scope of works for the construction of a new park at 222 Palmer Street Darlinghurst as described in the subject report;

- (B) Council accept the tender offer of Tenderer 'A' for the construction of a new pocket park at 222 Palmer Street Darlinghurst; and
- (C) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender.

Carried unanimously.

ITEM 6.12

TENDER - VICTORIA PARK IMPROVEMENTS, CAMPERDOWN (\$117289)

It is resolved that:

- (A) Council accept the tender offer of Tenderer 'C' for Victoria Park improvements, Camperdown;
- (B) Council undertake works on private land for the University of Sydney;
- (C) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender and exercise the works deed with the University of Sydney; and
- (D) Council approve an increase in budget costs for total project to deliver the full scope of works as outlined in confidential Attachment E to the subject report.

Carried unanimously.

ITEM 6.13

TENDER - ALEXANDRIA PARK AND ERSKINEVILLE OVAL PUBLIC TOILETS UPGRADE (\$126823)

It is resolved that:

- (A) Council accept the tender offer of Tenderer 'G' for Alexandria Park and Erskineville Oval public toilets upgrade; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender.

Carried unanimously.

ITEM 6.14

TENDER – PERRY PARK SPORTS STADIUM COMPLEX (\$053950)

It is resolved that:

- (A) Council accept the tender offer of Tenderer 'A' for construction of the new sports stadium at Perry Park, Alexandria; and

- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender.

Carried unanimously.

ITEM 6.15

TENDER - LEASING AND OPERATION OF VARIOUS CAFÉS WITHIN PARKS (S100618)

It is resolved that:

- (A) Council reject the tenders received for the appointment of a kiosk operator for the Pirrama Park Kiosk, for the reasons set out in confidential Attachment G to the subject report;
- (B) authority be delegated to the Chief Executive Officer to enter into negotiations and a subsequent lease with a suitably qualified kiosk operator to operate the Pirrama Park kiosk;
- (C) Council be informed of the successful kiosk operator for the Pirrama Park kiosk by way of a CEO Update;
- (D) Council accept the tender offer of Tenderer 'D' for the appointment of a café operator for Bandstand Cafe for a term of five years, with an additional 5 year option to renew;
- (E) Council approve the issue of a lease under section 103 of the Crown Lands Act 1989 (subject to the issue of a public notice and subsequent Crown consent under section 102 of the Crown Lands Act 1989) to Tenderer 'D' for the operation of the Bandstand Café at 301 Darlinghurst Road, Darlinghurst, as shown on the Premise Plan at Attachment D to the subject report, for a term of five years with an additional five year option to renew;
- (F) Council accept the tender offer of Tenderer 'A' for the appointment of a café operator for Bellevue Cottage for a five year lease, with an option to renew for an additional five year term;
- (G) Council approve the issue of a lease under section 47 of the Local Government Act 1993 to Tenderer 'A' for the operation of the Bellevue Cottage at 55 Leichhardt Street, Glebe, as shown on the Premise Plan at Attachment F to the subject report, for a term of five years, with an additional five year option to renew;
- (H) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the relevant leases relating to the tender; and
- (I) authority be delegated to the Chief Executive Officer to exercise the options referred to in clauses (D) and (F), if appropriate, and negotiate the price to extend the contract accordingly.

Carried unanimously.

ITEM 6.16**TENDER - INTERNAL AUDIT SERVICES (S083523)**

It is resolved that:

- (A) Council accept the tender offers of Tenderers 'A' and 'B' for internal audit services for a period of three years from the commencement date, with the option for the City to extend for two further one-year periods, if appropriate;
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender; and
- (C) authority be delegated to the Chief Executive Officer to exercise the options referred to in clause (A), if appropriate, and negotiate the price to extend the contract accordingly.

Carried unanimously.

ITEM 6.17**TENDER - SYDNEY CHINESE NEW YEAR PROJECTIONS ONTO THE SYDNEY OPERA HOUSE AND THE SYDNEY HARBOUR BRIDGE (X003940.010)**

It is resolved that:

- (A) Council accept the tender offer of Tenderer 'A' for the Sydney Chinese New Year projections onto the Sydney Opera House and the Sydney Harbour Bridge for a period of one year, with the option of an extension in 2017 and 2018 at the City's discretion;
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender; and
- (C) authority be delegated to the Chief Executive Officer to exercise the option referred to in clause (A), if appropriate, and negotiate the price to extend the contract accordingly.

Carried unanimously.

ITEM 6.18**TENDER - PANELS FOR STREET SIGNS, PAVEMENT MARKING AND TACTILE GROUND SERVICE INDICATORS SERVICES CONTRACT (S125248)**

It is resolved that:

- (A) Council accept the tenders of Tenderers 'A', 'B' and 'C' for inclusion on the Street Signs Panel for a period of three years, with an additional two one-year extension options at the City's discretion;
- (B) Council accept the tenders of Tenderers 'G' and 'H' for inclusion on the Tactile Ground Surface Indicators Panel for a period of three years, with an additional two one-year extension options at the City's discretion;

- (C) Council reject the tenders received for the Pavement Marking Panel, for the reasons set out in confidential Attachment A to the subject report;
- (D) Council not invite fresh tenders for the Pavement Marking Panel, as it is considered that inviting fresh tenders would not attract additional suitable companies over and above those that have responded to this tender;
- (E) authority be delegated to the Chief Executive Officer to enter into negotiations and contract with suitably qualified companies to undertake the scope of works and administer the contracts relating to the works;
- (F) Council be informed of the successful company for the Pavement Marking Panel by way of a CEO update; and
- (G) authority be delegated to the Chief Executive Officer to exercise the options referred to in clauses (A) and (B), if appropriate, and negotiate the price to extend the contracts accordingly.

Carried unanimously.

ITEM 6.19

TENDER - SECURITY PATROLS AND ALARM RESPONSE SERVICES (\$122105.001)

It is resolved that:

- (A) Council accept the tender offer of Tenderer 'F' for security patrols and alarm response services for a period of three years, with the option of an extension of two, 12 month periods based on performance and ongoing requirements of Council;
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender; and
- (C) authority be delegated to the Chief Executive Officer to exercise the option referred to in clause (A), if appropriate, and negotiate the price to extend the contract accordingly.

Carried unanimously.

ITEM 6.20

TENDER - LEGAL SERVICES PANEL (X006353)

It is resolved that:

- (A) Council accept the tender offers of Tenderers 'A', 'B', 'C', 'D', 'E', 'F', 'G', 'H', 'I', 'K', 'L', 'N', 'O', 'P', 'R', 'S', 'T' and 'U' for appointment to the legal services panel in the areas of law noted in confidential Attachment A to the subject report and at the rates set out in confidential Attachment B to the subject report for a period of three years, with the option of two extensions, each of one year, if appropriate;
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender; and

- (C) authority be delegated to the Chief Executive Officer to exercise the options referred to in clause (A), if appropriate, and negotiate the price to extend the contract accordingly.

Carried unanimously.

Report of the Economic Development and Business Sub-Committee

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

That the report of the Economic Development and Business Sub-Committee of its meeting of 14 November 2016 be received, and the recommendation set out below for Item 6.21 be adopted.

Carried unanimously.

The Sub-Committee recommended the following:

ITEM 6.21

EORA JOURNEY ECONOMIC DEVELOPMENT PLAN – ADOPTION POST EXHIBITION AND PRIORITY PROJECTS (X005109.002)

It is resolved that:

- (A) Council note the results and response to the public exhibition of the draft Eora Journey Economic Development Plan as shown at Attachment B to the subject report;
- (B) Council adopt the Eora Journey Economic Development Plan as shown at Attachment A to the subject report;
- (C) authority be delegated to the Chief Executive Officer to make amendments to the Eora Journey Economic Development Plan in order to correct any minor drafting errors;
- (D) the City issue a call for Expressions of Interest from tourism organisations/ operators for a one-off Business Enterprise Project to access grant funding up to a maximum of \$100,000, to develop an Aboriginal and Torres Strait Islander tourism project in the Redfern area; and
- (E) Council note that any recommendations for grant provision as part of the Business Enterprise Project will be reported to Council for resolution at a later date.

Carried unanimously.

ITEM 7 REPORT OF THE ENVIRONMENT COMMITTEE - 14 NOVEMBER 2016

PRESENT

The Lord Mayor Councillor Clover Moore
(Chair)

Councillor Jess Miller
(Deputy Chair)

Councillors Craig Chung, Christine Forster, Robert Kok, Prof Kerry Phelps AM, Philip Thalys, Linda Scott, Jess Scully and Angela Vithoukias.

At the commencement of business at 3.46pm those present were -

The Lord Mayor, Councillors Chung, Forster, Kok, Miller, Phelps, Thalys, Scott, Scully and Vithoukias.

Adjournment

At 3.47pm, it was moved by the Chair (the Lord Mayor) seconded by Councillor Kok –

That the meeting of the Environment Committee be adjourned to allow meeting of the Cultural and Community Committee to be held.

Carried.

At the resumption of the meeting of the Environment Committee at 5.41pm, those present were –

The Lord Mayor, Councillors Chung, Forster, Kok, Miller, Phelps, Thalys, Scott, Scully and Vithoukias.

The meeting of the Environment Committee concluded at 6.18pm.

Report of the Committee

Moved by Councillor Miller, seconded by Councillor Scully -

That the report of the Environment Committee of its meeting of 14 November 2016 be received, with Item 7.1 being noted, and Items 7.2 to 7.5 inclusive being dealt with as shown immediately following those items.

Carried unanimously.

ITEM 7.1

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 Committee recommended the following:

ITEM 7.2

KNOWLEDGE EXCHANGE SPONSORSHIP – GREEN CITIES 2017 (X005020.002)

It is resolved that:

- (A) Council approve a cash sponsorship of \$20,000 (excluding GST) to the Property Council of Australia Limited in support of the 2017 Green Cities conference; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer a sponsorship agreement with the Property Council of Australia Limited.

At the meeting of Council, it was moved by Councillor Miller, seconded by Councillor Scully -

That the recommendation of the Environment Committee be adopted.

Carried unanimously.

ITEM 7.3

OPEN SPACE SPORT AND RECREATION NEEDS STUDY 2016 – FINAL FOR ADOPTION (S127007)

It is resolved that:

- (A) Council adopt the Open Space, Sport and Recreation Needs Study 2016 with amendments, as shown in Attachments D to H to the subject report; and
- (B) authority be delegated to the Chief Executive Officer to make minor amendments to the adopted Study as required.

At the meeting of Council, it was moved by Councillor Miller, seconded by Councillor Phelps -

That the recommendation of the Environment Committee be adopted.

Amendment. Moved by Councillor Scott, seconded by Councillor Vithoukias -

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

- (A) Council adopt the Open Space, Sport and Recreation Needs Study 2016 with amendments, as shown in Attachments D to H to the subject report, subject to the wording in the Study reverting to the wording that was put on public exhibition, and deleting the track changes, in the following places:
 - (i) Attachment D, page 96 (170), Green Square – Library Plaza
 - (ii) Attachment E, page 10 (224), Volume 2 – Open Space Delivery Plan – Table 1 - Planned Open Space

- (iii) Attachment E, page 22 (236), Volume 2 – Open Space Delivery Plan – General principles

The amendment was lost on the following show of hands –

Ayes (4) Councillors Chung, Forster, Scott and Vithoukias.

Noes (6) The Lord Mayor, Councillors Kok, Miller, Phelps, Scully and Thalís.

Amendment lost.

The motion was carried unanimously.

ITEM 7.4

GREEN SQUARE TOWN CENTRE – JOYNTON AVENUE AND ZETLAND AVENUE (EAST) (S105611)

It is resolved that Council endorse the detailed design for the upgrade of Joynton Avenue and Zetland Avenue (east), as described in the subject report and as shown in Attachments A and B to the subject report, for progression to implementation.

At the meeting of Council, it was moved by Councillor Miller, seconded by Councillor Thalís -

That the recommendation of the Environment Committee be adopted.

Carried unanimously.

ITEM 7.5

SCOPING – OBSERVATORY HILL PARK AMENITIES (S121892)

It is resolved that Council:

- (A) approve the project scope for the Observatory Hill Park Amenities as described in the subject report for the purpose of proceeding with design development, any relevant planning approvals, documentation and tender for construction works; and
- (B) note the financial implications detailed in confidential Attachment C to the subject report.

At the meeting of Council, it was moved by Councillor Miller, seconded by Councillor Scully -

That the recommendation of the Environment Committee be adopted.

Carried unanimously.

Speakers

Mr John Freeman addressed the meeting of the Environment Committee on Item 7.5.

Adjournment

At this stage of the meeting, at 6.29pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Scully –

That the meeting be adjourned for 15 minutes.

Carried.

At the resumption of the meeting of Council, at 6.44 pm, those present were –

The Lord Mayor, Councillors Chung, Kok, Miller, Phelps, Scott, Scully, Thalís and Vithoukás.

Councillor Forster returned to the meeting of Council at 6.54pm during discussion on Item 8.5.

ITEM 8 REPORT OF THE CULTURAL AND COMMUNITY COMMITTEE - 14 NOVEMBER 2016

PRESENT

The Lord Mayor Councillor Clover Moore
(Chair)

Councillors Craig Chung, Christine Forster, Robert Kok, Jess Miller, Prof Kerryn Phelps AM, Linda Scott, Jess Scully, Philip Thalys and Angela Vithoulkas.

At the commencement of business at 3.48pm those present were -

The Lord Mayor, Councillors Chung, Forster, Kok, Miller, Phelps, Scott, Scully, Thalys and Vithoulkas.

Adjournment

At 5.06pm, it was moved by the Chair (the Lord Mayor) seconded by Councillor Kok –

That the meeting of the Cultural and Community Committee be adjourned for a short period.

Carried.

At the resumption of the meeting of the Cultural and Community Committee at 5.27pm, those present were –

The Lord Mayor, Councillors Chung, Forster, Kok, Miller, Phelps, Scott, Scully, Thalys and Vithoulkas.

Sub-Committees

Meetings of the following Sub-Committees of the Cultural and Community Committee commenced at the times shown below.

