

**Item 10****Questions on Notice with Answers****Anthony Lister Commissioned Art**

1. By Councillor Chung

**Question**

In the period 2016-2020:

1. Does/did Council have any artwork in its collection by the artist Anthony Lister? (If so, please list them).
2. Does/did Council display any artworks by artist Anthony Lister?
3. How many street artworks are/were in the City of Sydney by artist Anthony Lister?
4. How many grants and for how much has Council given which supported Anthony Lister either directly or indirectly? Please provide details by year and organisation.

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**Answer by the Chief Executive Officer**

1. The City does not have art works by Anthony Lister in either the public art collection or the Civic Collection.
2. The City does not display art works by Anthony Lister. He has not been commissioned by the City's Art and About program, and his work has not been included in the site works hoarding program.
3. There are approximately ten art works by Anthony Lister in the City of Sydney local government area. (Staff have not been able to confirm through site visits this week). The works have either been created by Mr Lister without consent or have been commissioned by the respective property owners as exempt development.
4. Anthony Lister has not received grants or other support from the City.

**Save the Curtain Call Statue**

2. By Councillor Scott

**Question**

Please detail progress from the City of Sydney and NSW State Government on the restoration of the 'Curtain Call' statue.

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**Answer by the Chief Executive Officer**

The City is not responsible for the Curtain Call statue or its location.

The Lord Mayor wrote to Property NSW regarding this matter in July 2019. In response, Property NSW confirmed that the sculpture was in storage while the cost, location and work, health and safety aspects of a possible future reinstatement were considered.

**Tom Uren Place, Woolloomooloo**

3. By Councillor Scott

**Question**

1. Please detail the allocation of funding for the upgrade of equipment in Bourke Street Park for the following budget years, broken down by year since 2004.
2. Please detail City actions taken to increase public safety (additional street lighting on City-owned and leased land) around the following areas, including providing details of correspondence between the City and Ausgrid:
  - Tom Uren Place; Cathedral Street, Bourke Street, Charles Street and Forbes Street.
3. Please detail City actions we are taking in light of COVID-19 in Woolloomooloo, and specifically for Tom Uren Place.
4. Please detail community consultation efforts in Woolloomooloo as part of the Sustainable Sydney 2050 Strategy.

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**Answer by the Chief Executive Officer**

1. Bourke Street Park is open space under the eastern suburbs railway. It was upgraded in 2011 at a cost of \$977,050. Upgrade works included a community garden, public toilet, fitness station and landscaping. The fitness station soft fall has recently been replaced and the community garden expansion was completed in February 2020. There is no play equipment in Bourke Street Park. There is currently no budget allocated for further works. Budget will be allocated based on asset condition.

2. The City upgraded pedestrian lighting in 2017/18 on both sides of Bourke Street by installing additional LED lighting on the footpath side of existing Ausgrid wooden poles, as part of the City's Pedestrian Lighting Improvement program.

City-owned lighting in Forbes Street was upgraded in 2017.

The City has partnered with Ausgrid to upgrade conventional street lighting in Cathedral, Bourke and Charles Streets to LED lights under the Accelerated LED rollout program over the next two years, which will improve lighting quality. The tragic death of an Ausgrid line worker, in early 2019, resulted in the temporary cessation of all Ausgrid live-line works until completion of their investigations, which has impacted this program.

The City undertook an independent audit of lighting levels at Tom Uren Place in May 2019 to provide guidance as to where lights may be added to achieve compliant lighting levels. This area is privately owned by RailCorp NSW, and any upgrade to lighting at this location will require support of the owner. The City will continue to work with RailCorp NSW regarding upgrade of lighting at this location.

3. The City's Cleansing Operations team service Tom Uren Place and the area around Matthew Talbot seven days a week, including public holidays and Christmas/New Year.

The Cleansing Operations team uses a steam plant, mechanical sweepers and a response truck to service these areas; a garbage compactor is used to empty the street litter bins around Tom Uren Place. The Cleansing department currently uses an enzyme for deodorising and are awaiting delivery of COVID 19 specific sanitiser to incorporate in conjunction with our steam plants for COVID 19 cleaning.

