

19 November 2018

At 5.00 pm



Council

Sydney 2030 Green Global Connected

Agenda

1. **Confirmation of Minutes**
2. **Disclosures of Interest**
3. **Minutes by the Lord Mayor**
4. **Memoranda by the Chief Executive Officer**
5. **Matters for Tabling**
6. **Report of the Corporate, Finance, Properties and Tenders Committee**
 - 6.1 Disclosures of Interest
 - 6.2 2018/19 Quarter 1 Review – Delivery Program 2017–2021
 - 6.3 Investments Held as at 30 September 2018
 - 6.4 Public Presentation of the 2017/18 Financial Statements and Auditor's Reports
 - 6.5 Audit Risk and Compliance Committee Annual Report to Council 2017/18
 - 6.6 Cancellation of Tender - Energy Services Upgrade - Cook and Phillip Park Aquatic Centre
 - 6.7 Property Disposal - Stockton House 73-75 William Street, East Sydney
 - 6.8 Property Acquisition - Bourke Road, Alexandria
 - 6.9 Property Acquisition - Sydney
 - 6.10 Property Matter - Sydney
 - 6.11 New Lease - Customs House Cafe
 - 6.12 Proposed Lease - Pedestrian Link Stratum, Wynyard Lane
 - 6.13 Proposed Lease - Office Stratum, Wynyard Lane

Agenda

- 6.14 Exemption from Tender - Preparation of Principal's Project Requirements Documentation for Interior Fit Out of Business Innovation Space in Lendlease Circular Quay Voluntary Planning Agreement
- 6.15 Tender - Reject and Negotiate - Sydney Park Skate Facilities
- 6.16 Tender - Water Features Maintenance Services

Economic Development and Business Sub-Committee

- 6.17 Sponsorship - Mercedes-Benz Fashion Week Australia 2019-21

7. Report of the Cultural and Community Committee

- 7.1 Disclosures of Interest

Healthy Communities Sub-Committee

- 7.2 Outdoor Alcohol Restrictions Consultation 2018
- 7.3 Knowledge Exchange Sponsorship - The Equality Project Australia

8. Report of the Transport, Heritage and Planning Committee

- 8.1 Disclosures of Interest
- 8.2 Public Exhibition - Sydney Development Control Plan 2012 Amendment - Late Night Trading 2018 (Not Liquor Licensing)
- 8.3 Adoption - Cycling Strategy and Action Plan 2018-2030
- 8.4 Post Exhibition - Planning Proposal: 4-6 Bligh Street, Sydney - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment and Planning Agreement
- 8.5 Fire Safety Reports

9. Property Matter - Sydney

10. International Travel - Guangzhou International Award for Urban Innovation for Green Square

11. Proposed Schedule of Meetings and Briefings for 2019

12. Questions on Notice

Agenda

13. Supplementary Answers to Previous Questions

14. Notices of Motion

14.1 Living Sydney 2050

14.2 City of Sydney Event Guidelines - Balloons

14.3 Belmore Park Fence

Item 1

Confirmation of Minutes

Minutes of the following meeting of Council are submitted for confirmation:

Meeting of 29 October 2018

Item 2

Disclosures of Interest

(a) Section 451 of the Local Government Act 1993

Pursuant to the provisions of section 451 of the Local Government Act 1993, Councillors are required to disclose pecuniary interests in any matter on the agenda for this meeting of Council.

Councillors are also required to disclose any non-pecuniary interests in any matter on the agenda for this meeting of Council in accordance with the relevant clauses of the Code of Conduct – February 2016.

This will include receipt of reportable political donations over the previous four years.

In both cases, the nature of the interest must be disclosed.

Written disclosures of interest received by the Chief Executive Officer in relation to items for consideration at this meeting will be laid on the table.

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

The Local Government and Planning Legislation Amendment (Political Donations) Act 2008 (“the Act”) requires the disclosure of relevant political donations or gifts when planning applications are made to minimise any perception of undue influence. The amendments to the Act require disclosure to the Electoral Funding Authority of:

- a **reportable political donation** as defined in the Election Funding and Disclosures Act 1981 (a donation of \$1000 or more made to or for the benefit of the party, elected member, group or candidate or made by a major political donor to or for the benefit of a party, elected member, group or candidate, or made to the major political donor), or
- a **gift** (as defined in the Election Funding and Disclosures Act 1981) to any local councillor or council employee (and includes a disposition of property or a gift of money or the provision of other valuable or service for no consideration or for inadequate consideration) when a relevant planning application is made to a council.

A donation of less than \$1000 can be a reportable political donation if the aggregated total of such donations was made by an entity or person to the same party, elected member, group or candidate or person.

Item 3

Minutes by the Lord Mayor

Any Minutes by the Lord Mayor will be circulated prior to or at the meeting of Council.

Item 4.

Memoranda by the Chief Executive Officer

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

Item 5

Matters for Tabling

5.1 Disclosures of Interest

Disclosure of Interest returns that have been lodged in accordance with sections 449(1) and 449(3) of the Local Government Act 1993 will be laid on the table.

