

## Item 11

### Questions on Notice with Answers

#### 1. Status of Public Housing Redevelopment in the City of Sydney as at 8 April 2024

By Councillor Ellsmore

##### Question

In answers to Questions on Notice provided to the 11 March 2024 Council meeting, Council was provided with updates on the status of development and potential development relating to public housing sites in the City of Sydney, including:

- 14-36 Wentworth Park Road Glebe;
- 82 Wentworth Park Road Glebe;
- 17-31 Cowper Street, Glebe;
- Explorer South, Eveleigh;
- 600 Elizabeth Street, Redfern; and
- The Waterloo Estate.

Since the information provided to the 11 March 2024 Council meeting, is Council aware of:

1. Any updates in relation to the development or potential development of these sites; or
2. Any additional public housing sites for which development is being explored? This includes pre-DA inquiries.

If yes, please provide details.

X086664

##### Answer by the Chief Executive Officer

1. 14-36 Wentworth Park Road Glebe: No update

82 Wentworth Park Road Glebe: Development application: D/2023/21 deferred commencement consent condition was satisfied and the consent became operational on 20 March 2024.

17-31 Cowper Street, Glebe: No update.

Explorer South, Eveleigh: No update.

600 Elizabeth Street, Redfern: The Director City Planning, Development and Transport attended a Design Review Panel meeting on 12 March 2024.

The Waterloo Estate: No update.

2. No.

## 2. City of Sydney Accessibility Upgrades of Community Spaces

By Councillor Ellsmore

### Question

1. Under the City of Sydney's current budget (2023/24):
  - (a) What is the capital works budget, for upgrades of Council owned property?
  - (b) Is there a specific budget for upgrades to community facility upgrades to increase disability access? If yes, please provide details.
2. How does the City of Sydney undertake assessments of whether public spaces and buildings it owns are disability accessible?
3. The City of Sydney maintains an Accessibility Map, which identifies 25 Council venues that are accessible.
  - (a) What Council venues has the council identified as accessible?
  - (b) What Council venues has the council identified as not currently accessible?
  - (c) What Council venues has the council identified require an upgrade or works to increase disability accessibility?
4. Is there a timetable, program of works or plan for upgrading access to the Council's community centres to make them accessible or improve accessibility? If yes, please provide details.
5. Is there a timetable, program of works or plan for upgrading access to the Council's other venues to make them accessible or improve accessibility? If yes, please provide details.
6. In 2022/23 and 2023/24, what upgrades have been made to Council's:
  - (a) Community facilities to improve disability access?
  - (b) Other venues to improve disability access?

Please include details of the facility, the budget and briefly what upgrades were made.
7. Under the City of Sydney's long term financial plan, which of the Council-owned community facilities are proposed to be upgraded, or works undertaken, to improve disability access:
  - (a) In 2023/27 (i.e., over the next four years)?

(b) In 2028/33 (i.e., over the next ten years)?

Please list the name of the facility and the budget specified in the long-term financial plan, or included in another budget document if detailed there.

8. Within the City of Sydney's budget relating to works for parks, footpaths, electric vehicle charging infrastructure and other public spaces:

(a) Is there specific provision for disability upgrades to be made?

(b) Are there targets to achieve or improve disability accessibility?

If yes, please provide details.

9. Where can information about the City's current program of works to maintain and/ or upgrade community facilities be found (including, in what documents is this information detailed)?

X086664

**Answer by the Chief Executive Officer**

1. The 10-year capital works budget for renewal and upgrade of City owned properties is \$755.3M.

2. By engaging independent access consultants and consulting the Inclusion (Disability) Advisory Panel.

3. Information on the accessibility of the City's community facilities and hireable indoor spaces is available on the City's website at <https://www.cityofsydney.nsw.gov.au/places>

(a) Aquatic and Recreation Centres

Andrew Boy Charlton Pool

Cook and Phillip Park Pool

Coronation Recreation Centre (Prince Alfred Park)

