



Council

Meeting No 4

Monday 8 April 2019

Notice No 4/1604

Notice Date 4 April 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 Robert Kok, Councillor Jess Miller, Councillor Professor Kerryn Phelps AM MP, Councillor Jess Scully, Councillor Professor Philip Thalis and Councillor Angela Vithoulkas.

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

The Lord Mayor, Councillor Miller, Councillor Chung, Councillor Forster, Councillor Kok, Councillor Phelps, Councillor Scott, Councillor Scully, Councillor Thalis and Councillor Vithoulkas

The Chief Executive Officer, 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 Acting Chief Operating Officer were also present.

Order of Business

Council agreed, in order to enable further time for consideration of the matter, that the Order of Business be altered such that Item 11.4 be deferred following the adjournment at 7.43pm, and dealt with at the end of the Council meeting.

Council further agreed, for the convenience of the public present, that the Order of Business be altered such that Item 11.6 be brought forward and dealt with before Item 11.5.

Opening Prayer and Acknowledgement of Country

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 Kok –

That the Minutes of the meeting of Council of Monday, 11 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 declared a less than significant non-pecuniary interest in Item 8.3 on the Council agenda, in that one of the appointed additional members to the Local Planning Panel made a non-reportable donation to the Clover Moore Independent Team for the 2016 elections.

Councillor Miller declared a less than significant non-pecuniary interest in Item 8.3 on the Council agenda, in that a recommended alternate expert member to the City of Sydney Local Planning Panel made a non-reportable donation to the Clover Moore Independent Team for the 2016 elections.

Councillor Kok declared a less than significant non-pecuniary interest in Item 8.3 on the Council agenda, in that one of the appointed additional members to the Local Planning Panel made a non-reportable donation to the Clover Moore Independent Team for the 2016 elections.

Councillor Thalis declared two less than significant non-pecuniary interests in Item 8.3 on the Council agenda. Over a decade ago his practice worked with one of the recommended additional alternate expert members on the competition winning scheme for Barangaroo International Competition. Another recommended additional alternate expert member made a non-reportable donation to the Clover Moore Independent Team prior to the 2016 local government elections. Councillor Thalis stated that he was not aware of these recommendations and that he has not discussed these recommendations with the recommended members.

Councillor Scully declared a less than significant non-pecuniary interest in Item 8.3 on the Council agenda, in that one of the appointed additional members to the Local Planning Panel made a non-reportable donation to the Clover Moore Independent Team for the 2016 elections.

Councillor Phelps declared a less than significant non-pecuniary interest in Item 8.3 on the Council agenda, in that a member of the City of Sydney Local Planning Panel donated to the Clover Moore Independent Team prior to the 2016 elections. Councillor Phelps stated that she was a member of the Clover Moore Independent Team at that time. Councillor Phelps further stated that she was no longer a member of the Clover Moore Independent Team and had not been in contact with the individual concerned.

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 Vale Christchurch Massacre Victims****Minute by the Lord Mayor**

To Council:

On Friday 15 March 2019 a gunman entered two Muslim places of worship in Christchurch, New Zealand, shooting and killing 50 people, aged between three and 77 years old. A further 50 people were injured in the shootings, some seriously.

More lives would have been endangered but for the bravery of two men. One man, Naeem Rashid, originally from Pakistan, was shot and killed inside the Al Noor Mosque when he attempted to stop the gunman. Another man, Afghan-born Abdul Aziz Wahabzadah, who was worshipping at the Linwood Islamic Centre with his four children, chased the gunman as he returned to his car to pick up another weapon. He followed the gunman back into the mosque, confronting him with a gun that the gunman had dropped. The gunman fled driving off in his car after Mr Aziz threw the gun through his window.

The horror of this shocking terrorist attack was magnified by the gunman livestreaming his actions on Facebook Live from the time he began driving to the Al Noor Mosque and ending with his driving away after committing multiple murders. Also alarming is the gunman's motivation for the attacks, expressed in a lengthy manifesto, a blend of extremism, discredited conspiracies and white nationalist racism.

As horrific as this crime was, it has brought out the best of humanity, especially in Christchurch and New Zealand where it took place. The mosques where the murders occurred and others across New Zealand and around the world have become the focus of vigils, messages, and floral tributes. School children and others have performed the haka and waitata to honour those who had died. One week after the murders, 20,000 people, including New Zealand Prime Minister Jacinda Ardern, attended an open-air prayer service, broadcast and televised nationally. A national remembrance service took place on 29 March 2019, two weeks after the attacks. Services were also held in Sydney and many other cities in Australia and internationally.

At Sydney Town Hall the flag was flown at half-mast and the Town Hall was lit in red, white and blue, the colours of New Zealand's national flag. I offered the City's strong support to the City of Christchurch and its Mayor Lianne Dalziel.

A key to this response is Jacinda Ardern's compassionate, principled and thoughtful leadership. Speaking in the New Zealand Parliament on 19 March 2019, Prime Minister Ardern said:

"Mr Speaker, Al salam Alaikum.

"Peace be upon you. And peace be upon all of us.

"Mr Speaker, March 15 will now be forever a day etched in our collective memories. On a quiet Friday afternoon, a man stormed into a place of peaceful worship and took away the lives of 50 people. That quiet Friday afternoon has become our darkest of days. But for the families, it was more than that. It was the day that the simple act of prayer — of practicing their Muslim faith and religion — led to the loss of their loved ones' lives.

"Those loved ones were brothers, daughters, fathers and children. They were New Zealanders. They are us. And because they are us, we, as a nation, we mourn them. We feel a huge duty of care to them. And Mr Speaker, we have so much we feel the need to say and to do.

"One of the roles I never anticipated having, and hoped never to have, is to voice the grief of a nation. At this time, it has been second only to securing the care of those affected, and the safety of everyone. And in this role, I wanted to speak directly to the families.

"We cannot know your grief, but we can walk with you at every stage. We can. And we will surround you with aroha, manaakitanga and all that makes us, us. Our hearts are heavy but our spirit is strong."

Prime Minister Ardern commended the courage of those who put the safety of others above their own and the work of the ambulance staff and the health professionals who assisted the victims of the terrorist attack.

Ardern told Parliament that the person responsible for the murders would face the full force of the law in New Zealand, continuing:

"The families of the fallen will have justice. He sought many things from his act of terror, but one was notoriety. And that is why you will never hear me mention his name. He is a terrorist. He is a criminal. He is an extremist. But he will, when I speak, be nameless. And to others, I implore you: speak the names of those who were lost, rather than the name of the man who took them."

I have adopted this approach in this Minute.

The massacre in Christchurch has provoked many responses and much discussion, not only about the murders themselves, but the importance of supporting and respecting diversity, the abuse of social media and the internet, the role of our security services and importance of maintaining strong firearms laws.

While many of these issues are complex and finding solutions will be challenging, we must address them if we are to prevent further Christchurches.

New Zealand, which is recognised for its civilised and humane policies, particularly in the way it welcomes refugees, is already leading the way. I am sure these policies will not be changed by this act of terrorism. For this, and its response to the initial horrific attack, New Zealand must be commended.

Recommendation

It is resolved that:

- (A) all persons present in the Chamber stand for one minute's silence to mark the lives of the people who died during the horrific terrorist attack at Christchurch Muslim places of worship on Friday 15 March 2019;
- (B) Council commend the humanity of the people of New Zealand in their response to these horrific murders; and
- (C) Council commend Ms Ardern and the New Zealand Government and Parliament for the swift, principled, humane and rational policy response to the many issues raised by this horrific crime.

COUNCILLOR CLOVER MOORE

Lord Mayor

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

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

Carried unanimously.

Note – All Councillors, staff, press and members of the public present stood in silence for one minute as a mark of respect to those lost in Christchurch.

Note – The Lord Mayor acknowledged the presence of Mr Bill Dobbie, New Zealand Consul-General for New South Wales and Queensland, and presented him with a Condolence Book from the City of Sydney.

S051491

Item 3.2 Vale Edmund George Capon AM OBE**Minute by the Lord Mayor**

To Council:

I want to pay tribute to the death of the long serving Director of the Art Gallery of NSW, Edmund George Capon AM OBE, who passed away in London on Tuesday 19 March 2019.

Born in London in 1940, Edmund gained his passion for painting during his early school years in Kent, insisting on travelling with easel and paintbox during summer holidays with his family.

His father, a paper mill manager, insisted that the young Edmund take up a “respectable career” after he left school. Conforming with his father’s wishes, he trained as a chartered surveyor, working for a few years in London. Once he had passed his exams, he returned to his interest in art, managing an art gallery, painting portraits and studying drawing at a Chelsea studio. He also learned to speak Chinese as a photograph of the Great Wall of China had piqued his interest in Chinese art. This was a precursor to studying at the London University School of Oriental and African Studies where he graduated with a Master of Philosophy in Chinese art and archaeology. He matched this by studying 20th-century painting at the Courtauld Institute of Art at London University.

He joined the Victoria and Albert Museum in 1966, initially in the Textile Department before moving to the Museum’s Far Eastern Section, where he held the position of assistant keeper from 1973 to 1978.

Edmund was invited to apply for the position of Director of the Art Gallery of NSW while on his first visit to Sydney in 1977 to promote a book and exhibition on Chinese art. Edmund returned to Sydney the following year with his second wife, Joanna, a photographer and art researcher to take up the position. He initially thought to stay only three years, the duration of his contract. Instead he retired as Director 33 years later, having transformed the Gallery.

Soon after his arrival he abolished the gallery’s entry fee, declaring its collection belonged to the people. He also observed that the gallery made more money by “letting people in free and charging them to get out”, via the gallery shop, café and restaurant. Gallery admissions rose from 329,000 in 1978 to more than 1.3 million in 2010, the year before he retired.