The Cultural and Creative Sub-Committee, with Councillor Scully as Deputy Chair, commenced at 5.28pm.

The Healthy Communities Sub-Committee, with Councillor Phelps as Deputy Chair, commenced at 3.49pm.

Order of Business

The Cultural and Community Committee agreed, for the convenience of the public present, that the Order of Business be altered such that the agenda items be dealt with in the following order –

1. Disclosures of Interest
5. Grants and Sponsorship – Round Three Allocation of Annual Programs 2016/17 and Awarding of Two Business Improvement Grants
3. Sponsorship – Tribal Warrior Association – Crew Sydney to Hobart Yacht Race 2016
4. Community Services Grant – Redfern Legal Centre – Extension of Millers Point Tenant Support
2. Grant to Support a Digital Theatre Passport Scheme

The meeting of the Cultural and Community Committee and all its Sub-Committees concluded at 5.40pm.

Report of the Cultural and Creative Sub-Committee

Moved by Councillor Scully, seconded by Councillor Miller –

That the report of the Cultural and Creative Sub-Committee of its meeting of 14 November 2016 be received, and the recommendation set out below for Item 8.2 be adopted, with Item 8.1 being noted.

Carried unanimously.

ITEM 8.1

DISCLOSURES OF INTEREST

Councillor Angela Vithoukias disclosed a significant, non-pecuniary interest in Item 8.5 on the agenda in that her goddaughter is involved in the Monkey Baa Theatre Company, which is both a recommended and not recommended recipient of a grant under the Round Three Grants and Sponsorship Allocation for 2016/17.

At a later stage of the meeting, during discussion on Item 8.5, the following further disclosures were made:

- Councillor Linda Scott disclosed a less than significant, non-pecuniary interest in this item in that she is employed by the University of Sydney, which is an applicant that has not been recommended for a grant; also, her sons attend a SDN childcare centre, and SDN Child and Family Services Pty Limited is an applicant that has not been recommended for a grant.
- Councillor Vithoukias disclosed a less than significant, non-pecuniary interest in this item in that she is a member of the CBD Sydney Chamber of Commerce Limited, which is a recommended recipient of a grant.

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

The Cultural and Creative Sub-Committee recommended the following:

ITEM 8.2

GRANT TO SUPPORT A DIGITAL THEATRE PASSPORT SCHEME (\$122766)

It is resolved that:

- (A) Council approve \$75,000 (excluding GST) as a one-off cash grant to Shopfront Arts Co-Op Ltd to support the establishment of a Theatre Passport Scheme;

- (B) Council approve an additional provision of up to a maximum of \$10,000 (excluding GST) to Shopfront Arts Co-Op Ltd in the form of a grant to have a “child safeguard” certification for their Theatre Passport Scheme conducted by an independent operator; and
- (C) authority be delegated to the Chief Executive Officer to negotiate, execute and administer a funding agreement with Shopfront Arts Co-Op Ltd for the establishment of their Theatre Passport Scheme and to conduct a “child safeguard” certification.

Carried unanimously.

Speakers

Mr Daniel Potter addressed the meeting of the Cultural and Community Committee (Cultural and Creative Sub-Committee) on Item 8.2.

Report of the Healthy Communities Sub-Committee

Moved by Councillor Phelps, seconded by Councillor Kok -

That the report of the Healthy Communities Sub-Committee of its meeting of 14 November 2016 be received, and the recommendations set out below for Items 8.3 and 8.4 be adopted, with Item 8.5 being dealt with as shown immediately following that item.

The motion was carried on the following show of hands –

Ayes (8) The Lord Mayor, Councillors Kok, Miller, Phelps, Scott, Scully, Thalís and Vithoukás.

Noes (1) Councillor Chung.

Carried.

The Healthy Communities Sub-Committee recommended the following:

ITEM 8.3

SPONSORSHIP – TRIBAL WARRIOR ASSOCIATION – CREW SYDNEY TO HOBART YACHT RACE 2016 (X003748)

It is resolved that:

- (A) Council approve cash sponsorship of \$20,000 (excluding GST) to the Tribal Warrior Association Incorporated to participate in the 2016 Sydney to Hobart Yacht Race; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer a sponsorship agreement with the Tribal Warrior Association Incorporated.

Carried.

Speakers

Mr Shane Phillips and Ms Jocelyn Grant addressed the meeting of the Cultural and Community Committee (Healthy Communities Sub-Committee) on Item 8.3.

ITEM 8.4**COMMUNITY SERVICES GRANT – REDFERN LEGAL CENTRE – EXTENSION OF MILLERS POINT TENANT SUPPORT (\$116523)**

It is resolved that:

- (A) Council approve the extension of the current grant to Redfern Legal Centre for the delivery of the Millers Point Tenancy Service from November 2016 to May 2017 to a value of \$60,000 (excluding GST); and
- (B) authority be delegated to the Chief Executive Officer to amend the current grant agreement with Redfern Legal Centre.

Carried.

ITEM 8.5**GRANTS AND SPONSORSHIP – ROUND THREE ALLOCATION OF ANNUAL PROGRAMS 2016/17 AND AWARDING OF TWO BUSINESS IMPROVEMENT GRANTS (\$117676)**

The Cultural and Community Committee decided that consideration of this matter be deferred to the meeting of Council on 21 November 2016.

Procedural Motion

At the meeting of Council, it was moved by the Chair (the Lord Mayor), seconded by Councillor Phelps -

That the officer's recommendation be adopted, but split and dealt with in two Parts, as follows:

Part A - clauses (A) to (L) excepting, in clause (A), the grant to Monkey Baa Theatre for Young People Limited; and

Part B - the grant to Monkey Baa Theatre for Young People Limited in clause (A).

Carried unanimously.

Part A was then moved by the Councillor Phelps, seconded by Councillor Miller.

Amendment.

Moved by Councillor Forster, seconded by Councillor Chung –

That the motion be amended, in clause (E), by increasing the amount recommended for Head on Foundation Ltd from \$10,000 to \$30,000.

The amendment was lost on the following show of hands –

Ayes (4) Councillors Chung, Forster, Scott and Vithoulkas.

Noes (6) The Lord Mayor, Councillors Kok, Miller, Phelps, Scully and Thalís.

Amendment lost.

The motion was carried on the following show of hands –

Ayes (9) The Lord Mayor, Councillors Chung, Kok, Miller, Phelps, Scully, Scott, Thalís and Vithoulkas.

Noes (1) Councillor Forster.

Motion carried.

Part B was then moved by Councillor Phelps, seconded by Councillor Scott, and carried.

The motion, as adopted by Council, is as follows:

It is resolved that:

- (A) Council approve the cash grant and revenue foregone (VIK) recommendations for 2016/17 under the Cultural and Creative Grants and Sponsorship Program listed as follows:

| Applicant | Project Name | Project Description | \$ Amount Recommended | VIK Recommended | Conditions |
|---------------------------------|--|---|-----------------------|--|------------|
| Art Fairs Australia Pty Ltd | Sydney Contemporary | An art fair at Carriageworks, Redfern showcasing work by emerging and established local, interstate and international artists. | Nil | Street Banner hire fee waiver to the value of \$23,200 | Nil |
| Artspace Visual Arts Centre Ltd | BOOK MACHINE powered by Artspace, Sydney | A free public event in Woolloomooloo to connect community participants with emerging local designers through the creation of art books. | \$15,000 | Nil | Nil |

| Applicant | Project Name | Project Description | \$ Amount Recommended | VIK Recommended | Conditions |
|--|---|---|------------------------------|--|--|
| Asian Australian Artists Association Inc. | Rickshaw Tales | Curated tours on an artist-commissioned rickshaw through Haymarket with local stories told through an on-board video. | \$11,500 | Nil | Funding to go towards creative personnel and materials only. Subject to appropriate approvals. |
| Australian Centre for Photography Limited | Where do we go now? | An exhibition series held in the Foley Street retail precinct from international and local artists with particular focus on environmental issues and communication networks. | Nil | Street Banner hire fee waiver to the value of \$3,250 | Nil |
| Australian Design Centre | Chili Philly | Crochet exhibition in Darlinghurst promoting the work of local artists and designers and including workshops, panel discussions and talks to coincide with Sydney Mardi Gras. | \$14,000 | Nil | Funding to go towards public programs. |
| Blue Lucine auspiced by Redfern Legal Centre Ltd | Forced Out - Documentary & Public Screening | A film project recording the visual and oral history of the Millers Point precinct including a public screening event and a panel discussion. | \$25,000 | Venue Hire fee waiver up to the value of \$6,380 | Funding to go towards creative personnel. |

| Applicant | Project Name | Project Description | \$ Amount Recommended | VIK Recommended | Conditions |
|---|-------------------------------|---|------------------------------|--|--|
| Carriageworks Limited | Children Of Gods | The development of a collaborative large scale work between a renowned Samoan born choreographer and City of Sydney choral groups at Carriageworks, Redfern. | \$25,000 | Nil | Nil |
| De Quincey Company Limited | BODYWEATHER FOR EVERYONE 2017 | Three dance based projects including performances and workshops for differently-abled people, emerging and experienced dancers hosted at Kings Cross Theatre and Glebe Town Hall. | Nil | Venue Hire fee waiver to the value of \$759 | Nil |
| Ensemble Offspring Ltd | Who dreamed it? | The commissioning, performance and recording of three new works by emerging international female composers to premiere at Carriageworks. | \$10,000 | Nil | Nil |
| Film Festivals Australia auspiced by Queer Screen Ltd | Film Festivals Australia | Program funding for Film Festivals Australia to engage with independent film festivals and support them to grow their audiences and engage with communities. | \$35,000 | Nil | No recurrent funding. Organisation to consult with the City's Manager Cultural Strategy. |

| Applicant | Project Name | Project Description | \$ Amount Recommended | VIK Recommended | Conditions |
|--|--|--|------------------------------|--|-------------------|
| First Draft Inc | Around the Outside with Auto Italia South East | The development and production of an interactive exhibition in Woolloomooloo created through a collaboration between emerging Sydney artists and a London based artist run organisation. | \$12,000 | Nil | Nil |
| Glebe NAIDOC Committee auspiced by St John's Anglican Church Glebe | Glebe NAIDOC 2017-2019 | A series of community events in Glebe to celebrate the culture and achievements of Aboriginal and Torres Strait Islander people. | \$15,000 | Nil | Nil |
| In The Pipeline (Arts) Ltd | MELBA - An Operatic Drama | Development and presentation of a new Australian musical about Dame Nellie Melba including a season at Hayes Theatre, Potts Point. | \$20,000 | Street Banner hire fee waiver to the value of \$2,777 | Nil |
| International Performing Writers Association | The Rumble: Sydney Young Performing Writers' Program | Spoken word workshops and performances across the City of Sydney area for young people including a multimedia anthology of the work produced. | \$20,000 | Nil | Nil |
| Maeve Marsden auspiced by Theatre Network NSW Inc | Queerstories | Monthly storytelling event celebrating the lives of the Sydney LGBTQI community held at Giant Dwarf, Redfern. | \$10,000 | Nil | Nil |

| Applicant | Project Name | Project Description | \$ Amount Recommended | VIK Recommended | Conditions |
|--|--|--|------------------------------|--|--|
| Milk Crate Theatre | Headway: Focused Skills Development Program | A theatre skills development program for people experiencing or at risk of experiencing homelessness held at Alexandria Town Hall. | \$15,000 | Nil | Organisation to consult with the City's Marketing team. |
| Monkey Baa Theatre for Young People Ltd | Monkey Baa Shares Some Magic: Accessibility and Outreach program | A program of free theatre experiences in the Darling Quarter for disadvantaged City of Sydney families and children. | \$20,000 | Nil | Funding to go towards 'Oddysea' Program and training. |
| National Art School | 2017 NAS Nights Program | A series of free public events designed to activate the Old Darlinghurst Gaol as a night-time cultural hub. | \$20,000 | Nil | Nil |
| National Institute for Experimental Arts – University of NSW | The Neurodiverse City | Exhibition at Customs House exploring neurodiverse experiences and perspectives of Sydney. | \$20,000 | Nil | Funding to go towards creative personnel. |
| Newtown Neighbourhood Centre Inc | Friday Night Vibes | A series of eight free live performances in Newtown Square featuring local performers and artists. | \$6,500 | Nil | Funding to go towards creative personnel and event coordinator. Organisation to consult with the City's Strategy Advisor - Live Music. |
| Other Art Fairs Australia Pty Ltd | The Other Art Fair, Sydney Edition 2017 | A four-day art fair held at Waterloo highlighting the work of emerging artists. | Nil | Street Banner hire fee waiver to the value of \$6,650 | Nil |

| Applicant | Project Name | Project Description | \$ Amount Recommended | VIK Recommended | Conditions |
|--------------------------------------|------------------------------------|--|------------------------------|------------------------|--|
| PACT Centre for Emerging Artists Inc | AFTERGLOW | A series of contemporary performances by Sydney artists held at Erskineville. | \$30,000 | Nil | Funding to go towards creative personnel and production costs. |
| Rinse Out Inc | Underbelly Arts Festival 2017 | A visual and performing arts festival held in the Waterloo and Green Square area and supporting over 100 artists primarily living in the City of Sydney to present their work. | \$20,000 | Nil | Funding to go towards creative personnel and production costs. |
| Sydney Story Factory Inc. | The Grossest Restaurant in Redfern | A series of cooking and creative writing workshops for children in Redfern with a focus on nutrition, culminating in a book and a community meal. | \$10,000 | Nil | Nil |
| University of Technology Sydney | The Freedom Club | A visual arts project presented at the University of Technology Sydney commemorating the contributions of Aboriginal freedom fighters from the Sydney region. | \$10,000 | Nil | Applicant to provide quotes. |

