

# Council

Meeting No 3

Monday 11 March 2019

Notice No 3/1603

Notice Date 7 March 2019

*minutes*

*city of villages*

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Present

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

Members Deputy Lord Mayor - Councillor Linda Scott, Councillor Craig Chung, Councillor Christine Forster, Councillor Jess Miller, Councillor Robert Kok, Councillor Professor Kerryn Phelps AM MP, Councillor Jess Scully, Councillor Professor Philip Thalys and Councillor Angela Vithoukias.

At the commencement of business at 5.03 pm, those present were:-

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

Councillor Vithoukias left the meeting of Council at 6.20pm during discussion on Item 3.3 and prior to the vote on that item. She did not return to the meeting of Council.

Councillor Miller returned to the meeting of Council at 6.46 following the adjournment, returning after the vote on items 6.2 to 6.5 and 6.7, which were voted on in globo, and during the discussion of item 6.6.

Councillor Phelps returned to the meeting of Council at 6.46 following the adjournment, returning after the vote on items 6.2 to 6.5 and 6.7, which were voted on in globo, and during the discussion of item 6.6.

The Chief Financial Officer, Director City Projects and Property, Director City Life, Director Legal and Governance, Director People, Performance and Technology, Director City Services, Director City Planning, Development and Transport and Chief Operating Officer were also present.

### **Opening Prayer**

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

**Item 1      Confirmation of Minutes**

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

That the Minutes of the meetings of Council of Monday, 11 February 2019 and Monday, 4 March 2019, as circulated to Councillors, be confirmed.

Carried unanimously.

## Item 2 Disclosures of Interest

### (a) Section 451 of the Local Government Act 1993

The Lord Mayor, Councillor Clover Moore, made the following disclosures:

- a less than significant, non-pecuniary interest in Item 8.2 on the agenda, as a person involved with the Sydney Fringe Festival made a non-reportable donation to the Clover Moore Independent Team prior to the 2016 election.
- a significant, non-pecuniary interest in Item 8.4 on the agenda in respect of the recommended grant to Millers Point Community Garden Group, in that a member of the Group made a reportable donation to the Clover Moore Independent Team for the 2016 election campaign.

The Lord Mayor noted that, at the meeting of Committees on 4 March 2019, an alternate recommendation was endorsed for Item 8.4, which delegates the determination of this grant item to the CEO, in accordance with clause 4.19 of the Code of Conduct.

- a less than significant, non-pecuniary interest in Item 8.4 on the agenda in respect of the following grant recommendations:
  - in respect of the recommended grant to City Recital Hall Ltd: a member of the board made a non-reportable donation to the Clover Moore Independent Team prior to the 2016 election.
  - in respect of the recommended grant to Mardi Gras Arts Ltd: the Lord Mayor has been a long time participant in the Mardi Gras Parade and has worked with past Mardi Gras boards on a range of issues to support the annual Mardi Gras season.
  - in respect of the recommended grant to Story Factory Inc.: The Lord Mayor's Trust made donations to the Sydney Story Factory project, including a donation of seed funding which enabled the Story Factory to be established. Also, a person involved with Sydney Story Factory was a volunteer for the Clover Moore Independent Team's 2016 election campaign.

Councillor Linda Scott made the following disclosures:

- a less than significant, non-pecuniary interest in Item 3.2 on the agenda, in that she is the President of Local Government NSW.
- a less than significant, non-pecuniary interest in Item 7.3 on the agenda, in that an individual who had previously made a non-reportable donation to her resides in a building that is the recipient of one of the grants. Councillor Scott stated that the individual had not approached her or discussed the matter with her prior to coming to Council.
- a less than significant, non-pecuniary disclosure in Item 8.4 of the agenda as she was formerly the Chair of the Surry Hills Neighbourhood Centre.

Councillor Robert Kok made the following disclosures:

- a less than significant, non-pecuniary interest in Item 8.2 on the agenda. A person involved with Sydney Fringe Festival made a non-reportable donation to the Clover Moore Independent Team prior to the 2016 Local Government elections.
- a less than significant, non-pecuniary interest in Item 8.4 on the agenda. A member of the board of one of the recipients (City Recital Hall) made a non-reportable donation to the Clover Moore Independent Team prior to the 2016 Local Government elections.
- a less than significant, non-pecuniary interest in Item 8.4 on the agenda as a person involved with one of the recipients (Sydney Story Factory) was a volunteer for the Clover Moore Independent Team's 2016 election campaign.
- a significant, non-pecuniary interest in Item 8.4, as a member of one of the recipients (Millers Point Community Garden Group) made a reportable donation to the Clover Moore Independent Team prior to the 2016 Local Government elections.

Councillor Kok noted that he made these disclosures at Committees as well.

Councillor Jess Miller made the following disclosures:

- a less than significant, non-pecuniary interest in Item 7.3 on the agenda, in respect to the recommended innovation grant to the University of Technology Sydney. Councillor Miller stated that she had previously done work with someone involved in the Green Wall bot project.
- a less than significant, non-pecuniary interest in Item 7.4 on the agenda, as she had previously done work for 1 Million Women Limited.
- a less than significant, non-pecuniary interest in Item 8.2 of the agenda as a person involved with the Sydney Fringe Festival made non-reportable donation to the Clover Moore Independent Team prior to the 2016 election.
- a less than significant, non-pecuniary interest in Item 8.4 of the agenda in respect of the following grant recommendations:
  - in respect of the recommended grant to City Recital Hall Ltd: a member of the board made a non-reportable donation to the Clover Moore Independent Team prior to the 2016 election.
  - in respect of the recommended grant to Mardi Gras Arts Ltd: a member of the board is an acquaintance of Councillor Miller's, however they have had no communication regarding the application.
  - in respect of the recommended grant to Story Factory Inc. a person involved with Sydney Story Factory was a volunteer for the Clover Moore Independent Team's 2016 election campaign.
- a significant, non-pecuniary interest in Item 8.4 of the agenda in respect to the recommended grant to the Millers Point Community Garden Group. A member of the Community Garden Group made a reportable donation to the Clover Moore Independent Team prior to the 2016 election.

Councillor Philip Thalys made the following disclosures:

- a less than significant, non-pecuniary interest in Item 8.2 on the agenda, in that a person involved with Sydney Fringe Festival made a non-reportable donation to the Clover Moore Independent Team prior to the 2016 Local Government elections.
- a less than significant, non-pecuniary interest in Item 8.4 on the agenda, in that a member of the board of one of the recipients made a non-reportable donation to the Clover Moore Independent Team prior to the 2016 Local Government elections.
- a less than significant, non-pecuniary interest in Item 8.4 on the agenda, as a person involved with one of the recipients was a volunteer for the Clover Moore Independent Team's 2016 election campaign.
- a significant non-pecuniary interest in Item 8.4, as a member of one of the recipients (Millers Point Community Garden Group) made a reportable donation to the Clover Moore Independent Team prior to the 2016 Local Government elections.

Councillor Thalys noted that, at the meeting of Committees on 4 March 2019, an alternate recommendation was endorsed for Item 8.4, which delegates the determination of this grant item to the CEO, in accordance with clause 4.19 of the Code of Conduct.

Councillor Kerryn Phelps made the following disclosures:

- a less than significant, non-pecuniary interest in Item 8.2 of the agenda in that a person involved in the Festival made a non-reportable donation to the Clover Moore Independent Team 2016 election campaign.
- a less than significant, non-pecuniary interest in Item 8.4 of the agenda regarding the City Recital Hall grant, as a board member made a non-reportable donation to the Clover Moore Independent Team 2016 election campaign.
- a less than significant, non-pecuniary interest in Item 8.4 of the agenda regarding the Sydney Story Factory grant, as a person involved in the organisation was a volunteer on the Clover Moore Independent Team 2016 election campaign.
- a significant, non-pecuniary interest in Item 8.4 of the agenda regarding the grant to the Millers Point Community Garden as a member of that group made a reportable donation to the Clover Moore Independent Team 2016 election campaign.

Councillor Phelps stated that she is no longer a member of the Clover Moore Independent Team Party, was not aware of these applications prior to the Committee papers being released, and has not spoken to any applicants about these matters.



Councillor Jess Scully made the following disclosures:

- a less than significant, non-pecuniary interest in Item 8.2 of the agenda as a person involved with the Sydney Fringe Festival made a non-reportable donation to the Clover Moore Independent Team prior to the 2016 election.
- a less than significant, non-pecuniary interest in Item 8.4 of the agenda in respect of the following grant recommendations:
  - the City Recital Hall Ltd as a member of the board made a non-reportable donation to the Clover Moore Independent Team prior to the 2016 election, and
  - the Sydney Story Factory where Councillor Scully has previously volunteered. Also, a person involved with Sydney Story Factory was a volunteer for the Clover Moore Independent Team's 2016 election campaign.
- a significant, non-pecuniary interest in Item 8.4 of the agenda, as a member of the Millers Point Community Garden Group made a reportable donation to the Clover Moore Independent Team prior to the 2016 Local Government elections.

Councillor Scully noted that, at the meeting of Committees on 4 March 2019, an alternate recommendation was endorsed for Item 8.4, which delegates the determination of this grant item to the CEO, in accordance with clause 4.19 of the Code of Conduct.

No other councillors disclosed any pecuniary or non-pecuniary interests in any matter on the agenda for this meeting of Council.

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

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

### Item 3 Minutes by the Lord Mayor

#### Item 3.1 Music Festival Licensing

#### Minute by the Lord Mayor

To Council:

I have received a letter from Kerri Glasscock, Co-chair of the City of Sydney's Nightlife and Creative Sector Advisory Panel, relaying the Panel's concerns about the Liquor Amendment (Music Festivals) Regulation 2019 which came into effect on 1 March 2019.

The NSW Government has justified the regulation, which creates a new "music festival licence", claiming it is necessary to improve safety at large music festivals.

The Panel is deeply concerned about the economic and cultural impacts that this rushed regulatory change will have on the live music industry and our sectors. The Panel points out that the contemporary music industry contributes \$3.6 billion and 23,207 jobs to the NSW economy, "with music festivals providing a platform that celebrates our sub cultures and provides the community with a space to connect".

Many in the sector share these concerns, which include:

- the lack of time given and consultation undertaken to develop a completely new legislative approach;
- the government's overwhelming focus on regulation and enforcement without a similar focus on drug harm minimisation;
- considerable confusion and lack of clarity and transparency about the requirements which must be met to obtain a music festivals license; and
- the additional financial burdens relating to the music festivals licence.

On 21 February 2019, thousands gathered in Hyde Park for the 'Don't kill live music' rally to protest against the regulation and the government's attack on music festivals. Among the many powerful speakers was Councillor Jess Scully, who described the music festivals license as a "*half-baked rush job*" pointing out that there was only 90 minutes of consultation with the sector.

She said the festivals license undermined the role that local councils play in approving local events. "*Local governments are responsible for approving festivals development applications under the Environmental Planning and Assessment Act 1979, and our expert staff coordinate with local NSW Health and NSW Police on a daily basis.*"

*"Under the festivals license, that power moves away from local communities and to the office of Liquor and Gaming, but they don't have the local knowledge, the technical expertise or the staff to do this in a timely way, or to understand local needs and conditions. This is undermining local governments and stripping control from local communities across the state."*

On 23 February 2019, the Australian Festivals Association, Live Performance Australia, APRA/AMCOS, MusicNSW and the Live Music Office called on the Government to defer implementation of the new regulation to allow for genuine and extensive consultation with the sector, and for the regulation's economic, cultural and operational impacts to be understood. This call was ignored.

Instead, on the same day, the Government announced that 14 festivals would be subject to the new licensing regime. This did not allay the disquiet and uncertainty within the sector.