The gallery’s collection also grew from 10,500 artworks in 1978 to more than 29,000 by 2011. His first major acquisition was a Tang dynasty ceramic horse and rider, which gallery staff remember being carried around under his arm as an act of understandable pride. Other important purchases followed, including Picasso’s *Nude In A Rocking Chair*, Ernst Ludwig Kirchner’s *Three Bathers*, Grace Cossington Smith’s *The Curve Of The Bridge*, David Hockney’s *A Closer Winter Tunnel, February-March*, Sidney Nolan’s *First-class Marksman*, Cezanne’s *Bords de la Marne* and John Olsen’s *Five Bells*.

Many of these purchases were made possible by the gallery’s philanthropy programs which Edmund had strengthened, including establishing the AGNSW Foundation in 1983. He drew many generous benefactors to the gallery, including James Fairfax, Kenneth Myer and the artist Margaret Olley, who donated more than 130 artworks with a total value of around \$7 million.

He also ensured that the gallery had the expert staff and dedicated gallery spaces it needed, appointing specialist curators in Asian art, photography, contemporary art and Indigenous art and overseeing the opening of specialist wings for Asian and Indigenous art. He also oversaw the conversion of the gallery's storage facility into a new large gallery space to house the Kaldor collection, John Kaldor's gift of 200 works worth over \$35 million first announced in 2008. The new Kaldor Gallery opened in May 2011, a few months before Edmund's retirement.

Edmund recognised the role of temporary and touring exhibitions in attracting people to the gallery, particularly for multiple return visits. Significant successes include the first exhibition of the terracotta warriors outside of China in 1983 and the subsequent *The First Emperor: China's entombed warriors* in 2010. Other exhibitions brought the art of many different cultures to Sydney, including *Gold of the pharaohs*, *Michelangelo to Matisse: drawing the figure*, *Jeffrey Smart and Bill Henson retrospectives*, *Papunya Tula: genesis and genius*, *Caravaggio and his world: darkness and light*, *Pissarro: the first Impressionist*, *Giacometti: sculptures, prints and drawings from the Maeght Foundation* and *The arts of Islam: treasures from the Nasser D Khalili collection*. His last major exhibition was the blockbuster *Picasso: masterpieces from the Musée National Picasso*, Paris in 2011 which was still hanging when he retired.

Retirement as Director did not end his involvement in art and Sydney's intellectual life. He took up a position as Visiting Professor in the School of Languages and Linguistics, at the University of NSW. He co-produced and presented two successful three-part series on art for television, *Meishu: Travels in Chinese Art* and *The Art of Australia*. In 2014, he was appointed Chair of the 4A Centre for Contemporary Asian Art in Sydney and Chair of the Australian Institute of Architects Foundation. Late last year, shortly before he became ill, Edmund and Joanna travelled through Central Asia, driving the old Silk Road in a restored E Type Jaguar.

Throughout his career in Australia, Edmund successfully combined scholarship with showmanship and a cultivated eccentricity. He was known for wearing colourful odd socks and his love of cigars, Magnum ice-cream, fast cars and the Chelsea football club. He had a fondness for giraffes, keeping hundreds of giraffe artefacts in his home and office, describing them as "beautiful movers with an extraordinary, slow gait". In one interview he declared his additional interests to include opera, trees, especially eucalyptus, current affairs, and all aspects of China.

He was also known for his considerable charm and his uncanny ability to remember the names of every member of his staff. It was this charm and ease with people that enabled him to foster strong connections with political leaders, the business community, private supporters and the community of artists all in the cause of benefitting the gallery. The strength of these connections was apparent in the many tributes to him after his death.

One such tribute, by Opposition Arts spokesperson Tony Burke, captures the extent and breadth of his influence. Burke recalls being taken to see the exhibition of the entombed Chinese warriors one weekend when he was a teenager. It was 1983.

"The impact wasn't simply the exhibition itself; it established a permanent invitation to all those who attended that the art gallery was a place to revisit regularly. His understanding not merely of the history of art in Australia and around the world, but his particular depth of understanding of the art of our region meant he arrived at the NSW gallery at the moment we needed him the most."

Recommendation

It is resolved that:

- (A) all persons present in the Chamber stand for one minute's silence to mark the life of Edmund Capon AM OBE and his outstanding contribution to the Art Gallery of NSW and the cultural life of Sydney and Australia; and
- (B) a letter, under the Lord Mayor's signature, be conveyed to Mr Capon's widow Joanna and his family expressing Council's sincere condolences.

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.

Note – All Councillors, staff, press and members of the public present stood in silence for one minute as a mark of respect to Edmund Capon AM OBE.

S051491

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 Scully –

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

Carried unanimously.

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, Jess Scully, Prof Philip Thalis and Angela Vithoulkas.

At the commencement of business at 2.01pm those present were -

The Lord Mayor, Councillors Kok, Miller, Scott, Scully, Thalis and Vithoulkas.

Councillor Phelps arrived at the meeting of the Corporate, Finance, Properties and Tenders Committee at 2.03pm during discussion and before the vote on Item 6.2.

Councillors Chung and Forster arrived at the meeting of the Corporate, Finance, Properties and Tenders Committee at 2.04pm at the commencement of discussion on Item 6.3.

Sub-Committees

The Economic Development and Business Sub-Committee, with Councillor Vithoulkas as Deputy Chair, commenced at 2.12pm.

The meeting of the Corporate, Finance, Properties and Tenders Committee and its Sub-Committee concluded at 2.35pm.

Report of the Corporate, Finance, Properties and Tenders Committee

Moved by Councillor Kok, seconded by Councillor Thalis –

That the report of the Corporate, Finance, Properties and Tenders Committee of its meeting of 1 April 2019 be received, with Item 6.1 being noted, the recommendations set out below for Items 6.2 to 6.6 inclusive being adopted in globo.

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 28 February 2019

It is resolved that the Investment Report as at 28 February 2019 be received and noted.

Carried unanimously.

X020701

Item 6.3

Lease Variation - Town Hall Arcade

It is resolved that:

- (A) Council endorse the variation to the Lease as detailed within this report and delegate authority to the Chief Executive Officer to enter into and administer any documentation required to give effect to this variation;
- (B) Council delegate authority to the Chief Executive Officer to negotiate, execute and administer any further variations to the current lease including but not limited to facilitating the submission or evaluation of any proposal for the upgrade of the Town Hall Main Arcade that may be submitted by the Lessee;
- (C) Council will be updated on progress through CEO Updates and/or Council reports; and
- (D) Council note that the City will engage regularly with the St Andrew's House Corporation in respect of directions for Town Hall Arcade.

Carried unanimously.

S098620

Item 6.4

Lease Approval - Level 4, 343 George Street, Sydney

It is resolved that:

- (A) Council approve a lease with Marque for Level 4, 343 George Street, Sydney. The proposed new lease includes a term of five years with an additional option term of five years; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the terms of the lease, including in relation to exercise of the option term, substantially in accordance with Attachment A to the subject report.

Carried unanimously.

S096173.016

Item 6.5**Tender - Demolition and Early Civil Works for Green Square Town Centre Infrastructure Projects**

It is resolved that:

- (A) Council accept the tender offer of Tenderer E for Demolition and Early Civil Works for Green Square Town Centre Infrastructure Projects; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender.

Carried unanimously.

X021354.001

Item 6.6**Exemption from Tender and Contract Extension - Supply and Installation of Hoardings for the Fig and Wattle Streets Depot and The Bulk Store at Bay Street Depot**

It is resolved that Council:

- (A) approve an exemption from tender for the extension of the hire of the B Class hoarding for a period of 12 and 19 months respectively for Fig and Wattle Streets and Bay Street Depot from March 2019 as, due to extenuating circumstances, a satisfactory result would not be achieved by inviting tenders;
- (B) note the reasons a satisfactory result would not be achieved by inviting tenders for the hoarding installations at Fig and Wattle Streets and Bay Street, are:
 - (i) if the City were to seek competitive quotes, additional costs for removal and reconstruction of the hoarding would need to be paid; and
 - (ii) the current rates for the hoarding rental remain competitive compared to market rates;
- (C) approve the variation of the current contract for the hire of B Class hoarding to protect pedestrians and vehicular traffic, by extending the contract term for a further 12-month period for Fig and Wattle Streets, and a 19-month period for Bay Street Depot;
- (D) approve the payment of Hoarding Hire from March 2019 to April 2020 and March 2019 to October 2020, (as per Confidential Attachment A to the subject report); and
- (E) approve the sum set out in Confidential Attachment A to the subject report.

Carried unanimously.

S101696

Report of the Economic Development and Business Sub-Committee

Moved by Councillor Vithoulkas, seconded by Councillor Miller –

That the report of the Economic Development and Business Sub-Committee of its meeting of 1 April 2019 be received, with the recommendations set out below for Items 6.7 and 6.8 being adopted in globo.

Carried unanimously.

The Economic Development and Business Sub-Committee recommended the following:

Item 6.7**Knowledge Exchange Sponsorship - Australian Fashion Council - Curated Sydney 2019**

It is resolved that:

- (A) Council approve a cash sponsorship of \$35,000 (excluding GST) to the Australian Fashion Council for AFC Curated Sydney 2019; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer sponsorship agreements with each of the applicants.

Carried unanimously.

Speaker

Mr David Giles addressed the meeting of the Corporate, Finance, Properties and Tenders Committee (Economic Development and Business Sub-Committee) on Item 6.7.