- (B) Council approve the cash grant and revenue foregone (VIK) recommendations for 2016/17 under the Environmental Performance – Building Operations Grant Program listed as follows:

| Applicant | Project Name | Project Description | \$ Amount Recommended | VIK Recommended | Conditions |
|-----------------------------|---|--|------------------------------|------------------------|--|
| AFIAA Australia 1 Pty. Ltd. | Cooling tower water sub-metering, Union Street Pymont | The installation of water sub-metering for the monitoring of cooling towers in 60 Union Street, Pymont with the aim of identifying high usage. | \$4,820 | Nil | <p>Applicant to provide a valid PLI</p> <p>Applicant to provide a commitment form signed by the Facilities Manager</p> <p>Applicant to provide a signed copy of the SWMS</p> <p>Applicant to provide a water management plan</p> |
| Mirage Apartments | Residential apartments water monitoring, Bunn Street Pymont | Water monitoring for residential apartment building Mirage Apartments, Pymont with the aim to move towards best practice water usage levels. | \$4,500 | Nil | Nil |

- (C) Council approve the cash grant and revenue foregone (VIK) recommendations for 2016/17 under the Environmental Performance – Innovation Grant Program listed as follows:

| Applicant | Project Name | Project Description | \$ Amount Recommended | VIK Recommended | Conditions |
|------------------------|---|--|-----------------------|-----------------|--|
| CIM Operations Pty Ltd | Advanced Data Analysis in the Built Environment | Demonstration of environmental benefits of advanced energy saving and fault finding technology within three Sydney CBD buildings | \$50,000 | Nil | <p>Applicant to provide a revised, detailed budget</p> <p>Applicant to provide NABERS ratings before and after implementation</p> <p>Applicant to work with the City to develop more detailed project plan and communications plan</p> |

- (D) Council approve the cash grant and revenue foregone (VIK) recommendations for 2016/17 under the Environmental Performance – Ratings and Assessment Grant Program listed as follows:

| Applicant | Project Name | Project Description | \$ Amount Recommended | VIK Recommended | Conditions |
|------------------------------------|---|---|-----------------------|-----------------|--|
| Adfa Jamieson Pty Limited | NABERS energy rating, Amora Hotel | Amora Hotel will obtain a NABERS rating and implement energy efficiency recommendations | \$9,000 | Nil | Applicant to provide a detailed budget breakdown |
| Altair Owners Corporation SP 64622 | Residential apartments energy assessment, Altair Apartments | Assessment of electricity usage in the common areas such as car parks, fire stairs and the swimming pool of a residential apartment block in Rushcutters Bay. | \$3,950 | Nil | Nil |

| Applicant | Project Name | Project Description | \$ Amount Recommended | VIK Recommended | Conditions |
|----------------------------|---|--|------------------------------|------------------------|---|
| Owners Corporation SP68171 | Residential apartments energy assessment, Dunblane Street Camperdown | Feasibility study on the potential of digital solar photovoltaic to share solar electricity between common areas and individual apartments, solar thermal hot water boosting and heat pump in a low-rise residential strata scheme | \$5,938 | Nil | Applicant to provide resolution minutes |
| Owners Corporation SP78602 | Residential apartments energy assessment - Solar Thermal, Heat Pump, Batteries, McElhone Street Woolloomooloo | "Generation W", a strata complex consisting of four buildings will investigate options for solar thermal boosting of its existing common gas hot water service or replacement with an integrated solar thermal hot water/electric heat pump solution, as well as assess cost benefits of battery storage | \$4,250 | Nil | Applicant to submit a revised budget |

- (E) Council approve the cash grant and revenue foregone (VIK) recommendations for 2016/17, 2017/18 and 2018/19 under the Festivals and Events Sponsorship Program – Artform listed as follows:

| Applicant | Project Name | Project Description | \$ Amount Recommended | VIK Recommended | Conditions |
|--|--|--|------------------------------|--|--|
| Comedy Development Ltd | Sydney Comedy Festival at Sydney Town Hall | A comedy event held at Sydney Town Hall as part of Sydney Comedy Festival including two free children friendly galas, an all-women gala and an end-of-festival gala for the adult festival audience. | Nil | Venue Hire fee waiver to the value of \$75,104 Street Banner hire fee waiver to the value of \$11,440 | Nil |
| Destructive Steps Dance Association Incorporated | Destructive Steps | A Sydney based street dance festival, celebrating hip hop culture. The family friendly event will feature national and international performers and include workshops, classes and competitions. | \$10,000 | Venue Hire fee waiver to the value of \$5,000 | Nil |
| Head On Foundation Ltd | Head On to Paddington | A photographic exhibition in the cafes, streets, parks, galleries, churches and storefronts of Paddington. The festival program also includes workshops, events and tours. | \$10,000 | Venue Hire fee waiver to the value of \$28,320 Street Banner hire fee waiver to the value of \$6,000 | Funding for program and activation of Paddington Town Hall |

| Applicant | Project Name | Project Description | \$ Amount Recommended | VIK Recommended | Conditions |
|--|------------------------------------|--|---|---|---|
| Queer Screen Limited | Queer Screen Film Fest | An LGBTIQ multi-cultural film festival, hosted at various city venues attracting international and local artists and including international ASLAN interpreted screenings, local performance events and free community screenings. | Year 1 - \$15,000 | Nil | Funding to go towards community outreach component of the application |
| Radio Eastern Sydney Cooperative Limited | Global Rhythms 2017 Music Festival | A world music event held on the closing weekend of Sydney Fringe Festival at Bicentennial Park, Glebe. | \$15,000 | Street Banner hire fee waiver to the value of \$5,700 | Nil |
| The Sydney Film Festival | Sydney Film Festival | An international film festival augmented by a program of free talks, outdoor screenings, performances and exhibitions. Held over 12 days, the festival is centred in Sydney's CBD and precincts throughout City of Sydney communities. | Year 1 - \$260,000 Year 2 - \$260,000 Year 3 - \$260,000 | Year 1 - Value in Kind for Banners Pole and Venue hire waiver up to the value of \$350,000 Year 2 - Value in Kind for Banners Pole and Venue hire waiver up to the value of \$350,000 Year 3 - Value in Kind for Banners Pole and Venue hire waiver up to the value of \$350,000 | Applicant to provide a revised budget |

| Applicant | Project Name | Project Description | \$ Amount Recommended | VIK Recommended | Conditions |
|--|------------------------|---|-----------------------|-----------------|--|
| Women In Film and Television (WIFT) NSW Inc. | WOW Film Festival 2017 | A Sydney film festival showing local and international films directed, produced, written, edited and filmed by women. | \$15,000 | Nil | No recurrent funding Sponsorship contingent on securing other funding |

- (F) Council approve the cash grant and revenue foregone (VIK) recommendations for 2016/17, 2017/18 and 2018/19 under the Festivals and Events Sponsorship Program – Village and Community listed as follows:

| Applicant | Project Name | Project Description | \$ Amount Recommended | VIK Recommended | Conditions |
|------------------------------------|------------------------------|---|--|---|--------------------------------------|
| Alexandria Residents' Action Group | Alexandria SundayFunday 2017 | A free all day family oriented fair aimed at bringing together Alexandria's residents, local businesses and community services sector. Previously known as the Alexandria Fair. | Year 1 - \$10,000 Year 2 - \$8,000 Year 3 - \$6,000 | Nil | Applicant to submit a revised budget |
| Babana Aboriginal Men's Group Inc | The Colored Diggers March | An ANZAC day march in Redfern celebrating the Aboriginal and Torres Strait Islander men and women who have served in Australia's defence forces. | Year 1 - \$20,000 Year 2 - \$22,000 Year 3 - \$24,000 | Year 1 - Venue Hire fee waiver to the value of \$1,000 Year 2 - Venue Hire fee waiver to the value of \$1,000 Year 3 - Venue Hire fee waiver to the value of \$1,000 | Applicant to submit a revised budget |

| Applicant | Project Name | Project Description | \$ Amount Recommended | VIK Recommended | Conditions |
|--|--|--|-------------------------|---|--------------------------------------|
| Refugee Council of Australia Inc. | Refugee Week Festival of Welcome | A festival to officially launch Refugee Week in Sydney, showcasing the support of the community for people of refugee backgrounds involving speeches, music performances and spoken word. | Year 1- \$10,000 | Year 1 - Venue Hire fee waiver to the value of \$3,750 Street Banner hire fee waiver to the value of \$6,600 | Applicant to submit a revised budget |
| The Sydney St. Patrick's Day Organisation Inc. | Sydney St. Patrick's Day Parade & Family Day 2017 | A three-day program held in Prince Alfred Park celebrating Irish culture and history featuring live entertainment, food stalls, children's activities and traditional family festivities. | Nil | Venue Hire fee waiver to the value of \$5,000 Street Banner hire fee waiver to the value of \$8,000 | Nil |
| Youth and Family Connect Incorporated | Woolloomooliv n' - Biannual Festival of Urban Arts and Culture | A free community day in central Woolloomooloo celebrating urban culture and its role in facilitating social cohesion with strong engagement from the local indigenous community in its design. | \$15,000 | Nil | Applicant to submit a revised budget |

- (G) Council approve the cash grant and revenue foregone (VIK) recommendations for 2016/17 under the Matching Grant Program listed as follows:

| Applicant | Project Name | Project Description | \$ Amount Recommended | VIK Recommended | Conditions |
|---|---|--|------------------------------|--|--|
| Beyond Consulting | Glebe Dance Project - Stage 2 | Dance classes and a community dance event for the local community at Glebe Town Hall. | \$5,000 | Venue Hire fee waiver to the value of \$1,300 | Applicant to provide quotes Applicant to re-submit budget No recurrent funding |
| Bobby Goldsmith Foundation | HIV heart | A public art exhibition featuring works by HIV positive artists to be held in Surry Hills and Redfern. | \$7,150 | Nil | Nil |
| Carnival of the Bold & MLC Gallery (auspiced by the National Association for the Visual Arts Ltd) | Carnival of the Bold: Cause & Effect | An event held at 107 Projects, Redfern featuring performances and artwork that highlight issues around social change. | \$10,000 | Nil | Applicant to liaise with City of Sydney staff regarding promotion |
| Dance for Parkinson's Australia-Sydney (auspiced by Parkinson's NSW Inc) | Dance for Parkinson's – Bringing movement based therapy back to our community | A program of specialised dance classes for people with Parkinson's disease to be held in Alexandria. | \$7,100 | Nil | No recurrent funding |
| Free Broadcast Incorporated (FBI Radio) | FBI's Live Feed - Celebrating and Promoting our Artists | A series of radio broadcasts of live music performances from venues in the City of Sydney. | \$8,600 | Nil | Applicant to provide a plan for securing future funding Applicant to provide quotes |
| Gunawirra Limited | Art therapy and Cultural Awareness Project for Parents of Children attending Mt. Carmel School Waterloo | A program to engage Indigenous parents and children through the promotion of cultural awareness, art therapy and psychotherapy at Mt. Carmel School, Waterloo. | \$10,000 | Nil | Nil |

| Applicant | Project Name | Project Description | \$ Amount Recommended | VIK Recommended | Conditions |
|---|--|--|------------------------------|------------------------|--|
| Inner City Legal Centre | Legal support for Sydney transgender youth | Free legal services for transgender youth and their families living in the City of Sydney. | \$10,000 | Nil | Applicant to submit revised budget No recurrent funding |
| Milk Crate Theatre | Milk Crate Theatre Workshop Program – Brining positive change and great community connection and well-being. | A free theatre workshop program for those who identify with or are at risk of homelessness in Potts Point and Kings Cross. | \$10,000 | Nil | No recurrent funding |
| PACT Centre for Emerging Artists Inc | PACT Salon: Mini-Festival Showcasing Young Artists. | A series of events showcasing new performance, visual and media artworks to be held in Erskineville. | \$10,000 | Nil | Nil |
| Souths Cares PBI Ltd | Souths Cares Wellbeing Program – Youth Health Promotion | A health promotion initiative encouraging healthy and active lifestyles for primary school students in Alexandria, Darlington, Glebe, Redfern, Surry Hills and Waterloo. | \$5,998 | Nil | Nil |
| Surry Hills Public Tenants Association (auspiced by Inner Sydney Regional Council for Social Development Inc) | Northcott Community Garden | An expansion of the tenant community garden at the Northcott Estate, Surry Hills including further engagement and up-skilling of members. | \$4,760 | Nil | Nil |

| Applicant | Project Name | Project Description | \$ Amount Recommended | VIK Recommended | Conditions |
|-------------------------------------|--|---|-----------------------|-----------------|------------------------------------|
| The Performance Space Ltd | Performance Space: Queer Performance Development Program | Skills development workshops and creative residencies for the LGBTI community in Erskineville. | \$5,000 | Nil | Applicant to submit revised budget |
| The Trustee for Belinda Mason Trust | One Life – Mentor program for women in need | A multi-media exhibition featuring women who have been affected by the criminal justice system to be held in conjunction with Head On Festival in the City of Sydney. | \$5,000 | Nil | Nil |
| The Wallace Co-Op | Lost in the Cross | Free acting classes for the local community and a theatre performance to be held at the Wayside Chapel, Potts Point. | \$8,400 | Nil | Nil |