Gunyama Park Aquatic and Recreation Centre

Ian Thorpe Aquatic Centre

KGV Recreation Centre

Perry Park Recreation Centre

Prince Alfred Park Pool

Rushcutters Bay Park Tennis Centre

Victoria Park Pool

Libraries / Community Centres / Bookable Community Spaces

119 Redfern Street

Ultimo Community Centre

Harold Park Community Hall

Harry Jensen Activity Centre

Joseph Sargent Community Centre (Ground Floor Only)

East Sydney Community and Arts Centre

Peter Forsyth Auditorium

Pine Street Creative Arts Centre (Ground Floor Only)

Reginald Murphy Community Centre

Redfern Community Centre

180 George Street Community Space

Tote Building

Darlinghurst Community Space

Abraham Mott Community Space

Mary McDonald Centre

Maybanke Community Centre (Ground Floor Only)

Redfern Oval Community Room

Rex Centre

Robyn Kemmis Reserve Community Space

Booler Community Centre

Ron Williams Community Centre

Juanita Nelson Community Centre

Surry Hills Community Centre

Cliff Noble Community Centre

St Helen's Community Centre (Ground Floor Only)

Pymont Community Centre

Sydney Park Pavilion

Sydney Park Cycling Centre

Sydney Town Hall

Customs House

Glebe Town Hall

Paddington Town Hall

Redfern Town Hall

Erskineville Town Hall

Alexandria Town Hall

Glebe Library

Green Square Library and Community Centre

Darling Square Library

Customs House Library

Newtown Library

Paddington Library

Surry Hills Library and Community Centre

Waterloo Library

Kings Cross Neighbourhood Service Centre and Library

PACT Theatre, Erskineville

Pymont Community Centre (upgrade underway)

(b) Pine Street Creative Arts Centre

Maybanke Community Centre

Benledi House and St Helen's Community Centre

Joseph Sargent Community Centre

Brown Street Community Hall

(c) The following venues are proposed for future upgrade works subject to feasibility:

- Benledi House and St Helen's Community Centre
- Brown Street Community Hall
- Pine Street Creative Arts Centre

4. The City has a large and complex property portfolio comprised of 250 plus buildings, which includes many old and heritage structures.

The City has been progressively completing whole of building upgrades to ensure all buildings are fully compliant with current accessibility standards – details of completed projects were provided by an [Information Relevant To Memorandum in June 2023](#).

There are a small number of older buildings within the portfolio that have not yet been upgraded to ensure that they are fully compliant with current accessibility standards. Interim measures to improve accessibility in these buildings are delivered through the annual asset renewal programs – examples of works completed through these programs is provided by the [Information Relevant To Memorandum from June 2023](#).

5. Refer to the response above.

6. 119 Redfern Street, Redfern (\$2.3M) – installation of lift and accessible entry.

Pyrmont Community Centre, 79A John St, Pyrmont (\$9.6M) – whole of building upgrade to current accessibility standards.

PACT Centre for Emerging Artists, Erskineville (\$25,000) - installation of ramp to timber deck.

7. Interim measures to improve accessibility in City buildings are delivered through the annual asset renewal programs – examples of works completed through these programs is provided by the [Information Relevant To Memorandum from June 2023](#).

The current long term financial plan includes a future whole of building upgrade to the Ultimo Community Centre (\$12M) – this will include full accessibility upgrade of the building:

Additional future year whole of building upgrades will be included in the draft 2024/25 long term financial plan for Council consideration in May 2024.

8. Yes – \$28.2M was spent on upgrades, including improvements to make parks, footpaths and other public spaces accessible in 2022/23. Charging points for mobility scooters were available at eight community centres in 2021/22 (refer [Inclusion Disability Action Plan – Annual Report 2022/23](#))

Yes – actions to improve accessibility in these spaces are included in:

- [Inclusion \(Disability\) Action Plan 2021-2025](#)
- [Inclusive and Accessible Public Domain Policy and Guidelines](#)

9. The City's 10 year long-term financial plan is available in the resourcing strategy: <https://www.cityofsydney.nsw.gov.au/strategies-action-plans/resourcing-strategy>