X004735

Item 6.8**Knowledge Exchange Sponsorship - IndigiSpace Indigenous Business Development Program**

It is resolved that:

- (A) Council approve a cash sponsorship of \$30,000 (excluding GST) and venue hire fee waiver to the value of \$2,022 (excluding GST) to Investible Pty Ltd to deliver the IndigiSpace Indigenous Business Program 2019; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer a sponsorship agreement with Investible.

Carried unanimously.

Speaker

Mr Greg Hodgkinson addressed the meeting of the Corporate, Finance, Properties and Tenders Committee (Economic Development and Business Sub-Committee) on Item 6.8.

X022768

Item 7 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 Kerryn Phelps AM MP, Prof Philip Thalis and Angela Vithoulkas.

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

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

Sub-Committees

The Cultural and Creative Sub-Committee, with Councillor Scully as Deputy Chair, commenced at 2.36pm.

The Healthy Communities Sub-Committee, with Councillor Scully as Deputy Chair, commenced at 2.43pm.

The meeting of the Cultural and Community Committee and its Sub-Committees concluded at 3.04pm.

Report of the Cultural and Creative Sub-Committee

Moved by Councillor Scully, seconded by Councillor Scott –

That the report of the Cultural and Creative Sub-Committee of its meeting of 1 April 2019 be received, with Item 7.1 being noted, and the recommendation set out below for Item 7.3 being adopted.

Carried unanimously.

Item 7.1**Disclosures of Interest**

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

Item 7.2

21st Biennale of Sydney / City of Sydney (2018) Public Art Legacy Project

Note – Item 7.2 was withdrawn from the agenda of the Cultural and Community Committee

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

Item 7.3

Knowledge Exchange Sponsorship - Audrey Journal

It is resolved that:

- (A) Council approve a cash sponsorship of \$15,000 (excluding GST) to Audrey Media Pty Ltd to assist with the further development of their innovative model; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer a sponsorship agreement in relation to the sponsorship described in (A) above.

Carried unanimously.

Speakers

Ms Elissa Blake and Mr Jason Blake addressed the meeting of the Cultural and Community Committee (Cultural and Creative Sub-Committee) on Item 7.3.

X022769

Report of the Healthy Communities Sub-Committee

Moved by Councillor Scully, seconded by Councillor Miller –

That the report of the Cultural and Creative Sub-Committee of its meeting of 1 April 2019 be received, and the recommendation set out below for Item 7.4 be adopted.

Carried unanimously.

The Healthy Communities Sub-Committee recommended the following:-

Item 7.4

Draft Inclusive and Accessible Public Domain Policy and Guidelines

Note – the recommendation of the Healthy Communities Sub-Committee was not adopted. The following alternative recommendation was adopted (as contained in the memorandum dated 5 April 2019 from the Director City Life, circulated prior to the meeting).

It is resolved that:

- (A) Council approve the draft Inclusive and Accessible Public Domain Policy shown in Attachment A to the subject report, draft Inclusive and Accessible Public Domain Guidelines shown in Attachment B to the subject report, and draft Disability Inclusive Event Guidelines shown in Attachment C to the subject report, for public exhibition for a minimum of four weeks;
- (B) authority be delegated to the Chief Executive Officer to approve minor editorial amendments to the draft documents referred to in (A) above prior to these documents being exhibited; and
- (C) Council request that the Chief Executive Officer investigate, in consultation with the City's Inclusion (Disability) Advisory Panel, alternative means of engaging people with disability during the public exhibition period, such as through peer interviewers.

Carried unanimously.

Speaker

Mr Mark Tonga addressed the meeting of the Cultural and Community Committee (Healthy Communities Sub-Committee) on Item 7.4.

S117857.001

Item 8 Report of the Transport, Heritage and Planning Committee

PRESENT

The Lord Mayor Councillor Clover Moore

(Chair)

Councillor Prof Philip Thalis

(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 Vithoulkas.

At the commencement of business at 3.25pm those present were -

The Lord Mayor, Councillors Kok, Miller, Scott, Scully, Thalis and Vithoulkas.

Councillors Phelps arrived at the meeting of the Transport, Heritage and Planning Committee at 3.27pm during discussion on Item 8.1.

Councillors Chung and Forster arrived at the meeting of the Transport, Heritage and Planning Committee at 3.28pm during discussion on Item 8.1, and left at 3.29pm prior to discussion on Item 8.2.

Councillors Chung and Forster returned to the meeting of the Transport, Heritage and Planning Committee at 3.35pm after the vote on Item 8.2, at the beginning of discussion on Item 8.3.

The meeting of the Transport, Heritage and Planning Committee concluded at 3.38pm.

Report of the Transport, Heritage and Planning Committee

Moved by Councillor Thalis, seconded by Councillor Scully –

That the report of the Transport, Heritage and Planning Committee of its meeting of 1 April 2019 be received, with Item 8.1 being noted and the recommendations set out below for Items 8.2 to 8.4 being adopted in globo.

Carried unanimously.

Item 8.1**Disclosures of Interest****(a) Section 451 of the Local Government Act 1993**

The Lord Mayor declared a less than significant non-pecuniary interest in Item 8.3 on the agenda, in that one of the appointed additional members to the Local Planning Panel made a non-reportable donation to the Clover Moore Independent Team for the 2016 elections.

Councillor Miller declared a less than significant non-pecuniary interest in Item 8.3 on the agenda, in that a recommended alternate expert member to the City of Sydney Local Planning Panel made a non-reportable donation to the Clover Moore Independent Team for the 2016 elections.

Councillor Kok declared a less than significant non-pecuniary interest in Item 8.3 on the agenda, in that one of the appointed additional members to the Local Planning Panel made a non-reportable donation to the Clover Moore Independent Team for the 2016 elections.

Councillor Thalis declared two less than significant non-pecuniary interests in Item 8.3 on the agenda. Over a decade ago, his practice worked with one of the recommended additional alternate expert members on the competition-winning scheme for Barangaroo International Competition. Another recommended additional alternate expert member made a non-reportable donation to the Clover Moore Independent Team prior to the 2016 local government elections. Councillor Thalis stated that he was not aware of these recommendations and that he had not discussed these recommendations with the recommended members.

Councillor Scully declared a less than significant non-pecuniary interest in Item 8.3 on the agenda, in that one of the appointed additional members to the Local Planning Panel made a non-reportable donation to the Clover Moore Independent Team for the 2016 elections.

Councillor Phelps declared a less than significant non-pecuniary interest in Item 8.3 on the agenda, in that a member of the City of Sydney Local Planning Panel donated to the Clover Moore Independent Team prior to the 2016 elections. Councillor Phelps stated that she was a member of the Clover Moore Independent Team at that time. Councillor Phelps further stated that she was no longer a member of the Clover Moore Independent Team and had not been in contact with the individual concerned.

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

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

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

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

Item 8.2

Post Exhibition - Draft Sydney Development Control Plan 2012 - Darlinghurst Road, Potts Point

It is resolved that:

- (A) Council note the matters raised in response to the public exhibition and public authority consultation of Draft Sydney Development Control Plan 2012 - Darlinghurst Road, Potts Point;
- (B) Council approve the revised Draft Sydney Development Control Plan 2012 - Darlinghurst Road, Potts Point as shown at Attachment A to the subject report;
- (C) authority be delegated to the Chief Executive Officer to make any minor variations to Draft Sydney Development Control Plan 2012 - Darlinghurst Road, Potts Point to correct drafting errors prior to the finalisation of the site specific Development Control Plan; and
- (D) Council note that the current review of planning controls for Darlinghurst Road does not contemplate increasing the height and floor space ratio controls in Sydney Local Environmental Plan 2012 and that Division 3.4 of the Environmental Planning and Assessment Act 1979 provides landowners the opportunity to submit a request to prepare a planning proposal to amend the height and floor space ratio controls for Council's consideration.

Carried unanimously.

X018038

Item 8.3

City of Sydney Local Planning Panel - Appointment of Additional Expert Members

It is resolved that Council endorse the appointment of five alternate expert members from the Minister for Planning's pool of experts to the City of Sydney Local Planning Panel: Paul Berkemeier (alternate expert member), Darlene van der Breggen (alternate expert member), Tony Caro (alternate expert member), Helena Miller (alternate expert member) and Penny Murray (alternate expert member) for a period of three years.

Carried unanimously.

S083226.006

Item 8.4**Fire Safety Reports**

It is resolved that Council:

- (A) note the contents of the Fire Safety Report Summary Sheet, as shown at Attachment A to the subject report;
- (B) note the inspection reports by Fire and Rescue NSW, as shown at Attachments B to N of the subject report;
- (C) exercise its power to issue a Fire Safety Order on the owners of 15-17 Hunter Street, Sydney, as detailed in Attachment B;
- (D) exercise its power to issue a Fire Safety Order on the owners of 64 Clarence Street, Sydney, as detailed in Attachment C;
- (E) not exercise its power to issue a Fire Safety Order at this time but note the compliance action taken as recommended by the City's Investigation Officer in 275 Pitt Street, Sydney, as detailed in Attachment D;
- (F) not exercise its power to issue a Fire Safety Order at this time but note the compliance action taken as recommended by the City's Investigation Officer in 284-292 Pitt Street, Sydney, as detailed in Attachment E;
- (G) not exercise its power to issue a Fire Safety Order at this time but note the compliance action taken as recommended by the City's Investigation Officer in 77-83 William Street, Darlinghurst, as detailed in Attachment F;
- (H) not exercise its power to issue a Fire Safety Order at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 10-24 Flinders Street, Darlinghurst, as detailed in Attachment G;
- (I) not exercise its power to issue a Fire Safety Order at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 228 William Street, Woolloomooloo, as detailed in Attachment H;
- (J) not exercise its power to issue a Fire Safety Order at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 320 George Street, Sydney, as detailed in Attachment I;
- (K) not exercise its power to issue a Fire Safety Order at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 1 Dixon Street, Sydney, as detailed in Attachment J;
- (L) exercise its power to issue a Fire Safety Order on the owners of 5-11 Egan Street, Newtown as recommended by the City's Investigation Officer, as detailed in Attachment K;
- (M) not exercise its power to issue a Fire Safety Order at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 296-298 Botany Road (aka 280 Wyndham Street), Alexandria as detailed in Attachment L;

- (N) not exercise its power to issue a Fire Safety Order at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 339-347 Kent Street, Sydney, as detailed in Attachment M; and
- (O) not exercise its power to issue a Fire Safety Order at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 17-27 Wheat Road, Sydney, as detailed in Attachment N.