I believe Council should support the Panel's request and call for a repeal of the new music festival regulation until further consultation with the sector can be carried out and a regulatory impact review is undertaken.

### **Recommendation**

It is resolved that Council support calls for the Liquor Amendment (Music Festivals) Regulation 2019 to be repealed to allow for:

- (A) genuine and comprehensive consultation with the live music and festival sector; and
- (B) a comprehensive review of the economic, social, cultural and operational impacts of the regulation.

### **COUNCILLOR CLOVER MOORE**

Lord Mayor

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

That the minute by the Lord Mayor be endorsed and adopted.

Carried unanimously.

S051491

## Item 3.2 Waste and the Circular Economy in NSW

### Minute by the Lord Mayor

To Council:

The City of Sydney local government area alone produces more than 5,500 tonnes of waste every day, of which the City directly manages less than 10 per cent. It is estimated that around 60 per cent of the total waste produced is already recycled, but this means more than 2,000 tonnes still goes to landfill each day, with no further opportunity for reuse, recycling or recovery for energy.

This landfill figure is likely to rise due to:

- China's more stringent rules around importing recyclable materials;
- a lack of reprocessing facilities in NSW;
- a weak regulatory framework around recycling and resource recovery; and
- a lack of competition in major waste and recycling service delivery.

The recent NSW Environment Protection Authority (EPA) decision to no longer allow mixed waste organic outputs to land has further exposed the industry to uncertainty around waste treatment. This leaves landfill, the worst option for the environment, as the only solution to a growing waste problem, and creates a significant risk of higher waste costs for Councils and ratepayers in future.

The City of Sydney is taking concerted action to meet our target of zero waste by 2030. We:

- will be introducing food and e-waste collection trials on the first of July this year;
- have developed new guidelines and an online tool to assist developers in designing better spaces for waste and recycling;
- have developed guidelines for reducing single use items at events and services; and
- have been working with corporate partners through the Better Buildings Partnership and the Sustainable Destination Partnership to encourage waste reduction.

But we cannot seriously begin to tackle the waste crisis without commitments from the NSW Government to transition our State towards circular economy.

For Sydney to be a world leading economy into the future, we must make this transition. We need long-term thinking and leadership from the Government to decouple economic activity from the consumption of finite resources, and to design waste out of the system.

We also need significant and urgent investments into waste management and recycling facilities to manage the crisis in the short term.

Local Government NSW figures show that, in 2016/17, the NSW Government collected \$726 million from local government, community, businesses and industry via the waste levy, but only committed to use \$72 million (or 10 per cent) on waste minimisation and recycling through its Waste Less Recycle More initiative in 2017/18.

Overall, the NSW Government's Waste Less Recycle More initiative allocates \$801 million over eight years (2013-2021) to waste and recycling, however, the waste levy collected over that same period will be over \$4.62 billion.

At a local government level, just 18 per cent of the \$300 million collected from the local government sector each year is reinvested in recycling and waste management.

The City's return on contribution to the waste levy is even smaller than this, we received just 11 per cent back in 2016/17 and this fell to 5 per cent in 2017/18.

Considerably greater investment is required to maintain existing recycling and recovery rates, and to move towards a circular economy.

Waste avoidance should always be the highest priority for our Governments. Reducing our reliance on single-use plastics in particular should be a focus, given the devastating impacts that plastic pollution is having on our planet, and on our oceans in particular.

All funds collected through the waste levy should be re-invested into waste management. This funding should be used to construct the facilities that the NSW EPA's Draft Waste and Resource Recovery Infrastructure Strategy identified as necessary for the Sydney region, such as Organics Recycling Facilities, and Packaging Material Recovery Facilities. Investment in dedicated textile reprocessing facilities is also needed.

Such facilities can provide substantial employment opportunities. The Waste Management Association of Australia claim that for every 10,000 tonnes of waste recycled, 9.2 jobs are created. These facilities can support job growth in regional areas that have good transport connections – such as inland rail connections.

The Government must use its significant purchasing power to specify re-used, repurposed and repairable goods, and materials with recycled content wherever possible in NSW Government contracts. This demand will stimulate investment in local reprocessing and re-manufacturing facilities in Australia, which will create job growth for skilled workers.

Metropolitan Sydney needs a thorough review of its waste transfer and treatment facilities, and a long term waste plan that identifies suitable areas for waste facility development. The development of new waste facilities can take up to ten years to deliver, which means they require a combination of long term regulatory certainty, financial certainty and clear planning pathways that extend beyond ten years. The EPA's website states that it expects to complete the *Draft Waste and Resource Recovery Infrastructure Strategy*, which it began consulting on in 2017, by the end of 2019. As the strategy only forecasts to 2021, it is not the long-term waste plan that we need.

Sydney also needs strategic planning for waste at a metropolitan level that identifies and secures land for our existing and future waste treatment capacity requirements. In NSW, the EPA is the environmental regulator and is responsible for promoting increased resource recovery, but it has limited ability to influence the strategic development and placement of waste or resource recovery treatment facilities.

As indicated in a recently released NSW Innovation and Productivity Council report, our state has research and industry strengths in the environmental goods and services sector. If the NSW Government were to send a clear signal that developing this sector was a strategic priority for our state, and support this with significant and sustained investment, it has strong potential for innovation-led growth, high-skilled jobs and exports.

**Recommendation**

It is resolved that Council call on all political parties in NSW to commit to:

- (A) banning single-use plastics within the next Government term;
- (B) re-investing 100 per cent of the waste levy funding into long-term sustainable waste and resource management solutions;
- (C) urgently constructing the facilities that the NSW Environment Protection Authority's Draft Waste and Resource Recovery Infrastructure Strategy identified as necessary for the Sydney region, as well as dedicated textile reprocessing plants;
- (D) specifying the use of re-used, repurposed and repairable goods, and materials with recycled content wherever possible in NSW Government contracts;
- (E) conducting a thorough review of metropolitan Sydney's waste transfer and treatment, and developing a long-term waste plan that identifies suitable areas for waste facilities; and
- (F) nominating a single lead organisation as responsible for delivery of metropolitan waste infrastructure.

**COUNCILLOR CLOVER MOORE**

Lord Mayor

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

That the minute by the Lord Mayor be endorsed and adopted.

Carried unanimously.

S051491

### **Item 3.3 Report on International Travel - C40 Women4Climate Summit, Paris and City of London**

#### **Minute by the Lord Mayor**

Council:

On 10 December 2018, Council endorsed my participation in the third annual C40 Women4Climate Summit, which was held in Paris on 21 February 2019, and for further travel to London to meet with London Mayor Sadiq Khan and his Deputy Mayors and staff on 22 February 2019.

In this Minute, I provide a report back to Council about the trip and recommendations for action on the key issues and challenges arising from the Summit and my meetings in London.

While in Paris, I spoke at a number of high profile events and media conferences. I was asked to talk about our experience taking significant action on climate change despite hostile Federal and State Governments, our work fostering a green economy, and how I've seen the city change during my time as Lord Mayor.

In London my agenda for the day included:

- Meeting with Mayor Sadiq Khan;
- Joint Media Conference;
- Bilateral with Justine Simons, Deputy Mayor Culture and the Creative Industries;
- Bilateral with James Murray, Deputy Mayor Housing;
- Visit to Kings Crescent Estate, an affordable housing project with Deputy Mayor Murray and Philip Glanville the Mayor of Hackney; and
- Visit to Sir John Cass's Foundation School to learn about the City of London's air quality monitoring work and to look at a system located in the school.

My visit to both cities resulted in a number of media articles, across domestic and international media, as well as interviews with American and European radio and television reaching a global audience. On social media, our work reached well over 100,000 people across Twitter, Facebook and Instagram. See Attachment A for a list of stories.

A key theme in media coverage, and an inspiring message for global and particularly U.S. Mayors, was Sydney's capacity to set long-term strategy using ambitious emissions reductions targets and practical actions to achieve our objectives.

#### **Justice for Climate Conference**

The City of Paris hosted a conference focused on climate justice the day before the Women4Climate conference was held.

Mayor of Paris and C40 Chair, Anne Hidalgo, brought together mayors, leading activists, legal representatives and business leaders to discuss recent legal action undertaken by both city leaders and not for profit groups to force climate action and the implementation of the Paris Agreement.

To date, no major industrialised country is on track to meet the emissions reduction pledges that were agreed as part of the Paris Agreement. And while many national and state governments are failing to act, city leaders and their citizens are starting to successfully challenge this lack of action in the courts.

Recent cases discussed in the conference included:

**Paris, Madrid and Brussels** - in November 2018 a citizen-led petition, turned into a legal case by the mayors of Paris, Madrid and Brussels, scored a major victory by overturning the European Union's ineffective policy on diesel emissions. Also important was the fact that the General Court of the European Union accepted the 'admissibility of the actions' by the cities to challenge European law. Prior to that, only cases involving member states of the European Commission had been heard in the court. The decision set new precedent for other cities to take up challenges.

**Cape Town** - in South Africa the City of Cape Town has lodged a high-court application to allow it to purchase electricity from independent power producers operating with renewable energy. Currently cities and towns in South Africa are tied to one energy provider – Eskom – which relies predominantly on coal.

**French Petition** – two million French citizens have signed a petition to sue the French national Government for climate “in-action” and to ask for the urgent implementation of the Paris Agreement. Their goal is to have the Court recognise the obligation of the National Government to act to limit global warming to 1.5C to protect French people from the risks of climate change.

**The Netherlands** - in 2015, the Urgenda foundation and 900 Dutch citizens asked their High Court to recognise a “duty of care” and the introduction of an obligation to protect citizens and nature against global warming and polluting activities. On October 9 2018, the Judges agreed to that principle and Urgenda won their lawsuit against the Dutch State, forcing it to take stronger action to address climate change. The Dutch Government announced its intention to appeal the decision in November 2018.

**USA** - Similar action has been brought by students in the US in the case Juliana v. U.S. The plaintiffs are all minors, their complaint asserts that their Government's actions are contributing to climate change and that violates the youngest generation's constitutional rights to life, liberty, and property (equal-protection clause). The case also asserts that their Government has failed to protect essential public resources. The Trump Administration and the fossil fuel industry are trying to do everything they can to stop or delay the case from being heard.

**Australia** - On Friday 8 February 2019, the NSW Land and Environment Court upheld a previous decision to refuse consent for the Rocky Hill open cut coal mine in Gloucester. Justice Preston rejected the appeal saying the project was “in the wrong place at the wrong time.” Wrong place because it impacted the town's amenity, and wrong time because science clearly shows that we need to urgently and rapidly reduce emissions to meet the Paris Agreement. It was the first time an Australian Court had heard evidence of a global budget of greenhouse gas emissions to avoid dangerous climate change to justify the refusal of a new coal mine. This case sets a precedent not just for Australia but worldwide as well.

I spoke about the shameful lack of action in Australia. We are one of the highest per capita emitters and have one of the lowest reduction targets of all wealthy countries – 28 per cent over last decade.

Our Federal Government dismantled an effective carbon tax in 2013; slashed renewable targets; abolished the independent climate change authority and supported one of the world's largest coal mines.

Our State Government increased land clearing by 800 per cent; approved the expansion of a coal mine last year in Sydney's water catchment area – one of eight mines currently threatening our water supply; and is building WestConnex – the biggest private tolled motorway in the world.



I outlined the terrible changes to our environment and climate that we are already experiencing – the bleaching of the Great Barrier Reef; the millions of dead fish recently found in one of the country's major river systems; the fact that in 2018, our state was 100 per cent drought stricken; that out-of-control bushfires in Tasmania had threatened our world heritage forests, and that devastating floods had recently destroyed farms, cattle and wildlife in Queensland and Western Australia.