### 3. D/2024/83 - 136 Oxford Street, Darlinghurst - Disability Access

By Councillor Gannon

#### Question

1. With respect to D/2024/83 (136 Oxford Street, Darlinghurst) what external accessibility reports were commissioned as part of this Development Application (DA)?
2. The City's Development Application Assessment report states the DA is accessible design compliant while there is no disability access available. It is noted that "alternative arrangements in the form of QR codes will be provided within the main Qtopia centre at 301 Forbes Street. This is considered an acceptable approach and meets the provisions of the DDA." What is the rationale for this?
3. What documentation does the City have for this to be an acceptable solution for disability access?
4. How many other organisations have previously approached the City of Sydney to activate these sites, both formally and informally?
5. What investigation works have previously been done in relation to making these sites comply with disability access standards?
6. What were the outcomes of these investigations?

X086665

#### Answer by the Chief Executive Officer

1. A Building Code of Australia (BCA) report was prepared by Atelier Consultancy, dated 22 February 2024
2. The Development Application (DA) is for the use of the State heritage listed substation and amenities building as an ancillary exhibition space, operated in conjunction with the main Qtopia Sydney museum located at 301 Forbes Street. The use has a temporary one-year approval period. No physical works were proposed as part of the DA.

The ancillary exhibition space is supplementary to the main Qtopia museum, with small, guided groups being escorted to the building from the main museum. The main museum is located approximately 30 metres from the substation and provides access for people with disabilities.

The Operational Plan of Management submitted with the application states that a QR code will be provided in the main building ticket area providing virtual access to the exhibition space for those with limited mobility so they can experience the materials exhibited.

The BCA report submitted with the application states that a performance solution will be required to address compliance with the relevant parts of the BCA relating to accessibility. The BCA report concludes that the works are capable of compliance with the requirements of the BCA, subject to performance solutions. It is noted that performance solutions are assessed by the Principal Certifier.

In light of the ancillary and temporary nature of the use and the supporting BCA report submitted with the application, the proposal was considered acceptable.

3. Refer to the response to part 2 above.
4. The following development applications (DA) have been approved. The City of Sydney Council was the applicant for each DA:

D/2013/935 – determined with conditions on 8 January 2014

- Approval was granted for the adaptive reuse of the former substation heritage building and repair works.
- A partial construction certificate was issued for repairs to damaged exterior items and reinstatement; however, the adaptive reuse portion of the consent was never taken up.

D/2010/1316 – determined with conditions on 9 September 2010

- Approval was granted for temporary art installation for a limited period of six months.

D/2009/2151 – determined with conditions on 27 January 2010

- Approval was granted for temporary art installation for a limited period of six months.

D/2009/1188 – determined with conditions on 8 August 2009

- Approval was granted for temporary art installation for a limited period of eight weeks.

Several approvals have also been granted for the activation of Taylor Square for various events including WorldPride and a weekly farmers market, however these applications do not include the use of the substation or amenities buildings.

The City has had very limited interest from other organisations to activate the Taylor Square Substation and Underground Toilets. Between 2006 and 2008 the City conducted expression of interests to identify parties capable of leasing both spaces. These processes resulted in limited responses as a result of the condition of the buildings, high value of capital works required, heritage constraints and BCA requirements. Between 2009 and 2010 the City activated the structures and Taylor Square with temporary art installations.

In 2023 the City received a request from Qtopia who were seeking to lease / license the spaces for ancillary exhibition spaces. The City entered into a one year license agreement with Qtopia in December 2023.

5. The City has investigated adaptive re-use of the former substation and underground toilets on three separate occasions since 2004.

Investigations considered options for adaptive re-use for cultural and / or commercial (café / restaurant / bar) uses.



6. The options identified were not recommended to proceed due to the highly constrained natures of the spaces and cost of capital works.

#### 4. Perry Park

By Councillor Scott

Perry Park in Alexandria has been temporarily closed whilst the synthetic sports field is upgraded. Following the completion of the synthetic field.

##### Question

1. What are the new community opening hours for Perry Park?
2. What is the process of community members booking Perry Park for hire?
3. What is the process for selecting what community groups/professional organisations will be allocated access to Perry Park?
4. What is the final completion date for the synthetic sports field upgrade?