Carried unanimously.

S105001.002

Item 9 Questions on Notice**Floor Space and Employment Survey**

1. By Councillor Forster

Question

Preliminary Floor Space and Employment Survey (FES) data from the 2017 survey is currently available on the City's website.

When will the final FES data become available to the public? Where will this be made available?

Answer by the Lord Mayor

The final update to the 2017 Floor Space and Employment data was uploaded to the City of Sydney website on 1 April 2019. The local government area summary report will be published in mid-April. Village data in tabular form is currently available to download from the website. Spatial data will be available for download from the City's open data portal in mid-April.

S129269

Illegal Brothels

2. By Councillor Chung

Question

1. How many complaints has the City of Sydney received since September 2017 concerning the operation of illegal brothels? How many of these complaints have resulted in follow up premises inspection?
2. How many prosecutions have commenced against alleged illegal brothels since September 2017?
3. How many premises inspections has the City performed on massage and para-medical therapeutic premises in the past 12 months in order to detect compliance with conditions of development consent?
4. How many orders in relation to breaches of conditions of consent has the City made against massage premises since September 2017?
5. How many desktop audits of massage premises have been conducted since September 2017? What were the outcomes of these investigations?

Answer by the Lord Mayor

This information will be provided via CEO Update.

S129268

Busking Policy

3. By Councillor Chung

Question

In the Live Music and Performance Action Plan - 2018 Status Report, it was advised that, as of December 2018, the feedback for the proposed new policy for Busking and Aboriginal and Torres Strait Islander Cultural Practice was being processed and a draft would be put to Council in early 2019.

1. Could the Lord Mayor please advise when the final draft policy is expected to be put to Council for adoption and implementation?
2. Will the draft policy ensure that residents are not unduly disturbed by loud and repetitive busking?
3. Will the draft policy ensure that people with a disability are not impacted by buskers?
4. Will the policy consider the needs of the city, businesses its residents and visitors ahead of the financial benefits to individual buskers?

Answer by the Lord Mayor

1. The draft Policy was exhibited from September to November 2018 and community feedback has been processed. Some minor amendments have been drafted. The Policy proposes that Aboriginal and Torres Strait Islander Cultural Practice be exempt from requiring approval should the activity meet certain criteria. Under the Local Government Act 1993, any Local Approvals Policy providing criteria for an exemption from approval requires consent from the Chief Executive of the Office of Local Government before it can be adopted by Council. This consent has been requested by the Chief Executive Officer. The post-exhibition draft Policy will be put to Council upon receiving a response from the Office of Local Government.
2. One of the primary concerns of the new approach to busking outlined in the Policy is to better manage the impact of loud and repetitive busking acts. Please refer to Item 2, Cultural and Creative Sub-Committee, 10 September 2018 – [Public Exhibition - Busking Policy and Guidelines Review](#).
3. The impact of busking on public space and all of the community, including people with disability, has been considered in developing the policy.
4. The Policy considers the needs of businesses, residents and visitors to the city, and the benefits of busking, in equal measure. These needs are not mutually exclusive.

S129268

City of Sydney Council Sporting Fields Flood Risk

4. By Councillor Phelps

Question

Could the Chief Executive Officer please list the likelihood of flooding events associated with the following sports fields?

1. Alan Davidson Oval
2. Alexandria Park Oval
3. Erskineville Oval
4. Federal Park
5. Jubilee Oval
6. Perry Park
7. Redfern Oval
8. Reg Bartley Oval
9. Turruwul Park
10. Waterloo Oval
11. Wentworth Park (Field 1)
12. Wentworth Park (Field 2)
13. Wentworth Park (Field 3)
14. Wentworth Park (Field 4)

Answer by the Lord Mayor

The following sports fields are not flood affected:

- Erskineville Oval
- Perry Park
- Turruwul Park
- Waterloo Oval
- Wentworth Park (Field 1)
- Wentworth Park (Field 4)

The following sports fields are flood affected during a rain event that occurs on average once every 100 years (1 per cent chance of occurring in any given year):

- Wentworth Park (Field 2)
- Wentworth Park (Field 3)

The following sports fields are flood affected during a rain event that occurs on average once every 20 years: (5 per cent chance of occurring in any given year):

- Alan Davidson Oval
- Alexandria Park Oval
- Federal Park
- Jubilee Oval
- Redfern Oval
- Reg Bartley Oval

S129272

Non-Residential Register

5. By Councillor Forster

Question

What is the current status of the Non-Residential Register?

How many people are on the current non-residential register, broken down by owners, occupiers, and rate-paying lessees of rateable property in the City of Sydney local area who do not live in the city?

Answer by the Lord Mayor

Councillors agreed unanimously, through their endorsement of the Non-Residential Register Methodology and Plan 2017-2020, to receive bi-annual updates on the status of the non-residential register via CEO Update. The most recent was in the CEO Update of 30 November 2018 and the next update will be in May 2019.

The current number of natural persons and corporations on the non-residential register with an active interest in property within the City of Sydney local government area, broken down by owners, occupiers and rate-paying lessees is shown in the table below. The City does not know whether or not people live in the City. At close of rolls, the New South Wales Electoral Commission verifies whether or not individuals are entitled to be included on the non-residential rolls.

Note that where persons have multiple roles (for example they are both owners and occupiers of property) their role as owner takes precedence over that of occupier, and the role of occupier takes precedence over that of rate paying lessee.

	Natural Persons	Corporations
Owners	110,351	9,964
Occupiers	255	1,130
Rate Paying Lessees	2	16
Total	110,608	11,110

S129269

Risks of Weed Killer Usage in the City

6. By Councillor Scott

Question

In March 2019, a Californian man won a settlement of \$US80 million after a jury found that the weed killer Roundup was a substantial factor in causing his serious illness. This comes after a similar verdict in an August 2018 case, in which Roundup was considered to have been a substantial cause of a groundskeeper's cancer.

Could Councillors please be advised:

1. Does the City of Sydney use Roundup, or any product with the same or similar chemical composition to Roundup, as part of its grounds keeping activities?
2. If so, in which locations in the City specifically has this product been used from January 2018 - present?
3. What research has the City conducted or consulted as to the risks, especially to human health, as to the use of this product?
4. Has the City undertaken, or does the City plan to undertake, a comprehensive review of these risks in light of the recent verdicts in the United States?
5. If such a review has been undertaken, what was the result?

Answer by the Lord Mayor

1. The City does use Roundup. The City adheres to the requirement of the Pesticides Regulation 2017 and only uses pesticides registered for use in NSW by the Australian Pesticides and Veterinary Medicines Authority (APVMA).

The City has several safety mechanisms which inform the City's Contractor Safety Management and Hazardous Chemical Procedures to ensure the safety of both in-house and contract staff when using pesticides, including verifying all staff are Chemcert accredited (also known as a Chemical Handling Certificate).

- Safety Mechanisms include:
- Pesticide Notification Plan;
- Safe Work Method Statement (SWMS);
- Risk Assessments;
- Safety Data Sheets;
- Chemcert (or equivalent) Accreditation; and
- Completion of monthly Workplace Health and Safety Verification Checklists and Workplace Inspections.

2. Public domain and parks. The City has a Pesticide Use Notification Plan in accordance with the guidelines provided by the NSW Environment Protection Authority (EPA).

Public authorities such as local councils and government agencies are required to notify the community through a Pesticide Notification Plan on the types of prescribed public places where pesticides will be used, how the community will be notified, and what information will be provided about the pesticide application. The plan enables members of the community to avoid or minimise contact with pesticides if required.

3. The City has not conducted any research into the risks of Glyphosate. The City relies on the research and assessment carried out by the Australian Pesticides and Veterinary Medicines Authority (APVMA) who have approved and registered the product for use.
4. The City relies on the research and assessment carried out by the Australian Pesticides and Veterinary Medicines Authority (APVMA) who have approved and registered the product for use.
5. A review of the City's approach to weed eradication is currently underway and will take into account seasonal impacts. This review will be complete by mid-2020.

S129275

Item 10 Supplementary Answers to Previous Questions

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

Item 11 Notices of Motion**Item 11.1 Local Preference Policy**

Moved by Councillor Scully, seconded by Councillor Miller –

It is resolved that:

(A) Council note:

- (i) a local preference policy encourages the procurement of goods and services from local suppliers. This approach to procurement has been successfully adopted by several councils in Australia and abroad, with the aim of creating environmentally and socially beneficial procurement practices which support local business and strengthen the local economy;
- (ii) that where local procurement has been adopted in other cities it has created a number of environmental, social and economic benefits, including:
 - (a) demonstrated investment in the local community;
 - (b) local wealth building by developing local businesses and creating local job opportunities;
 - (c) a shorter supply chain therefore reducing risk and cost;
 - (d) reduced distance for goods delivery resulting in fewer carbon emissions; and
 - (e) improved transparency around ethical labour standards within the supply chain;
- (iii) the City of Sydney's procurement policies and procedures must comply with the requirements of the Local Government Act 1993 and should consider the principles set out under the Tendering Guidelines for NSW Local Government ("the Guidelines");
- (iv) the Guidelines require that when considering expenditure of public monies Councils should:
 - (a) be open, transparent and accountable in their dealings;
 - (b) ensure that their dealings promote fairness and competition; and
 - (c) obtain best value;
- (v) the Guidelines also state that "Where a council wants to consider local preference as a factor in the supply of goods and services, it should develop and adopt a local preference policy"; and
- (vi) this approach aligns with Sustainable Sydney 2030, Strategic Direction 6, Objective 6.3 - Develop and support local enterprise and employment; and

- (B) the Chief Executive Officer be requested to investigate the possibility of developing a local preference policy for the City of Sydney, with consideration to all relevant statutory obligations and principles of best practice and report the findings back to Councillors.