Recommendation

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

Item 6

Report of the Corporate, Finance, Properties and Tenders Committee - 12 November 2018

Item 6.1

Disclosures of Interest

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

The Committee recommends the following:-

Item 6.2

2018/19 Quarter 1 Review – Delivery Program 2017–2021

It is resolved that Council:

- (A) note the financial performance of Council for the first quarter, ending 30 September 2018, including the Quarter 1 Net Deficit of \$30.2M and the full year Net Surplus forecast of \$7.2M, as outlined in the subject report and summarised in Attachment A to the subject report;
- (B) note the Quarter 1 Capital Works expenditure of \$91.3M and a revised full year forecast of \$269.5M, and approve the proposed adjustments to the adopted budget, including bringing forward \$3.0M of funds into 2018/19 capital budget, as detailed in Attachment B to the subject report;
- (C) note the Information Services capital expenditure of \$1.7M, net of disposals, and a full year forecast of \$12.6M;
- (D) note the Quarter 1 Plant and Assets expenditure of \$2.5M, net of disposals, and the full year forecast of \$20.6M;
- (E) note the Quarter 1 Property Divestment proceeds of \$0.01M, and the full year forecast net Divestment of \$58.3M;
- (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.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Kok, seconded by the Chair (the Lord Mayor), and carried unanimously.)

S096187

The Committee recommends the following:-

Item 6.3

Investments Held as at 30 September 2018

It is resolved that the Investment Report as at 30 September 2018 be received and noted.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Kok, seconded by Councillor Scully, and carried unanimously.)

X020701

The Committee recommends the following:-

Item 6.4

Public Presentation of the 2017/18 Financial Statements and Auditor's Reports

It is resolved that Council:

- (A) present the 2017/18 Annual Financial Statements and auditor's reports to the public; and
- (B) adopt the 2017/18 Annual Financial Reports subject to the receipt of any submissions over the ensuing 7 day period.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Kok, seconded by the Chair (the Lord Mayor), and carried unanimously.)

X018037

The Committee recommends the following:-

Item 6.5

Audit Risk and Compliance Committee Annual Report to Council 2017/18

It is resolved that Council note the Audit Risk and Compliance Committee's 2017/18 Annual Report, as shown as Attachment A to the subject report.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Kok, seconded by the Chair (the Lord Mayor), and carried unanimously.)

Speakers

Ms Elizabeth Crouch - Chair of the Audit, Risk and Compliance Committee, addressed the meeting of the Corporate, Finance, Properties and Tenders Committee on Item 6.5.

S083523

The Committee recommends the following:-

Item 6.6

Cancellation of Tender - Energy Services Upgrade - Cook and Phillip Park Aquatic Centre

It is resolved that:

- (A) Council cancel tender 1876 for Energy Services Upgrade at Cook and Phillip Park Aquatic Centre;
- (B) Council not invite fresh tenders on the basis that a more satisfactory result would not be achieved, taking into account the lack of response to the open tender process;
- (C) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contract with suitably qualified contractors to undertake the scope of work; and
- (D) Council be informed of the successful tenderer by CEO update prior to executing and administering the contract relating to this tender.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Kok, seconded by Councillor Miller, and carried unanimously.)

X012321

The Committee recommends the following:-

Item 6.7

Property Disposal - Stockton House 73-75 William Street, East Sydney

It is resolved that:

- (A) Council endorse the sale of Stockton House, 73-75 William Street, East Sydney;
- (B) Council endorse the proceeds from the sale being placed in the Commercial Properties Reserve to allow for future reinvestment in commercial property, further supplementing the City's non-rate-based income; and
- (C) authority be delegated to the Chief Executive Officer to develop due diligence material including, but not limited to, a disposal plan, implementing opportunities to leverage value, determining the optimum method of sale, negotiating with interested parties as required and entering into all necessary documentation to effect the sale at a price to be supported by at least two independent valuations.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Kok, seconded by Councillor Scully, and carried unanimously.)

X007669

The Committee recommends the following:-

Item 6.8

Property Acquisition - Bourke Road, Alexandria

It is resolved that:

- (A) Council endorse the acquisition of a portion of 35-39 Bourke Road, Alexandria being Lot 102 within a proposed plan of subdivision of Lot 1 in Deposited Plan 592162 and Lot 2 in Deposited Plan 618204 at the price supported by independent valuation as detailed in Confidential Attachment B to the subject report;
- (B) authority be delegated to the Chief Executive Officer to finalise all negotiations relating to the proposed acquisition in accordance with these resolutions and enter into a Contract for Sale and any other documentation required to complete the sale;
- (C) subject to agreement of the terms of the acquisition in accordance with these resolutions, Council approve the public notification of the following proposed resolution: 'It is resolved to classify the City's proposed acquisition of part 35-39 Bourke Road Alexandria being Lot 102 within a proposed plan of subdivision of Lot 1 in Deposited Plan 592162 and Lot 2 in Deposited Plan 618204 as operational land under Section 31 of the Local Government Act 1993'; and
- (D) Council note that a further report to inform the outcomes of the public notification of the proposed resolution in Clause (C) and recommendation on land classification will follow the notification period.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Kok, seconded by Councillor Miller, and carried unanimously.)