- (H) Council approve the cash grant and revenue foregone (VIK) recommendations for 2016/17 under the Village Business Grant Program listed as follows:

| Applicant | \$ Amount Recommended | VIK Recommended | Conditions |
|--|-----------------------|-----------------|--|
| CBD Sydney Chamber of Commerce Limited | \$16,100 | Nil | Project 3 – Funding of \$7,500 for three events only. Project 4 - Project management \$1,600, printing \$2,000, creative concept \$5,000. |
| Chippendale Creative Precinct Incorporated | \$32,500 | Nil | Project 1 - \$10,000 towards guide. Project 2 – Toward a social media strategy and \$5,000 for e-newsletter production only. No further funding will be made available for website maintenance. Project 3 - Funding of \$7,500 for three networking events only. |

| Applicant | \$ Amount Recommended | VIK Recommended | Conditions |
|---|------------------------------|--|--|
| Glebe Chamber of Commerce Incorporated | \$31,000 | Nil | <p>Project 1 - Funding of \$10,000 for four networking events only.</p> <p>Project 2 – Funding of \$3,000 for marketing, \$3,000 for professional event coordination and \$4,000 for talent contribution. Applicant to submit a revised budget and project plan.</p> <p>Project 3 – \$6,000 toward research and project management costs only.</p> <p>Project 5 – Funding for project management costs, resources and training only.</p> |
| NSW Indigenous Chamber of Commerce Incorporated | \$30,000 | Nil | <p>Project 1 - Applicant to submit:</p> <ul style="list-style-type: none"> - Revised budget and project plan - Copy of the course outline - Details of project partners |
| Pymont Ultimo Chamber of Commerce & Industry Incorporated | \$40,000 | Nil | <p>Project 2 – Funding of \$5,000 for project support, \$3,000 for collateral, materials and updates, and \$2,000 for website only.</p> <p>Project 3 - \$5,000 for the project.</p> <p>Project 4 - \$10,000 for project costs, excluding shop local booklet.</p> <p>Project 5 - Funding of \$10,000 for four networking events and \$5,000 toward e-newsletter content only.</p> |
| South Sydney Business Chamber Incorporated | \$45,000 | Venue Hire fee waiver to the value of \$1,500 Street Banner hire fee waiver to the value of \$4,000 | <p>Project 1 - \$15,000 for I'm A Localist campaign and Shopfront Showcase excluding the Welcome Wallets and video production.</p> <p>Project 2 - Funding of \$15,000 for six networking events only.</p> <p>Project 3 – Funding of \$5,000 for the production of newsletter copy only.</p> <p>Project 4 – Funding of \$10,000 to seed the project.</p> |

| Applicant | \$ Amount Recommended | VIK Recommended | Conditions |
|--|------------------------------|------------------------|--|
| Surry Hills Creative Precinct Incorporated | \$27,200 | Nil | Project 1 - Funding of \$10,000 for four events only. Project 2 – Funding of \$10,000 for the project. Project 3 – \$7,200 for four tours– (one per quarter over 12 months) only. Applicant to submit a revised budget and program plan. |

- (I) Council approve a cash grant of up to \$2,934 under the Business Improvement Grant Program to Galerie Pompom Pty Ltd relating to shopfront improvement works for their business premises located at Shop 2, 27-39 Abercrombie Street, Chippendale;
- (J) Council approve a cash grant of up to \$7,800 under the Business Improvement Grant Program to J.s Jordanov & N Milanova (trading as Jazzy Cafe Bar) relating to shopfront improvement works for their business premises located at 212A Devonshire Street, Surry Hills;
- (K) Council note that all grant amounts are exclusive of GST and all VIK offered is subject to availability; and
- (L) authority be delegated to the Chief Executive Officer to negotiate, execute and administer agreements with each organisation approved for a grant or sponsorship under terms consistent with this resolution and the Grants and Sponsorship Policy.

Speakers

Mr Moshe Rosenzieg, Mr Peter Sullivan, Mr Alan Davis, Ms Leigh Small, Ms Jessica Giacco, Ms Sophie Matheson and Ms Jenny Burn addressed the meeting of the Cultural and Community Committee (Healthy Communities Sub-Committee) on Item 8.5.

ITEM 9 REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE - 14 NOVEMBER 2016

PRESENT

The Lord Mayor Councillor Clover Moore
(Chair)

Councillors Craig Chung, Christine Forster, Robert Kok, Jess Miller, Prof Kerryn Phelps AM, Linda Scott, Jess Scully, Philip Thalís and Angela Vithoukás.

At the commencement of business at 6.19pm those present were:

The Lord Mayor, Councillors Chung, Forster, Kok, Miller, Phelps, Scott, Scully, Thalís and Vithoukás.

Adjournment

At 8.33pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Thalís -

That the meeting of the Planning and Development Committee be adjourned for a short period.

Carried.

At the resumption of the meeting of the Planning and Development Committee at 8.50pm, those present were:

The Lord Mayor, Councillors Chung, Forster, Kok, Miller, Phelps, Scott, Scully, Thalís and Vithoukás.

Sub-Committees

Meetings of the following Sub-Committees of the Planning and Development Committee commenced at the times shown below.

The Transport, Heritage and Planning Sub-Committee, with Councillor Thalís as Deputy Chair, commenced at 7.32pm.

The Major Development Assessment Sub-Committee, with Councillor Kok as Deputy Chair, commenced at 6.20pm.

The Development Assessment Sub-Committee, with Councillor Thalís as Deputy Chair, commenced at 7.30pm.

Order of Business

The Planning and Development Committee agreed, for the convenience of the public present, that the Order of Business be altered such that the agenda items be dealt with in the following order -

1. Disclosures of Interest
7. Development Application: 63, 65A, 69-71 Harris Street and 14-16 Mount Street Pymont
8. Development Application: 1 Derwent Lane Glebe
9. Development Application: 74-88 Botany Road Alexandria
10. Development Application: 707-711 Elizabeth Street Waterloo
11. Development Application: 137 Belmont Street Alexandria
2. Post Exhibition – Draft Car Sharing Policy 2016
3. Post Exhibition – Sydney Development Control Plan – Signs and Advertisements 2015
4. Post Exhibition – Hoardings and Scaffolding – Local Approvals Policy and Guidelines
5. Landscape Code 2016
6. Fire Safety Reports

The meeting of the Planning and Development Committee and all its Sub-Committees concluded at 10.05pm.

ITEM 9.1

DISCLOSURES OF INTEREST

(a) Section 451 of the Local Government Act 1993

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

At a later stage of the meeting, prior to discussion on Item 9.2 on the agenda:

- Councillor Jess Scully disclosed a less than significant, non-pecuniary interest in Item 9.2 in that she is a member of GoGet CarShare; and
- Councillor Linda Scott disclosed a less than significant, non-pecuniary interest in Item 9.2 in that she is a member of GoGet CarShare.

(b) Local Government and Planning Legislation Amendment (Political Donations) Act 2008

No disclosures were made by any members of the public at this meeting of the Planning and Development Committee.

Report of the Transport, Heritage and Planning Sub-Committee

Moved by Councillor Thalys, seconded by Councillor Kok -

That the report of the Transport, Heritage and Planning Sub-Committee of its meeting of 14 November 2016 be received, with Item 9.1 being noted, the recommendations set out below for Items 9.4 and 9.6 being adopted, and Items 9.2, 9.3 and 9.5 being dealt with as shown immediately following those items.

Carried unanimously.

The Transport, Heritage and Planning Sub-Committee recommended the following:

ITEM 9.2**POST EXHIBITION – DRAFT CAR SHARING POLICY 2016 (S116884)**

It is resolved that:

- (A) the draft Car Sharing Policy 2016, as shown at Attachment A to the subject report, be adopted; and
- (B) a revised car sharing permit fee be publicly advertised in accordance with the requirements of the Local Government Act 1993.

Note – the recommendation of the Planning and Development Committee was not adopted.

At the meeting of Council, it was moved by Councillor Thalys, seconded by the Chair (the Lord Mayor) –

It is resolved that:

- (A) the draft Car Sharing Policy 2016, as shown at Attachment A to the subject report, be adopted, subject to the amendment of clause 5.2 such that it read as follows (with additions shown in **bold italics** and deletions shown in ~~striketrough~~):

5.2 Preferential Allocation

In precincts where more than 75% of potential on-street spaces in a precinct are held by a single operator, the City ~~may choose to~~ **will** issue remaining spaces preferentially to another eligible operator in order to facilitate competition and user choice.

- (B) a revised car sharing permit fee be publicly advertised in accordance with the requirements of the *Local Government Act 1993*.

Amendment. Moved by Councillor Forster, seconded by Councillor Chung –

That the motion be amended, such that it read as follows:

It is resolved that:

- (A) the draft Car Sharing Policy 2016, as shown at Attachment A to the subject report, be adopted, subject to the amendment of clauses 4 and 5.4 and the review period, such that they read as follows (with addition shown in **bold italics** and deletions shown in ~~striketrough~~):

4. Fees

Fees are set to ~~partially~~ **fully** recover the costs of administering the policy and the cost of installing and removing car sharing bays. The Car Share Space Installation fee, Car Share Space Removal fee and the annual administrative fee for an Authorised Car Share Vehicle Permit shall be set annually in the Schedule of Fees and Charges.

5.4 Expression of Interest for use of car sharing bays

The City ~~may, at its discretion, elect to~~ **will** undertake an Expression of Interest for the use of any or all car sharing spaces by one or more operators **at two-yearly intervals commencing on 1 July 2019**.

~~Should an~~ **The calling of** Expressions of Interest ~~be called~~ it will be subject to a 12 month notice period. ~~It~~ **The Expression of Interest process** would ~~only~~ apply to spaces that were at least 10 years old and the spaces will be offered for a period of 10 years. The Expression of Interest will be open to any operator, including incumbents.

Review

This Policy is to be reviewed in ~~three~~ **two** years; and

- (B) a revised car sharing permit fee be publicly advertised in accordance with the requirements of the Local Government Act 1993.

The amendment was lost on the following show of hands –

Ayes (3) Councillors Chung, Forster and Vithoukas

Noes (7) The Lord Mayor, Councillors Kok, Miller, Phelps, Scott, Scully and Thalís.

Amendment lost.

The motion was carried on the following show of hands –

Ayes (8) The Lord Mayor, Councillors Kok, Miller, Phelps, Scott, Scully, Thalís and Vithoukas

Noes (2) Councillors Chung and Forster.

Motion carried.

Speakers

Mr Greg Giraud, Ms Robyn Hall, Mr Andrew Milne and Mr Knowles Tivendale addressed the meeting of the Planning and Development Committee (Transport, Heritage and Planning Sub-Committee) on Item 9.2.

ITEM 9.3

POST EXHIBITION: SYDNEY DEVELOPMENT CONTROL PLAN - SIGNS AND ADVERTISEMENTS 2015 (S126407)

It is resolved that:

- (A) Council note the matters raised in response to the public exhibition of Draft Development Control Plan – Signs and Advertisements 2015, as shown at Attachment B to the subject report, and which are the subject of the report;

- (B) Council approve the Draft Development Control Plan – Signs and Advertisements 2015, as amended, in response to submissions made following public exhibition, shown at Attachment A to the subject report;
- (C) authority be delegated to the Chief Executive Officer to make any minor changes to Draft Development Control Plan – Signs and Advertisements 2015 to correct drafting errors prior to finalisation of the development control plan; and
- (D) Council note the further investigation into the potential relocation of advertising signs from heritage buildings and heritage conservation areas to new signage sites and a coordinated approach to building lighting and signage to encourage diverse night time street life in the City centre.

Note – the recommendation of the Planning and Development Committee was not adopted.

At the meeting of Council, it was moved by Councillor Thalís, seconded by Councillor Scully –

It is resolved that:

- (A) Council note the matters raised in response to the public exhibition of Draft Development Control Plan – Signs and Advertisements 2015, as shown at Attachment B to the subject report, and which are the subject of the report;
- (B) Council approve the Draft Development Control Plan – Signs and Advertisements 2015, as amended, in response to submissions made following public exhibition, shown at Attachment A to the subject report;
- (C) authority be delegated to the Chief Executive Officer to make any minor changes to Draft Development Control Plan – Signs and Advertisements 2015 to correct drafting errors prior to finalisation of the development control plan;
- (D) Council note the further investigation into the potential relocation of advertising signs from heritage buildings and heritage conservation areas to new signage sites and a coordinated approach to building lighting and signage to encourage diverse night time street life in the City centre; and
- (E) authority be delegated to the Chief Executive Officer to prepare a Public Benefit Advertising Guideline in accordance with the following principles:
 - (i) the guideline relates only to advertising time provided as a public benefit under clause 3.16.7.2(9) of the Development Control Plan and not Council's use of any other advertising time or advertising structure;
 - (ii) the advertising time will be used for the promotion of Council events, initiatives and programs and not for commercial purposes;
 - (iii) there is flexibility for the distribution of advertising time over a period by request to the Council and at Council's discretion;
 - (iv) the advertising time is made available for emergency messaging related to an event that poses a threat to life or serious injury in the Council area; and
 - (v) the Council will enter into arrangements with a sign owner to establish operational procedures.

Amendment. Moved by Councillor Forster, seconded by Councillor Chung –

That the motion be amended by:

- the deletion of clause (B) and the substitution of the following new clause (B);
- (B) Council approve the Draft Development Control Plan – Signs and Advertisements 2015, as amended, in response to submissions made following public exhibition, shown at Attachment A to the subject report, subject to the amendment of clause 3.16.6.2, such that it read as follows (with additions shown in ***bold italics***):

3.16.6.2 Signs with design excellence

- (1) A business identification ***or advertising*** sign that varies the standards of this section may be approved if the consent authority is satisfied the variation provides for a sign that demonstrates design excellence and is a better outcome for the public domain and the building. In determining whether the proposed sign achieves design excellence, the consent authority is to consider the following:
- the addition, to clause (E), of a new clause (iv) as follows, and the subsequent renumbering of all following clauses:
 - (iv) there is flexibility for the proponent to propose to use the advertising time to support arts, sports or cultural institutions in and around the Council area, and also government campaigns of national significance, such as the National Missing Persons Week;

The amendment was lost on the following show of hands –

Ayes (3) Councillors Chung, Forster and Vithoukas

Noes (7) The Lord Mayor, Councillors Kok, Miller, Phelps, Scott, Scully and Thalys.

Amendment lost.

The motion was carried unanimously.

Speakers

Ms Charmaine Moldrich, Mr Brian Tyquin, Mr Noel Cook, Mr Damien Rath, Ms Tess Phillips, Mr Mike Boyd and Mr Christian Slater addressed the meeting of the Planning and Development Committee (Transport, Heritage and Planning Sub-Committee) on Item 9.3.