Carried unanimously.

S129264

Item 11.2 2019 NSW State Election Congratulations

Moved by Councillor Forster, seconded by Councillor Chung –

It is resolved that:

- (A) Council note:
 - (i) the NSW Liberal/National Coalition secured a majority in the Legislative Assembly in the general election held on 23 March 2019; and
 - (ii) the Hon. Gladys Berejiklian MP has become the first elected female Premier in NSW;
- (B) the Lord Mayor be requested to write to the NSW Premier, The Hon. Gladys Berejiklian MP, to congratulate her and the Coalition Government on the election result;
- (C) the Lord Mayor be requested to write to Mr Alex Greenwich MP congratulating him on his re-election as the Member for Sydney; and
- (D) Council acknowledge the commitment and achievement of all candidates during the 2019 NSW State Election.

Variation. At the request of Councillor Kok, and by consent, the motion was varied such that it read as follows –

It is resolved that:

- (A) Council note:
 - (i) the NSW Liberal/National Coalition secured a majority in the Legislative Assembly in the general election held on 23 March 2019;
 - (ii) the Hon. Gladys Berejiklian MP has become the first elected female Premier in NSW;
 - (iii) the Lord Mayor has written to the NSW Premier, The Hon. Gladys Berejiklian MP, to congratulate her and the Coalition Government on the election result; and
 - (iv) the Lord Mayor has written to Mr Alex Greenwich MP congratulating him on his re-election as the Member for Sydney;
- (B) Council acknowledge the commitment and achievement of all candidates during the 2019 NSW State Election.

Variation. At the request of Councillor Scott, and by consent, the motion was varied, such that an additional clause be added so that the motion read as follows –

It is resolved that:

(A) Council note:

- (i) the NSW Liberal/National Coalition secured a majority in the Legislative Assembly in the general election held on 23 March 2019;
- (ii) the Hon. Gladys Berejiklian MP has become the first elected female Premier in NSW;
- (iii) the Lord Mayor has written to the NSW Premier, The Hon. Gladys Berejiklian MP, to congratulate her and the Coalition Government on the election result; and
- (iv) the Lord Mayor has written to Mr Alex Greenwich MP congratulating him on his re-election as the Member for Sydney;

(B) the Lord Mayor be requested to write to Mr Ron Hoenig MP, Ms Jenny Leong MP and Mr Jamie Parker MP congratulating them on their re-election as the Members for Heffron, Newtown and Balmain respectively; and

(C) Council acknowledge the commitment and achievement of all candidates during the 2019 NSW State Election.

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

S129260

Misrepresentation

During discussion on Item 11.2, Councillor Scully stated that she had been misrepresented in respect to comments made by Councillor Forster and clarified her position accordingly.

Adjournment

At this stage of the meeting, at 6.17pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Kok –

That the meeting be adjourned for approximately 15 minutes.

The motion was carried on the following show of hands –

Ayes (8) The Lord Mayor, Councillors Kok, Miller, Phelps, Scott, Scully, Thalis and Vithoulkas

Noes (2) Councillors Chung and Forster.

Motion carried.

All Councillors were present at the resumption of the meeting of Council at 6.32pm.

Item 11.3 City of Sydney Opposes Racism

Moved by Councillor Chung, seconded by Councillor Forster –

It is resolved that:

- (A) Council note, on 18 March 2019, a video emerged of the then NSW Labor Leader Michael Daley telling a Labor Party function in the Blue Mountains that young people were being forced to "flee" Sydney because their jobs were being taken by educated Asian migrants;
- (B) Council denounce and condemn Mr Daley for his racist and offensive comments insinuating that Asian Migrants are responsible for increasing property prices and the high cost of living in Sydney; and
- (C) the Lord Mayor be requested to write to the interim NSW Labor Leader, The Hon. Penny Sharpe MLC, calling on her to denounce the video and Mr Daley's racist comments.

Variation. At the request of Councillor Kok, and by consent, the motion was varied such that it read as follows –

It is resolved that Council:

- (A) note that Australia has long prided itself on being an inclusive multi-cultural country which respects diversity and the inherent dignity of all its citizens;
- (B) further note with concern that this inclusiveness and respect for diversity risks being threatened by the increasing tendency of people in public life, including elected officials, candidates for office and media figures, to exploit prejudice and irrational hatred by resorting to overt and covert racist, Islamophobic, anti-Semitic, sexist, homophobic and other offensive discriminatory comments;
- (C) call upon the parliamentary leaders of all political parties at the NSW and federal levels to show leadership on this issue by rejecting this development and by being willing to immediately call to account any of their supporters or followers whenever they resort to this conduct; and
- (D) request the Lord Mayor write to all parliamentary leaders requesting them to act on this issue as proposed in this resolution.

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

S129259

Item 11.4 Telstra Payphones

By Councillor Chung

It is resolved that:

(A) Council note:

- (i) Telstra has a Universal Service Obligation under the Telecommunications (Consumer Protection and Service Standards) Act 1999 (TCPSS Act) to provide equitable access to payphones;
- (ii) Part 9, clause (1)(a) of the TCPSS Act regarding the Universal Service Obligation to provide reasonable access to payphones for the provision of Standard Telephone Services on an equitable basis does not include an unfettered right for Telstra to install additional infrastructure in association with that Universal Service Obligation;
- (iii) Telstra and JCDecaux are in dispute with a number of city councils around Australia about the installation of public payphones with significant private advertising billboards and other telecommunications infrastructure;
- (iv) Telstra appears to be using its Universal Service Obligation as a 'sword' to overcome any requirement to obtain approvals from city councils to erect unnecessary payphones to be used as unregulated and unwanted billboards;
- (v) any installation of this unwarranted and unapproved infrastructure that contains telephony, data and other communications infrastructure would give Telstra an unfair advantage over its competitors; and
- (vi) installation of public payphone services which have additional infrastructure attached cannot be considered a Low Impact Facility;

(B) the Chief Executive Officer be requested to:

- (i) write to the Federal Minister for Communications, The Hon Mitch Fifield MP and the Shadow Minister for Communications, Michelle Rowland MP:
 - (a) seeking a determination (or a pledge to make a determination) under the Telecommunications (Low-impact Facilities) Determination 1997 that the installation of public payphones which allow for services and equipment other than that for Standard Telephone Services and include devices or facilities for other uses, is not used solely for carriage and content services and which displays commercial advertising other than advertising related to the supply of Standard Telephone Services cannot be considered as Low Impact Facilities; and
 - (b) requesting amendments to the TCPSS Act to provide that Telstra must seek appropriate planning approvals for the installation of public payphone services under its Universal Service Obligation, such installations to contain only necessary payphone (Standard Telephone Service) infrastructure and for which approvals cannot be reasonably refused;
- (ii) write to the Chairman of the Australian Competition and Consumer Commission, Mr Rod Sims, expressing Council's concern and seeking a determination that the use of the Universal Service Obligation by Telstra to install payphones which contain services other than Standard Telephone Services is anti-competitive; and

- (iii) write to the Chief Executive Officer and Managing Director of Telstra expressing the elected Council's strong view that any use of the Universal Service Obligation to install payphones with services other than Standard Telephone Services is not permissible under legislation and will be strongly resisted.

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

Moved by Councillor Chung, seconded by Councillor Forster –

It is resolved that:

(A) Council note:

- (i) Telstra has a Universal Service Obligation under the Telecommunications (Consumer Protection and Service Standards) Act 1999 (TCPSS Act) to provide equitable access to payphones;
- (ii) Part 9, clause (1)(a) of the TCPSS Act regarding the Universal Service Obligation to provide reasonable access to payphones for the provision of Standard Telephone Services on an equitable basis does not include an unfettered right for Telstra to install additional infrastructure in association with that Universal Service Obligation;
- (iii) Telstra and JCDecaux are in dispute with a number of city councils around Australia about the installation of public payphones with significant private advertising billboards and other telecommunications infrastructure;
- (iv) Telstra appears to be using its Universal Service Obligation as a 'sword' to overcome any requirement to obtain approvals from city councils to erect unnecessary payphones to be used as unregulated and unwanted billboards;
- (v) any installation of this unwarranted and unapproved infrastructure that contains telephony, data and other communications infrastructure would give Telstra an unfair advantage over its competitors;
- (vi) installation of public payphone services which have additional infrastructure attached cannot be considered a Low Impact Facility; and
- (vii) telecommunications providers have a right under current legislation to install certain communications infrastructure without requiring planning permissions from Council. This will allow multiple 5G small cell installations to occur without Council guidance or permissions.

