

Council

Meeting No 7

Monday 19 August 2019

Notice No 7/1607

Notice Date 15 August 2019

minutes

city of villages

Index to Minutes

ITEM	PAGE NO
1. Confirmation of Minutes	280
2. Disclosures of Interest	281
3. Minutes by the Lord Mayor	282
3.1 Industry Awards for City Projects.....	282
3.2 Breathable Sydney	285
3.3 The Star Casino and the Credibility of the Planning System	288
3.4 The Crisis in the Building and Construction Sector	294
4. Memoranda by the Chief Executive Officer	299
5. Matters for Tabling	301
5.1 Disclosures of Interest	301
5.2 Petitions	301
6. Report of the Corporate, Finance, Properties and Tenders Committee	303
6.1 Disclosures of Interest	304
6.2 2018/19 Quarter 4 Review – Delivery Program 2017–2021	304
6.3 Investments Held as at 30 June 2019.....	305
6.4 Owner's Consent - 14-26 Wattle Street, Ultimo.....	305
6.5 International Travel – 2019 Smart China Expo, Chongqing and 2019 Seoul Friendship Festival.....	306
6.6 Contract Variation - Data Network Services.....	306
6.7 Cancellation of Tender - Project Management of City of Sydney Heritage Study of Activity Street Precincts S1 to S9	306
6.8 Tender - Southern Sydney Regional Organisation of Councils (SSROC) Incorporated: Cleaning and Inspection of Gross Pollutant Traps and Ancillary Services	307
6.9 Tender - Reject and Negotiate - Appointment of an Operator for the Joynton Park Market, Zetland	307
6.10 Tender - Reject and Negotiate - Joynton Avenue Stormwater Drainage Upgrade Geotechnical Investigation.....	308
6.11 Tender - Reject and Negotiate - Provision of Virtual Customer Assistant and Live Chat Solution	308
6.12 Exemption from Tender - Variation to Existing Consultancy Services Contract for Green Square Town Centre Essential Infrastructure and Public Domain.....	309
6.13 Exemption from Tender and Contract Extension - Environmental Monitoring, Analysis and Reporting.....	309

Economic Development and Business Sub-Committee

6.14	Commercial Creative and Business Events Sponsorship - Vivid Sydney 2020-2022	310
6.15	Knowledge Exchange Sponsorship - Tech Start Ups Action Plan Initiatives	311
7.	Report of the Environment Committee	312
7.1	Disclosures of Interest	312
7.2	Proposed Motion to Local Government NSW 2019 Annual Conference - Government Accommodation Procurement and Environmental Ratings	313
7.3	Project Scope - Beaconsfield Park Playground Upgrade, Beaconsfield	315
7.4	Project Scope - Cardigan Street Reserve Upgrade, Glebe	316
7.5	Project Scope - Clyne Reserve Upgrade, Millers Point	316
7.6	Project Scope - Daniel Dawson Playground Upgrade, Alexandria	316
7.7	Project Scope - James Hilder Playground Upgrade, Surry Hills	317
7.8	Project Scope - Palmerston Avenue Steps and Sarah Peninton Reserve Upgrade, Glebe	317
7.9	Project Scope - Fig Lane Park Playground Upgrade, Ultimo.....	318
7.10	Project Scope - Kings Lane Reserve Upgrade, Darlinghurst.....	318
7.11	Project Scope - Hollis Park Playground Upgrade, Newtown	319
7.12	Project Scope - Strickland Park Upgrade, Chippendale.....	320
8.	Report of the Cultural and Community Committee	321
8.1	Disclosures of Interest	321
8.2	Grants and Sponsorship - Round One 2019/20 - Funding to The Gender Centre Inc, Alexandria Residents Action Group Incorporated and Newtown Neighbourhood Centre Incorporated	322
	Cultural and Community Committee	
8.3	Grants and Sponsorship - City Recital Hall Limited - Operational Funding 2020-2025	324
9.	Report of the Transport, Heritage and Planning Committee	326
9.1	Disclosures of Interest	327
9.2	Public Exhibition - Draft Local Strategic Planning Statement and Draft Housing Strategy	327
9.3	Public Exhibition - Planning Proposal - 1-11 Oxford Street Paddington – Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment	329
9.4	Public Exhibition - Planning Proposal - 4-22 Wentworth Avenue, Surry Hills - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment.....	330
9.5	Post Exhibition - Planning Proposal - 12-22 and 24 Rothschild Avenue, Rosebery - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment.....	330
9.6	Post Exhibition - Planning Proposal - 225-279 Broadway, Glebe - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment	331
9.7	Post Exhibition - Local Approvals Policy and Code of Practice for Hoisting and Construction Activities in Public Places	332

