

8 April 2019

At 5.00 pm



Council

Sydney 2030 Green Global Connected

Agenda

1. **Confirmation of Minutes**
2. **Disclosures of Interest**
3. **Minutes by the Lord Mayor**
4. **Memoranda by the Chief Executive Officer**
5. **Matters for Tabling**
6. **Report of the Corporate, Finance, Properties and Tenders Committee**
 - 6.1 Disclosures of Interest
 - 6.2 Investments Held as at 28 February 2019
 - 6.3 Lease Variation - Town Hall Arcade
 - 6.4 Lease Approval - Level 4, 343 George Street, Sydney
 - 6.5 Tender - Demolition and Early Civil Works for Green Square Town Centre Infrastructure Projects
 - 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
 - 6.7 Knowledge Exchange Sponsorship - Australian Fashion Council - Curated Sydney 2019
 - 6.8 Knowledge Exchange Sponsorship - IndigiSpace Indigenous Business Development Program
7. **Report of the Cultural and Community Committee**
 - 7.1 Disclosures of Interest
 - 7.2 21st Biennale of Sydney / City of Sydney (2018) Public Art Legacy Project
 - 7.3 Knowledge Exchange Sponsorship - Audrey Journal

Agenda

7.4 Draft Inclusive and Accessible Public Domain Policy and Guidelines

8. Report of the Transport, Heritage and Planning Committee

8.1 Disclosures of Interest

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

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

8.4 Fire Safety Reports

9. Questions on Notice

10. Supplementary Answers to Previous Questions

11. Notices of Motion

11.1 Local Preference Policy

11.2 2019 NSW State Election Congratulations

11.3 City of Sydney Opposes Racism

11.4 Telstra Payphones

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

11.6 Commemorative Plaque in Martin Place: Hank and Homelessness

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

11.8 First Nations Traditional Lands Boundaries

Item 1

Confirmation of Minutes

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

Meeting of 11 March 2019

Item 2

Disclosures of Interest

(a) Section 451 of the Local Government Act 1993

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

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

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

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

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

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

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

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

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

Item 3

Minutes by the Lord Mayor

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

Item 4

Memoranda by the Chief Executive Officer

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

Item 5

Matters for Tabling

5.1 Disclosures of Interest

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

Recommendation

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

Item 6

Report of the Corporate, Finance, Properties and Tenders Committee - 1 April 2019

Item 6.1

Disclosures of Interest

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

The Committee recommends the following:-

Item 6.2

Investments Held as at 28 February 2019

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

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

X020701

The Committee recommends the following:-

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.

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

S098620

The Committee recommends the following:-

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.

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

S096173.016

The Committee recommends the following:-

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.

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

X021354.001

The Committee recommends the following:-

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.

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

S101696

The Sub-Committee recommends 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.

(Note – At the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Vithoukias, seconded by Councillor Scully, and 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

The Sub-Committee recommends the following:-

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.

(Note – At the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Vithoukas, seconded by Councillor Scully, and 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 - 1 April 2019

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 Sub-Committee recommends 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.

(Note – at the meeting of the Cultural and Community Committee (Cultural and Creative Sub-Committee), this recommendation was moved by Councillor Scully, seconded by the Chair (the Lord Mayor), and 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

The Sub-Committee recommends the following:-

Item 7.4

Draft Inclusive and Accessible Public Domain Policy and Guidelines

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; and
- (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.

(Note – at the meeting of the Cultural and Community Committee (Healthy Communities Sub-Committee), this recommendation was moved by Councillor Scully, seconded by Councillor Thalís, and 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 - 1 April 2019****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 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 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 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 Thalys 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 Thalys stated that he was not aware of these recommendations and that he had not discussed these recommendations with the recommended members.

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 Committee recommends 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.

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

X018038

The Committee recommends the following:-

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.

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

S083226.006

The Committee recommends the following:-

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.

(Note - At the meeting of the Transport, Heritage and Planning Committee, this recommendation was moved by Councillor Thalys, seconded by Councillor Kok, and 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?

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?

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 will 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?

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)

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?

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 to 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?

S129275

Item 10

Supplementary Answers to Previous Questions

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

Item 11.1

Notices of Motion

Local Preference Policy

By Councillor Scully

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.

S129264

Item 11.2**Notices of Motion****2019 NSW State Election Congratulations**

By Councillor Forster

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.

S129260

Item 11.3

Notices of Motion

City of Sydney Opposes Racism

By Councillor Chung

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

S129259

Item 11.4

Notices of Motion

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.

S129259

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

By Councillor Phelps

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.

S129263

Item 11.6

Notices of Motion

Commemorative Plaque in Martin Place: Hank and Homelessness

By Councillor Scott

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 in Martin Place 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 homeless 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.

S129266

Item 11.7

Notices of Motion

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.

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Item 11.8

Notices of Motion

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.

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