I then spoke about the work at the City. That even though we are being hampered by our National and State governments we have achieved impressive results through our work with business and residents.

I outlined that our population and economy had increased by 37 per cent since 2006 and, with business as usual, our greenhouse emissions would have increased by 50 per cent. Instead, we reduced emissions by 25 per cent in our own operations and city-wide by 20 per cent.

I also spoke about the inspiring courage and conviction of the thousands of students taking part in the school strikes to demand climate action. Young people recognise the injustice - they have contributed the least to climate change but will feel the brunt of its effects and stand to lose the most from government inaction.

After that conference, I joined other Mayors and attended the 34th Dinner of the French Jewish Community Umbrella Organisation where French President Emmanuel Macron spoke about the dangers of anti-Semitism.

### **C40 Women4Climate Conference**

The burden of climate change is not distributed equally - the poor, women, children and indigenous people face disproportionate risks. For people with no safety net, one drought can mean a tumble into further hardship.

Those hit hardest by climate change are generally the least responsible for causing it, and have the least capacity to adapt. The idea that vulnerable people, particularly in developed nations, should be fairly considered was enshrined in the Paris Agreement.

Men and women are affected differently by climate change due to different social and cultural roles. Given existing gender inequalities and development gaps, climate change places a greater burden on women.

Helping women fully participate in the fight against climate change has been one of Mayor Hidalgo's key priorities as C40 Chair.

The C40 Women4Climate initiative is focused on support for women leading the fight against climate change and a mentorship program for the next generation of women climate leaders.

The Women4Climate Summit is an annual event designed to bring global mayors, business leaders and innovative change makers together to showcase how women are taking the lead when it comes to climate action.

Before I left to go to the conference it was announced that the 4th Women4Climate Summit would be held in Sydney in 2020.

Themes for the 2019 conference included:

- **The Women4Climate Mentorship Programme:** Empowering the climate heroines and female leaders of tomorrow;
- **The launch of the Women4Climate research:** Addressing gender inequality in cities around the world through inclusive climate action plans;

- **The Women4Climate Tech Challenge:** Promoting and implementing innovative solutions to climate change and air pollution by women around the world; and
- **Inclusive climate action & equitable cities:** Showcasing female mayors committed to improving the everyday lives of their citizens.

I was involved in the following events as part of the conference:

### **Panel - What Makes a Smart City?**

**More jobs, cleaner air, safer communities** - moderated by Sruthi Gottipati, Editor-in-Chief, Brut India.

Clover Moore, Lord Mayor of Sydney

Rahm Emanuel, Mayor of Chicago

Catherine Guillouard, President, RATP

Bertrand Camus, Group SEVP Africa, Middle East, India, Asia & Pacific, SUEZ

During this panel session I was asked what Sydney is doing to foster a green economy and how we are ensuring that all residents will benefit. And how had I seen the city change in my time as Mayor, as well as what I thought were the biggest areas for growth?

It was exciting to learn about the work in Chicago – particularly their work retrofitting buildings across their city area, which is similar to our work with the BBP. So far, the project has included 90 buildings which have reduced energy usage by 20 per cent. Chicago also has a project underway to replace all their street lights with LEDs. They are currently two years into a four-year program.

Mayor Emanuel spoke about how he had been inspired by the Mayor of Vancouver talking about a similar project at a previous C40 event and I informed him that our LED program was also inspired by a fellow C40 city – Los Angeles. Chicago has also set a target to convert all street buses to electric buses by 2040. The City Government purchases solar and wind renewable energy and has worked to make cycling a faster, safer and more efficient option, which has resulted in Chicago now becoming one of the leading cycling cities in the US.

I also found it interesting to learn that Chicago introduced a small fee for all Uber and Lyft rides that goes into a public transport fund set up by the City Government. They also charge Airbnb a small fee for all bookings that goes to homelessness services and domestic violence shelters.

### **Media Sessions**

Close to 80 journalists, representing all major French media and international correspondents, attended the conference. I was interviewed in the media room by numerous journalists including those from France 24, Radio France, Elle magazine, Brut and Reuters International.

### **US Mayors Leading the Way Press Conference**

Since 2017, American mayors have emerged as the most passionate advocates for bold climate action in America and internationally. At the Women4Climate Conference, mayors and representatives of US cities updated the local and international media on how they intended to continue their campaign to honour the deal negotiated in Paris, and deliver sustainable, prosperous and healthy cities, regardless of the rhetoric from the White House.

Speakers:

**Mayor of Chicago, Illinois** - Rahm Emanuel

**Mayor of Charlotte, North Carolina** - Vi Lyles

**President of San Francisco Commission on the Environment** - Elmy Bermejo

Additional speakers to comment on the global perspective:

**Mayor of Paris and Chair of C40** – Anne Hidalgo  
**Lord Mayor of Sydney, Australia** – Clover Moore

### **Closing Speech**

I was asked to officially close the conference and to welcome everyone to Sydney next year.

During my speech I stressed how important it was for us to have C40 in Sydney. I said that our country is said to be the gateway to Asia – and that Asian cities, including those in China, have a major role to play in the global campaign to meet Paris targets.

That by hosting this conference in Sydney, we want to give a voice to the majority of Australians who believe the science and want action. And we hope that the presence of the Mayors at the C40 Women4Climate conference in Sydney will encourage our national government to lead Australia – the world's largest coal exporter and one of the world's highest emitters of greenhouse gases – in taking more ambitious action to address climate change.

### **Women4Climate Tech Challenge**

CEO Monica Barone also took part in the Summit. She was a judge in the Women4Climate Tech Challenge – an international contest open to women designing innovative, climate-focused tech solutions. The key goal of the Challenge was to pilot projects that would have a measurable impact in cities.

The challenge was won by two young women:

- Iodie Grimoin for her Urban Canopee project which will be trialled in Paris - [Urban Canopee](#) provides autonomous and connected vegetal structures which allows cities to massively accelerate greening wherever trees cannot grow.
- Inna Braverman for her Eco Wave Power project which will be trialled in Tel Aviv-Yafo - [Eco Wave Power](#) allows energy to be extracted from ocean waves and converts it into electricity. The technology allows for the generation of efficient, fully renewable, and 100% emission-free electricity at affordable prices. Eco Wave Power harnesses wave energy through uniquely shaped buoys that rise and fall with the motion of the waves. In 2016, Eco Wave Power opened the first 100KW grid connected power plant in Gibraltar.

Ultimately, the Tech Challenge aims to cultivate ground-breaking climate solutions that can be scaled and implemented in other C40 cities.

The CEO also held a number of side meetings with sponsors and C40 staff to discuss our summit in 2020.

### **Friendship City Chicago**

While I was at the C40 Women4Climate conference, the Mayor of Chicago asked if the City of Sydney would sign a Sister City Agreement. The City of Sydney and Chicago have much in common, including a focus on design and architecture, climate action and public art.

Chicago and Illinois also have strong economic ties with Sydney and Australia. There are over 30 Australian-based companies in the Chicago area, and 40 Chicago-area companies have a presence in Sydney. Total trade between Illinois and Australia is \$3.8 billion. The Australian Stock Exchange has its Australian base in Sydney and its U.S. base in Chicago.

I agreed to the request, but stated that our agreement could only be a Friendship City agreement as the Council in 1997 had resolved not to increase the number of sister city relationships that the City had. So for us, the City of Chicago is considered a “friendship city” but based on the City of Chicago’s guidelines for sister city relationships, we are considered a “sister city.”

Either way, this agreement does not commit the City financially to any commitments or require any new resources.

A full copy of the signed agreement is included in Attachment C.

### **London City**

I was honoured that the City of London had organised a full program of informative events and meetings for our visit.

My agenda for the day included:

- Meeting with Mayor Sadiq Khan;
- Joint Media Conference;
- Bilateral with Justine Simons, Deputy Mayor Culture and the Creative Industries;
- Bilateral with James Murray, Deputy Mayor Housing;
- Visit to Kings Crescent Estate, an affordable housing project with Deputy Mayor Murray and Philip Glanville the Mayor of Hackney; and
- Visit to Sir John Cass’s Foundation School to learn about the City of London’s air quality monitoring work and to look at a system located in the school.

Mayor Khan and I spoke about the links between Australia and Britain, the affordable housing crisis, diversity and integration, and the challenges of balancing the city’s late night economy with a growing city population.

Mayor Khan spoke about how London City Hall lobbied their National Government for action on issues critical to their community, including the need for more affordable housing. The City uses their own planning laws to demand more affordable housing on development sites across the city.

He spoke about the importance of integration in cities and the need to break down silos. He said he felt a great responsibility to ensure London remained a welcoming city.

He also said London was struggling with the same issue that we in Sydney are facing around live music and residential growth. He said they had been inspired by our work to introduce agent of change principles and had adopted them into their own planning framework.

Justine Simons, the Deputy Mayor Culture and Creative Industries, is also Chair of the World Cities Culture Forum, a network of local government and cultural sector leaders from 39 world cities, providing global leadership on culture through evidence, inspiration and global collaboration.

The City of Sydney has been a member since 2014 and has actively participated in the Annual Summit of the Forum since 2017.

Justine was enthusiastic about the Forum’s 2018 Report and Making Space for Culture, the most comprehensive reports ever published worldwide about culture and the role it plays in shaping city life, which were released late last year. These reports are based on extensive data and practice research, and demonstrate the power of culture to bring communities together.

The City of Sydney contributed a case study to Making Space for Culture, which sets out the work we are doing to reform planning policies to support the creative industries.

Other highlights in the reports include:

- in Hong Kong, Rome and Moscow, mobile arts venues and libraries are used to bring culture closer to citizens in every corner of their cities, particularly those areas with traditionally lower engagement with arts and culture;
- projects in Montréal, San Francisco and Melbourne, have been developed in collaboration with, and in recognition of, indigenous populations to celebrate and fully acknowledge the cultures of First Nations;
- a number of cities are working with migrants and refugees to provide cultural opportunities to marginalised groups, from support to refugee artist residencies in Paris to Brussels, to offering film screenings to refugees in parks, asylum centres and people's homes;
- Stockholm's cultural administration has teamed up with media company Consigo on a project called Tactsenze, enabling the visually-impaired to learn an instrument, an example of social inclusion through technology; and
- to respond to the needs of a growing ageing population Amsterdam's Age Friendly Cultural City program focuses specifically on cultural provision for the city's older residents.

Justine also spoke about a leading program London has established – the Culture at Risk initiative – which is a hotline for venues at risk of closure due to rising rates, increasing development and shifting populations. She said since it was established it had saved 300 venues, from grassroots music venues to LGBTQ spaces.

She said Mayor Khan had made culture and creative spaces one of his key priorities, because in the last decade London has lost 40 per cent of its live music venues, 30 per cent of its artist studios and 50 per cent of its nightclubs.

She said they were piloting six Creative Enterprise Zones across London. The zones are a bold new project aimed at allowing artists and creative businesses to put down roots in an area and protecting them from rising property prices. These clusters of creative activity include long term affordable workspaces for artists and creative businesses, support for start ups, and new jobs and training for local communities.

The idea for the zones was developed to counter the threat to their City's creative workforce which saw many creatives pushed out of the very neighbourhoods they had helped to revitalise because of the rapid pace of development.

She also told us about another new initiative that they had launched called the Creative Land Trust. The Trust is an independent organisation whose purpose is to secure permanent workspaces for artists in London. It offers financing for affordable workspace providers so that they can buy their own buildings as well as purchasing its own property to be used as permanent workspaces in London.