X086668

##### Answer by the Chief Executive Officer

1. The synthetic field opening hours are Monday to Friday 8am-11pm, weekends and public holidays 8am-8.30pm. These hours align with Perry Park Recreation Centre opening hours.
2. Options to book the field will be email, phone or visiting the adjacent recreation centre. This process will also apply to sporting clubs/organisations booking one-off or irregular sporting activities. If the field is not booked it is open to the community for general use.
3. City staff will run an Expression of Interest process for regular use during the 2024 calendar year.

This will ensure a structured and fair process for all sporting clubs, organisations, associations, and community groups to access this new field. Priority will be for locally based sporting and community groups to deliver a range of programs and activities that contribute to guiding principles that emphasise gender equity and social inclusion. Where requested days and times can be accommodated around the competitions the City will deliver.

Applications for the 2024 calendar year will open at the end of April 2024 for four weeks.

4. The City is nearing completion of the installation of the synthetic field structure and currently working on the amenities building and surrounding landscape areas. Once Practical Completion is issued, the sports field will be opened to the public. This is anticipated in mid-2024.

## 5. Erskineville Oval

By Councillor Scott

The Alexandria Rovers Rugby League Football Club begin their training at the Erskineville Oval in three weeks. In light of this:

### Question

1. Has asbestos been found in any pipes located in the Erskineville Oval?
2. How long has Erskineville Oval been empty for?

X086668

### Answer by the Chief Executive Officer

During Sydney Water's repair work at Erskineville Oval a disused non-friable asbestos pipe was located. This pipe was approximately 2 metres long, 100mm in diameter and found at a depth of 1.3 metres.

The pipe was removed, and a clearance certificate was supplied by a licensed asbestos assessor.

The repair works and subsequent rectification were carried out from 28 August 2023 to 26 March 2024. The affected area of the oval was fenced off and closed while the work was undertaken. All other parts of the oval were open for community use. The rectification works are now complete, and the entire oval is now available for community use.

## 6. Shared Zones, Paddington

By Councillor Scott

In August 2023, Council approved the installation of Shared Zones:

- Seymour Place, Paddington between South Dowling and Selwyn Streets; and
- Church Street, Paddington between South Dowling and Selwyn Streets.

In the 15 September 2023 CEO Update, all voting members (City of Sydney, Transport for NSW, NSW Police – Surry Hills PAC and Representative for the Member of Sydney) unanimously supported the recommendations.

### Question

1. Are there any other Committee members that need to approve the Shared Zone prior to starting construction?
2. What is the confirmed construction timeline for the shared zones?
3. When will the residents of Paddington expect both shared zones to be completed?

X086668

**Answer by the Chief Executive Officer**

1. There are no further Committee or Transport for NSW approvals required for the installation of Shared Zones in Seymour Place and Church Street, Paddington.

On 22 June 2023 Transport for NSW granted approval for the Traffic Management Plan for Shared Zones in Seymour Place and Church Street.

On 17 August 2023, members of the Local Pedestrian, Cycling and Traffic Calming Committee unanimously endorsed the proposal to construct Shared Zones in both Seymour Place and Church Street, Paddington.

2. The proposed shared zones in Seymour Place and Church Street Paddington would be delivered as part of the City's Traffic Facilities Program. The Traffic Facilities Program is reviewed annually, and funding is prioritised with consideration of safety issues, traffic conditions, asset condition, walking and cycling access and the overall community benefit of the project.

Based on current priorities and available funding the design for the Shared Zones, including Continuous Footpath Treatments, in Seymour Place and Church Street is expected to be completed in the 2024/25 financial year. Construction would follow in the 2025/26 financial at the earliest (subject to design, funding and competing priorities).

3. Refer to the response above.

**7. Public Defibrillator Installation**

By Councillor Scott

**Question**

1. How many Automated External Defibrillators (AED) do the City of Sydney provide in open space for community use?
2. How many AEDs does the City of Sydney have in Council-owned properties such as community halls, public gardens and libraries?
3. What is the cost of installing one AED?
4. Noting previous Council concerns in 2016, in the past year, how many AEDs have been stolen/vandalised on council-owned property?