The City is aware of at least fourteen mobile voluntary services operating in the Woolloomooloo area, with most operating on Tom Uren Place – an area of land owned and managed by NSW Rail Corporation

The City has advised all mobile voluntary services we have a relationship with to review their service delivery practices to ensure the safety of service users, staff and volunteers and shared information from NSW Health as well as work with Kings Cross Police Area Command to help oversee and manage the measures

The City continues to provide public domain management, with the City's Public Space Liaison Officers continuing to visit the area, and coordinate cleansing with the Cleansing and Waste team

The City is working with the Department of Communities and Justice, NSW Police and sector partners to provide safe and appropriate accommodation for people sleeping rough for as long as it is required.

4. The City of Sydney hosted a community session at the Juanita Nelsen Community Centre on 19 March 2019 as part of the Sydney 2050 engagement program. A pop-up stall took place at the Woolloomooloo Social Housing Forum in March and a workshop with students at Plunkett Street Primary School was held in May 2019. Outcomes of these consultation activities were reported to Council in December 2019 and are available online.

The City also undertook early engagement on Waterloo Playground with students from Plunkett Street Primary School, through an online survey and with the community garden group in November 2019.

## **Pedestrian Access in Walsh Bay**

4. By Councillor Scott

### **Question**

1. Please detail investigations and actions taken to increase pedestrian accessibility between Walsh Bay and Millers Point, particularly on Pottinger Street.
2. Please detail City expenditure on this area, if any.
3. Please detail the outcomes of these investigations and actions.

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### **Answer by the Chief Executive Officer**

1. Together with the Millers Point Resident Action Group, City staff have developed a concept plan to widen footpaths and introduce pedestrian crossings in Lower Fort, Pottinger and Windmill Streets and Trinity Avenue, to improve access and safety for pedestrians.
2. Nil expenditure to date.
3. The Heritage Impact Statement states that the concept plan is “not consistent with the heritage values of the area” and that “that the proposed changes to intersections would have adverse impacts on the heritage significance of the area in all locations”. At this stage we are not pursuing any changes until heritage matters are resolved.

## **Walsh Bay Arts and Cultural Precinct**

5. By Councillor Scott

### **Question**

Please detail the advocacy actions the Lord Mayor and Council have undertaken with the NSW and Federal Governments regarding residential use and access to the foreshore of the Walsh Bay area, during and after redevelopment.

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**Answer by the Chief Executive Officer**

Public access to the Walsh Bay wharves is protected through existing registered easements on title. The Walsh Bay Arts and Cultural Precinct (WBACP) redevelopment will not change this. The WBACP redevelopment was approved by the Department of Planning, Industry and Environment, under application reference SSDA 8671.

Council's advocacy actions on this redevelopment, was via the Central Sydney Planning Committee (CSPC), as per Clause 16(a) of Sydney Regional Environmental Plan 16, Walsh Bay. A draft of the Council's submission to the Department of Planning, Industry and Environment was circulated to all members of the CSPC on Wednesday 29 November 2017 and the Committee was specifically briefed on the proposal prior to the CSPC meeting on Thursday 30 November 2017.

During construction, waterfront access around the wharves is closed for safety reasons, with wayfinding signage to advise the public. The bicycle shoulder lane and pedestrian footpath along Hickson Road, however, is still open, allowing the public to traverse in an east / west direction.

The existing asphaltic concrete footpath along Hickson Road is in poor condition and is likely to require resurfacing to support an anticipated increase in pedestrian traffic. Accordingly, The City's Public Domain unit recommended conditions be imposed on SSDA 8671, including the provision of alignment levels, a public domain plan, protection of the stone curb and a public domain damage deposit.

Once the redevelopment of Wharf 4/5 and its shore sheds are complete, the public will be once again able to access the waterfront, including people who wish to partake in recreational fishing. City staff are continuing to work with the State Government on the wayfinding signage strategy.

In terms of residential use, consideration by NSW Government of potential uses in the 1990s resulted in the redevelopment of Piers 6/7 and 8/9 to provide a mix of residential, commercial and retail uses – ultimately to be complemented by an arts and cultural focus on Pier 2/3, Wharf 4/5 and the Wharf 4/5 shore sheds.