(B) the Chief Executive Officer be requested to:

- (i) write to the Federal Minister for Communications, The Hon Mitch Fifield MP and the Shadow Minister for Communications, Michelle Rowland MP:
 - (a) seeking a determination (or a pledge to make a determination) under the Telecommunications (Low-impact Facilities) Determination 1997 that the installation of public payphones which allow for services and equipment other than that for Standard Telephone Services and include devices or facilities for other uses, is not used solely for carriage and content services and which displays commercial advertising other than advertising related to the supply of Standard Telephone Services cannot be considered as Low Impact Facilities;

- (b) requesting amendments to the TCPSS Act to provide that Telstra must seek appropriate planning approvals for the installation of public payphone services under its Universal Service Obligation, such installations to contain only necessary payphone (Standard Telephone Service) infrastructure and for which approvals cannot be reasonably refused;
 - (c) seeking a determination (or a pledge to make a determination) under the Telecommunications (low-impact facilities) Determination 1997 that the installation of 5G infrastructure cannot be considered as Low Impact Facilities; and
 - (d) seeking amendments to legislation to ensure carrier agnostic 5G technology;
- (ii) write to the Chairman of the Australian Competition and Consumer Commission, Mr Rod Sims, expressing Council's concern and seeking a determination that the use of the Universal Service Obligation by Telstra to install payphones which contain services other than Standard Telephone Services is anti-competitive; and
 - (iii) write to the Chief Executive Officer and Managing Director of Telstra expressing the elected Council's strong view that any use of the Universal Service Obligation to install payphones with services other than Standard Telephone Services is not permissible under legislation and will be strongly resisted;
- (C) Council establish a working party of Councillors supported by administrative and expert staff to work cooperatively with other Councils to:
- (i) make representations to the Federal Minister for Communications, the Hon. Mitch Fifield MP, and the Shadow Minister for Communications, Michelle Rowland MP, seeking a determination as described at B(i)(a), and (b) and (c) above;
 - (ii) provide a unified and focussed policy approach to the roll out of 5G infrastructure in the City of Sydney and other Council areas;
 - (iii) advocate strongly for the City of Sydney and other Councils to have the power to approve the location and installation of 5G infrastructure within local government areas; and
 - (iv) advocate strongly for the City of Sydney and other Councils to be able to install carrier agnostic 5G infrastructure throughout individual local government areas.

Variation. At the request of Councillor Scully, and by consent, the motion was varied, such that it read as follows:

It is resolved that:

(A) Council note:

- (i) Telstra has a Universal Service Obligation under the Telecommunications (Consumer Protection and Service Standards) Act 1999 (TCPSS Act) to provide equitable access to payphones;
- (ii) Part 9, clause (1)(a) of the TCPSS Act regarding the Universal Service Obligation to provide reasonable access to payphones for the provision of Standard Telephone Services on an equitable basis does not include an unfettered right for Telstra to install additional infrastructure in association with that Universal Service Obligation;
- (iii) Telstra and JCDecaux are in dispute with a number of city councils around Australia about the installation of public payphones with significant private advertising billboards and other telecommunications infrastructure;
- (iv) Telstra appears to be using its Universal Service Obligation as a 'sword' to overcome any requirement to obtain approvals from city councils to erect unnecessary payphones to be used as unregulated and unwanted billboards;
- (v) any installation of this unwarranted and unapproved infrastructure that contains telephony, data and other communication infrastructure would give Telstra an unfair advantage over its competitors;
- (vi) installation of public payphone services which have additional infrastructure attached cannot be considered a Low Impact Facility; and
- (vii) telecommunications providers have a right under current legislation to install certain communications infrastructure without requiring planning permissions from Council. This will allow multiple 5G small cell installations to occur without Council guidance or permissions.

(B) the Lord Mayor be requested to:

- (i) write to the Federal Minister for Communications, The Hon Mitch Fifield MP and the Shadow Minister for Communications, Michelle Rowland MP:
 - (a) seeking a determination (or a pledge to make a determination) under the Telecommunications (Low-impact Facilities) Determination 1997 that the installation of public payphones which allows for services and equipment other than that for Standard Telephone Services and include devices or facilities for other uses, is not used solely for carriage and content services and which displays commercial advertising other than advertising related to the supply of standard telephone services cannot be considered as Low Impact Facilities;
 - (b) requesting amendments to the TCPSS Act to provide that Telstra must seek appropriate planning approvals for the installation of public payphone services under its Universal Service Obligation, such installations to contain only necessary payphone (Standard Telephone Service) infrastructure and for which approvals cannot be reasonably refused;
 - (c) seeking a determination (or a pledge to make a determination) under the Telecommunications (low-impact facilities) Determination 1997 that the installation of 5G infrastructure cannot be considered as Low Impact Facilities; and

- (d) seeking amendments to legislation to ensure carrier agnostic 5G technology.
 - (ii) write to the Chairman of the Australian Competition and Consumer Commission, Mr Rod Sims, expressing Council's concern and seeking a determination that the use of the Universal Service Obligation by Telstra to install payphones which contain services other than Standard telephone Services is anti-competitive;
 - (iii) write to the Chief Executive Officer and Managing Director of Telstra expressing the elected Council's strong view that any use of the Universal Service Obligation to install payphones with services other than Standard Telephone Services is not permissible under legislation and will be strongly resisted;
 - (iv) write to the NSW Premier, The Hon Gladys Berejiklian MP, requesting that she raise Council's concerns with the Council of Australian Governments (COAG) and seek the outcomes identified in (B); and
 - (v) urgently raise Council's concerns with the Council of Capital City Lord Mayors (CCCLM) and request that the CCCLM again write to the Federal Minister for Communications, The Hon Mitch Fifield MP and the Shadow Minister for Communications, Michelle Rowland MP seeking the outcomes identified in (B);
- (C) Council establish a working party of Councillors supported by administrative and expert staff to work cooperatively with other Councils to:
- (i) make representations to the Federal Minister for Communications, the Hon. Mitch Fifield MP, and the Shadow Minister for Communications, Michelle Rowland MP, seeking a determination as described at B(i)(a), and (b) and (c) above;
 - (ii) provide a unified and focussed policy approach to the roll out of 5G infrastructure in the City of Sydney and other Council areas to ensure maximum public benefit and minimal impact on the public domain;
 - (iii) advocate strongly for the City of Sydney and other Councils to have the power to approve the location and installation of 5G infrastructure within local government areas; and
 - (iv) recommend changes to legislation that will ensure 5G technology is rolled out through carrier agnostic infrastructure to avoid the proliferation of small cell installations from multiple carriers cluttering our public domain and streetscapes.

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

S129259

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 Thalis –

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

Carried unanimously.

Adjournment

During Item 11.4, at 7.17pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Kok –

That the meeting be adjourned to allow Councillors to review and discuss the amended motion.

Carried unanimously.

All Councillors were present at the resumption of the meeting of Council at 7.43pm.

Procedural Motions

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

That the Order of Business be altered such that Item 11.4 be deferred and dealt with at the end of the Council meeting.

The motion was carried on the following show of hands –

Ayes (8) The Lord Mayor, Councillors Kok, Miller, Phelps, Scott, Scully, Thalis and Vithoulkas

Noes (2) Councillors Chung and Forster.

Motion carried.

It was then moved by the Chair (the Lord Mayor), seconded by Councillor Scully –

That the Order of Business be altered such that Item 11.6 be brought forward and dealt with before Item 11.5.

Carried unanimously.

Item 11.5 Unpaid Timed Parking Meters in the City of Sydney Local Government Area

Moved by Councillor Phelps, seconded by Councillor Vithoulkas –

It is resolved that:

(A) Council note:

- (i) during discussion on the revised draft Neighbourhood Parking Policy in 2018, the Council was asked to review the “4P (8am-12midnight, Area 15 permit holders excepted)” permit parking restrictions on Greens Road and implement “2P Ticket (8am-8pm), 4P Ticket (8pm-12midnight)” permit parking restrictions, as:
 - (a) residents have continually raised concerns that the 4P restriction has reduced parking availability for residents and their visitors; and
 - (b) to increase parking opportunities in the area for residents and their visitors;
- (ii) there have been two proposals regarding the change of parking conditions in Area 15 (Paddington and Darlinghurst):
 - (a) the changing of the parking limit from 4P to “2P (8am-8pm), 4P (8pm-12midnight)” along Greens Road, Paddington (between Oxford Street and Moore Park Road); and
 - (b) the introduction of paid parking meters to aid in the enforcement of the new parking restrictions across Area 15. In particular:
 - Greens Road, Paddington (between Oxford Street and Moore Park Road);
 - Oxford Street, Paddington (between Oatley Road and Greens Road) and;
 - Goulburn Street, Darlinghurst;
- (iii) there is a strong community objection to the use of parking meters, with numerous written objections and representatives have spoken against installing such meters at committee meetings;
- (iv) numerous constituents with business and personal interest in the area have written to the Council opposing the implementation of paid parking restrictions due to:
 - (a) parking meters imposing a cost and therefore deterring customers and residential visitors from coming to the area;
 - (b) increasing financial strain on local businesses and shops; and
 - (c) creating more parking congestion in other already congested sections of Area 15 as visitors search for free parking.
- (v) the lack of substantial community consultation regarding the planned changes, tabling a new addition (Item 47) at the December 2018 Local Pedestrian, Cycling and Traffic Calming Committee meeting on which a decision was made without the appropriate authority; and
- (vi) previous correspondence from 2017 between the Lord Mayor and a constituent explicitly stated the City would not implement paid parking in Area 15;

(B) the Chief Executive Officer be requested to:

- (i) suspend use of the new paid parking meter on Goulburn Street, Darlinghurst;
- (ii) deem the decision made regarding Item 47, which recommended paid metered parking along Greens Road, at the 13 December 2018 Local Pedestrian, Cycling and Traffic Calming Committee meeting is invalid as the Local Pedestrian, Cycling and Traffic Calming Committee does not have the appropriate authority to determine the matter; and
- (iii) investigate introducing unpaid timed parking meters throughout the City of Sydney Local Government Area to assist rangers with enforcing parking limits.