X020957

The Committee recommends the following:-

Item 6.9

Property Acquisition - Sydney

It is resolved that Council adopt the recommendation contained in Confidential Attachment A to the subject report.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Kok, seconded by the Chair (the Lord Mayor), and carried unanimously.)

X009118

Item 6.10

Property Matter - Sydney

Note – Item 6.10 was withdrawn from the agenda of the Corporate, Finance, Properties and Tenders Committee and will be dealt with at Item 9 at Council.

The Committee recommends the following:-

Item 6.11

New Lease - Customs House Cafe

It is resolved that:

- (A) Council approve a new sublease to Customs House Café Pty Ltd for Suite 1 - Level 3 and the whole of Level 5, 31 Alfred Street, Sydney. The proposed new sublease for a term of 10 years would extend Café Sydney's tenure to 23 November 2029; and
- (B) authority be delegated to the Chief Executive Officer to finalise the terms and enter into the sublease substantially in accordance with Attachment A to the subject report.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Kok, seconded by Councillor Forster, and carried unanimously.)

S099079.006

The Committee recommends the following:-

Item 6.12

Proposed Lease - Pedestrian Link Stratum, Wynyard Lane

It is resolved that:

- (A) pursuant to Section 149 of the Roads Act 1993, Council approve the granting of a stratum lease to BSREP Wynyard Place Retail Landowner Pty Ltd as trustee for BSREP Wynyard Place Retail Landowning Trust Pty Ltd ABN 91 865 529 217 for proposed stratum over Wynyard Lane as part the proposed office development known as One Carrington Street Sydney; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the stratum lease referred to in Clause (A) above consistently with the Essential Lease Terms and Conditions in Confidential Attachment A to the subject report.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Kok, seconded by Councillor Thalys, and carried unanimously.)

S094584.062

The Committee recommends the following:-

Item 6.13

Proposed Lease - Office Stratum, Wynyard Lane

It is resolved that:

- (A) pursuant to Section 149 of the Roads Act 1993, Council approve the granting of a stratum lease to BSREP Wynyard Lane Office Landowner Pty Ltd as trustee for BSREP Wynyard Lane Office Landowning Trust ABN 37 468 069 987 Pty Ltd for the proposed stratum over Wynyard Lane as part the proposed office development known as One Carrington Street Sydney; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the stratum lease referred to in Clause (A) above consistently with the Essential Lease Terms and Conditions in Confidential Attachment A to the subject.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Kok, seconded by Councillor Thalys, and carried unanimously.)

S094584.062

The Committee recommends the following:-

Item 6.14

Exemption from Tender - Preparation of Principal's Project Requirements Documentation for Interior Fit Out of Business Innovation Space in Lendlease Circular Quay Voluntary Planning Agreement

It is resolved that:

- (A) Council note that due to extenuating circumstances, a satisfactory result would not be achieved by inviting tenders for the preparation of Principal's Project Requirements documentation for the fit out of the Business Innovation Space at 174-186 George Street and 33-35 Pitt Street, Sydney;
- (B) Council note that the reasons a satisfactory result would not be achieved by inviting tenders are:
 - (i) Lendlease Building Pty Limited has existing knowledge of the base building that is required to meet the deadline for notification of base building modifications; and
 - (ii) existing knowledge of the base building is not as readily available to other potential tenderers and as a result they would not be able to present proposals that would represent value for money or meet the deadline for notification of base building modifications;
- (C) Council approve an exemption from tender for the preparation of Principal's Project Requirements documentation for the fit out of the Business Innovation Space at 174-186 George Street and 33-35 Pitt Street, Sydney;
- (D) authority be delegated to the Chief Executive Officer to negotiate, finalise and enter into any documentation necessary to give effect to this approval and to administer the contracts; and
- (E) Council note the financial implications, as outlined in Confidential Attachment A to the subject report.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Kok, seconded by Councillor Forster, and carried unanimously.)

X004710

The Committee recommends the following:-

Item 6.15

Tender - Reject and Negotiate - Sydney Park Skate Facilities

It is resolved that:

- (A) Council reject all tender offers for Sydney Park Skate Facility and enter into negotiations with any person for the works;
- (B) Council note the reason for determining to enter into negotiations with any person is that no conforming tenders were received resulting from incorrectly submitted returnable schedules;
- (C) Council not invite fresh tenders, as it is considered that inviting fresh tenders would not attract additional suitable vendors over and above those that have responded to this tender;
- (D) authority be delegated to the Chief Executive Officer to enter into negotiations with any person with a view to entering into a contract in relation to the subject matter of the tender;
- (E) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender; and
- (F) Council be informed of the successful company by CEO Update prior to executing and administering the contracts relating to the tender.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Kok, seconded by Councillor Thalys, and carried unanimously.)

X000387

The Committee recommends the following:-

Item 6.16

Tender - Water Features Maintenance Services

It is resolved that:

- (A) Council accept the tender offer of Tenderer A for Water Feature Maintenance Services for a period of four years, with the option of an extension of three years 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 option, if appropriate, and negotiate the price to extend the contract accordingly.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Kok, seconded by Councillor Scully, and carried unanimously.)