Its aim is to secure 1000 affordable workspaces in its first five years. The Trust has initially been funded via London City Hall, the Arts Council of England, Outset Contemporary Art Fund and Bloomberg Philanthropies.

The work that they are undertaking is incredibly inspiring and I believe City of Sydney staff should investigate London's Culture at Risk initiative; the Creative Enterprise Zones and Creative Land Trust as part of their work in developing a cultural infrastructure strategy, to see if they would benefit our city's cultural and creative sector.

James Murray Deputy Mayor of Housing took us through London's housing policies. He said their national Government held most of the levers and funding for home building and the City Government was responsible for the strategic planning.

He said Mayor Khan had made housing a priority when he was elected, in particular a commitment that there would be no net loss of social housing and that existing estates would be regenerated if the majority of residents in the estate agreed.

He spoke about a similar challenge to what we face in Sydney, where their National Government believes that you can trust the free market to solve the housing issue – that increasing housing supply will solve the affordable housing crisis. We both agreed that ideology had long been proven wrong.

London City Hall has a number of housing targets, including a strategic planning target that there will be 50 per cent affordable housing in all new developments. The Deputy Mayor is also investigating ways to support long-term renters to save a deposit to purchase their own home.

Kings Crescent is an ambitious estate regeneration project by London architects Karakusevic Carson, involving the comprehensive redevelopment of the Kings Crescent Estate in Hackney.

The 100 million pound, five-year project is one of Hackney's largest regeneration schemes and part of Hackney Council's program to deliver 3,000 new homes across 18 sites – with more than half for social rent and low-cost home ownership.

The full masterplan will see up to 472 new homes built, including:

- 97 council homes for social rent;
- 101 council homes for shared ownership; and
- the remainder for outright sale to help pay for them with little government funding for social housing.

The social rent homes will be allocated to families on their housing waiting list, with priority for residents in need living close to the development sites. The shared ownership homes are prioritised for people living and working in Hackney who are unable to afford to buy a home outright but are unlikely to be prioritised for social housing.

As well as the new homes, 275 current social homes received improvement works, including the installation of 'winter gardens' and balconies on homes that previously had no private outdoor space of their own. By upgrading the existing housing with large balconies, winter gardens and garages converted into new flats, the existing residents were part of the development and were allowed to remain in their homes throughout the works.

The development included the creation of new connections and permeable spaces including three courtyards and a new public space.

The first phase is now complete and the Council has begun consultation on the second phase, which will include up to 391 new and refurbished homes, new community and commercial spaces, and a big investment in public areas.

I was struck by the quality of design and the fact that the buildings were all low to mid rise – there were no tall towers. Each apartment block was designed the same way so there was no discernible difference between the types of housing. The Estate was surrounded by large, sunny green parks and even included a community garden. While at the Estate, I met a number of residents on low incomes who had been placed in new social housing and shared ownership housing and their gratitude and pride in their home was very moving.

Mayor Khan has also made reducing air pollution a key priority.

London's air quality is constantly monitored at around 100 different locations. These sites are operated and funded by London boroughs. The London Air website, run by King's College London, records real time and historical monitoring data. They directly notify schools, care homes and GP surgeries when there is moderate, high and very high pollution.

London is currently trialling a cutting-edge street-by-street air quality monitoring system which is being used to analyse harmful pollution in 1,000 toxic hotspots across the city, including near schools, hospitals, construction sites and busy roads. It will deliver the most comprehensive data on toxic pollution in the world.

London has also introduced the world's first toxicity charge for older, more polluting cars, and expanded their Ultra-Low Emission Zone, which is a traffic pollution charge aimed at reducing the exhaust gas emissions of diesel-powered commercial vehicles in London. Only vehicles that do not conform to stringent emission standards are charged.

This is expected to reduce harmful NO<sub>x</sub> (Nitrogen Oxides) emissions by about 50 per cent in central London, 40 per cent in inner London and 30 per cent in outer London.

London City Hall is also investing more than 300 million pounds to transform London's bus fleet by retrofitting thousands of buses and committing to phase out pure diesel double deck buses from 2018. They recently announced 12 Low Emission Bus Zones which put the greenest buses on the capital's most polluted routes.

The zones are expected to reduce NO<sub>x</sub> emissions by 84 per cent.

New taxis licensed after 1 January 2018 will also need to be zero emission. The new plans include new 'zero emission' ranks alongside a network of rapid electric charge points.

London and Paris have also both agreed to launch a new vehicle scoring scheme to help reduce the number of polluting vehicles in their cities. The Cleaner Vehicle Checker shows Londoners how much toxic NO<sub>x</sub> new cars emit, helping them to choose and buy less polluting vehicles.

The City of London has also launched an app called City Air. It includes a pollution map updated every hour, guides to the lowest pollution routes from anywhere in the city, and information about bus stops, stations and bike hire to help people move around the city.

Another focus is on reducing air pollution around schools. Fifty 'air quality' audits are taking place at primary schools in areas exceeding legal limits of nitrogen dioxide (NO<sub>2</sub>) and air quality monitoring stations are being installed in schools as well.

We visited Sir John Cass Foundation School – a primary school and childcare centre in the heart of London's city centre.

The school was approached in 2003 about a program to monitor and ultimately improve the air quality around the school. We were shown the 24-hour air quality monitoring station located in the school's playground as well as the many 'diffusion tubes' located in some classrooms, the gym, and externally around the school and monitoring station. The air quality monitoring station they are using is not prohibitively expensive and roughly cost less than 50,000 pounds.

All the data collected is verified by Kings College London, and feeds into a live 'map' of predicted pollution across London.

They were very proud to tell us that for the first time since monitoring began the annual measure of air pollution around the site had reduced to below the legal limit.

The main reasons for the reduction is the work that the City of London has undertaken to improve the public domain around the school – closing a busy vehicular laneway right next to the school and instead creating two new open spaces - Mitre Square and Aldgate Square. Footpaths were also widened around the school site and hundreds of plants and trees planted. Evidence shows that greening provides more surfaces to trap tiny polluting particles in the air.

It's clear from what I learnt in London that our State Government, who has responsibility for air pollution in NSW, is failing to keep up with the impressive work being undertaken by other cities, especially London, to protect the health of their communities.

I learned that in London more than 9,000 people die every year because of air pollution and the cost of air pollution to London's economy is 3.7 billion pounds.

The staff I spoke to who were responsible for monitoring London's air quality were shocked that our State Government was building the world's largest private tolled motorway in the city area and next to people's homes, schools and regional parks. It is obvious that this destructive project will dramatically increase air pollution in Sydney.

I believe our staff should investigate the installation of an air quality monitoring stations near congested roads in our area as soon as possible so that we can monitor the data before WestConnex starts operating, and then compare that to the data we get when it is opened.

### **Budget**

C40 covered most of my travel and accommodation costs and some costs for City staff. During the Council meeting on 10 December, Council endorsed a budget of approximately \$13,000 per person from funds available within existing operational budgets.

While final incidental costs are still to be reconciled, the trip will be under the budget approved by Council and more likely \$10,500 per person.

### **Support for the Student Climate Strike**

On Friday 15 March, at least 500 student protests are planned across 50 countries around the world to demand climate action. In Sydney, organisers are expecting over 10,000 students to strike.

Students taking part in the School Climate Strike want to stage a community event following the strike and we have been asked to support them.

The Climate Election Town Hall event, planned for Wednesday 27 March, will aim to bring together 1,000 students and adults from across the city so they can learn the latest strategies for championing climate leadership in their communities.

The event is being organised by Australian Youth Climate Coalition and Tipping Point. They are requesting that we support the event by providing the use of the Centennial Hall.

The School Strike for Climate movement has grown momentum across the globe at a spectacular pace. Veteran climate campaigners have been astonished by what has been achieved in such a short time, calling it "one of the most hopeful things in the last 30 years."

I strongly support what they are doing and believe we should provide value-in-kind sponsorship of the event.



## **Recommendation**

It is resolved that Council:

- (A) note the information provided in this report;
- (B) ask the CEO to investigate London's Culture at Risk initiative; the Creative Enterprise Zones and Creative Land Trust as part of staff work developing a cultural infrastructure strategy to see if they would benefit our city's cultural and creative sector;
- (C) ask the CEO to investigate the installation of air quality monitoring stations near congested roads as soon as possible;
- (D) stand in solidarity with all student activists striking for climate action on Friday 15 March; and
- (E) provide value-in-kind sponsorship to the Australian Youth Climate Coalition Ltd for the Climate Election Town Hall event not exceeding \$20,000 (ex-GST) for venue hire fee waiver.

## **COUNCILLOR CLOVER MOORE**

Lord Mayor

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

That the minute by the Lord Mayor be endorsed and adopted.

The minute was carried on the following show of hands –

Ayes (8)      The Chair (the Lord Mayor), Councillors Kok, Miller, Phelps, Scott, Scully, Thalys and Vithoukias

Noes (2)      Councillors Chung and Forster.

Minute carried.

S051491

**Procedural Motions**

During discussion on this matter, the following procedural motion was moved by Councillor Forster, seconded by Councillor Chung –

That the motion be voted on in five separate sections – (A) to (E) separately.

The procedural motion was declared lost on the following show of hands -

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

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

A further procedural motion was moved by Councillor Forster, seconded by Councillor Chung –

That the motion be voted on in two sections, firstly parts (A) to (C), and then parts (D) and (E).

A show of hands on the motion resulted in an equality of voting as follows:

Ayes (5) Councillors Chung, Forster, Phelps, Scott, and Vithoukias

Noes (5) The Chair (the Lord Mayor), Councillors Kok, Miller, Scully, and Thalís

The Lord Mayor exercised her casting vote against the motion. The motion was declared lost.

**Item 4      Memoranda by the Chief Executive Officer**

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

## **Item 5 Matters for Tabling**

### **5.1 Disclosures of Interest**

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

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

Carried unanimously.

### **5.2 Petitions**

#### **Petition to Sydney City Council for the Implementation of Restricted Parking in Durdans Ave, Rosebery**

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

We, the undersigned request Sydney City Council to urgently consider the introduction of two hour parking restrictions along both sides of Durdans Ave Rosebery in their from Monday to Friday between the hours of 9.00am and 5.00pm.

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

It is resolved that the Petition be received and noted.

Carried unanimously.

S044250

#### **AIDS Memorial – Green Park**

The following Petition, of which notice was given by Councillor Scully, was laid on the table.

Please support an AIDS memorial in Green Park Darlinghurst in memory of the AIDS epidemic. This petition is on behalf of all those who support making Green Park the location for such a special tribute to those lost.

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

It is resolved that the Petition be received and noted.

Carried unanimously.

S044250

**Adjournment**

At this stage of the meeting, at 6.26pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Thalís –

That the meeting be adjourned for approximately fifteen minutes.

Carried unanimously.

At the resumption of the meeting of Council, at 6.45pm, those present were –

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

Councillor Miller and Councillor Phelps returned to the meeting of Council at 6.46pm during discussion on Item 6.6.

**Item 6 Report of the Corporate, Finance, Properties and Tenders Committee**

PRESENT

The Lord Mayor Councillor Clover Moore

(Chair)

Councillor Robert Kok

(Deputy Chair)

Deputy Lord Mayor Councillor Linda Scott, Councillors Craig Chung, Christine Forster, Jess Miller, Prof Kerryn Phelps AM MP, Jess Scully, Prof Philip Thalys and Angela Vithoukaskas.

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

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

**Closed Meeting**

At 2.20pm, the Corporate, Finance, Properties and Tenders Committee resolved to close the meeting to the public to discuss Item 6.7 on the agenda.