Foreshadowed motion. Councillor Thalis foreshadowed that, should the motion moved by Councillor Phelps 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 Vithoulkas.

Noes (6) The Lord Mayor, Councillors Kok, Miller, Scott, Scully and Thalis

Motion lost.

Councillor Thalis then moved his foreshadowed motion, seconded by Councillor Miller, as follows:

It is resolved that:

(A) Council note:

- (i) the City of Sydney changed parking restrictions on the eastern side of Greens Road between Oxford Street and Moore Park Road, next to Victoria Barracks in March 2016, from "2P 8am-2am" to "4P 8am-12 midnight" in response to concerns from local business that 2P was too restrictive;
- (ii) the 4P permit parking on Greens Road was implemented for a two-year period and residents raised concerns this reduced parking availability;
- (iii) in a letter dated 6 November 2018, the City consulted residents and businesses on a proposal on the eastern side Greens Road for 2P Ticket (8am-8pm) and 4P Ticket (8pm-12midnight");
- (iv) a number of residents and business owners addressed the December 2018 Local Pedestrian, Cycling and Traffic Calming Committee (LPCTCC) and expressed their concerns about the proposal;
- (v) there was discussion that 4P is difficult to enforce without parking meters;
- (vi) subsequently the LPCTCC followed due process to endorse "2P (8am-8pm) and 4P (8pm- 12midnight)" on the eastern side of Greens Road, Paddington (between Oxford Street and Moore Park Road) ticketed parking;
- (vii) City staff consulted the community five times over the last two years on various proposals for Greens Road and the endorsed proposal was an initiative on the Committee's part to find a fair and workable solution;
- (viii) as Greens Road north of Albion Avenue isn't residential, the resolution did not require further consultation; and

- (ix) residents and businesses wrote to us after the decision of the LPCTCC and asked to meet with City staff and the Lord Mayor to reconsider the decision to introduce ticketed parking on the eastern side of Greens Road;
- (B) ticketed parking not be introduced, and that the current parking arrangements be reviewed after a year on Greens Road;
- (C) parking meters will not be introduced on Oxford Street, Paddington (between Oatley Road and Greens Road), and parking arrangements will be reviewed after a year;
- (D) ticketed parking on Goulburn Street, between Crown and Riley Streets, will be reviewed and 15 minute free parking will be trialled; and
- (E) unpaid time parking meters to assist rangers with enforcing parking are not supported, because this does not encourage parking turnover.

Carried unanimously.

S129263

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 Scully –

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

Carried unanimously.

Item 11.6 Commemorative Plaque in Martin Place: Hank and Homelessness

Moved by Councillor Scott, seconded by Councillor Miller –

It is resolved that:

- (A) Council note:
- (i) the City of Sydney is experiencing a homelessness crisis, with figures estimating that almost 300 people sleep rough on our City streets each night, many of whom are experiencing long-term homelessness;
 - (ii) this reflects the crisis in homelessness occurring across NSW:
 - (a) homelessness has increased by 37 per cent in NSW, and by 14 per cent across Australia in the five years to 2016, according to census data;
 - (b) in the same period, spending on services for those who are homeless and those sleeping rough decreased by 14 per cent;
 - (c) 288,000 people access homelessness services every year; and
 - (d) 51,453 people in NSW are on the social housing waiting list and almost 200,000 people are on waiting lists for social housing across Australia;
 - (iii) the City of Sydney has a long history of working to support and improve the living conditions of those sleeping rough on our City streets. This includes in August 2018 a reaffirmation of the 2017 commitment to support the establishment of a 24/7 safe space through a grant of \$100,000 per year for three years to the Department of Family and Community Services;
 - (iv) on Christmas Eve 2018 a local man experiencing long-term homelessness named Hank sadly passed away in St Vincent's Hospital. Hank was well-known and admired amongst the community of people experiencing homelessness in the area, and to volunteers at the Wayside Chapel, the Footpath Library, Orange Sky Laundry, Vinnies Night Patrol and other local organisations providing support to those experiencing homelessness in our City;
 - (v) Hank's life experiences are representative of those of many people who experience long-term homelessness in City. Like many in our homeless community, Hank had a happy childhood, was well educated and spent years employed and living in his own home. When his circumstances changed and he had nowhere to live, Hank spent many years sleeping rough, living short-term in hostels, and, in his later years, he lived in a boarding house behind the Australian Museum. His story is common, and could happen to many of us;
 - (vi) Martin Place is an important ritualistic site for the people sleeping rough or living in accommodation with no security of tenure in our City, as the imposing architecture of the financial district serves as the backdrop for the meeting place, sanctuary and sleeping zone of our most vulnerable residents. There is a rigid dichotomy between the wealth this space represents by day and the extreme hardship the night-time users are experiencing; and
 - (vii) people affected by homelessness deserve space and representation in our City;
- (B) Council endorse the installation of a commemorative plaque in the vicinity of Martin Place to Hank and the many people experiencing homelessness in our City; and

(C) the Chief Executive Officer be requested to:

- (i) investigate options for the installation of this commemorative plaque; and
- (ii) report the findings back to Councillors via the CEO Update.

Amendment. Moved by Councillor Miller, seconded by Councillor Scully –

It is resolved that:

(A) Council note:

- (i) the City of Sydney is experiencing a homelessness crisis, with figures estimating that almost 300 people sleep rough on our City streets each night, many of whom are experiencing long-term homelessness;
- (ii) this reflects the crisis in homelessness occurring across NSW:
 - (a) homelessness has increased by 37 per cent in NSW, and by 14 per cent across Australia in the five years to 2016, according to census data;
 - (b) in the same period, spending on services for those who are homeless and those sleeping rough decreased by 14 per cent;
 - (c) 288,000 people access homelessness services every year; and
 - (d) 51,453 people in NSW are on the social housing waiting list and almost 200,000 people are on waiting lists for social housing across Australia;
- (iii) the City of Sydney has a long history of working to support and improve the living conditions of those sleeping rough on our City streets. This includes in August 2018 a reaffirmation of the 2017 commitment to support the establishment of a 24/7 safe space through a grant of \$100,000 per year for three years to the Department of Family and Community Services;
- (iv) on Christmas Eve 2018, a local man experiencing long-term homelessness named Hank sadly passed away in St Vincent's Hospital. Hank was well-known and admired amongst the community of people experiencing homelessness in the area, and to volunteers at the Wayside Chapel, the Footpath Library, Orange Sky Laundry, Vinnies Night Patrol and other local organisations providing support to those experiencing homelessness in our City;
- (v) Hank's life experiences are representative of those of many people who experience long-term homelessness in City. Like many in our homeless community, Hank had a happy childhood, was well educated and spent years employed and living in his own home. When his circumstances changed and he had nowhere to live, Hank spent many years sleeping rough, living short-term in hostels, and, in his later years, he lived in a boarding house behind the Australian Museum. His story is common, and could happen to many of us;
- (vi) Martin Place is an important ritualistic site for the people sleeping rough or living in accommodation with no security of tenure in our City, as the imposing architecture of the financial district serves as the backdrop for the meeting place, sanctuary and sleeping zone of our most vulnerable residents. There is a rigid dichotomy between the wealth this space represents by day and the extreme hardship the night-time users are experiencing; and
- (vii) people affected by homelessness deserve space and representation in our City;

(B) the Chief Executive Officer be requested to:

- (i) work with relevant organisations and individuals to investigate creative options that recognise and commemorate the lives of the rough-sleeping community in our city, including but not limited to options such as a mural, tree or plaque; and
- (ii) report the findings back to Councillors via the CEO Update.

The amendment was carried unanimously.

The substantive motion was carried unanimously.

S129266

Item 11.7 Preserving the History of our City's Labour Movement at the Eveleigh Locomotive Workshop

By Councillor Scott

It is resolved that:

(A) Council note:

- (i) the Eveleigh Locomotive Workshop has a rich social, cultural and industrial history;
 - (a) the site was acquired by the NSW government in 1879 and operated as one of Australia's largest and most advanced locomotive workshops for over 100 years, from the 1880s to 1989;
 - (b) the Workshop provided employment to thousands of working class people in the inner-city during this time, including women in a diverse array of roles, local Aboriginal people and, from the 1950s onwards, large numbers of new migrants to Australia;
 - (c) multiple generations of families worked alongside each other at the Workshop, and many people were employed there for their entire working lives. This, along with strong ties to local trade union and Labor and Communist Party groups, created a strong sense of community at the Workshop; and
 - (d) few workers could afford to buy or even rent their own homes prior to the 1950s, and lived in boarding houses in nearby Eveleigh and Darlington.
- (ii) the Workshop was a hub for industrial activism and the labour movement in Sydney;
 - (a) eight strikes were conducted at the site between 1915 and 1917 to protest poor conditions and declining wages;
 - (b) the Great Strike of 1917 began at the Workshop, when along with 1,100 men at Randwick Tramway Depot, 3000 workers at Eveleigh downed tools and led a General Strike which lasted 82 days;
 - (c) local trade union groups campaigned for equal pay for women workers and fair treatment of migrant and Aboriginal workers; and
 - (d) a number of workers at the Workshop went on to become as key figures in the 20th Century labour movement in NSW, including Joseph Cahill, James McGowen and William McKell, all of whom went on serve as the Premier of NSW;
- (iii) the Eveleigh Locomotive Workshop site was sold by the NSW Liberal state government to private developers in late 2015;
- (iv) on 22 February 2019, State Significant Development Applications 8849 and 8517 for the site were approved by the Independent Planning Commission, with the condition that a Stage 2 Heritage Interpretation Plan be completed for the site;
- (v) City staff have done significant and important work in raising the heritage features and social history of this site and in making detailed submissions at various stages of this project;