ITEM 9.4

POST EXHIBITION - HOARDINGS AND SCAFFOLDING - LOCAL APPROVALS POLICY AND GUIDELINES (S125179-02)

It is resolved that:

- (A) Council note the summary of submissions received in response to the exhibition of the draft amended Hoardings and Scaffolding Policy and draft amended Guidelines for Hoardings and Scaffolding, shown at Attachment A to the subject report;

- (B) Council adopt the draft amended Hoardings and Scaffolding Policy, shown at Attachment C to the subject report, as a local approvals policy, and the draft amended Guidelines for Hoardings and Scaffolding, shown at Attachment D to the subject report, under Section 165(1) of the Local Government Act 1993, incorporating further additional amendments to the draft Guidelines for Hoardings and Scaffolding, as summarised in Attachment B to the subject report, resulting from the public exhibition process, including general refinements received through internal feedback, and confirm that re-exhibition of the amended documents is not necessary as the amendments are not substantial (Section 161(2) of the Local Government Act 1993);
- (C) authority be delegated to the Chief Executive Officer to approve updates/amendments to the Guidelines for Hoardings and Scaffolding (post adoption), as may be required from time-to-time and consistent with the adopted Hoardings and Scaffolding Policy;
- (D) authority be delegated to the Chief Executive Officer to make minor editorial changes to the draft Guidelines for Hoardings and Scaffolding prior to the new Policy and Guidelines commencing operation; and
- (E) Council approve the placement of a public notice in a local newspaper giving notice of the adoption and commencement (proposed for early January 2017) of the draft Hoardings and Scaffolding Policy and draft Guidelines for Hoardings and Scaffolding, as required by Section 166 of the Local Government Act 1993.

Carried unanimously.

ITEM 9.5

LANDSCAPE CODE 2016 (S091317)

The Transport, Heritage and Planning Sub-Committee decided that consideration of this matter be deferred to the meeting of Council on 21 November 2016.

At the meeting of Council, it was moved by Councillor Thalys, seconded by Councillor Phelps -

It is resolved that:

- (A) Council adopt the Sydney Landscape Code, as shown at Attachments A and B to the subject report; and
- (B) as minor changes or corrections may be required occasionally to ensure the Code is kept up-to-date, authority be delegated to the Chief Executive officer to make minor amendments and corrections to the Sydney Landscape Code, as shown at Attachments A and B.

Amendment. Moved by Councillor Chung, seconded by Councillor Forster –

That the motion be amended, such that it read as follows:

It is resolved that:

- (A) Council put the Sydney Landscape Code out for public consultation for a period of 90 days; and

- (B) following public consultation and feedback, a further report be presented to Council for consideration.

Foreshadowed amendment. Councillor Scott foreshadowed that she would move the following amendment:

That clause (A) of the motion be amended, such that it read as follows:

- (A) Council adopt the Sydney Landscape Code, as shown at Attachments A and B to the subject report, subject to, in Attachment A, the caption below Image 2 on page 13 of the Sydney Landscape Code 2016 Volume 1: Single Dwellings, reading as follows:

Image 2: Front fences are to be complementary in style to adjacent fences.

The amendment moved by Councillor Chung was lost on the following show of hands –

Ayes (4) Councillors Chung, Forster, Scott and Vithoukas

Noes (6) The Lord Mayor, Councillors Kok, Miller, Phelps, Scully and Thalís.

Amendment lost.

Procedural Motion

Moved by Councillor Scott, seconded by Councillor Vithoukas -

That the motion be split and dealt with in two parts to enable the adoption of Attachments A and B to be voted on separately.

The motion was lost on the following show of hands –

Ayes (4) Councillors Chung, Forster, Scott and Vithoukas

Noes (6) The Lord Mayor, Councillors Kok, Miller, Phelps, Scully and Thalís.

Procedural motion lost.

Councillor Scott did not move her foreshadowed amendment.

The motion moved by Councillor Thalís was carried on the following show of hands –

Ayes (9) The Lord Mayor, Councillors Chung, Forster, Kok, Miller, Phelps, Scully, Thalís and Vithoukas

Noes (1) Councillor Scott.

Motion carried.

ITEM 9.6

FIRE SAFETY REPORTS (S105001)

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 Attachments B to D to the subject report;
- (C) not exercise its power to issue an Order 6 at this time but note the compliance action taken and as recommended by Council's Building Officer in 298-304 Sussex Street, Sydney, as detailed in Attachment B;
- (D) exercise its power to issue an Order 6 as recommended by Council's Building Officer to address the identified fire safety deficiencies in 181 Lawson Street, Darlington, as detailed in Attachment C; and
- (E) note that a notice of intention to issue an Order 6 is in place and that, following the assessment of representations, Council exercise its power to issue an Order 6 as recommended by Council's Building Officer in 460-482 Jones Street, Pyrmont, as detailed in Attachment D.

Carried unanimously.

Report of the Major Development Assessment Sub-Committee

Moved by Councillor Kok, seconded by Councillor Thalys -

That the report of the Major Development Assessment Sub-Committee of its meeting of 14 November 2016 be received, with Items 9.7 to 9.10 inclusive being dealt with as shown immediately following those items.

Carried unanimously.

The Major Development Assessment Sub-Committee recommended the following:

ITEM 9.7

DEVELOPMENT APPLICATION: 63, 65A, 69-71 HARRIS STREET AND 14-16 MOUNT STREET PYRMONT (D/2016/916)

It is resolved that consent be granted to Development Application No. D/2016/916, subject to the conditions as detailed in Attachment A to the subject report to the Planning and Development Committee on 14 November 2016, subject to the amendment of Condition (2), such that it read as follows (with additions shown in ***bold italics***):

(2) DESIGN MODIFICATIONS

The design of the building must be modified as follows:

- (a) The scalloped design to the landscaped walls on the northern and southern **elevation** of the Mount Street terraces (M1 and M6) shall be repeated on the landscaped boundary walls of the mid-block terraces (Mid 1 and Mid 6).
- (b) The louvers to the mid-block terraces (Mid 1 to Mid 6) on Mount Level L0 and Mount Level L1 facing east shall be fixed at 90 degrees preventing a downward angle to the louver blades.
- (c) On Drawing No.1002 prepared by Tzannes dated 04.10.16 the dormer balconies facing Harris Street on level Mount B1 of H2 and H3 shall be deleted and replaced with a window.
- (d) The rear balcony of the attic master bedroom to H2 and H3 shall be deleted and replaced with a full length door with a flush balustrade to the rear wall.
- (e) This consent does not include any works to H1 as identified on the approved plans being 63 Harris Street, Pyrmont. A separate development application shall be submitted should any works be proposed.
- (f) The deep soil areas shall include landscaping and/or permeable paving only (i.e. permeable unit pavers or gravel).
- (g) ***An amended BASIX certificate be prepared and completed for this Development Consent with respect to the residential building works identified in Condition (1). The amended certificate must be lodged with Council and any application for a construction certificate and the items nominated as part of the subject BASIX certificate must be specified on the plans submitted with the construction certificate application. – See Note.***

IMPORTANT NOTE:

Any requirement detailed in the amended BASIX Certificate, MUST be included as a specific notation or inclusion on any future Construction Certificate plans and specification in accordance with Part 3 of Schedule 1 of the EP&A Regulation, 2000.

The modifications are to be submitted to and approved by Council's Director of City Planning, Development and Transport prior to the issue of any Construction Certificate.

Note – the recommendation of the Planning and Development Committee was not adopted.

At the meeting of Council, it was moved by Councillor Kok, seconded by Councillor Scully -

It is resolved that consent be granted to Development Application No. D/2016/916, subject to:

- (A) the conditions as detailed in Attachment A to the subject report to the Planning and Development Committee on 14 November 2016;

(B) the amendment of Condition (2), as detailed in the memo dated 11 November 2016 from the Director City Planning, Development and Transport, and circulated prior to the meeting of the Planning and Development Committee; and

(C) the amendment of Condition (9) such that it read as follows (with additions shown in ***bold italics***):

(9) SANDSTONE RECYCLING (FOR LARGE SCALE DEVELOPMENTS INVOLVING EXCAVATION TO A DEPTH OF AT LEAST ONE BASEMENT LEVEL)

- (a) A Geotechnical Report prepared by a suitably qualified geotechnical engineer is to be submitted to Councils' Urban Design and Heritage Manager prior to the issue of the Construction Certificate. The report is to include an investigation of the nature of the existing subsurface profile using appropriate investigation methodology and borehole testing techniques.
- (b) The Geotechnical Report is to analyse the quality of the material, including contamination, and to assess the suitability of the rock for removal by cutting into quarry blocks for use as high quality building construction material, including for building conservation.
- (c) Subject to confirmation that the rock is of a suitable quality for reuse in other construction, the Geotechnical Report is to include an Excavation Work Method Statement with recommendations as to the depth of the most suitable profile, details excavation methodologies, cutting methods and procedures for the removal of all sandstone material in a useable form and size, noise and dust attenuation measures in addition to recommendations for monitoring, notifications and review.
- (d) In addition, details of any required storage of material off site must be submitted. If the quantity of sandstone material exceeds the needs of the site, or if the approved development does not provide for the use of any sandstone, or if the material is 'Yellow Block' sandstone required for conservation of buildings, the material must be stored in an appropriate location for later reuse. Storage may be able to be facilitated by the Council or the NSW Department of Commerce. Please contact the Manager Centenary Stonework Program at the NSW Department of Finance and Services on 9372 8526 for further enquiries with regard to storage.
- (e) The programming of the works is to take into account the above process.
- (f) ***Any existing sandstone blocks on site must be salvaged and stored in an appropriate location for later reuse. The program of works shall take into account the existing sandstone blocks and storage shall be undertaken as specified in Condition 9(d) above.***

Carried unanimously.

Speakers

Ms Helen Jones, Mr Glenn Wall, Mr Stephen Kerr and Ms Chi Melhem addressed the meeting of the Planning and Development Committee (Major Development Assessment Sub-Committee) on Item 9.7.

ITEM 9.8

DEVELOPMENT APPLICATION: 1 DERWENT LANE GLEBE (D/2016/415)

The Major Development Assessment Sub-Committee decided that consideration of this matter be deferred to the meeting of Council on 21 November 2016.

At the meeting of Council, it was moved by Councillor Kok, seconded by Councillor Thalys -

It is resolved that consent be refused for Development Application No. D/2016/415 for the following reasons:

1. The removal of the Jacaranda tree is not compatible with the character of the area and therefore fails to satisfy the character test in the State Environmental Planning Policy (Affordable Rental Housing) 2009. The removal of the Jacaranda tree is not consistent with Objective 3.5.2(a), Provision 3.5.2(2), Objective 3.5.3(b), Objective 3.5.3(c) and Section 3.9.6 of the Sydney Development Control Plan 2012 which relate to tree management, the urban vegetation and heritage conservation areas. The removal of the Jacaranda tree is also not consistent with Section 5.9 and Section 5.10 of the Sydney Local Environmental Plan 2012 which relate to preservation of trees and heritage conservation.
2. The proposed 4 storey building form is not considered consistent with the predominately 2 to 3 storey building heights in the area and therefore fails to satisfy the character test of the State Environmental Planning Policy (Affordable Rental Housing) 2009.
3. The communal open space does not receive 2 hours of solar access to at least 50% of the area during 9am and 3pm on 21 June and therefore does not comply with clause 4.4.1.4(4)(a) of the Sydney Development Control Plan 2012. The applicant has not demonstrated compliance with the solar access provisions relating to neighbouring dwellings in Section 4.1.3.1 and Section 4.2.3.1 of the Sydney Development Control Plan 2012. The communal open space does not incorporate soft or porous surfaces for 50% of the area in accordance with Provision 4.4.1.4(4)(a) of the Sydney Development Control Plan 2012. The development does not comply with Provision 4.4.1.6(1)(b) of the Sydney Development Control Plan 2012 which requires boarding houses to maintain a high level of resident amenity, safety and privacy by ensuring bedrooms are separated from significant noise sources and incorporate adequate sound insulation.
4. The proposed ceiling heights of 2.53 metres will not provide adequate internal amenity.

Carried unanimously.

Speakers

Ms Alison Whyte and Mr Ian Armstrong addressed the meeting of the Planning and Development Committee (Major Development Assessment Sub-Committee) on Item 9.8.

ITEM 9.9

DEVELOPMENT APPLICATION: 74-88 BOTANY ROAD ALEXANDRIA (D/2016/563)

It is resolved that:

- (A) Council support the variation sought to Clause 4.3 Height of Buildings development standard in accordance with Clause 4.6 of Sydney Local Environmental Plan 2012; and
- (B) consent be granted to Development Application No. D/2016/563, subject to the conditions as detailed in **Attachment A** to the subject report, subject to the addition of the following new condition, Condition (2A):

(2A) DESIGN MODIFICATIONS TO DEVELOPMENT

Plans must be revised to reflect the following design modifications, to the satisfaction of the Director of City Planning, Development and Transport, prior to the issue of the Construction Certificate:

- (a) detailed floor plans and section plans are to be submitted at a scale of 1:50 to illustrate the technical operation of proposed solar chimneys that provide ventilation to apartments at Botany Road;***
- (b) the amended floor plans and section plans must clearly illustrate the location and height of plenums that are required to draw clean air from the internal parts of the site.***

Note – the recommendation of the Planning and Development Committee was not adopted.

At the meeting of Council, it was moved by Councillor Kok, seconded by Councillor Thalys -

It is resolved that:

- (A) Council support the variation sought to Clause 4.3 Height of Buildings development standard in accordance with Clause 4.6 of Sydney Local Environmental Plan 2012; and
- (B) consent be granted to Development Application No. D/2016/563, subject to the conditions as detailed in **Attachment A** to the subject report, subject to the amendment of Conditions (1) and (2) as follows (with additions shown in **bold italics** and deletions shown in ~~strike through~~), and the addition of a new condition, numbered (11A), shown in **bold italics**:

(1) APPROVED DEVELOPMENT

- (a) Development must be in accordance with Development Application No. D/2016/563 dated 5 May 2016 and the following drawings:

| Drawing Number | Architect | Date |
|--|------------------|---|
| DA04 Ground floor and Level 1 plans | Kannfinch | 14 October 2016 16 November 2016 |
| DA05 Level 2 and 3 plans | Kannfinch | 14 October 2016 16 November 2016 |
| DA06 Level 4 and 5 plans | Kannfinch | 14 October 2016 16 November 2016 |
| DA07 Level 6 and roof plans | Kannfinch | 14 October 2016 16 November 2016 |
| DA08 Natural ventilation diagrams | Kannfinch | 16 November 2016 |
| DA10 Section plans | Kannfinch | 14 October 2016 |
| DA11 Section plans | Kannfinch | 14 October 2016 |
| DA12 North and South Elevation Plans | Kannfinch | 14 October 2016 |
| DA13 East and West Elevation Plans | Kannfinch | 14 October 2016 |
| DA16 (Revision B) Materials Board East and West Elevation | Kannfinch | October 2016 |
| DA17 (Revision B) Materials Board North and South Elevation | Kannfinch | October 2016 |
| DA18 (Revision B) Materials Board North Internal and South Internal | Kannfinch | October 2016 |

and as amended by the conditions of this consent.