X018336

The Sub-Committee recommends the following:-

Item 6.17

Sponsorship - Mercedes-Benz Fashion Week Australia 2019-21

It is resolved that:

- (A) Council approve a sponsorship of \$85,000 (excluding GST) per annum in cash and up to \$70,000 (excluding GST) per annum in value in kind for Council-owned civic space and venue hire fee waiver, for three years, to International Management Group of America Pty Ltd for Mercedes-Benz Fashion Week Australia 2019, 2020 and 2021; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer a sponsorship agreement with International Management Group of America Pty Ltd for the sponsorship described in Clause (A) above.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Vithoukias, seconded by Councillor Thalys, and carried unanimously.)

S104486.012

Item 7**Report of the Cultural and Community Committee - 12 November 2018****Item 7.1****Disclosures of Interest**

Councillor Kerryn Phelps made the following disclosures:

- a less than significant, non-pecuniary interest in Item 7.2 as she owns a property across the road from parts of the proposed permanent alcohol free zones near Bourke Street in Surry Hills.
- a less than significant, non-pecuniary interest in Item 7.3 as she is an invited speaker at the Better Together National LGBTIQ+ Conference in Sydney, January 2019. She will not be paid a speaking fee.

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 Sub-Committee recommends the following:-

Item 7.2

Outdoor Alcohol Restrictions Consultation 2018

It is resolved that:

- (A) the following alcohol free zones are approved for establishment 24 hours a day, seven days per week until 22 March 2020:

Kings Cross Police Area Command

- (i) Badham Street

Redfern Police Area Command

- (ii) Balfour Street (between O'Connor Street and Meagher Street)

Surry Hills Police Area Command

- (iii) Clare Street
- (iv) Flinders Street (between Albion Street and Moore Park Road)
- (v) Floods Place
- (vi) Hill Street
- (vii) Linden Lane
- (viii) Maiden Lane
- (ix) Mary's Place
- (x) Short Place
- (xi) Short Street
- (xii) Patterson Lane; and

- (B) the following temporary alcohol free zone is approved for establishment 24 hours a day from 31 December 2018 to 1 January 2019 and from 31 December 2019 to 1 January 2020:

Sydney City Police Area Command

- (i) Hickson Road.

(Note - At the meeting of the Cultural and Community Committee, this recommendation was moved by Councillor Scully, seconded by Councillor Thalís, and was carried on the following show of hands –

Ayes (8) The Lord Mayor, Councillors Chung, Forster, Kok, Miller, Phelps, Scully and Thalís

Noes (1) Councillor Scott.)

Speakers

Superintendent Gavin Wood, Commander Surry Hills Police Area Command, addressed the meeting of the Cultural and Community Committee (Healthy Communities Sub-Committee) on Item 7.2.

X014979

The Sub-Committee recommends the following:-

Item 7.3

Knowledge Exchange Sponsorship - The Equality Project Australia

It is resolved that:

- (A) Council approve a cash sponsorship of \$20,000 (excluding GST) to The Equality Project Ltd. for the Better Together National LGBTIQ+ Conference 2019; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer a sponsorship agreement with The Equality Project Ltd.

(Note – At the meeting of the Cultural and Community Committee, this recommendation was moved by Councillor Scully, seconded by Councillor Scott, and carried unanimously.)

S117676

Item 8

Report of the Transport, Heritage and Planning Committee - 12 November 2018

Item 8.1

Disclosures of Interest

(a) Section 451 of the Local Government Act 1993

Councillor Linda Scott declared a non-significant pecuniary interest in Item 2 of the Transport, Heritage and Planning Committee agenda in that her husband owns shares in trust with another person in a deceased estate for a property in proximity to areas affected by proposals for this item.

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

(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 Transport, Heritage and Planning Committee.

The Committee recommends the following:-

Item 8.2

Public Exhibition - Sydney Development Control Plan 2012 Amendment - Late Night Trading 2018 (Not Liquor Licensing)

It is resolved that Council approve the Draft Sydney Development Control Plan 2012: Late Night Trading 2018, as shown at Attachment A to the subject report, for public exhibition for a minimum of 28 days.

(Note - At the meeting of the Transport, Heritage and Planning Committee, this recommendation was moved by Councillor Thalís, seconded by Councillor Scully, and carried unanimously).

Speakers

Mr Dino Dimitriadis, Ms Catherine Capolupo, Ms Michelle Perry, Ms Kerri Glasscock, Mr Michael Rodrigues, Mr Adrian Tonan and Ms Amanda Maxwell addressed the meeting of the Transport, Heritage and Planning Committee on Item 8.2.

X011942

The Committee recommends the following:-

Item 8.3

Adoption - Cycling Strategy and Action Plan 2018-2030

It is resolved that:

- (A) Council note the community consultation survey summary from public exhibition of the draft Cycling Strategy and Action Plan 2018-2030, as shown at Attachment A to the subject report, and the submission summary and responses, as shown at Attachment B, to the subject report;
- (B) Council adopt the final Cycling Strategy and Action Plan 2018-2030, as shown at Attachment C to the subject report; and
- (C) authority be delegated to the Chief Executive Officer to make minor variations to the City of Sydney Cycling Strategy and Action Plan 2018-2030, as required due to technical constraints or the like.