X086668

**Answer by the Chief Executive Officer**

1. The City does not have any Automated External Defibrillators (AED) located in an open space for community use. All units are located within City owned buildings where staff are onsite during opening hours. This ensures that the machines are in place and properly operational at all times.

2. The City has 65 defibrillators in place, with at least one unit in each of our administrative buildings and community facilities where staff are located. This includes our education and care services, community centres, libraries, Perry Park Recreation Centre, Pine Street Creative Arts Centre, Bay Street Depot, Sydney Town Hall (three units) and Town Hall House (seven units).
3. The cost of purchasing a unit varies between different models and features but are approximately \$2,500 to \$3,500 per unit. These estimates do not include the cost for the ongoing consumables, which include replacement of pads (every two years) and batteries (every four years). The cost of consumables varies depending on the model, but can cost approximately \$250 per set of pads, and \$400 for a battery.
4. No defibrillator units have been stolen or vandalised in the past year.

## 8. Temporary Fencing

By Councillor Scott

According to the Fees and Charges – Revenue Policy adopted 26 June 2023, Hoarding Occupation Fee - forming a work/storage compound area cost \$15.52 per m<sup>2</sup>/week in Zone 1 (City Centre) or \$7.76 per m<sup>2</sup>/week in Zone 2 (non-City Centre).

A temporary structure includes tents, marquees, stalls, hoardings, scaffolding and any other structure that is not permanent.

### Question

1. How much does the City of Sydney spend per year on temporary fencing?
2. How much will it cost the City of Sydney to purchase all its own fencing for hire?
3. How many events use temporary fencing per year?

X086668

### Answer by the Chief Executive Officer

1. It is not possible for the City Infrastructure and Traffic Operations (CITO) unit to determine how much it spends per year on temporary fencing. Where such fencing is used for maintenance or capital projects, it is in most part provided by contractors. The costs for work site fencing is in some cases aggregated with other costs.
2. It is not possible to determine the cost implications for the City Infrastructure and Traffic Operations unit to purchase its own fencing for maintenance or capital projects. Fencing is predominantly provided by the civil contractor for maintenance and capital projects, and these contractors often own some fencing and then hire further fencing on a needs basis. If the City were to purchase and provide all fencing required, existing contract arrangements between the City and the civil contractors would need to be altered and cost arrangements would then need to be negotiated.

3. The City does not monitor the amount of temporary fencing required for each and every event occurring across the Local Government Area. However, it is a reasonable assumption that the majority of events will include a degree of temporary fencing as part of their event infrastructure. The City has close to approximately 350 events held outdoors across the Local Government Area per year.

## **9. Asbestos Negligence Personal Protective Equipment (PPE)**

By Councillor Scott

On 26 February 2024, the Daily Telegraph reported “a spokesperson for the City of Sydney said workers were not made to wear PPE while erecting fences earlier this month as they were not directly handling the mulch”.

In this same article, Barry Robson, Asbestos Diseases Foundation of Australia President, said the lack of ensuring all workers were in PPE appropriate to the handling of mulch was comparable to “negligence”.

### **Question**

1. What steps have been taken to ensure as Councillors we are upholding our legal obligations in a case of negligence in the case of workers not wearing appropriate PPE?
2. Is wearing appropriate PPE compulsory on all asbestos exposed sites?
3. If yes, when was this requirement put in place?

X086668

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

As previously advised in the report to Council on 4 March 2024, Work Health and Safety Regulations and SafeWork requirements have been followed in relation to all activities regarding the testing and removal of the mulch.

## 10. Asbestos Compensation Fund

By Councillor Scott

### Question

1. Will the City of Sydney have an asbestos compensation fund, if a complainant is found to have an asbestos related injury/disease in the future from the February 2024 asbestos contamination in garden beds and parks within the City of Sydney?
2. If no, what are the steps to creating an asbestos compensation fund?
3. What are the liabilities for Councillors and City staff if we do not have an asbestos compensation fund?

X086668

### Answer by the Chief Executive Officer

It is not appropriate for the City to establish a fund related to the asbestos contaminated mulch for the reasons set out in the Lord Mayoral Minute and Council report of 4 March 2024 and confidential legal advice previously provided to Councillors on 1 March 2024.