- (b) In the event of any inconsistency between the approved plans and supplementary documentation, the plans will prevail.

(2) DESIGN MODIFICATIONS TO DEVELOPMENT

Plans must be revised to reflect the following design modifications, to the satisfaction of the *PCA Director City Planning, Development and Transport*, prior to the issue of the Construction Certificate:

- (a) a fence with a height of 1.8m must be constructed at the northern property boundary, having regard to the provisions of the Dividing Fences Act 1991 (as amended);
- (b) provision must be made within both commercial tenancies for designated waste holding areas;
- ~~(c) vents are to be provided between non-habitable rooms and circulation areas for apartments numbered 1.02, 1.03, 2.02, 2.03, 3.02, 3.03, and 3.02 (Level 4), 3.03 (Level 4) to provide natural cross ventilation;~~
- ~~(d)~~(c) detailed plans are to be submitted at a scale of 1:20 to illustrate the installation and materials for screening devices located at the western elevation of apartments 1.01, 2.01, 3.01 and 4.01 and at the western elevation of the access stairs located at the south-western end of the site.

The screening devices shall be constructed using materials such as timber or metal screens that are at least 60% obscure, permanently fixed and made of durable material. The screens are to be installed prior to the issue of an occupation certificate.

- (d) ***an operable clerestory window must be provided at the rooftop above each of the apartments numbered 4.04, 4.05, 4.06 and 4.07. The clerestory windows must be constructed to face east and must be setback from the eastern edge of the roof above the apartments by 1m.***

The operable components of each clerestory window must have minimum dimensions of 550mm (h) x 1.8m (w). Acoustic baffles must be provided at the eastern side of the clerestory windows if required by the applicant's acoustic consultant.

- (e) ***natural cross ventilation must be provided to ground floor apartments numbered G.03 and G.04. Ceiling vents are to be provided within the glazing line at the north-eastern corner of apartment G.03 and the south-eastern corner of apartment G.04. The ducts shall continue through upper level apartments without openings into those apartments. The vertical ducts shall be constructed with a minimum area of 1m x 600mm. Where the ducts pierce the roof top, they are to be provided with weather proof vents or operable clerestory windows.***

(11A) STREET TREE PLANTING AND MAINTENANCE

- (a) Detailed Landscape Plans indicating the location of the street trees to be planted in association with the development must be submitted to Council for approval prior to the issuing of the Construction Certificate. Street trees must be located and planted in accordance with the City's Street Tree Master Plan, and the following:**
- (b) The design must include:**
 - (i) street trees being planted with their trunks 'offset' (as shown in plan number DA04), in order to maximise street tree canopy area at the Botany Road footpath;**
 - (ii) species selection, size at planting and spacing in accordance with the City's Street Tree Master Plan;**
 - (iii) the trees must be grown in accordance with the Australian Standard 2303:2015 'Tree stock for landscape use' and/or NATSPEC Guidelines for Specifying Trees; and**
 - (iv) Tree Planting Details shall be consistent with the City's Street Tree Master Plan.**
- (c) The street tree(s) must be planted:**
 - (i) by a qualified Arborist or Horticulturist (AQF Level 3); and**
 - (ii) before the issuing of an Occupation Certificate.**
- (d) The tree shall be procured from a reliable advance tree grower and supplier.**
- (e) The trees must be inspected by Council's Street Contract Coordinator before they are planted. Council reserves the right to reject any trees which do not meet the requirements of the City's Street Tree Master Plan – Technical Guidelines.**
- (f) All street trees planted in accordance with the approved Landscape Plan must be maintained by a qualified Horticulturist or Arborist (AQF Level 3) for a minimum period of twelve (12) months commencing on the planting date. Maintenance includes, without limitation, watering, weeding, removal of rubbish from tree base, pruning, fertilizing, pest and disease control and any other operations to maintain a healthy robust tree.**
- (g) At the end of the twelve (12) month maintenance period, written approval must be obtained from Council's Street Tree Coordinator before hand-over of any street tree to Council.**

- (h) *If a street tree has been replaced due to maintenance deficiencies during the twelve (12) month maintenance period, the twelve (12) month maintenance period will start again from the date that the street tree is replaced.*

Carried unanimously.

Speakers

Mr Chris Stratford addressed the meeting of the Planning and Development Committee (Major Development Assessment Sub-Committee) on Item 9.9.

ITEM 9.10

DEVELOPMENT APPLICATION: 707-711 ELIZABETH STREET WATERLOO (D/2016/153)

It is resolved that:

- (A) the variation sought to exceed the maximum building height contained in Clause 4.3 Height of Buildings in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012 be supported in this instance; and
- (B) pursuant to Section 80(3) of the Environmental Planning and Assessment Act 1979, a deferred commencement consent be granted to Development Application No. D/2016/153, subject to the conditions as detailed in Attachment A to the subject report.

At the meeting of Council, it was moved by Councillor Kok, seconded by Councillor Thalís -

That the recommendation of the Planning and Development Committee be adopted.

Carried unanimously.

Report of the Development Assessment Sub-Committee

Moved by Councillor Thalís, seconded by Councillor Miller -

That the report of the Development Assessment Sub-Committee of its meeting of 14 November 2016 be received, with the recommendation set out below for Item 9.11 being adopted.

Carried unanimously.

The Development Assessment Sub-Committee recommended the following:

ITEM 9.11**DEVELOPMENT APPLICATION: 137 BELMONT STREET ALEXANDRIA (D/2016/914)**

It is resolved that:

- (A) the variation sought to Clause 4.4 Floor Space Ratio in accordance with Clause 4.6 'Exceptions to development standards' of the Sydney Local Environmental Plan 2012 be supported in this instance; and
- (B) consent be granted to Development Application No. D/2016/914, subject to the conditions as detailed in Attachment A to the subject report.

Carried unanimously.

**ITEM 10 PROPOSED SCHEDULE OF MEETINGS AND BRIEFINGS FOR 2017
(S063444)**

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

It is resolved that Council adopt the draft Schedule of Meetings and Briefings for 2017, as shown at Attachment A to the subject report.

Carried unanimously.

The schedule of Meetings and Briefings for 2017, as adopted by Council, is as follows:

SCHEDULE OF MEETINGS AND BRIEFINGS FOR 2017

| DATE | MEETING |
|---|---|
| SCHOOL HOLIDAYS – Wednesday 21 December 2016 to Thursday 26 January 2017, inclusive | |
| MONDAY 30 JANUARY | • RECESS |
| MONDAY 6 FEBRUARY | • RECESS |
| MONDAY 13 FEBRUARY | • BRIEFINGS |
| MONDAY 20 FEBRUARY | • COMMITTEES |
| MONDAY 27 FEBRUARY | • COUNCIL |
| MONDAY 6 MARCH | • RECESS |
| MONDAY 13 MARCH | • BRIEFINGS |
| MONDAY 20 MARCH | • COMMITTEES |
| MONDAY 27 MARCH | • COUNCIL |
| MONDAY 3 APRIL | • RECESS |
| SCHOOL HOLIDAYS – Monday 10 April to Friday 21 April 2017, inclusive | |
| MONDAY 10 APRIL | • RECESS |
| FRIDAY 14 APRIL | • (Good Friday Public Holiday) |
| MONDAY 17 APRIL | • RECESS - (Easter Monday Public Holiday) |
| MONDAY 24 APRIL | • RECESS |
| TUESDAY 25 APRIL | • (Anzac Day Public Holiday) |
| MONDAY 1 MAY | • BRIEFINGS |
| MONDAY 8 MAY | • COMMITTEES |
| MONDAY 15 MAY | • COUNCIL |

SCHEDULE OF MEETINGS AND BRIEFINGS FOR 2017

| DATE | MEETING |
|---|--|
| MONDAY 22 MAY | • RECESS |
| MONDAY 29 MAY | • RECESS |
| MONDAY 5 JUNE | • BRIEFINGS |
| MONDAY 12 JUNE | • RECESS - (Queen's Birthday Public Holiday) |
| MONDAY 19 JUNE | • COMMITTEES |
| MONDAY 26 JUNE | • COUNCIL |
| SCHOOL HOLIDAYS - Monday 3 July to Friday 14 July 2017, inclusive | |
| MONDAY 3 JULY | • RECESS |
| MONDAY 10 JULY | • RECESS |
| MONDAY 17 JULY | • RECESS |
| MONDAY 24 JULY | • BRIEFINGS |
| MONDAY 31 JULY | • COMMITTEES |
| MONDAY 7 AUGUST | • COUNCIL |
| MONDAY 14 AUGUST | • RECESS |
| MONDAY 21 AUGUST | • RECESS |
| MONDAY 28 AUGUST | • RECESS |
| MONDAY 4 SEPTEMBER | • BRIEFINGS |
| MONDAY 11 SEPTEMBER | • COMMITTEES |
| MONDAY 18 SEPTEMBER | • COUNCIL |
| SCHOOL HOLIDAYS - Monday 25 September to Friday 6 October 2017, inclusive | |
| MONDAY 25 SEPTEMBER | • RECESS |

SCHEDULE OF MEETINGS AND BRIEFINGS FOR 2017

| DATE | MEETING |
|---|--|
| MONDAY 2 OCTOBER | • RECESS - (Labour Day Public Holiday) |
| MONDAY 9 OCTOBER | • BRIEFINGS |
| MONDAY 16 OCTOBER | • COMMITTEES |
| MONDAY 23 OCTOBER | • COUNCIL |
| MONDAY 30 OCTOBER | • BRIEFINGS |
| MONDAY 6 NOVEMBER | • COMMITTEES |
| MONDAY 13 NOVEMBER | • COUNCIL |
| MONDAY 20 NOVEMBER | • BRIEFINGS |
| MONDAY 27 NOVEMBER | • COMMITTEES |
| MONDAY 4 DECEMBER | • RECESS - (LGNSW Annual Conference) |
| MONDAY 11 DECEMBER | • COUNCIL |
| MONDAY 18 DECEMBER | • RECESS |
| SCHOOL HOLIDAYS – Wednesday 20 December 2017 to Friday 26 January 2018, inclusive | |

The recess continues until the first Committee meetings of 2018.

ITEM 11 TENDER - HYDE PARK NORTH PATH RATIONALISATION (S095363)

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

It is resolved that:

- (A) Council accept the tender offer of Tenderer 'A' for the Hyde Park North path rationalisation project; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender.

Carried unanimously.

ITEM 12 DEVELOPMENT APPLICATION: 10 BRIDGE ROAD GLEBE (D/2015/1467)

Moved by Councillor Thalís, seconded by Councillor Miller -

It is resolved that consent be refused for Development Application No. D/2015/1467 for the following reasons:

1. Inconsistent with the objectives of the Wentworth Park Locality Statement

The site is located in Wentworth Park locality, which states "Bridge Road will continue as a gateway to Glebe with high quality buildings, clear and accessible links between Wentworth Park and Blackwattle Bay, a mix of recreational, commercial, industrial use and an enhanced public domain".

Principle (a) requires that "development must achieve and satisfy the outcomes expressed in the character statement and supporting principles" and Principle (h) aims to "discourage residential uses fronting Bridge Road because of the noise impacts from vehicle traffic and the light rail". The proposal fails to meet both principles.

The design of the 3-storey addition does not represent a 'high quality building', nor do the proposed proportions, detailed design elements and materials complement industrial/warehouse typology of the existing building or contribute to an enhanced public domain.

The proposal is also predominantly residential, only providing a small retail unit on the ground floor. The location of the living areas and terraces front Bridge Road or onto Darghan Street and are therefore the primary source of natural ventilation. The potential noise levels and air quality may impact on the amenity of future residents.

Particulars:

- (a) The proposal does not align with locality principles under Clause 2.6.3 of the Sydney Development Control Plan 2012

2. Proposal does not demonstrate design excellence

Design excellence is a fundamental objective for all new development. The Sydney Local Environmental Plan 2012 (SLEP 2012) states that the key objective is to “deliver the highest standard of architectural, urban and landscape design”.

The SLEP 2012 also requires that, in considering whether development exhibits design excellence, it must have regard to a number of matters, including, but not limited to:

- whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved;
- whether the form and external appearance of the proposed development will improve the quality and amenity of the public domain.

Schedule 1 of State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development outlines the Design quality principles and Clause 30(2) states that “development consent must not be granted if, in the opinion of the consent authority, the development or modification does not demonstrate that adequate regard has been given to (a) the design quality principles and (b) the objectives specified in the Apartment Design Guide for the relevant design criteria”.

The planning and layout of the proposal design scheme has been amended numerous times throughout the assessment process, responding to issues raised by Council officers and Councillors at the Major Development Assessment Sub-Committee meeting on 10 October 2016 and the Council meeting on 24 October 2016.

Despite these numerous amendments, the fundamental design and aesthetic approach has not been significantly altered and still fails to meet the design excellence objectives of the Sydney Local Environmental Plan 2012, as well as the following SEPP 65 design quality principles:

- Principle 1: Context of neighbourhood character
- Principle 2: Built form and scale
- Principle 6: Amenity
- Principle 5: Landscape
- Principle 9: Aesthetics

Overall, this proposal does not demonstrate adequate design quality, as required by SEPP 65 and the Apartment Design Guide, nor does it demonstrate design excellence as required by the Sydney Local Environmental Plan 2012 or the Sydney Development Control Plan 2012.