(Note - At the meeting of the Transport, Heritage and Planning Committee, this recommendation was moved by Councillor Thalís, seconded by the Chair (the Lord Mayor), and carried unanimously).

Speakers

Mr Murray Jewell and Ms Jan Wilson addressed the meeting of the Transport, Heritage and Planning Committee on Item 8.3.

X010848

The Committee recommends the following:-

Item 8.4

Post Exhibition - Planning Proposal: 4-6 Bligh Street, Sydney - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment and Planning Agreement

It is resolved that:

- (A) Council note the matters raised in response to the public exhibition of Planning Proposal - 4-6 Bligh Street, Sydney, and the Draft Sydney Development Control Plan 2012 - 4-6 Bligh Street, Sydney, as shown in Attachment A to the subject report;
- (B) Council approve Planning Proposal - 4-6 Bligh Street, Sydney, as shown at Attachment B to the subject report, and request the relevant local plan making authority make as a local environmental plan under section 3.36 of the Environmental Planning and Assessment Act 1979;
- (C) Council approve Draft Sydney Development Control Plan 2012 - 4-6 Bligh Street, Sydney, as shown in Attachment C to the subject report, noting that the approved development control plan will come into effect on the date of publication of the subject local environmental plan;
- (D) authority be delegated to the Chief Executive Officer to make any minor amendments to the Planning Proposal - 4-6 Bligh Street, Sydney and Sydney Development Control Plan 2012 - 4-6 Bligh Street, Sydney to correct any minor errors or omissions prior to finalisation; and
- (E) Council note that the Planning Agreement, as shown at Attachment D to the subject report, has been executed on behalf of Council in accordance with Environmental Planning and Assessment Act 1979.

(Note - At the meeting of the Transport, Heritage and Planning Committee, this recommendation was moved by Councillor Thalís, seconded by the Chair (the Lord Mayor), and carried unanimously).

Speakers

Mr Taylor Vernon addressed the meeting of the Transport, Heritage and Planning Committee on Item 8.4.

X011838

The Committee recommends the following:-

Item 8.5

Fire Safety Reports

It is resolved that Council:

- (A) note the contents of the Fire Safety Report Summary Sheet, as shown at Attachment A to the subject report;
- (B) note the inspection reports by Fire and Rescue NSW, as shown at Attachment B and Attachment C to the subject report;
- (C) exercise its power to issue a Fire Safety Order as recommended by the City's Investigation Officer to address the identified fire safety deficiencies in 100 Elizabeth Bay Road, Elizabeth Bay, as detailed in Attachment B; and
- (D) not exercise its power to issue a Fire Safety Order at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 44-44B Darlinghurst Road, Potts Point, as detailed in Attachment C.

(Note - At the meeting of the Transport, Heritage and Planning Committee, this recommendation was moved by Councillor Thalís, seconded by Councillor Miller, and carried unanimously).

S105001.002

Item 9

Property Matter - Sydney

Document to Follow

Item 10

International Travel - Guangzhou International Award for Urban Innovation for Green Square

Document to Follow

Item 11

Proposed Schedule of Meetings and Briefings for 2019

File No: S063444

Summary

This report requests that Council approve the draft Schedule of Meetings and Briefings for 2019.

Recommendation

It is resolved that Council adopt the draft Schedule of Meetings and Briefings for 2019, as shown at Attachment A to the subject report.

Attachments

Attachment A. Draft Schedule of Meetings and Briefings for 2019

Background

1. The draft Schedule of Meetings and Briefings for calendar year 2019 (Attachment A) has been prepared on the basis of the three week meeting cycle (Councillor Briefings, Committees and Council), consistent with the meeting arrangements adopted by Council in previous years. The draft schedule proposes 10 meeting cycles for the calendar year 2019.
2. Section 365 of the Local Government Act 1993 states that "the council is required to meet at least 10 times each year, each time in a different month", with "year" meaning the period from 1 July to the following 30 June (the financial year).
3. To ensure compliance with the provisions of Section 365, the draft Schedule of Meetings and Briefings for the calendar year 2019 provides for:
 - (a) five meetings in the first half of 2019 (making a total of 10 meetings for the 2018/19 financial year, inclusive of the five meetings of Council which will have been held in the second half of 2018); and
 - (b) five meetings of Council held in the second half of 2019 (making a total of 10 meetings for the 2019/20 financial year, on the basis that a further five meetings of Council will be scheduled for the first half of 2020).
4. It is noted that:
 - (a) the 2019 Annual Conference of Local Government NSW will be held from 14 October 2019 to 16 October 2019; and
 - (b) if considered necessary, additional "tentative" briefings dates, intended to accommodate such matters as external presentations, workshops and other non-meeting agenda items, will be separately distributed to Councillors, following approval of the draft schedule.

Relevant Legislation

5. Local Government Act 1993 (section 365).
6. The Local Government (General) Regulation 2005 provides (clause 232(2)) that a notice giving details of Council meetings must be published in a newspaper. A suitable notice detailing the program as adopted by Council will be published in the early part of next year.
7. The Code of Meeting Practice applies.