Between 2004 and 2010 several options for the precinct were explored. These options were further refined as part of an extensive preliminary concept design process. In 2013 a Master Plan was prepared by the NSW Government Architect and provided a blueprint for the ongoing redevelopment of Walsh Bay Pier 2/3, Wharf 4/5 and Wharf 4/5 shore sheds. There are no plans to turn more of Walsh Bay wharfs / piers into residential use.

**City of Sydney Casuals**

6. By Councillor Scott

**Question**

1. Please detail how many casuals the City has employed in 2019/20.
2. Of these, please detail how many have ceased working for the City due to COVID-19 restrictions since 19 March 2020.
3. Please detail the entitlements casuals employed will receive from the City of Sydney, noting not all staff had regular work hours.
4. Please detail when these entitlements will be paid, for work that has ceased due to Coronavirus services restrictions.

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**Answer by the Chief Executive Officer**

In the four weeks (20 January to 16 February 2020) prior to the first service disruptions resulting from the COVID-19 Pandemic, the City employed approximately 135 casuals.

88 casual employees have had shifts temporarily suspended due to COVID-19 restrictions since 19 March 2020. Most are casual staff work who in facilities impacted by the Government's social distancing measures, including libraries, community and recreation centres, events and venues.

All casuals remain on the payroll system and have been getting paid even as services were being closed. The City has been talking to casuals about the closures as they were announced and how this affects them to assure they would be getting paid for four weeks, from the closure of the service.

This approach was in line with the Joint Statement by Local Government NSW and the Unions, which clearly outlines the conditions for casuals in this situation.

The City is yet to determine what it will do in regard to the payment of casual employees whose shifts are suspended due to temporary service closures.

## City of Sydney Capital Works Register Update

### 7. By Councillor Forster

#### Question

On 13 November 2017, I moved a Notice of Motion, carried unanimously, for the Chief Executive Officer to investigate the development of a City of Sydney Capital Works portal, accessed via the City's website, that identifies all current Capital Works projects, their scope, location, most recently adopted budget, estimated completion date and status.

To date no updates on the progress of this investigation have been provided. Can the Chief Executive Officer please provide an update on the status of these investigations?

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#### Answer by the Chief Executive Officer

The City's Capital Works Program is an extensive program (\$235 million adopted for 2019/20 alone, and \$1.6 billion over the ten years) that includes significant new projects, asset enhancement and asset renewal programs.

Council adopts its annual and long term financial program each year, including the capital works program, and this is publicly exhibited and shared with the community for comment as part of the integrated planning and reporting each year in May before being adopted in June.

Throughout the year, the progress of many individual projects is shared with the public through our extensive engagement and consultation process, culminating in the public exhibition of relevant scoping reports. The "Sydney Have Your Say" website <https://www.cityofsydney.nsw.gov.au/council/your-say> provides online access to all current City projects that are in consultation phase, including information on concept design, key dates and contact details of staff for further information should the community member needs additional information. Specific scoping reports are also publicly provided for many individual projects within many of council's asset enhancement and renewal programs, including cycleways, open space and parks, community cultural and recreational facilities and public art. Scoping reports generally provide indicative design, artist impressions, the location of the specific project and any important elements incorporated within the overall project. The delivery of each of these projects is then progressed through a public tender process, along with any required budget adjustments, which also advises the relevant timeline for delivery.

Council and the public are provided an update for the overall capital works program every quarter, which highlights any significant delays, and any necessary budget adjustments. For all significant projects, those individually valued at more than \$5M, an individual progress comment is provided at each quarter.

In addition to this current information, the City currently provides a number of web pages that include information on a number of selected capital works. This is available on the City's main web site under the Vision/Better Infrastructure menu. In the last 12 months this has received over 53,000 unique page views with the page on Parks and Playgrounds the most popular with 38 per cent of the total number of unique hits. The "Vision" group of web pages receive over 375,000 unique page views in the same period for comparison.

## Creative Spaces Data Survey

### 8. By Councillor Forster

#### Question

The Creative Spaces Data Survey - January to June 2019 was released in the 24 January 2020 CEO Update.

Quarterly data surveys are completed by tenants included in the City's Creative Spaces Program and they help the City measure the impact of the Creative Spaces programs within precincts and the creative sector.