**Open Meeting**

At 2.23pm, the meeting of the Corporate, Finance, Properties and Tenders Committee was reopened to the public.

The meeting of the Corporate, Finance, Properties and Tenders Committee concluded at 2.24pm.

**Report of the Corporate, Finance, Properties and Tenders Committee**

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

That the report of the Corporate, Finance, Properties and Tenders Committee of its meeting of 4 March 2019 be received, with Item 6.1 being noted, and the recommendations set out below for Items 6.2 to 6.5 and 6.7 being adopted in globo, and 6.6 being dealt with as shown immediately following that item.

Carried unanimously.

## **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 Corporate, Finance, Properties and Tenders Committee recommended the following:-

## **Item 6.2**

### **Investments Held as at 31 January 2019**

It is resolved that the Investment Report as at 31 January 2019 be received and noted.

Carried unanimously.

X020701

## **Item 6.3**

### **Public Exhibition - Code of Meeting Practice**

It is resolved that Council:

- (A) approve the draft Code of Meeting Practice as shown at Attachment A to the subject report, for public exhibition for a period of 28 days and specifying a period of not less than 42 days during which submissions may be made, as prescribed in Section 361 of the Local Government Act 1993; and
- (B) note that a further report will be submitted to Council following exhibition.

Carried unanimously.

S051923

## **Item 6.4**

### **Tender - Landscape, Sports Field and Park Turf Works - Schedule of Rates**

It is resolved that:

- (A) Council accept the tender offer of Tenderers C and F for Part A works, and Tenderer G for Part B works, for a period of three years with the option of an extension of two 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 referred to in clause (A), if appropriate, and negotiate the price to extend the contract accordingly.

Carried unanimously.

X018302.003

**Item 6.5****Tender - Reject and Negotiate - Utility Management**

It is resolved that:

- (A) Council reject the tender offers from all tenderers for Tender 1895 Utilities Management Services;
- (B) due to the lack of conforming tenders received, Council enter into negotiations with suitably qualified suppliers for the provision of Utilities Management Services to the City;
- (C) authority be delegated to the Chief Executive Officer to approach suitably qualified suppliers to negotiate, execute and administer the contracts relating to the tender; and
- (D) Council approve an extension of the current contract to provide utility bill validation and associated financial management services with Energetics Pty Ltd for four months, from 1 March 2019 to 30 June 2019.

Carried unanimously.

X019254.007

**Item 6.6****Exemption from Tender - Provision of Short-Term Staff Through Agencies**

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

It is resolved that:

- (A) Council approve an exemption from tender for the extension of the existing short-term labour agency panel for a period of three months;
- (B) Council note that the reason an exemption from tender has been sought is to allow for the implementation of the new temporary labour supply arrangements; and
- (C) authority be delegated to the Chief Executive Officer to execute and administer the variation of the contracts with the 39 agencies for the purpose of continuing the supply of temporary labour for a period of three months to 30 June 2019.

Carried unanimously.

S118310

**Item 6.7****Exemption from Tender - Confidential**

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

Carried unanimously.

X022793



**Item 7      Report of the Environment Committee**

PRESENT

The Lord Mayor Councillor Clover Moore

(Chair)

Councillor Jess Miller

(Deputy Chair)

Deputy Lord Mayor Councillor Linda Scott, Councillors Craig Chung, Christine Forster, Robert Kok, Prof Kerryn Phelps AM MP, Jess Scully, Prof Philip Thalys and Angela Vithoukaskas.

At the commencement of business at 2.25pm those present were -

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

The meeting of the Environment Committee concluded at 2.35pm.

**Report of the Environment Committee**

Moved by Councillor Miller, seconded by Councillor Scully –

That the report of the Environment Committee of its meeting of 4 March 2019 be received, with Item 7.1 being noted, the recommendations set out below for Items 7.3 and 7.4 being adopted in globo, and Item 7.2 being dealt with as shown immediately following that item.

Carried unanimously.

## Item 7.1

### Disclosures of Interest

Councillor Linda Scott declared a less than significant, non-pecuniary interest in Item 7.3 on the agenda, in that an individual who had previously made a non-reportable donation to her resides in a building that is the recipient of one of the grants. Councillor Scott stated that the individual had not approached her or discussed the matter with her prior to the meeting of the Environment Committee.

Councillor Jess Miller made the following disclosures:

- a less than significant, non-pecuniary interest in Item 7.3 on the agenda, in respect to the recommended innovation grant to the University of Technology Sydney. Councillor Miller stated that she had previously done work with someone involved in the Green Wall bot project. Councillor Miller further stated that the individual had not approached her or discussed the matter with her prior to the meeting of the Environment Committee.
- a less than significant, non-pecuniary interest in Item 7.4 on the agenda, as she had previously done work for 1 Million Women Limited. Councillor Miller stated that no-one from the organisation had approached her or discussed the matter with her prior to the meeting of the Environment Committee.

Councillor Miller stated that she was not aware of either of these recommendations until the Committee reports became available.

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

## Item 7.2

### Inclusion of Requirement for 100 per cent Renewables in Electricity Procurement

Note – the recommendation of the Environment Committee was not adopted. The following motion was adopted.

Moved by Councillor Miller, seconded by Councillor Scully -

It is resolved that:

- (A) Council approve the purchase of 100 per cent renewable electricity in the next large market electricity contract;
- (B) authority be delegated to the Chief Executive Officer to:
  - (i) manage the Expression of Interest (EOI) and Request For Tender (RFT) process and to accept the tender for the purchase, use and sale of electricity, including the renewable energy up to an amount equivalent to the City's total electricity consumption; and
  - (ii) negotiate, execute and administer contracts relating to the purchase, use and sale of electricity including the renewable energy up to an amount equivalent to the City's total electricity consumption for a period of up to seven years, and to negotiate, execute and administer contract variations, including a further extension of up to five years subject to the details within Confidential Attachment B to the subject report;
- (C) Council note that the outcome of the EOI and RFT process will be circulated to Council via CEO Update;

- (D) Council note that all Large-Scale Renewable Energy Certificates generated will be retired; and
- (E) the Chief Executive Officer be requested to include in the tender criteria wording to the effect that a tender is more likely to be successful where community-generated power is included in the tenderer's proposal.

Carried unanimously.

S084740

The Environment Committee recommended the following:

### **Item 7.3**

#### **Grants and Sponsorship - Round Three 2018/19 - Environmental Grants - Environmental Performance Grants**

It is resolved that:

- (A) Council approve the cash recommendation for the Environmental Performance - Building Operations Grant Program as per Attachment A to the subject report;
- (B) Council approve the cash recommendations for the Environmental Performance - Ratings and Assessment Grant Program as per Attachment B to the subject report;
- (C) Council approve the cash recommendations for the Environmental Performance - Innovation Grant Program as per Attachment D to the subject report;
- (D) Council note that all grant amounts are exclusive of GST; and
- (E) authority be delegated to the Chief Executive Officer to negotiate, execute and administer agreements with any organisation approved for a grant or sponsorship under terms consistent with this resolution and the Grants and Sponsorship Policy.

Carried unanimously.

S117676

### **Item 7.4**

#### **Knowledge Exchange Sponsorship - 1 Million Women Event**

It is resolved that:

- (A) Council approve a cash sponsorship of \$15,000 (excluding GST) to 1 Million Women Limited for the 1 Million Women 10 Year Anniversary event from the 2018/19 General Contingency Budget; and
- (B) authority be delegated to the Chief Executive Officer to negotiate and enter into a sponsorship agreement with 1 Million Women Limited in respect of the City's sponsorship of this event described in (A) above.

Carried unanimously.

X005020.002

**Item 8 Report of the Cultural and Community Committee**

PRESENT

The Lord Mayor Councillor Clover Moore

(Chair)

Councillor Jess Scully

(Deputy Chair)

Deputy Lord Mayor Councillor Linda Scott, Councillors Craig Chung, Christine Forster, Robert Kok, Jess Miller, Prof Kerry Phelps AM MP, Prof Philip Thalys and Angela Vithoukaskas.

At the commencement of business at 2.36pm those present were -

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

**Sub-Committees**

The Cultural and Creative Sub-Committee, with Councillor Scully as Deputy Chair, commenced at 2.45pm.

The Healthy Communities Sub-Committee, with Councillor Scully as Deputy Chair, commenced at 2.54pm.

The meeting of the Cultural and Community Committee and its Sub-Committees concluded at 2.58pm.

**Report of the Cultural and Creative Sub-Committee**

Moved by Councillor Scully, seconded by Councillor Thalys –

That the report of the Cultural and Creative Sub-Committee of its meeting of 4 March 2019 be received, with Item 8.1 being noted, and the recommendations set out below for Items 8.2 to 8.3 inclusive being adopted in globo.

Carried unanimously.

## Item 8.1

### Disclosures of Interest

The Lord Mayor, Councillor Clover Moore, made the following disclosures:

- a less than significant, non-pecuniary interest in Item 8.2 on the agenda, as a person involved with the Sydney Fringe Festival made a non-reportable donation to the Clover Moore Independent Team prior to the 2016 election.
- a significant, non-pecuniary interest in Item 8.4 on the agenda in respect of the recommended grant to Millers Point Community Garden Group, in that a member of the Group made a reportable donation to the Clover Moore Independent Team for the 2016 election campaign. The Lord Mayor proposed that this grant be considered separately as she would not be voting on this recommendation.
- a less than significant, non-pecuniary interest in Item 8.4 on the agenda in respect of the following grant recommendations:
  - in respect of the recommended grant to City Recital Hall Ltd: a member of the board made a non-reportable donation to the Clover Moore Independent Team prior to the 2016 election.
  - in respect of the recommended grant to Mardi Gras Arts Ltd: the Lord Mayor has been a long time participant in the Mardi Gras Parade and has worked with past Mardi Gras boards on a range of issues to support the annual Mardi Gras season.
  - in respect of the recommended grant to Story Factory Inc.: The Lord Mayor's Trust made donations to the Sydney Story Factory project, including a donation of seeding funding which enabled the Story Factory to be established. Also, a person involved with Sydney Story Factory was a volunteer for the Clover Moore Independent Team's 2016 election campaign.

Councillor Robert Kok made the following disclosures:

- a less than significant, non-pecuniary interest in Item 8.2 on the agenda. A person involved with Sydney Fringe Festival made a non-reportable donation to the Clover Moore Independent Team prior to the 2016 Local Government elections.
- a less than significant, non-pecuniary interest in Item 8.4 on the agenda. A member of the board of one of the recipients (City Recital Hall) made a non-reportable donation to the Clover Moore Independent Team prior to the 2016 Local Government elections.
- a less than significant, non-pecuniary interest in Item 8.4 on the agenda as a person involved with one of the recipients (Sydney Story Factory) was a volunteer for the Clover Moore Independent Team's 2016 election campaign.
- a significant, non-pecuniary interest in Item 8.4, as a member of one of the recipients (Millers Point Community Garden Group) made a reportable donation to the Clover Moore Independent Team prior to the 2016 Local Government elections. Councillor Kok stated that he was not aware of this recommendation until committee papers were made available and would not be voting on this item.

Councillor Philip Thalys made the following disclosures:

- a less than significant, non-pecuniary interest in Item 8.2 on the agenda, in that a person involved with Sydney Fringe Festival made a non-reportable donation to the Clover Moore Independent Team prior to the 2016 Local Government elections.
- a less than significant, non-pecuniary interest in Item 8.4 on the agenda, in that a member of the board of one of the recipients made a non-reportable donation to the Clover Moore Independent Team prior to the 2016 Local Government elections.
- a less than significant, non-pecuniary interest in Item 8.4 on the agenda, as a person involved with one of the recipients was a volunteer for the Clover Moore Independent Team's 2016 election campaign.
- a significant non-pecuniary interest in Item 8.4, as a member of one of the recipients (Millers Point Community Garden Group) made a reportable donation to the Clover Moore Independent Team prior to the 2016 Local Government elections. Councillor Thalys stated that he was not aware of this recommendation until committee papers were made available and would not be voting on this item.