Critical Dates / Time Frames

8. It would be appropriate for Council to now determine a program of meetings for next year to enable all interested parties to plan their commitments.

LEANDER KLOHS

Executive Manager, Office of the Chief Executive Officer

Attachment A

**Draft Schedule of Meetings and Briefings
for 2019**

DRAFT SCHEDULE OF MEETINGS AND BRIEFINGS FOR 2019

DATE	MEETING
SCHOOL HOLIDAYS – Monday 24 December 2018 to Monday 28 January 2019	
TUESDAY 29 JANUARY	<ul style="list-style-type: none">• BRIEFINGS
MONDAY 4 FEBRUARY	<ul style="list-style-type: none">• COMMITTEES
MONDAY 11 FEBRUARY	<ul style="list-style-type: none">• COUNCIL
MONDAY 18 FEBRUARY	<ul style="list-style-type: none">• RECESS
MONDAY 25 FEBRUARY	<ul style="list-style-type: none">• BRIEFINGS
MONDAY 4 MARCH	<ul style="list-style-type: none">• COMMITTEES
MONDAY 11 MARCH	<ul style="list-style-type: none">• COUNCIL
MONDAY 18 MARCH	<ul style="list-style-type: none">• RECESS
MONDAY 25 MARCH	<ul style="list-style-type: none">• BRIEFINGS
MONDAY 1 APRIL	<ul style="list-style-type: none">• COMMITTEES
MONDAY 8 APRIL	<ul style="list-style-type: none">• COUNCIL
SCHOOL HOLIDAYS – Monday 15 April to Friday 26 April 2019	
MONDAY 15 APRIL	<ul style="list-style-type: none">• RECESS
MONDAY 22 APRIL	<ul style="list-style-type: none">• RECESS – (Easter Monday)
THURSDAY 25 APRIL	<ul style="list-style-type: none">• (ANZAC Day)
MONDAY 29 APRIL	<ul style="list-style-type: none">• BRIEFINGS
MONDAY 6 MAY	<ul style="list-style-type: none">• COMMITTEES
MONDAY 13 MAY	<ul style="list-style-type: none">• COUNCIL
MONDAY 20 MAY	<ul style="list-style-type: none">• RECESS
MONDAY 27 MAY	<ul style="list-style-type: none">• RECESS

DRAFT SCHEDULE OF MEETINGS AND BRIEFINGS FOR 2019

DATE	MEETING
MONDAY 3 JUNE	<ul style="list-style-type: none">• BRIEFINGS
MONDAY 10 JUNE	<ul style="list-style-type: none">• RECESS - (Queen's Birthday)
MONDAY 17 JUNE	<ul style="list-style-type: none">• COMMITTEES
MONDAY 24 JUNE	<ul style="list-style-type: none">• COUNCIL
MONDAY 1 JULY	<ul style="list-style-type: none">• RECESS
SCHOOL HOLIDAYS - Monday 8 July to Friday 19 July 2019	
MONDAY 8 JULY	<ul style="list-style-type: none">• RECESS
MONDAY 15 JULY	<ul style="list-style-type: none">• RECESS
MONDAY 22 JULY	<ul style="list-style-type: none">• RECESS
MONDAY 29 JULY	<ul style="list-style-type: none">• RECESS
MONDAY 5 AUGUST	<ul style="list-style-type: none">• BRIEFINGS
MONDAY 12 AUGUST	<ul style="list-style-type: none">• COMMITTEES
MONDAY 19 AUGUST	<ul style="list-style-type: none">• COUNCIL
MONDAY 26 AUGUST	<ul style="list-style-type: none">• BRIEFINGS
MONDAY 2 SEPTEMBER	<ul style="list-style-type: none">• COMMITTEES
MONDAY 9 SEPTEMBER	<ul style="list-style-type: none">• COUNCIL
MONDAY 16 SEPTEMBER	<ul style="list-style-type: none">• RECESS
MONDAY 23 SEPTEMBER	<ul style="list-style-type: none">• RECESS
SCHOOL HOLIDAYS - Monday 30 September to Friday 11 October 2019	
MONDAY 30 SEPTEMBER	<ul style="list-style-type: none">• BRIEFINGS
MONDAY 7 OCTOBER	<ul style="list-style-type: none">• RECESS - (Labour Day)

DRAFT SCHEDULE OF MEETINGS AND BRIEFINGS FOR 2019

DATE	MEETING
MONDAY 14 OCTOBER	• RECESS (LGNSW Conference)
MONDAY 21 OCTOBER	• COMMITTEES
MONDAY 28 OCTOBER	• COUNCIL
MONDAY 4 NOVEMBER	• BRIEFINGS
MONDAY 11 NOVEMBER	• COMMITTEES
MONDAY 18 NOVEMBER	• COUNCIL
MONDAY 25 NOVEMBER	• BRIEFINGS
MONDAY 2 DECEMBER	• COMMITTEES
MONDAY 9 DECEMBER	• COUNCIL
MONDAY 16 DECEMBER	• RECESS
SCHOOL HOLIDAYS – Monday 23 December 2019 to Monday 27 January 2020	

The recess continues until the first Committee meetings of 2020.