- (vi) a number of concepts to preserve the heritage and social history of the site have been proposed through the consultation process for the Stage 2 Heritage Interpretation Plan, including:
 - (a) storytelling about the continuity of 130 years of blacksmithing at the site, unionism, Aboriginal activism, strike action, the role of women and migrant workers and the activities at the site during World War II;
 - (b) improvements to the Blacksmith workshop site;
 - (c) interpretation of various important machinery like the Davy Press, the in-situ Guillotine, the steam hammers and other moveable heritage on site;
 - (d) heritage exhibition and interpretation spaces with a rotating curatorial program;
 - (e) pump house and boilers interpretation;
 - (f) interpretative and architectural lighting;
 - (g) educational programs linked to the NSW syllabus to create shared understanding of Aboriginal cultural values, historical values and constructs linked to the broader Australian Technology Park precinct; and
 - (h) a Vivid-style lighting installation of a 'Worker's Wall' to capture the significance of the workers in a commemorative format;
 - (vii) both the material and social history of this important site for the labour movement and workers in our City should be preserved and celebrated. As a part of this preservation, any 'Worker's Wall' on the site should be a permanent physical installation, not a temporary light installation.
- (B) the Chief Executive Officer be requested to advocate strongly in all appropriate forums for both the material and social history of the Eveleigh Locomotive Workshop to be preserved and celebrated at the site, including advocating for a permanent, physical 'Worker's Wall' feature to be part of any development of the space; and
- (C) the Lord Mayor be requested to write to the NSW Premier, the Hon. Gladys Berejiklian MP, the NSW Minister for Planning and Public Spaces, the Hon. Robert Stokes MP, as well as the NSW Acting Leader of the Opposition and Shadow Minister for Environment and Heritage, the Hon. Penny Sharpe MLC, and the Shadow Minister for Planning, the Hon. Tania Mihailuk MP, as well as the Chief Executive Officer of Mirvac expressing this view.

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

Moved by Councillor Scott, seconded by Councillor Thalis –

- (A) Council note:
- (i) the Eveleigh Locomotive Workshop has a rich social, cultural and industrial history;
 - (a) the site was acquired by the NSW government in 1879 and operated as one of Australia's largest and most advanced locomotive workshops for over 100 years, from the 1880s to 1989;
 - (b) the Workshop provided employment to thousands of working class people in the inner-city during this time, including women in a diverse array of roles, local Aboriginal people and, from the 1950s onwards, large numbers of new migrants to Australia;

- (c) multiple generations of families worked alongside each other at the Workshop, and many people were employed there for their entire working lives. This, along with strong ties to local trade union and Labor and Communist Party groups, created a strong sense of community at the Workshop; and
 - (d) few workers could afford to buy or even rent their own homes prior to the 1950s, and lived in boarding houses in nearby Eveleigh and Darlington.
- (ii) the Workshop was a hub for industrial activism and the labour movement in Sydney;
- (a) eight strikes were conducted at the site between 1915 and 1917 to protest poor conditions and declining wages;
 - (b) the Great Strike of 1917 began at the Workshop, when along with 1,100 men at Randwick Tramway Depot, 3000 workers at Eveleigh downed tools and led a General Strike which lasted 82 days;
 - (c) local trade union groups campaigned for equal pay for women workers and fair treatment of migrant and Aboriginal workers; and
 - (d) a number of workers at the Workshop went on to become as key figures in the 20th Century labour movement in NSW, including Joseph Cahill, James McGowen and William McKell, all of whom went on serve as the Premier of NSW;
- (iii) the Eveleigh Locomotive Workshop site was sold by the NSW Liberal state government to private developers in late 2015;
- (iv) on 22 February 2019, State Significant Development Applications 8849 and 8517 for the site were approved by the Independent Planning Commission, with the condition that a Stage 2 Heritage Interpretation Plan be completed for the site;
- (v) City staff have done significant and important work in raising the heritage features and social history of this site and in making detailed submissions at various stages of this project. There will be limited capacity for members of the public to provide feedback on this plan once it is completed, and therefore the City of Sydney plays an important role in ensuring that the views of community members , the labour movement and heritage groups are carried across in all stages of this project;
- (vi) a number of concepts to preserve the heritage and social history of the site have been proposed through the consultation process for the Stage 2 Heritage Interpretation Plan, including:
- (a) storytelling about the continuity of 130 years of blacksmithing at the site, unionism, Aboriginal activism, strike action, the role of women and migrant workers and the activities at the site during World War II;
 - (b) improvements to the Blacksmith workshop site;
 - (c) interpretation of various important machinery like the Davy Press, the in-situ Guillotine, the steam hammers and other moveable heritage on site;
 - (d) heritage exhibition and interpretation spaces with a rotating curatorial program;
 - (e) pump house and boilers interpretation;
 - (f) interpretative and architectural lighting;

- (g) educational programs linked to the NSW syllabus to create shared understanding of Aboriginal cultural values, historical values and constructs linked to the broader Australian Technology Park precinct; and
 - (h) a Vivid-style lighting installation of a 'Worker's Wall' to capture the significance of the workers in a commemorative format;
- (vii) both the material and social history of this important site for the labour movement and workers in our City should be preserved and celebrated. As a part of this preservation, any 'Worker's Wall' on the site should be a permanent physical installation, not a temporary light installation.
- (B) the Chief Executive Officer be requested to:
- (i) advocate strongly in all appropriate forums for both the material and social history of the Eveleigh Locomotive Workshop to be preserved and celebrated at the site, including advocating for a permanent, physical 'Worker's Wall' feature to be part of any development of the space;
 - (ii) advocate for further public consultation to be undertaken on the completed Stage 2 Heritage Implementation Plan before it is submitted to the NSW state government for approval; and
 - (iii) facilitate a meeting between relevant City staff and representatives of the labour movement, heritage groups and local community groups to hear their views;
- (C) the Lord Mayor be requested to write to the NSW Premier, the Hon. Gladys Berejiklian MP, the NSW Minister for Planning and Public Spaces, the Hon. Robert Stokes MP, as well as the NSW Acting Leader of the Opposition and Shadow Minister for Environment and Heritage, the Hon. Penny Sharpe MLC, and the Shadow Minister for Planning, the Hon. Tania Mihailuk MP, as well as the Chief Executive Officer of Mirvac expressing this view.

Carried unanimously.

S129264

Item 11.8 First Nations Traditional Lands Boundaries

By Councillor Scott

It is resolved that:

(A) Council note:

- (i) that the Gadigal people of the Eora Nation are the original custodians of the land now occupied by the City of Sydney, that these custodians were dispossessed of this land, and that sovereignty over this land was never ceded;
- (ii) truth-telling and recognition of these facts is a vital part of the reconciliation and recovery process;
- (iii) the City of Sydney acknowledges the Indigenous history of this land and the present-day Aboriginal community wherever possible and appropriate; and
- (iv) that there is no consistent signage across NSW naming traditional nation boundaries;

(B) the Chief Executive Officer be requested to:

- (i) refer a brief proposal for state-wide signage indicating Aboriginal nations boundaries to the City's Aboriginal and Torres Strait Advisory Panel and relevant staff working on the Resilient Sydney Strategy for consultation; and
- (ii) following this consultation, refer this proposal to the Local Government Aboriginal Network (LGAN), requesting their consideration of and support for the NSW State Government to undertake this project;

(C) the Lord Mayor, following consultation with the City of Sydney Aboriginal and Torres Strait Advisory Panel and LGAN, be requested to write to the Premier of NSW, the Hon. Gladys Berejiklian MP, and the Minister for Aboriginal Affairs, the Hon. Don Harwin MP, as well as the NSW Acting Leader of the Opposition, the Hon. Penny Sharpe MLC, requesting them to undertake this project in collaboration with first nations groups in NSW.

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

Moved by Councillor Scott, seconded by Councillor Scully –

It is resolved that:

(A) Council note:

- (i) that the Gadigal people of the Eora Nation are the original custodians of the land now occupied by the City of Sydney, that these custodians were dispossessed of this land, and that sovereignty over this land was never ceded;
- (ii) truth-telling and recognition of these facts is a vital part of the reconciliation and recovery process;
- (iii) the City of Sydney acknowledges the Indigenous history of this land and the present-day Aboriginal community wherever possible and appropriate;

- (iv) the City is working with Aboriginal and Torres Strait Islander artists to create seven major public art projects symbolising the Eora Journey - a visionary project that celebrates the living culture of the Aboriginal and Torres Strait Islander communities in Sydney;
 - (v) signs in the City's parks now welcome people with the words 'bujari gamarruwa', which means 'good day' in the language of the Gadigal people of the Eora nation;
 - (vi) the Resilient Sydney plan recognises that by acknowledging our shared past, we are paving the way for a future where all Australians are embraced, and commits to acknowledging and embracing Aboriginal and Torres Strait Islander peoples and cultures in our city's past, present and future; and
 - (vii) that the Local Government Aboriginal Network is considering state-wide signage naming traditional nation boundaries;
- (B) the Chief Executive Officer be requested to invite the Local Government Aboriginal Network to present to the City's Aboriginal and Torres Strait Advisory Panel on state wide Aboriginal nation signage for consideration.

Carried unanimously.

S129266

At 8.43 pm the meeting concluded.

Chair of a meeting of the Council of the City
of Sydney held on Monday 13 May 2019 at which
meeting the signature herein was subscribed.