Councillor Jess Miller made the following disclosures:

- a less than significant, non-pecuniary interest in Item 8.2 of the agenda as a person involved with the Sydney Fringe Festival made a non-reportable donation to the Clover Moore Independent Team prior to the 2016 election. Councillor Miller advised that she was not aware of this recommendation until the Committee report became available and has had no communication with the applicant about their proposal.
- a less than significant, non-pecuniary interest in Item 8.4 of the agenda in respect of the following grant recommendations:
  - in respect of the recommended grant to City Recital Hall Ltd: a member of the board made a non-reportable donation to the Clover Moore Independent Team prior to the 2016 election.
  - in respect of the recommended grant to Mardi Gras Arts Ltd: a member of the board is a fellow candidate on the Keep Sydney Open Ticket for the NSW state election. Councillor Miller has no further relationship with this candidate outside of this.
  - in respect of the recommended grant to Story Factory Inc. a person involved with Sydney Story Factory was a volunteer for the Clover Moore Independent Team's 2016 election campaign.

Councillor Miller stated that she was not aware of these recommendations until the Committee report became available and she has had no communication with the applicants about their proposals.

- a significant, non-pecuniary interest in Item 8.4 of the agenda in respect to the recommended grant to the Millers Point Community Garden Group. A member of the Community Garden Group made a reportable donation to the Clover Moore Independent Team prior to the 2016 election. Councillor Miller stated that she was not aware of this recommendation until committee papers were made available and would not be voting on this Item.

Councillor Linda Scott, disclosed a less than significant, non-pecuniary disclosure in Item 8.4 of the agenda as she was formerly the Chair of the Surry Hills Neighbourhood Centre.

Councillor Kerry Phelp made the following disclosures:

- a less than significant, non-pecuniary interest in Item 8.2 of the agenda in that a person involved in the Festival made a non-reportable donation to the Clover Moore Independent Team 2016 election campaign.
- a less than significant, non-pecuniary interest in Item 8.4 of the agenda regarding the City Recital Hall grant, as a board member made a non-reportable donation to the Clover Moore Independent Team 2016 election campaign.
- a less than significant, non-pecuniary interest in Item 8.4 of the agenda regarding the Sydney Story Factory grant, as a person involved in the organisation was a volunteer on the Clover Moore Independent Team 2016 election campaign.
- a significant, non-pecuniary interest in Item 8.4 of the agenda regarding the grant to the Millers Point Community Garden as a member of that group made a reportable donation to the Clover Moore Independent Team 2016 election campaign.

Councillor Phelp stated that she is no longer a member of the Clover Moore Independent Team Party, was not aware of these applications prior to the Committee papers being released, and has not spoken to any applicants about these matters.

Councillor Jess Scully made the following disclosures:

- a less than significant, non-pecuniary interest in Item 8.2 of the agenda as a person involved with the Sydney Fringe Festival made a non-reportable donation to the Clover Moore Independent Team prior to the 2016 election. Councillor Scully stated that she was not aware of this recommendation until it came to Committee and has had no communication with the applicant about their proposal.
- a less than significant, non-pecuniary interest in Item 8.4 of the agenda in respect of the following grant recommendations:
  - the City Recital Hall Ltd as a member of the board made a non-reportable donation to the Clover Moore Independent Team prior to the 2016 election, and
  - the Sydney Story Factory where Councillor Scully has previously volunteered. Also, a person involved with Sydney Story Factory was a volunteer for the Clover Moore Independent Team's 2016 election campaign.

Councillor Scully stated she was not aware of this recommendation until it came to Committee and she has had no communication with the applicants about their proposal.

- a significant, non-pecuniary interest in Item 8.4 of the agenda, as a member of the Millers Point Community Garden Group made a reportable donation to the Clover Moore Independent Team prior to the 2016 Local Government elections.

Councillor Scully stated that she was not aware of this recommendation until committee papers were made available and would not be voting on this Item.

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

The Cultural and Creative Sub-Committee recommended the following:-

## **Item 8.2**

### **Cultural and Creative Grants and Sponsorship - Fringe Hub Pilot at World Bar**

It is resolved that:

- (A) Council approve a one-off cash grant of \$50,000 (excluding GST), to the Newtown Entertainment Precinct Association, from the 2018/19 General Contingency Budget towards establishing a trial multi-venue, open-access independent arts hub in Kings Cross; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer an agreement under terms consistent with this resolution and the Grants and Sponsorship Policy.

Carried unanimously.

### **Speakers**

Ms Kerri Glasscock addressed the meeting of the Cultural and Community Committee (Cultural and Creative Sub-Committee) on Item 8.2.

S117451

## **Item 8.3**

### **International Travel - Music Cities Convention, Chengdu**

It is resolved that Council:

- (A) endorse international travel to Chengdu for Councillor Jess Scully; and
- (B) note that Councillor Scully will provide a report to Council after the travel.

Carried unanimously.

X014468



**Report of the Healthy Communities Sub-Committee**

Moved by Councillor Scully, seconded by Councillor Thalís –

That the report of the Cultural and Creative Sub-Committee of its meeting of 4 March 2019 be received, and the recommendations set out below for Item 8.4 being adopted.

Carried unanimously.

The Healthy Communities Sub-Committee recommended the following:

**Item 8.4**

**Grants and Sponsorship - Round Three 2018/19 - Matching Grants**

It is resolved that:

- (A) Council adopt the recommendation as detailed in the subject report to the Cultural and Community Committee on 4 March 2019 except for the Matching Grant to the Millers Community Garden Group; and
- (B) authority be delegated to the Chief Executive Officer to determine the Matching Grant to the Millers Point Community Garden Group, in accordance with Clause 4.19 of the City of Sydney Code of Conduct.

Carried unanimously.

S117676

**Item 9 Report of the Transport, Heritage and Planning Committee**

PRESENT

The Lord Mayor Councillor Clover Moore

(Chair)

Councillor Prof Philip Thalís

(Deputy Chair)

Deputy Lord Mayor Councillor Linda Scott, Councillors Craig Chung, Christine Forster, Robert Kok, Jess Miller, Prof Kerryn Phelps AM MP, Jess Scully and Angela Vithoukás.

At the commencement of business at 2.58pm those present were -

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

The meeting of the Transport, Heritage and Planning Committee concluded at 3.06pm.

**Report of the Transport, Heritage and Planning Committee**

Moved by Councillor Thalís, seconded by Councillor Kok –

That the report of the Transport, Heritage and Planning Committee of its meeting of 4 March 2019 be received, with Item 8.1 being noted and the recommendations set out below for Items 8.2 to 8.3 being adopted in globo.

Carried unanimously.

**Item 9.1****Disclosures of Interest****(a) Section 451 of the Local Government Act 1993**

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

**Item 9.2**

**Public Exhibition - Local Approvals Policy and Code of Practice for Construction Activities in Public Places**

It is resolved that:

- (A) the draft Local Approvals Policy for Hoisting and Construction Activities in Public Places and the draft Code of Practice for Hoisting and Construction Activities in Public Places be endorsed for public exhibition purposes for a period of not less than 42 days in accordance with Section 160(3) of the Local Government Act 1993; and
- (B) key industry groups, major construction companies and relevant government agencies be notified of the draft Local Approvals Policy and draft Code of Practice and be invited to review and provide feedback on the draft documents.

Carried unanimously.

S129097

## Item 9.3

### Fire Safety Reports

It is resolved that Council:

- (A) note the contents of the Fire Safety Report Summary Sheet, as shown in Attachment A to the subject report;
- (B) note the inspection reports by Fire and Rescue NSW, as shown in Attachments B to H to the subject report;
- (C) exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order as recommended by the City's Investigation Officer to address the identified fire safety deficiencies in 13-15 Kellett Street, Potts Point, as detailed in Attachment B to the subject report;
- (D) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 20-26 Bayswater Road, Potts Point, as detailed in Attachment C to the subject report;
- (E) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 20-26 Bayswater Road, Potts Point, as detailed in Attachment D to the subject report;
- (F) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 19-35 Bayswater Road, Potts Point, as detailed in Attachment E to the subject report;
- (G) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 19-35 Bayswater Road, Potts Point, as detailed in Attachment F to the subject report;
- (H) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 60-60B Darlinghurst Road, Potts Point, as detailed in Attachment G to the subject report; and
- (I) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 2-10 Darling Drive, Sydney, as detailed in Attachment H to the subject report.

Carried unanimously.

S125001.002

**Item 10 Public Exhibition - Draft Central Sydney Planning Strategy**

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

It is resolved that Council:

- (A) approve the Draft Central Sydney Planning Strategy, as shown at Attachment A to the subject report, for public exhibition for a minimum of 60 days;
- (B) approve the Draft Guideline for Site Specific Planning Proposals in Central Sydney, as shown at Attachment C to the subject report, for public exhibition for a minimum of 60 days;
- (C) request that the Department of Planning and Environment provide a gateway determination as soon as possible to allow statutory public consultation to take place under the Environmental Planning and Assessment Act 1979. It is noted that any public consultation period conducted as required by the gateway determination will be in addition to, but may overlap with, the non-statutory public exhibition periods above; and
- (D) note that the Proposed Future Controls, as shown at Attachment B to the subject report, will not be a matter for consideration in the determination of development applications under Section 4.15(1)(a)(ii) and (iii) of the Environmental Planning and Assessment Act 1979 until such time as they have been the subject of formal public consultation.

Carried unanimously.

**Extension of Time**

During discussion on this matter, pursuant to the provisions of Clause 250(3) of the Local Government (General) Regulation 2005, it was –

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

That Councillor Thalís be granted an extension of time of five minutes to speak on this matter.

Carried unanimously.

S064204

**Item 11 Questions on Notice with Answers****Smoke-Free Zone Expansion to Sydney Square, Implementation Timeline**

1. By Councillor Phelps

**Question**

At the Council meeting on 13 August 2018, Council unanimously passed my motion to undertake a smoke-free zone trial in Sydney Square, adjacent to Town Hall.

Could the CEO please provide an update on the implementation of a smoke-free zone trial in Sydney Square, including the expected trial dates and promotional material?

**Answer by the Lord Mayor**

Less than 50 per cent of the area of Sydney Square is public land. The balance is private land owned and managed by the St Andrews House Corporation and the Anglican Church Property Trust Diocese of Sydney.

City staff are liaising with representatives of the Corporation and Trust to define the geographic scope of the trial smoke-free area and how the site will be managed if they agree to participate in the trial.

Key issues to be resolved include:

- location of signage;
- who will handle customer enquiries; and
- enforcement / education.

A CEO Update will be provided to Councillors once these issues are resolved and the extent of the smoke free area is finalised and can commence operation. Information will also be provided on the promotion of the Smoke Free Trial in Sydney Square.

S129272

## **Commemorative Plaques in the City**

2. By Councillor Scott

### **Question**

From time to time, the City has placed commemorative plaques in public spaces to memorialise the contribution of prominent individuals or important community members to our City.

Could Councillors please be advised:

1. What is the process undertaken to determine how, where, and to whom these commemorative plaques are allocated?
2. How many commemorative plaques have been installed in the City from 2012 to present, by year, and to whom were these plaques dedicated?
3. Is there a mechanism by which members of the public can request the installation of such a plaque? If so, please detail this process.