Item 12

Questions on Notice

Skating Facilities in the City

1. By Councillor Scott

Question

In December 2013, the City resolved to “accelerate investigations for additional skate facilities at Green Square and Sydney Park”. In April 2015, Council further resolved to proceed with the scoping of skating facilities at Johnston’s Creek and Sydney Park, and to implement “skateable moments in the Green Square area, including Gunyama Park and Green Square Aquatic Centre, the South Sydney Hospital site and Matron Ruby Park”. This was affirmed in November 2015.

Please provide details of location and features of any planned or completed skate facilities at each of the following locations, and the planned timeline for their completion:

- Johnston’s Creek;
- Sydney Park;
- Gunyama Park and Green Square Aquatic Centre;
- South Sydney Hospital site; and
- Matron Ruby Park.

Please provide details of any skating facilities projects which were commenced after December 2013, and which have been completed as of November 2018.

S129275

Drying Green Park

2. By Councillor Scott

Question

As per the 2018/19 Quarter 1 Review – Delivery Program 2017–2021 Report, the Drying Green Park project is proceeding with an alternative delivery model.

Please detail:

- why the delivery model was changed; and
- the proposed alternative delivery model.

S129275

Pedestrian Journey Times

3. By Councillor Scott

Question

The City has highlighted decreasing waiting times and journey times for pedestrians as a priority in the 2018/19 Quarter 1 Review – Delivery Program 2017–2021.

Please detail:

- how many alternatives to pedestrian intersection crossings have been researched or considered;
- how many have been unable to proceed, and where, with reasons; and
- how many will be able to proceed, and where, with reasons.

S129275

Recycling Crisis

4. By Councillor Scott

Question

Recycling processing costs have been subject to ongoing increases due to the effects of the China National Sword Policy.

Please detail the increased costs incurred by the City that are associated with the China Sword crisis and reasons for them.

Please detail, since the City began recording the rates, the annual rates and quantum of recycling in the City of Sydney. Where possible, please also detail the recycling rates as a proportion of the City's entire waste collection stream that is collected.

S129275

Alcohol Free Zones

5. By Councillor Scott

Question

Broken down by year, please detail the total number of alcohol free zones in the City of Sydney on 31 December, between 2004 and 2018.

By what percentage have alcohol free zones in the City increased between 31 December 2004 and 31 December 2018?

Broken down by year, since 2004, please detail how many alcohol free zones were requested by category (e.g. NSW Police, private residents, initiated by the City)?

S129275

Overweight Vehicles on Maddox Street

6. By Councillor Chung

Question

On April 23 2018, the City received advice from Roads and Maritime services that Council Rangers now had the authority to enforce infringement notices to vehicles violating the weight limit on City of Sydney roads, particularly Maddox Street, Alexandria.

Can the Lord Mayor please provide an update of the following data related to ranger patrols on Maddox Street, Alexandria, since 7th May 2018:

1. What is the total amount of operational hours that has been dedicated to this enforcement?
2. What is the total amount of 'static patrol' hours that rangers have spent in Maddox Street?
3. What is the average time period that rangers have been based at Maddox Street on a patrol day?
4. How many vehicles have been detected subject to the '3 Tonne - No Truck' signage?
5. How many letters of demand (infringement notices) have been issued?
6. Could the Lord Mayor please provide a monthly summary of how many static hours were undertaken by rangers and how many infringement notices were issued from April to October 2018?

S129268

Return and Earn Reverse Vending Machine

7. By Councillor Chung

Question

In the July 18 CEO Update, an update was provided on the Return and Earn Reverse Vending Machines in the City. At that stage, there was not a suitable site identified to locate a Reverse Vending Machine (RVM) and staff were coordinating with TOMRA Cleanaway and the Network Operator to discover potential sites for a RVM.

1. What further discussions has the City of Sydney had with Property NSW regarding the request to support site RVMs on NSW Government-owned land in the LGA?
2. Since July 2018, what sites have been recommended as suitable RVM locations following investigations by TOMRA?
3. Can the Lord Mayor please identify if there are any future key events where a RVM could be utilised?
4. Can the Lord Mayor please advise what progress has been made regarding agreements, through discussions with Better Buildings Partnership, to site RVMs on any available commercially owned and in the LGA?
5. What City of Sydney owned or controlled sites have been considered for a RVM?

S129268

Alternative Waste Treatment

8. By Councillor Scott

Question

Please detail the financial and other implications for the City of Sydney of the NSW Government's decision to cease alternative waste treatment (AWT) outputs in NSW.