9.8	Post Exhibition - Amendment to the Mobile Food Vending Vehicles Local Approvals Policy	332
9.9	Traffic Treatment - One-Way Shared Zone - Darlington Lane, Darlington.....	333
9.10	Fire Safety Reports.....	333
10.	Questions on Notice.....	335
11.	Supplementary Answers to Previous Questions	370
12.	Notices of Motion	371
12.1	AusMusic T-Shirt Day.....	371
12.2	NBN Impacts on City Streets	372
12.3	Vale Doris Goddard.....	374
12.4	Liveable Slow Streets	376
12.5	Cancellation of Cloud Arch	378
12.6	Vale Doris Goddard.....	380
12.7	Adoption of UNICEF's Child Friendly Cities Initiative	381
12.8	Global Climate Strike on 20 September 2019.....	382
12.9	City of Sydney Multicultural Statement	385
12.10	Alternative Traffic Calming Measures for Maddox Street	386
12.11	Hugo Street Masterplan.....	390
12.12	Metro Theatre Kings Cross.....	393
12.13	Oxford Street Development	396
12.14	Leptospirosis and Rat Eradication in the Sydney LGA.....	399
12.15	Air Quality Monitoring	402
12.16	Live Streaming	403

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, Councillor Jess Scully, Councillor Professor Philip Thalys and Councillor Angela Vithoukias.

At the commencement of business at 5.04pm, Monday 19 August 2019, those present were:-

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

Councillor Scott left the meeting of Council at 9.25pm prior to discussion on Item 9.5 and returned at 9.27pm following the vote on Item 9.5. Councillor Scott was not present at, or in sight of, the meeting of Council during discussion or voting on Item 9.5.

Councillor Forster left the meeting of Council at 9.29pm prior to discussion on Item 9.10 and returned at 9.30pm following the vote on Item 9.10. Councillor Forster was not present at, or in sight of, the meeting of Council during discussion or voting on Item 9.10.

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

Adjournment

In accordance with the provisions of clause 16.3(b) of the Code of Meeting Practice, at 10.55pm Monday 19 August 2019, the Chair (the Lord Mayor) adjourned the meeting of Council, and advised the meeting would reconvene at 6.00pm, Wednesday 21 August 2019.

Reconvening

At the reconvening of the meeting of Council at 6.00pm, Wednesday 21 August 2019, those present were:-

The Lord Mayor, Councillor Kok, Councillor Miller, Councillor Phelps, Councillor Scott and Councillor Thalys.

Apologies

Councillors Craig Chung, Christine Forster, Jess Scully and Angela Vithoukias extended their apologies for their inability to attend the meeting of Council at 6.00pm, Wednesday 21 August 2019.

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

That the apologies from Councillors Chung, Forster, Scully and Vithoukias be received and leave of absence from the meeting be granted.

Carried unanimously.

The Chief Executive Officer, Director Legal and Governance and Director City Planning, Development and Transport were also present at the reconvened Council meeting.

Order of Business

At the meeting of Council on Monday 19 August 2019, Council agreed, after some discussion on the matter, that the order of business be altered such that the vote on clause (D) of Item 3.3 would take place after Item 3.4, to allow Councillors to consider documentation relevant to the item.

Council further agreed that the order of business be altered such that Items 12.3 and 12.6 would be heard prior to Item 4 for the convenience of members of the public in attendance.

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 Scully –

That the Minutes of the meeting of Council of Monday, 24 June 2019, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 2 Disclosures of Interest

(a) Section 451 of the Local Government Act 1993

Councillor Jess Miller disclosed a significant, non-pecuniary interest in Item 8.2 on the agenda, in that she is a board member of one of the recipients, being Newtown Neighbourhood Centre Incorporated. Councillor Miller stated that she was not aware of the recommendation until the 17 June Committee report became available and that she would not be participating in voting on this matter.