Particulars:

- (a) The proposal does not comply with Clause 30(2) of the State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development.
- (b) The proposal does not comply with Clause 6.21 (1) - (4) of the Sydney Local Environmental Plan 2012.
- (c) The proposal does not align with the design excellence objectives under Section 3.3 of the Sydney Development Control Plan 2012.

3. Inadequate provision of residential amenity

Good design and the provision of a high quality internal and external amenity for residents contributes to positive living environments and wellbeing. Principle 6 of Schedule 1 Design quality principles in the *State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development* relates to amenity being a combination of size, solar access, natural ventilation, outdoor space, and visual and acoustic privacy.

Natural Ventilation

This site has three frontages and a good design should be able to meet, if not exceed, the requirement to achieve a high quality amenity for residents.

The Apartment Design Guide provides guidance under Objective 4B-3 that the design should “minimise the number of corners, doors and rooms that might obstruct airflow”. Therefore, in consideration of these design requirements, it is considered that Apartment 10 is ineffective and provides inadequate natural cross ventilation to the majority of the apartment.

A secondary ventilation source from a façade not exposed to Bridge Road, whether from the rear of the site or the inclusion of an internal courtyard, is also important to ensure adequate amenity for residents living along a high volume traffic road.

This is particularly important, given that the acoustic assessment report concludes the road traffic noise impacts can be addressed in accordance with the SEPP (Infrastructure) 2007 and ‘Development near Rail Corridors and Busy Roads – Interim Guide’ requirements, “when windows and doors are closed and incorporation of acoustic rated windows/doors, absorptive soffits and effective installation detailing”.

Therefore, the ability of the three apartments fronting Bridge Road to achieve adequate amenity in terms of achieving the natural cross ventilation, as indicated on the plans, while also minimising the acoustic impacts from Bridge Road is not possible.

The amended proposal will still result in inadequate amenity for some of the apartments, particularly those fronting Bridge Road, in terms of either cross ventilation or acoustic privacy and is an outcome of the fundamental design and aesthetic approach being poor.

Particulars:

- (a) Overall, the proposal does not comply with Clause 30(2) of the State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development.
- (b) In regard to natural ventilation, the proposal does not comply with Objective 4B-3 of the Apartment Design Guide and Clause 4.2.3.9 of the Sydney Development Control Plan 2012.

4. The Public Interest

As a matter for consideration pursuant to clause 79C(1)(e) of the Environmental Planning and Assessment Act, the proposal is not in the public interest and is inconsistent with the objects of the Act to encourage proper development for the purpose of promoting a better environment.

Foreshadowed Motion. Councillor Chung foreshadowed that, should the motion moved by Councillor Thalís be lost or withdrawn, he would move the following alternative motion:

It is resolved that consent be granted to Development Application No. D/2015/1467, subject to the conditions as detailed in Attachment A to the subject report.

The motion was carried on the following show of hands –

Ayes (7) The Lord Mayor, Councillors Kok, Miller, Phelps, Scott, Scully and Thalís

Noes (3) Councillors Chung, Forster and Vithoukás.

Motion carried.

Adjournment

At this stage of the meeting, at 8.32pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Phelps –

That the meeting be adjourned for approximately 10 minutes.

Carried.

At the resumption of the meeting of Council, at 8.45 pm, those present were –

The Lord Mayor, Councillors Chung, Forster, Kok, Miller, Phelps, Scott, Scully, Thalís and Vithoukás.

ITEM 13 QUESTIONS ON NOTICE**MELBOURNE CUP LIVE SITES SYDNEY (S129276)**

1. By Councillor Vithoukas

Question

On Melbourne Cup Day, 1 November 2016, the TAB set up Melbourne Cup Live sites in the local government area at Martin Place, The Rocks, King Street Wharf, Cockle Bay Wharf, Harbourside, Sydney CBD and Darling Quarter. What, if any, was the City of Sydney's involvement with the Melbourne Cup Live sites?

Answer by the Lord Mayor

The City's Venue Management team approved an application from TAB to host a Melbourne Cup pop-up live site in Martin Place on 31 October and 1 November 2016, as it has done each year for the past 15 years. This was a commercial hire and the applicant paid the applicable venue hire fees.

Martin Place was the only approved TAB Melbourne Cup live site on land the City owns or controls.

The activation in Martin Place included large screens, as a display of historical images covering the changing hat and dress fashions at the Melbourne Cup, a millinery display and lessons, and a fashion parade featuring clothes designed and modelled by students of Sydney TAFE and UTS. It also provided betting terminals. The TAB estimated that 40,000 people visited the site over the two days.

SMALL BUSINESS ENGAGEMENT SURVEY (S129276)

2. By Councillor Vithoukas

Question

On 26 September 2016, findings of the Small Business Engagement Survey were provided to Councillors as part of the CEO Update.

1. Will all, or a portion of, the survey findings be made available to wider audiences including other small business owners in the local government area?
2. What is the timeframe for amendments to the way that the City of Sydney communicates and shares information with small business owners based on the findings of the research?

Answer by the Lord Mayor

The Small Business Engagement Survey was conducted to inform the City about the needs of small businesses and how to best communicate with them. The City has provided briefings and/or a copy of the full report to the NSW Business Chamber, all local chambers of commerce and precinct associations in the City's LGA, the NSW Department of Industry and Destination NSW. The information will also be shared with a range of Industry Associations to enhance the delivery of services and communication with their sectors locally.

Survey findings that are directly relevant to small business owners are being incorporated into the City's precinct profiles (available on the website, currently being updated) and highlighted in communication with small business.

The survey confirmed that the type of business-related support that local businesses seek is generally already offered, either by the City or another relevant agency. Several of the City's programs for business are being improved based on the results of the survey. These include:

- the Business 101 seminar series - topics, promotion and speakers more targeted to the needs of small business
- the development of partnerships to increase the offer of free/low cost seminars workshops for local business
- enhanced local retail and precinct destination marketing campaigns through the creation of event leveraging resources and improved 'What's On' website functionality
- updated and expanded customer and local profile information being made available on the City's website.

The survey noted the preferred channel of communication with small business is via email. The City Business e-newsletter has been redesigned to improve usability and hierarchy of information. Targeted subscriber acquisition initiatives are being undertaken. All information for business on the City's website is being reviewed and updated to improve relevance, usability and cross agency links/navigation.

In addition, a Small Business Operations Group led by the City will commence quarterly meetings in 2017 to improve knowledge and information sharing, and the coordination and communication of support, resources and services for small business across relevant government agencies, industry association and chambers/precinct associations (in consultation with local small business owners).

This research, in conjunction with the Economic Development Strategy action plans and ongoing consultation with local chambers/precinct associations, key agencies and stakeholders, and small business representatives, will continue to inform the City's support programs for, and communication with, local small business.

NON-RESIDENTIAL ELECTORAL REGISTER MAINTENANCE (\$129276)

3. By Councillor Vithoukas

Question

Is the City of Sydney updating the register continuously until the next Local Government Elections in 2020? Are businesses able to still complete forms from now until 2020?

Answer by the Lord Mayor

The implementation of the Non-residential Register and Rolls is the responsibility of the CEO. The CEO has provided Councillors with regular updates on progress with the implementation of the Register and Rolls.

As previously advised, a post-election update will be provided to Councillors shortly.

NON-RESIDENTIAL ELECTORAL REGISTER REVIEW (S129276)

4. By Councillor Vithoukas

Question

When will the review for the gathering and processes of the register conclude and when will the findings come to Council?

Answer by the Lord Mayor

Please refer to my answer to Question on Notice No. 3.

NAME CHANGE NOTIFICATION PROCESSES (S129276)

5. By Councillor Vithoukas

Question

At Item 5 of the Corporate, Finance, Properties and Tenders Committee on 14 November, Naming Proposal - Girard Plaza (Formerly Napoleon Plaza) – Post Exhibition, a local resident and business owner attended the meeting and ask why they had not been notified of the proposed name change.

Councillors were advised that, while advertising had been undertaken and notices affixed to lamp posts, the City had not written to or informed directly nearby residents or business owners.

1. What steps are involved regarding informing the community of name changes to streets or places?
2. Is community consultation undertaken?
3. Are local residents and businesses written to?
4. Does the City attempt to contact the residents and businesses directly who are in the immediate vicinity of the street or place?
5. How can this item have been placed on exhibition and the direct residents or business owners in the area not being informed of the proposal?
6. What steps will be undertaken to avoid this in the future?

Answer by the Lord Mayor

Please refer to the Relevant To Memo for Agenda Item 6.5.

LANDSCAPE PLAN – 66-68 KELLETT STREET, POTTS POINT S129269

6. By Councillor Forster

Question

Can the Lord Mayor please provide an update on the City's landscape plan it is developing for the open space bounded by Roslyn Street and Ward Avenue, Potts Point, which is adjacent to 66-68 Kellett Street?

Answer by the Lord Mayor

Architects have been retained by the City and the landscape plans, which include demolition of the existing premises, are expected within the next two months.

BELMORE PARK MASTERPLAN (S129269)

7. By Councillor Forster

Question

Can the Lord Mayor please provide Councillors with a copy of the Belmore Park Masterplan? Does the plan include the proposed public art installation, The Pavilion?

Answer by the Lord Mayor

Preliminary work on a master plan for Belmore Park was prepared for the park in 2013. This was undertaken prior to the public art proposal "Pavilion".

The work was put on hold at that time pending light rail design development and master planning of the Central Station precinct as part of the Sydney Metro project by the State Government.

Transport for NSW and ALTRAC have a right under the Light Rail Development Deed to use Belmore Park as a site compound up until completion of the Light Rail Project. This right remains in place unless Transport for NSW and ALTRAC advise formally that they wish to give up this right under the Deed.

It is intended that a long term master plan will be prepared in the near future that includes consideration of light rail interfaces and Central Station master planning outcomes.

OXFORD STREET SAFETY (S129269)

8. By Councillor Forster

Question

In the CEO Update dated 27 October 2016, we state that immediately following the keystone displacement incident of 28 May 2016, the City strengthened the awnings through cladding with marine plywood and reinforcing the structure through the installation of Acrow props every four metres.

Were these props installed because we discovered that the awnings were not safe after the incident of 28 May 2016?

Answer by the Lord Mayor

The City's appointed structural engineer recommended for 110-122 Oxford Street that immediate temporary control measures be put in place following the keystone displacement until full remediation of the façade was completed. These temporary control measures consisted of the construction of a temporary plywood protection deck over awnings with acrow props installed under the awning every four metres. The acrow props were installed to solely support the protection deck and not the awning structure.

The City's structural engineer further recommended the construction of a temporary plywood protection deck over awnings with acrow props installed under the awning every four metres for 56-76 and 82-106 Oxford Street to be undertaken.

These temporary control measures undertaken for the Oxford Street properties were to maintain safety of the public and the structural integrity of the building's façade. They were not installed due to any structural concerns with the awnings.

CLEANING CONTRACT (S129275)

9. By Councillor Scott

Question

I note the reference to the City's cancelled cleaning contract in the Quarterly report.

What is the date of the termination of the contract?

What is the reason provided for the termination?

What actions has the City taken to prevent similar concerns for future contracts?

Answer by the Lord Mayor

The date of termination of the contract is 30 November 2016.

The reasons for the termination are confidential and were discussed in the confidential briefing of Councillors on 24 October 2016.

The termination resulted from a breach of the contract terms by the contractor and such conduct is beyond the City's control.

NON-RESIDENTIAL REGISTER AND ROLLS - PENALTY NOTICES (S129275)

10. By Councillor Scott

Question

Has the City developed a policy, with associated processes, to ensure that the issuing of penalty notices, in relation to the non-residential register and rolls, is transparent and equitable and that it reflects existing practice in other business units? If not, when will it be complete? Who has or will be consulted?

Answer by the Lord Mayor

Please refer to my answer to Question on Notice No. 3.

PUBLIC TOILET FACILITIES (S129275)

11. By Councillor Scott

Question

1. Please detail which budget year the following new toilet facilities are budgeted for:
 - (a) Railway Square, Haymarket;
 - (b) Lawson Square, Redfern;
 - (c) Regent Street, Waterloo;
 - (d) Erskineville Road, Erskineville;
 - (e) William Street, Darlinghurst;
 - (f) Darlinghurst Road, Kings Cross;
 - (g) Oxford Street, Paddington;
 - (h) Cowper Wharf Road, Woolloomooloo; and
 - (i) King Street Newtown – jointly with Marrickville Council to service the Newtown shopping and entertainment precinct.

2. Please detail which budget year the following upgrading of public toilet facilities in the City's parks are budgeted for:
 - (a) Sydney Park, Alexandria;
 - (b) Wentworth Park, Glebe;
 - (c) Observatory Hill Park, Millers Point;
 - (d) Victoria Park, Chippendale;
 - (e) Green Park, Darlinghurst; and
 - (f) The Glebe Foreshore Parks.

3. Has the City made any progress on advocating for the provision of new public toilets to service urban renewal areas and projects:
 - (a) George Street light rail corridor;
 - (b) Barangaroo; and
 - (c) Green Square.

Answer by the Lord Mayor

The City is progressing with the installation and refurbishment of numerous public toilets located throughout the local government area. The following projects identified in the Public Toilet Strategy are currently scheduled to occur this 2016/17 financial year:

- Alexandria Park – new facility
- Erskineville Oval – new facility
- Sydney Park – new facility
- Bellevue House (Glebe Foreshore Parks) modification of existing facility
- Darlinghurst and Bayswater Roads, Kings Cross – installation of automated public toilet
- William Street and Oxford Street, Paddington – installation of automated public toilet

Planning has commenced for the 2017/18 financial year, with a new facility at Observatory Hill Park, Millers Point currently in design. The remaining City public toilet facilities will be managed during future capital work programs in line with the Public Toilet Strategy's long term financial plan.

Good progress has been made on advocating for the provision of new public toilets to service urban renewal areas and projects in the George Street light rail corridor, Barangaroo and Green Square. This includes new public toilets at five locations within the Barangaroo precinct, and another five new public toilets provided across a range of sites (parks and public buildings) in Green Square.