S129275

Item 13

Supplementary Answers to Previous Questions

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

Item 14.1

Notices of Motion

Living Sydney 2050

By Councillor Miller

It is resolved that:

- (A) Council note that:
- (i) increasing the volume and biodiversity of flora and fauna in a city can improve overall health, wellbeing, productivity and social cohesion. It can help to cool the city, reducing the risks associated with extreme heat;
 - (ii) the City of Sydney has long recognised this and worked hard to increase the canopy cover and biodiversity in our area as part of Sustainable Sydney 2030;
 - (iii) our Greening Sydney Plan was adopted in 2012 and the Urban Ecology Strategic Action Plan was adopted in 2014;
 - (iv) in the last 13 years, the City has planted over 12,847 new street trees and added over 81,010 square metres of street gardens;
 - (v) the Office of the Government Architect is also promoting more liveable, resilient, healthy and sustainable cities through their 'Greener Places' framework. Planning Priority E17 in the Greater Sydney Commission's Eastern City District Plan identifies the importance of tree canopy and the delivery of open space connections to achieve the benefits of Sydney's Blue Green Grid;
 - (vi) new research is emerging that shows that climate change is creating new risks for the urban ecology of Australian cities. Given that these risks are likely to increase, staff should review our existing plans to ensure they adequately protect the city;
 - (vii) this includes reviewing the tree species in our inventory to ensure they will tolerate more extreme droughts, an assessment of rooftop and laneway space for potential planting, assessing soil health, and offering more protection to fauna as we experience more days of extreme heat;
 - (viii) Council will continue to advocate for the State to maximise urban canopy, open space, permeable surfaces, green roofs and walls; and
 - (ix) consultation for Sustainable Sydney 2050 is underway and provides an opportunity to engage our communities on best practice urban ecology, urban agriculture, biophilic, regenerative, adaptive and water sensitive urban design; and

- (B) the Chief Executive Officer be requested to:
- (i) investigate best practice approaches to improving the City's urban ecology as part of the Sustainable Sydney 2050 consultation and use that to update the overarching strategic approach and relevant city plans;
 - (ii) look at whether that could include prioritising outcomes and exploring levers for achieving them such as the review of forthcoming Local Environment Plans, development control plans, tender documents, major projects, demonstration projects, new programs (such as a Living Infrastructure Partnership), via our grants or planning controls, community engagement, new targets, regulatory barriers and advocacy priorities; and
 - (iii) provide an indicative timeline for when this review might take place via CEO Update.

S129262

Item 14.2

Notices of Motion

City of Sydney Event Guidelines - Balloons

By Councillor Forster

It is resolved that:

(A) Council note:

- (i) the City of Sydney Event Guidelines currently state that 'The City of Sydney has a no balloons policy in all of its parks and open spaces' and that 'Balloons will not be permitted for any events';
- (ii) in both 2016 and 2017, the Balloon Artists and Suppliers Association of Australasia (BASA) entered a float in the Sydney Gay and Lesbian Mardi Gras Parade, both of which were accepted and approved by the event organiser, the City of Sydney;
- (iii) the City of Sydney Event Application form has only recently been updated and now explicitly states that 'Balloons are not permitted';
- (iv) as a result, BASA were unable to enter a float in the 2018 Mardi Gras Parade and will be unable to participate in future parades;
- (v) the balloons used in the previous BASA floats are made of latex rubber and are 100% biodegradable;
- (vi) the balloons used in the previous BASA floats are filled with air, not helium, so cannot float away;
- (vii) the balloons used in the previous BASA floats are attached directly to the float and do not require any additional plastic ties or clips; and
- (viii) the balloons used in the previous BASA floats have been responsibly disposed of following the completion of the parades; and

(B) the Chief Executive Officer be requested to:

- (i) provide an exemption with regard to the use only of biodegradable, air-filled balloons for the Sydney Gay and Lesbian Mardi Gras Parade; and
- (ii) require parade entrants wishing to use such balloons to give a written undertaking to dispose of them responsibly after the conclusion of the parade.

S129260

Item 14.3

Notices of Motion

Belmore Park Fence

By Councillor Thalís

It is resolved that:

(A) Council note:

- (i) the Belmore Park Draft Plan of Management was developed back in 1993;
- (ii) the City's Chinatown and City South Public Domain review in 2015 recommended:
 - (a) a Master Plan be developed for Belmore Park;
 - (b) accessibility, appearance and amenity of the park for all users be improved;
 - (c) entrances to the park and, where possible, the permeability of the park's edges be improved;
 - (d) the sense of openness within the park be improved;
 - (e) that the fence and understorey planting along the western edge of the park be removed to improve physical and visual permeability; and
 - (f) new access points be created from the footpath along the western viaduct into the park;
- (iii) the City is working on an updated City South Public Domain Plan;
- (iv) governments in other jurisdictions are working on projects that open up, improve access, and lower and remove fences around their parks (e.g. Parks Without Borders in New York City);
- (v) Belmore Park is a key pedestrian route between Haymarket and Central Station;
- (vi) entrances to Belmore Park are limited to Eddy Avenue and Hay Street; and
- (vii) Belmore Park is situated in between two high embankments that support road, light rail and heavy rail and that create a significant barrier for people accessing the park; and

- (B) the Lord Mayor be requested to write to the Minister for Transport requesting:
- (i) the removal of the fence along the western boundary of Belmore Park; and
 - (ii) installation of additional entry points (particularly in the south-western corner of the park for people walking to and from Railway Square, Central Railway Station and the Light Rail terminus).

S129265