### **Answer by the Lord Mayor**

The City generally does not support commemorative plaques for individuals. Applicants are referred to the Tree Donation Program: <https://www.cityofsydney.nsw.gov.au/live/trees/tree-donations>.

The process and criteria for commemorative plaques are set out in the Interim Plaque Guidelines, endorsed by Council in 2007: <http://cdn.cityartsydney.com.au/wp-content/uploads/2016/09/09165702/INTERIM-GUIDELINES-PLAQUES-SEP2006R1.pdf>.

One commemorative plaque for an individual has been installed since 2012. On 26 August 2013 (Lord Mayoral Minute 3.1), Council marked the passing of Dr Ray Seidler and endorsed the installation of a commemorative plaque. This was unveiled by Councillor Kemmis on behalf of the Lord Mayor at a commemorative event in May 2014.

A new program for historical plaques has been developed by staff in consultation with the Royal Australian Historical Society and will be ready for implementation by the end of the year. The program will celebrate significant events and sites in the local government area and invite nominations from the community.

S129275

## **Boarding Houses**

3. By Councillor Scott

### **Question**

Could Councillors please be advised:

1. How many developments benefiting from boarding house bonuses in the State Environmental Planning Policy 2009 have been approved in the City of Sydney between 2012 and the present, broken down by year?
2. Does the City record statistics regarding the average rents ultimately charged on properties approved by the City as boarding houses? If so, please provide these from 2012 to present, broken down by year.

### **Answer by the Lord Mayor**

1. Up to date numbers are not currently available, however, a recent report published by the City Futures Research Centre, University of New South Wales, shows between 2009 and 2017, over 5,700 rooms in 86 boarding houses were approved in the City of Sydney. It is reasonable to assume most of these applications would have made use of some or all of the floor space bonus available under the SEPP.

In the South Sydney Region (including Bayside, Burwood, Canada Bay, Canterbury-Bankstown, Georges River, Inner West, Randwick, Sutherland, Sydney, Waverly and Woollahra councils) over half the new boarding rooms are located in the City's local government area.

2. The City does not record statistics regarding the average rents ultimately charged on properties approved by the City as boarding houses.

S129275



## **Closed Pedestrian Tunnel at Bourke Street, Green Square**

4. By Councillor Scott

### **Question**

Could Councillors please be advised:

1. To the City's knowledge, will the stated re-opening time of April 2019 for the closed pedestrian tunnel at Bourke Street, Green Square be adhered to, acknowledging that Transport for NSW and the relevant developer must reach agreement regarding the opening of the tunnel?
2. In December 2018, a tragic truck accident on Bourke Street killed one pedestrian and injured several others. Please outline what safety measures, if any, the City has implemented to protect pedestrians and cyclists in this area while the pedestrian tunnel remains closed in the wake of this incident.

### **Answer by the Lord Mayor**

1. The re-opening date of the pedestrian tunnel is a matter between the applicant and Sydney Trains, not the City.
2. In regards to the truck incident, which occurred on Botany Road on Tuesday 11 December 2018, near Geddes Avenue, a truck driver suffered a medical episode and lost control of his truck. The truck collided with a Bus Stop where people were waiting, resulting in the death of one person and injury to a number of other people. Police and RMS advice was that speeding was not a factor in this incident and that no remedial treatment was possible to prevent such an incident.

The City is progressively rolling out 40km/h speed limits on all of our local roads, with 30km/h limits in high risk locations. On 18 December 2018, I wrote to the Secretary, Transport for NSW, to strongly urge the NSW Government to extend the 40km/h posted speed limit on state-controlled routes such as Botany Road and Bourke, Lachlan, McEvoy and Elizabeth Streets. This could be done as a time of day speed reduction during periods of peak pedestrian activity. The Secretary has indicated Transport for NSW will work to reduce arterial road speed limits to 50km/h, including on Botany Road. While this is a step in the right direction, I will continue to advocate for 40km/h posted speed limits to improve safety for pedestrians.

In addition, the City has worked with the developer of 301 Botany Road, and the NSW Government (Sydney Buses and RMS), to ensure signage and temporary barricades are provided to direct pedestrians along safer alternative routes during the temporary closure of the tunnel under Botany Road. There are a number of signalised pedestrian crossings surrounding Green Square Station which provide safe access for pedestrians and cyclists across Botany Road.

Botany Road and the traffic signals at Green Square are under the control of the Roads and Maritime Services (RMS). City staff have contacted RMS and requested that any additional safety improvements for pedestrians crossing Botany Road during the temporary closure of the tunnel would be welcomed.

S129275

## **Leasing and Ownership Agreements for Tom Uren Place**

5. By Councillor Scott

### **Question**

On 28 February 2019, I was advised by City staff that, for the area known as Tom Uren Place (90 - 94 Bourke Street, Woolloomooloo), the following agreements exist:

- (a) a lease from State Rail Authority to NSW Land and Housing Corporation that expires on 29 November 2041; and
- (b) a sublease from NSW Land and Housing Corporation to The Council of the City of South Sydney that expires 28 November 2041.

Could Councillors please be advised:

- 1. As the former Council of the City of South Sydney no longer exists, what is the legal status of this sublease?
- 2. As the former Council of the City of South Sydney was amalgamated into the City of Sydney in 2004, has the lease on 90 - 94 Bourke Street been transferred to, or become under the control of, the City of Sydney?

### **Answer by the Lord Mayor**

- 1. By operation of the amalgamation proclamation dated 6 February 2004, the interest of the City of South Sydney Council in the sublease was transferred to the Council of the City of Sydney without the need of any transfer or assignment. All rights and liabilities of the City of South Sydney Council under the sublease became the rights and liabilities of the Council of the City of Sydney on and from 6 February 2004.
- 2. Yes, on the terms of the amalgamation proclamation dated 6 February 2004.

S129275

## **Traffic Enforcement Issues in the City**

6. By Councillor Scott

### **Question**

I have received a high volume of correspondence regarding issues with enforcement of traffic infringements, including speeding and disobey road signs, across our City in recent months.

1. How does the City approach complex traffic enforcement issues, which require the co-operation of multiple stakeholders, including NSW Police, RMS and local residents?
2. Does the City have a specific strategy for engaging these stakeholders in traffic matters? If so, could this information please be provided to Councillors?

### **Answer by the Lord Mayor**

The City has a local government road safety program in partnership with Roads and Maritime Services and the NSW Centre for Road Safety. The City has been a road safety partner since 1993. The program aims to reduce road toll through education, enforcement and engineering.

The City engages with our six Police Area Commands on a regular basis to discuss issues and target areas for Police and Ranger activity. We also work closely with Property NSW, CBD Coordination Office and the Transport Management Centre.

The City also engages with NSW Police and the community via the Community Safety Precinct Committees (CSPCs). CSPCs are aimed at reducing crime and the fear of crime throughout NSW. The Committees are designed to identify local crime and safety issues.

NSW Police are responsible for responding to breaches of the road rules, including speeding vehicles, and they arrange additional patrols based on reports received. The City encourages residents to report any incidents they have witnessed to the police directly to give them specific details.

S129275

## Item 12      **Supplementary Answers to Previous Questions**

Supplementary Answers to Questions on Notice are as follows:

### **Question on Notice – Council 10 December 2018**

Campbell Road Alexandria

7.    By Councillor Scott

#### **Question**

Residents of Campbell Road, Alexandria, are experiencing significant disruption due to Westconnex construction, which is compounding pre-existing local concerns given their proximity to Sydney Park.

Could Councillors please be advised:

1.    What steps can be taken by the Council to increase the safety of residents on Campbell Road, Alexandria, including the investigation of increased lighting in the relevant section of Sydney Park?
2.    What repairs can the City undertake to the gate at the entrance to Campbell Road, Alexandria?
3.    Are there other options the Council can provide to the residents as mitigation against the loss of parking due to Westconnex construction?

#### **Answer by the Lord Mayor**

1.    The City has investigated options to improve lighting on Campbell Road in the vicinity of Harber Street and Barwon Park Road. The lighting at this location is owned and operated by Ausgrid. The City requested Ausgrid as a priority to enhance street and pedestrian lighting along Harber Street to improve safety and amenity, and is expecting completion of works by January 2019. The footpath of Campbell Road is currently controlled by the RMS as part of the WestConnex St Peters Interchange. The City is not able to implement any safety improvements on Campbell Road.
2.    The City does not control any gate at the entrance to Campbell Road, Alexandria. Ownership is currently being investigated and staff will report back the findings via CEO Update.
3.    Campbell Road has permanently become part of the WestConnex St Peters Interchange and, as such, RMS control kerb side parking along Campbell Road.

Most of the properties along Campbell Road have rear access to off-street parking via the private laneway behind their homes. This private laneway (controlled by the City) also provides some additional parking spaces.

Parking options considered previously are:

- Residents have previously asked the City to consider building a car park at the rear of their properties within Sydney Park. Unfortunately, this section of Sydney Park is not suitable. Under the Sydney Park Plan of Management, it is categorised as land that helps to encourage plant growth, and is next to a 'no mow' zone that allows the grass to grow long enough to provide a vital green habitat for native fauna and improve biodiversity in the area. A car park would be incompatible with this purpose. A parking area would also require extensive excavation, levelling and paving to be safe for vehicles and pedestrians.
- Residents have also previously asked the City to consider allowing residents to be allowed parking permits and to park within nearby Harber Street. However, Harber Street has limited capacity, with spaces primarily designed to accommodate park visitors, and is likely to experience increased demand. The City has no plans to change the parking restrictions in this street, with the parking spaces to remain as '4P 8.30am- 5.30pm, Mon-Fri', with two designated disability parking spaces. This provides parking turnover for visitors to the area. In any case, given that the properties along Campbell Road have off-street parking, they would not be eligible for resident parking permits.

### **Supplementary Answer**

At the Council meeting of 10 December 2018, information was sought regarding Campbell Road, Alexandria.

At that time the City had requested Ausgrid to enhance street and pedestrian lighting along Harber Street to improve safety and amenity. These works are now complete.

A further commitment was made to provide a CEO Update regarding the ownership of the gate at the entrance to Campbell Road, Alexandria. City staff have confirmed the gate is not owned by the City and it does form part of works associated with the Westconnex project.

## Item 13 Notices of Motion

### Item 13.1 Declaration of Cities Coalition for Digital Rights

Moved by Councillor Scully, seconded by Councillor Miller -

It is resolved that:

- (A) Council note:
- (i) vast amounts of our lives now take place online, including paid employment, participating in democracy and communicating with government and with each other. As such, it is crucial that we take steps to enhance, support and promote the digital rights of our community;
  - (ii) the Australian Digital Inclusion Index 2017 notes that while online participation is increasing across Australia, people with low levels of income, education and employment, along with older Australians, people with a disability, and people in regional areas are the most significantly digitally excluded;
  - (iii) the City of Sydney Digital Strategy outlines a number of strategic priorities, including digital inclusion, use of technology to enable participation in the democratic process and ethical innovation in the information marketplace; and
  - (iv) on 14 November 2018, Amsterdam, Barcelona and New York City formally launched the Cities Coalition for Digital Rights, a joint initiative to protect digital rights on a global level;
- (B) protection of the digital public realm be incorporated as a key principle in Sustainable Sydney 2050. This means continuing to implement the priorities outlined in the Digital Strategy and developing a strategy for the future which anticipates the complex and changing implications of digital participation, and the capacity for technology to be used to both aid and hinder human flourishing, autonomy and agency; and
- (C) the City of Sydney become a signatory of the Declaration of Cities Coalition for Digital Rights, which states that:

"We, the undersigned cities, formally come together to form the Cities Coalition for Digital Rights, to protect and uphold human rights on the internet at the local and global level";

The internet has become inseparable from our daily lives. Yet, every day, there are new cases of digital rights abuse, misuse and misinformation and concentration of power around the world: freedom of expression being censored; personal information, including our movements and communications, monitored, being shared and sold without consent; 'black box' algorithms being used to make unaccountable decisions; social media being used as a tool of harassment and hate speech; and democratic processes and public opinion being undermined;

As cities, the closest democratic institutions to the people, we are committed to eliminating impediments to harnessing technological opportunities that improve the lives of our constituents, and to providing trustworthy and secure digital services and infrastructures that support our communities. We strongly believe that human rights principles such as privacy, freedom of expression, and democracy must be incorporated by design into digital platforms starting with locally-controlled digital infrastructures and services; and

As a coalition, and with the support of the United Nations Human Settlements Program (UN-Habitat), we will share best practices, learn from each other's challenges and successes, and coordinate common initiatives and actions. Inspired by the Internet Rights and Principles Coalition (IRPC), the work of 300 international stakeholders over the past ten years, we are committed to the following five evolving principles:

1. Universal and equal access to the internet, and digital literacy;
2. Privacy, data protection and security;
3. Transparency, accountability, and non-discrimination of data, content and algorithm;
4. Participatory democracy, diversity and inclusion; and
5. Open and ethical digital service standards."