NON-RESIDENTIAL REGISTER AND ROLLS (S129275)

12. By Councillor Scott

Question

1. Broken down by organisation type, how many trade unions, state-owned entities, incorporated associations and other bodies corporate applied to be on the non-residential register and rolls?
2. Broken down by organisation type, how many trade unions, state-owned entities, incorporated associations and other bodies corporate were deemed to be on the non-residential register and rolls?
3. Are the reporting and archiving functions of the City's IT for the non-residential register and rolls finalised?
4. What reports are possible to create from the City's IT for the non-residential register and rolls, once finalised?
5. From the forecast expenditure for 2015/2016 of \$7.832 million for non-residential register and rolls, how much was spent? Please provide a breakdown of expenses.
6. From the forecast expenditure for 2016/2017 for non-residential register and rolls, how much has been spent? Please provide a breakdown of expenses.

7. In total, how many applicants for the City's non-residential register have ticked a box requesting more information from the City? Of these, how many applicants' details have been passed over to the City's Communications Unit?

Answer by the Lord Mayor

Please refer to my answer to Question on Notice No. 3.

HOUSING POLICY AND ACTION PLAN (S129275)

13. By Councillor Scott

Question

When will the Council consider the City's Housing Policy and Action Plan?

Answer by the Lord Mayor

The Greater Sydney Commission is about to release the six draft District Plans for Sydney. Staff have been advised that these plans will cover housing policy and strategy and mandate the development of District Housing Plans.

The City will need to assess the timing for completion of the City's Housing Policy and Action Plan (with drafting currently underway) once these draft District Plans are released.

DEFIBRILLATORS AT SPORTING FIELDS (S129275)

14. By Councillor Scott

Question

I refer to the motion carried by Council at its meeting of June 2016, entitled "Defibrillators at City's Sporting Fields". Can the Lord Mayor update the Council as to the progress of the Chief Executive Officer's progress to install defibrillators at the City's sporting fields?

Answer by the Lord Mayor

The City of Sydney currently has 24 defibrillators located within areas occupied by City staff, with plans to install a further 35 units in 2017/18 subject to budget availability.

Many sportsfield hirers, particularly organised competitions, supply AED units and / or a medic for the care of players or spectators during sports activities.

City staff have spoken to other councils and agencies who look after sportsfields, and to an AED supplier about the placement of AED units in open locations at sportsfields. The feedback received was that no other councils or agencies install AED units in open locations and that, if installed, units are likely to be vandalised or stolen. Some councils and agencies have installed them within buildings located adjacent or close by sports fields.

City staff will consult further with existing sportsfield hirers to determine the extent of their current medical provisions and any future plans to provide AEDs at the City's sportsfields. In addition to this, we will prepare a risk assessment and review the feasibility of placing AEDs in change room facilities as part of the abovementioned roll out of additional units.

ITEM 14 SUPPLEMENTARY ANSWERS TO PREVIOUS QUESTIONS

There were no supplementary answers to previous Questions on Notice for this meeting of Council.

ITEM 15 NOTICES OF MOTION

FREE PUBLIC WIFI IN SYDNEY CBD (S129260)

1. Moved by Councillor Forster, seconded by Councillor Chung -

It is resolved that:

(A) Council note:

- (i) at the March 2015 Council Meeting, Councillor Green moved a motion requesting the Chief Executive Officer work closely with the NSW Government to explore a pilot program for free and secure WiFi within the CBD and investigate and report estimated costs that may arise as a result of the City of Sydney's collaboration in a free WiFi project with the NSW State Government;
- (ii) to date, no detailed information about the progress of this investigation, including indicative costs, has been provided to Councillors;
- (iii) on 29 September 2016, the Victorian State Government announced the first of many WiFi access points to be rolled-out across Melbourne as part of an \$11 million Free WiFi Pilot; and
- (iv) more access points were scheduled to be switched on over the following months, with the full network to be up and running by the end of 2016; and

(B) the Chief Executive Officer be requested to:

- (i) provide an update on the City's collaboration with the NSW Government in relation to the free WiFi pilot program;
- (ii) based on the NSW Government's position, either continue to work with, or pursue independently, a free WiFi pilot program by installing WiFi nodes on current City of Sydney smart poles in key CBD precincts including but not limited to Martin Place; and
- (iii) ensure that, in conjunction with the installation of the City's new street furniture, scheduled for completion by 2019, smart technology, including WiFi capabilities, are included as part of this process.

Foreshadowed Motion. Councillor Scully foreshadowed that, should the motion moved by Councillor Forster be lost or withdrawn, she would move an alternative motion.

During discussion, Councillor Forster withdrew her Notice of Motion.

Councillor Scully did not move her foreshadowed motion.

OPEN GREEN SPACE TARGETS (S129266)

2. Moved by Councillor Scott, seconded by Councillor Vithoulkas -

It is resolved that:

(A) Council note:

- (i) population growth in the City of Sydney local government area is set to increase by 92,000 people from 183,300 in 2011 to 273,500 by 2031, which will create greater levels of demand for access to open green space in the City;
 - (ii) major urban renewal projects in the City, including the Bays Precinct Urban Transformation Project, Central to Eveleigh Urban Transformation and Transportation Project, and Parramatta Road Urban Transformation Project by UrbanGrowth, will likely increase the residential density in the City but also provide opportunities for the creation of new open green space;
 - (iii) the City's Operational Plan 2016/2017 does not include a target for the number of square metres of open space per capita;
 - (iv) the need for the City to plan for and be transparent about the need for opportunities to increase total open green space in the City; and
 - (v) the City's lack of targets for the number of square metres of open, green space per resident in the City; and
- (B) the Chief Executive Officer be requested to prepare a report for the consideration of Council on the viability of the City setting a target of 20% green space by 2025 and geographical distribution of open, green space in the City in line with global best practice.

Foreshadowed Motion. Councillor Miller foreshadowed that, should the motion moved by Councillor Scott be lost or withdrawn, she would move an alternative motion.

The motion moved by Councillor Scott was lost on the following show of hands –

Ayes (3) Councillors Chung, Scott and Vithoukas

Noes (7) The Lord Mayor, Councillors Forster, Kok, Miller, Phelps, Scully and Thalís.

Motion lost.

Councillor Miller then moved her foreshadowed motion, seconded by Councillor Thalís, as follows:

It is resolved that:

(A) Council note:

- (i) the population in the City of Sydney local government area is set to increase to 281,000 residents by 2036, which will create greater levels of demand for access to open green space in the City;
- (ii) expenditure by the City of over \$270 million in the last 10 years across its open space, sports and recreation facility network, and a further \$400 million allocated to parks, sport and recreation facilities in the City's 10 Year Capital Works Program;
- (iii) 14.8 per cent of the land area of the City of Sydney is open space, essentially meeting the State Government's Recreation and Open Space Planning Guidelines for Local Government (Department of Planning 2010) benchmark of 15 per cent for open space;

- (iv) the adoption by Council of the Open Space, Sports and Recreation Needs Study, which details how open space in the City of Sydney will be increased to 16.2 per cent by 2030, exceeding the State Government's benchmark;
 - (v) the overwhelmingly positive response to the Open Space, Sports and Recreation Needs Study when it was placed on public exhibition; and
 - (vi) major urban renewal projects in the City, including the Bays Precinct Urban Transformation Project, Central to Eveleigh Urban Transformation and Transportation Project, and Parramatta Road Urban Transformation Project, will increase the residential density in the City, but also provide opportunities for the creation of new open green space by the State Government; and
- (B) the Chief Executive Officer be requested to update Council on implementation of the actions in the Open Space, Sports and Recreation Needs Study on a regular basis through the CEO Update.

Carried unanimously.

24 HOUR PUBLIC TOILETS AND PUBLIC SHOWERS (S129266)

3. By Councillor Scott

It is resolved that:

- (A) Council note:
- (i) the latest street count of August 2016 found 394 persons sleeping rough in the City of Sydney local government area;
 - (ii) the City's Public Toilet Strategy (2014);
 - (iii) the current automatic facilities open 24 hours a day:
 - (a) Hyde Park (North and south);
 - (b) Belmore Park (near Central Station);
 - (c) Wynyard Park;
 - (d) Ward Park (Surry Hills);
 - (e) Circular Quay (Alfred Street);
 - (f) Fitzroy Gardens (Kings Cross); and
 - (g) Joynton Park, Tote Park and Nuffield Park (Zetland); and
 - (iv) the importance of access to shower and toilet facilities as a matter of personal as well as public hygiene; and
- (B) Council request the Chief Executive Officer to:

- (i) examine the feasibility of increasing the number of public showers and toilet facilities able to be open 24 hours a day, seven days a week, for consideration by Council; and
- (ii) bring forward budgeted funds for the construction of three of the nine new public toilets in key village centres for the 2016/17 Budget.

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

Moved by Councillor Scott, seconded by Councillor Forster –

It is resolved that:

(A) Council note:

- (i) the latest street count of August 2016 found 394 persons sleeping rough in the City of Sydney local government area;
- (ii) the City's Public Toilet Strategy (2014);
- (iii) the current automatic facilities open 24 hours a day:
 - (a) Hyde Park (North and south);
 - (b) Belmore Park (near Central Station);
 - (c) Wynyard Park;
 - (d) Ward Park (Surry Hills);
 - (e) Circular Quay (Alfred Street);
 - (f) Fitzroy Gardens (Kings Cross); and
 - (g) Joynton Park, Tote Park and Nuffield Park (Zetland); and
- (iv) the importance of access to shower and toilet facilities as a matter of personal, as well as public, hygiene; and

(B) Council request the Chief Executive Officer to:

- (i) examine the feasibility of increasing the number of public showers and toilet facilities able to be open 24 hours a day, seven days a week, for consideration by Council; and
- (ii) bring forward budgeted funds for the construction of at least a further three of the nine new public toilet facilities in the City's Public Toilet Strategy in key village centres for the 2017/18 Budget.

Foreshadowed Motion. Councillor Thalys foreshadowed that, should the motion moved by Councillor Scott be lost or withdrawn, he would move an alternative motion.

The motion moved by Councillor Scott was lost on the following show of hands –

Ayes (4) Councillors Chung, Forster, Scott and Vithoulkas

Noes (6) The Lord Mayor, Councillors Kok, Miller, Phelps, Scully and Thalís.

Motion lost.

Councillor Thalís then moved his foreshadowed motion, seconded by the Chair (the Lord Mayor), as follows:

It is resolved that:

(A) Council note:

- (i) the latest street count of August 2016 found 394 persons sleeping rough in the City of Sydney local government area;
- (ii) the City's Public Toilet Strategy (2014), which will see the following toilets delivered this financial year, some of which are open 24 hours:
 - (a) Alexandria Park – new facility;
 - (b) Erskineville Oval – new facility;
 - (c) Sydney Park – new facility;
 - (d) Bellevue House (Glebe Foreshore Parks) - modification of existing facility;
 - (e) Darlinghurst and Bayswater Road, Kings Cross – installation of Automated Public Toilet;
 - (f) William Street and Oxford Street Paddington – installation of Automated Public Toilet;

and the current automatic facilities open 24 hours a day:

- (g) Hyde Park (North and south);
 - (h) Belmore Park (near Central Station);
 - (i) Wynyard Park;
 - (j) Ward Park (Surry Hills);
 - (k) Circular Quay (Alfred Street);
 - (l) Fitzroy Gardens (Kings Cross); and
 - (m) Joynton Park, Tote Park and Nuffield Park (Zetland);
- (iii) the importance of access to shower and toilet facilities as a matter of personal, as well as public, hygiene; and

- (iv) there are currently 12 specialist homelessness services operating free showers in the City and City initiatives encourage homeless people to access toilet and shower facilities located at these facilities to link with support services; and
- (B) Council request the Chief Executive Officer to continue to update Council on the implementation of the City's Public Toilet Strategy through the CEO Update.

Carried unanimously.

LIVE STREAMING OF COUNCIL AND COMMITTEE MEETINGS (\$1292590)

4. Moved by Councillor Chung, seconded by Councillor Forster -

It is resolved that Council:

- (A) note:
 - (i) live streaming of Council and Committee meetings provides access, transparency, accountability, openness and good governance to the conduct of Council and Committee meetings;
 - (ii) live streaming of Council and Committee meetings is an issue of equity and allows those constituents who are unable to attend meetings in person to engage in the democratic process. This is particularly true for women and families, workers who cannot attend meetings at 5.00pm, residents with disability and access issues, residents with childcare obligations, those with transport challenges and business owners who are unable to attend a Council meeting at 5.00pm;
 - (iii) the following councils in NSW that have adopted live streaming of Council meetings, including Bega Valley, Eurobodalla, Inner West (anticipated December 2016), Mid-Western Regional, Mosman, North Sydney, Northern Beaches, Wollongong City, Ryde, Clarence, Central Coast, Kiama, Shellharbour and Newcastle;
 - (iv) live streaming of Council and Committee meetings meets the Lord Mayors' stated objectives of being consultative, open, transparent and accountable and reinforces her statement that "Peoples' democratic rights should be defended"; and
 - (v) live streaming provides an archived public record of discussions and resolutions made by council. It means that all councillors are equally subject to public scrutiny, which is a fundamental tenet of public office and democracy; and
- (B) request that the Chief Executive Officer:
 - (i) undertake a 12 month trial of live streaming of all Council and Committee meetings, such trial to commence no later than May 2017; and

- (ii) widely publicise the trial for a period of no less than 12 months with a permanent and prominent first page notice on Councils' website, letter box drops to all residents and businesses, social media and other appropriate media.

The motion was lost on the following show of hands –

Ayes (4) Councillors Chung, Forster, Scott and Vithoukias

Noes (6) The Lord Mayor, Councillors Kok, Miller, Phelps, Scully and Thalys.

Motion lost.

GARDEN BED REMOVAL MADDOX STREET ALEXANDRIA (S129259)

5. By Councillor Chung

(Note – This matter was dealt with at an earlier stage of the meeting (see page 1683).

At 9.32pm the meeting concluded.

Chair of a meeting of the Council of the City
of Sydney held on 12 December 2016 at which
meeting the signature herein was subscribed.