How is the data provided by the tenants verified?

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#### Answer by the Chief Executive Officer

The City is currently a member of the National Local Government Cultural Forum, consisting of representatives of all Australian capital city councils and the Australia Council for the Arts. The forum has worked with the Cultural Development Network to establish data protocols for measuring cultural and creative industries activity.

Details on tenancy, space, usage, and building replacement cost are made using the Cultural Development Network's methodology as well as the City's assets and finance data, to estimate the City's inputs. The information in the Creative Spaces CEO Update draws data from tenant self-reporting surveys. Tenant responses are analysed and compared to previous quarters and same period last year to identify anomalies or changes. These are then clarified with tenants if required.

Additionally, the City has commissioned an independent cost benefit analysis of the creative spaces project, with a particular focus on the allocation of workspace for creative enterprise. This was undertaken by the University of Tasmania. It notes a \$17:\$1 return on City investment. This comparatively high number is due to the program's impact on those smaller scale enterprises at the beginning of knowledge economy supply chains, and subsequent value created by addressing market failures brought about by high rental costs.

## External Combustible Cladding Programme Update

### 9. By Councillor Forster

#### Question

Councillors received a memo regarding the City's External Combustible Cladding Programme on 20 December 2019. The memo stated that 'the City's assessment of cladded buildings is comprehensive and includes the overall inherent adequacy of the building's fire safety standards and the composition of the cladding material affixed to the external features of a building.'

Can the Chief Executive Officer please provide further details of the findings of the City's assessments regarding the overall inherent adequacy of the buildings' fire safety standards?

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**Answer by the Chief Executive Officer**

The City is currently investigating 282 premises. To date, City officers have issued 59 fire safety orders requiring owners to remove and replace cladding, or to conduct a cladding safety audit. 70 buildings have been declared safe.

All high-risk premises have been inspected by City staff as agreed with the State's Cladding Taskforce and the focus now is issuing notice of intention to issue fire safety orders for all high-risk buildings by the end of June 2020. 37 notices are required to be issued by the end of June and while this is on track there are some delays due to the impacts of the COVID-19 pandemic.

City officers continue to update the cladding data held by the NSW Cladding Taskforce, Department of Customer Service, to assist in the NSW cladding compliance program, as well as contribute to an interagency cladding working group.

The City also continue to receive further cladding enquires from Fire and Rescue NSW, the Department of Planning Industry and Environment's register and the public.

**The Crescent Skate Park and Playground Update**

**10. By Councillor Forster**

**Question**

On 26 August 2013, Council adopted the Johnstons Creek Parklands Master Plan. On 8 December 2014, Council endorsed the scope of the proposed works arising out of the adopted the Master Plan. The proposed scope included the removal of all Council-owned buildings along The Crescent and the remediation of contaminated land to create new green open space. It also included a new skate space at the northern end of The Crescent and the clearing of the arches under the viaduct to connect the new open space to Federal Park.

On 26 October 2015, Council endorsed the refined concept design for the new open space at The Crescent and related works in Federal Park. Construction was to take place between October 2016 and June 2017.

Works finally commenced on the site on 6 June 2019, almost three years later than originally scheduled.

In December 2019, the City was advised that the contractor building the skate park and playground next to Federal Park had gone into administration.

The City has stated that the Johnstons Creek masterplan and this new open space continue to be a priority.

1. When is work expected to restart on this project?
2. When is this project expected to be completed?
3. What is the expected total cost of this project given these new circumstances and delays?

**Answer by the Chief Executive Officer**

1. The City has formally terminated the contract with previous Head Contractor, made the site safe and secure, and undertaken any required works to make the existing works safe and reduce any risk exposure to the City.

The City is now working towards engaging another alternate contractor to complete the project. Should these negotiations be successful and following endorsement by Council, it is hoped these works could commence mid-2020. This, of course, would be subject to the changing regulatory and legislative environments at all levels of government, during the time of the COVID-19 pandemic.

2. Anticipated project completion is mid-2021, subject to inclement weather and the potential COVID-19 impacts.
3. The report to Council will highlight the additional costs incurred resulting from the liquidation of the previous contractor earlier this year. It will also highlight the additional cost required to engage the alternate contractor if negotiations are successful.