Carried unanimously.

### **Extension of Time**

During discussion on this matter, pursuant to the provisions of Clause 250(3) of the Local Government (General) Regulation 2005, it was –

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

That Councillor Scully be granted an extension of time to speak on this matter.

Carried unanimously.

S129264

**Item 13.2 Proposed AIDS Memorial – Green Park**

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

It is resolved that Council:

- (A) note that:
- (i) during the AIDS pandemic of the 1980s and 1990s, and in the period since, millions of lives were lost in Australia and around the world from HIV related illnesses. This devastation was acutely felt in Sydney, and particularly within the inner city communities where many people grieved for the loss of partners, friends and family members;
  - (ii) the Darlo Darlings Community Group have established a community campaign which proposes an AIDS memorial in Green Park, Darlinghurst to honour those who lost their lives during the AIDS crisis, and to provide the community a dedicated place of remembrance. The campaign has received wide community support; and
  - (iii) the proposed location at Green Park close to St Vincent's Hospital where many people with HIV and AIDS were cared for, is of special significance, as it was a place where many sought comfort and reflection during difficult times;
- (B) note and receive the petition of 1,332 citizens requesting that Council support an AIDS Memorial and place of remembrance in Green Park, Darlinghurst as proposed in the petition and supporting documents; and
- (C) request that the Chief Executive Officer investigate this proposal.

Variation. At the request of Councillor Phelps, and by consent, the motion was varied such that an additional clause (D) be added, to read as follows –

- (D) request that the Chief Executive Officer provide Councillors with a list of external organisations and community members whose opinion and advice will be sought to investigate this proposed memorial, with the opportunity for Councillors to suggest additional stakeholders if necessary.

The motion, as varied by consent, was carried unanimously.

S129264



### **Item 13.3 Save the Powerhouse - NSW Parliamentary Inquiry**

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

It is resolved that:

(A) Council note:

- (i) that a recent New South Wales Parliamentary Inquiry has recommended that the business case for the move of the Ultimo Powerhouse Museum to Parramatta is 'inadequate,' and had made recommendations against the move;
- (ii) the inquiry also recommended that the museum be 'restored to its former glory' by calling for major investment;
- (iii) the inquiry further recognised the importance ensuring that Parramatta is afforded its own iconic cultural institution that 'reflects its Aboriginal, colonial and migration history';
- (iv) since the move of the Museum of Applied Arts and Sciences to the Powerhouse in 1979 by the NSW Labor Government under Premier Neville Wran, the Museum has become an institution and important part of the City's cultural fabric;
- (v) the announcement in 2015 by the Liberal NSW Government proposing the relocation of the Powerhouse Museum in Ultimo to Parramatta was met with a major public backlash; and
- (vi) both our City and western Sydney deserve world-class museums for the education of locals and tourists alike;

(B) Council endorse the findings of the NSW Parliamentary Inquiry regarding the relocation of the Powerhouse Museum;

(C) Council advocate strongly for the immediate restoration of artefacts to the Powerhouse Museum in Ultimo, and for more investment in the site into the future; and

(D) the Lord Mayor be requested to write to the Premier of NSW, the Hon. Gladys Berejiklian and the NSW Opposition Leader, the Hon. Michael Daley expressing these views.

The motion was carried on the following show of hands:

Ayes (7) The Chair (the Lord Mayor), Councillors Kok, Miller, Phelps, Scott, Scully and Thalys

Noes (2) Councillors Chung and Forster.

Motion carried.

S129266

### Item 13.4 State Environmental Planning Policy - Boarding Houses

Moved by Councillor Scott, seconded by Councillor Scully -

It is resolved that:

- (A) Council note:
- (i) that as of April 2015, less than one per cent of housing in the City of Sydney is affordable rental housing;
  - (ii) The State Environmental Planning Policy (Affordable Rental Housing) 2009 (the SEPP) was introduced 'to increase the supply and diversity of affordable rental and social housing in NSW' and, as such, offers bonuses to developers for the construction of boarding houses in an effort to increase the supply of affordable rental housing;
  - (iii) the outcome of more affordable rental housing being available to the market is not currently being achieved;
  - (iv) in practical terms, the bonuses to developers for construction of boarding houses do not result in more affordable housing in our City, and instead often result in crowded living conditions, out of the financial reach of low- and middle-income earners without significant financial strain;
  - (v) serious reform of the SEPP and intervention in the market is needed to ensure boarding house-style accommodation is truly affordable; and
  - (vi) in August 2018, a motion was unanimously passed by Council calling on the City to advocate for changes to the SEPP in order to create more affordable housing;
- (B) Council advocate for changes to NSW planning law to abolish aspects of the SEPP that provide construction bonuses to developers for boarding house accommodation, while ensuring that local councils still have mechanisms by which to provide affordable housing in their local government areas; and
- (C) the Lord Mayor be requested to write to the NSW Premier, the Hon. Gladys Berejiklian MP; the NSW Minister for Housing, the Hon. Pru Goward MP and the NSW Minister for Planning, the Hon. Anthony Roberts MP; the NSW Leader of the Opposition, the Hon. Michael Daley MP and the NSW Shadow Minister for Planning and Housing, the Hon. Tania Mihailuk MP, expressing this view.

Foreshadowed motion. Councillor Thalís foreshadowed that, should the motion moved by Councillor Scott be lost, he would move an alternative motion.

The motion was lost on the following show of hands:

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

Noes (5) The Chair (the Lord Mayor), Councillors Kok, Miller, Scully and Thalís.

Motion lost.

Councillor Thalís then moved his foreshadowed motion, seconded by Councillor Scott, as follows:

It is resolved that:

(A) Council note:

- (i) less than one per cent of housing in the City of Sydney is affordable rental housing and the rate of homelessness has risen 13 per cent since August 2018;
- (ii) the State Environmental Planning Policy (Affordable Rental Housing) 2009 (“the SEPP”) was introduced to facilitate the effective delivery of new affordable rental housing;
- (iii) the SEPP offers floor space bonuses and amenity concessions for developers to encourage the construction of boarding houses throughout New South Wales;
- (iv) evidence shows that student housing is competing with other forms of affordable housing in the City of Sydney with around 80 per cent of boarding rooms being used for student accommodation;
- (v) traditional boarding rooms often absorb more than 30 per cent of a very low, low or moderate income household and therefore are not defined as ‘affordable’;
- (vi) the ‘boarding houses’ provisions of the SEPP are stimulating very little affordable rental housing for low income households and therefore are failing to achieve their aim;
- (vii) review and reform of the SEPP is required to ensure:
  - (a) that boarding house accommodation is affordable, accessible and diverse with financial constraints on the maximum rent that can be charged;
  - (b) that developer incentives are linked to the affordability of boarding rooms;
  - (c) that student accommodation is delivered under a separate planning policy designed to meet the needs of student housing;
  - (d) that there is an unambiguous and consistent definition of ‘affordable rental housing’;
  - (e) that there is a greater nexus between development standards and the Apartment Design Guidelines (ADG) including solar access, cross ventilation and floor-to-ceiling heights;
  - (f) that there are clearer ‘character’ design guidelines in new boarding house developments;
  - (g) monitoring of dwelling outcomes in boarding house developments, including numbers, size, locations and affordability;
- (viii) in August 2008, a motion was unanimously passed by Council calling on the City to advocate for changes to the SEPP in order to create more affordable housing;

(B) Council advocate for changes to the SEPP to ensure that the delivery of boarding houses results in a genuine affordable housing option for low income households and improved amenity; and

- (C) the Lord Mayor be requested to write to the NSW Premier, the NSW Minister for Housing and the NSW Minister for Planning; the NSW Leader of the Opposition and the NSW Shadow Minister for Planning and Housing, expressing this view.

Carried unanimously.

S129266

**Item 13.5 Off-Street Parking Provisions in the CBD**

Moved by Councillor Forster, seconded by Councillor Chung –

It is resolved that:

(A) Council note:

- (i) approximately \$5 billion worth of construction projects are currently underway in the Sydney CBD with a further \$3.1 billion of approved works still to commence and scheduled for completion by 2025;
- (ii) the State Government's \$12.5 billion Sydney Metro - City and Southwest project extends Metro services from the city's north west on a new 30-kilometre Metro line from Chatswood under Sydney Harbour, through three new CBD stations and southwest to Bankstown;
- (iii) the three new CBD metro stations will be located at Barangaroo, Martin Place and Pitt Street, with construction already having commenced at Martin Place and Pitt Street, and tunnel boring activities set to commence at Barangaroo in the coming months;
- (iv) prior to the announcement of the Sydney Metro and in specific relation to parking in the CBD, Transport for NSW's Sydney City Centre Access Strategy, released in December 2013, identified the need to address parking pressures arising from traffic prioritisation, bus lanes, light rail and cycleways;
- (v) furthermore, the strategy stated that on-street parking would be reduced on Castlereagh Street, Liverpool Street, Park Street, College Street and Elizabeth Street, all streets impacted by Sydney Metro construction;
- (vi) the City of Sydney has stated its support for Transport for NSW's Sydney City Centre Access Strategy and has already committed to work closely with the state government to jointly deliver the bus lanes, bus stops, taxi lanes and changes to parking required to implement the strategy and ensure these are coordinated with other planned works; and
- (vii) the City of Sydney's 'Central Sydney On-Street Parking Policy', reviewed and updated in November 2015, proposes a hierarchy for the allocation of kerbside space in central Sydney with delivery and service vehicles ranked as the second highest priority;

(B) the Chief Executive Officer and the Lord Mayor be requested to write to Transport for NSW and the Minister for Transport requesting that, where practicable, off-street parking spaces for trade vehicles be included at the four main construction sites for the Martin Place and Pitt Street Metro stations as well as any other current or potential future construction sites under the jurisdiction of the State Government; and

(C) for any future construction sites located within the CBD where the City of Sydney is the consent authority, the City will ensure, where practicable, that the Development Applications include conditions for an appropriate number of off-street parking spaces for trade vehicles for the purposes of easing day time on-street loading and service vehicle parking congestion.

**Procedural Motion**

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

That the motion be withdrawn.

Carried unanimously.

S129260

Monday 11 March 2019

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At 8.14 pm the meeting concluded.

Chair of a meeting of the Council of the City  
of Sydney held on Monday 8 April 2019 at which  
meeting the signature herein was subscribed.