Councillor Linda Scott made the following disclosures:

- a less than significant, non-pecuniary interest in Item 7.2 on the agenda, in that she is the President of Local Government NSW, and a motion to this organisation's conference was being discussed.
- a pecuniary interest in Item 9.5 on the agenda, in that an individual who has made a submission opposing this proposal made a non-reportable donation to her. Councillor Scott stated that she would not be participating in voting on this matter.
- a less than significant, non-pecuniary interest in Item 9.10 on the agenda, in that a resident of one of the buildings made a non-reportable donation to her. Councillor Scott stated that she has not discussed the item with them.
- a less than significant, non-pecuniary interest in Item 12.9 on the agenda, in that she is the President of Local Government NSW, and a motion to this organisation's conference was being discussed.

Councillor Kerryn Phelps disclosed a less than significant, non-pecuniary interest in Item 8.2 on the agenda, in that she is considering an invitation to become the patron of the Gender Centre Incorporated.

Councillor Christine Forster made the following disclosures:

- a less than significant, non-pecuniary interest in Item 9.3 on the agenda, in that the submitter, Giovanni Cirillo, who spoke on the item at committee, is a friend of hers.
- a pecuniary interest in Item 9.10 on the agenda, in that she and her wife, Virginia Flitcroft, are the owners of a flat in one of the buildings discussed in the report. Councillor Forster stated that she would not be participating in voting on this matter.

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 Industry Awards for City Projects

Minute by the Lord Mayor

To Council:

Each year, the value of our commitment to design excellence is demonstrated in the quality of the public infrastructure we are developing. Beautifully designed and functional, these projects are contributing to and enhancing the liveability of our city.

Once again, a number of our public infrastructure projects have been recognised over the past few months at a number of industry awards, including the 2019 Australian Institute of Architects (NSW) Awards, the 2019 Australian Institute of Landscape Architects (NSW) Awards, the World Architecture Awards 2019 and the Green Building Council of Australia.

These awards are some of the most prestigious in the design and construction industry, recognising and celebrating outstanding achievements and excellence in architecture and landscape architecture.

At the NSW Architecture Awards, the Green Square Library and Plaza won the Public Architecture Award, Urban Design Award, the John Verge Award for Interior Architecture and the NSW Premier's Prize.

The jury chair for Interior Architecture and Commercial Architecture, Sandra Furtado, praised the library: "It is immediately obvious that this library is loved by its staff and the wider community – this building is already the vibrant heart of the community."

Green Square Library and Plaza was also recognised for outstanding public domain in the NSW Landscape Architecture Awards, winning the Landscape Architecture Award – Civic Landscape. At the World Architecture Awards 2019, it won the Libraries Award.

Demonstrating that sustainability and design excellence can be achieved side-by-side, the Green Square Town Centre was awarded a 6 Star Green Star – Communities rating from the Green Building Council of Australia.

Harold Park has also received multiple awards, including the Lloyd Rees Award for Urban Design and the City of Sydney Lord Mayor's Prize at the NSW Architecture Awards. I'm particularly proud that Harold Park was recognised by the Australian Institute of Landscape Architects (NSW) with the Landscape Architecture Award – Parks and Open Space.

The National Awards for the Australian Institute of Architects, the Australian Institute of Landscape Architects and the Australian Urban Design Awards will be announced later in the year.

This year, the following City of Sydney projects were awarded:

Green Square Library and Plaza, *Studio Hollenstein with Stewart Architecture and Hassell*

- Public Architecture Award, NSW Architecture Awards
- Lloyd Rees Award for Urban Design, NSW Architecture Awards
- John Verge Award for Interior Architecture, NSW Architecture Awards
- NSW Premier's Prize, NSW Architecture Awards
- Landscape Architecture Award – Civic Landscape, NSW Landscape Architecture Awards
- Libraries Award, 2019 World Architecture Awards

Harold Park, *JMD Design*

- Landscape Architecture Award – Parks and Open Space, NSW Landscape Architecture Awards

Harold Park – entire development, *Mirvac Design, Government Architects Office (GANSW), City of Sydney and Hassell, JMD Design*

- City of Sydney Lord Mayor's Prize, NSW Architecture Awards

Green Square Trunk Drainage – Drying Green Alliance

- Australian Water Association, NSW 2019 Infrastructure Project Innovation Award

It is important to acknowledge the work of the architects who worked with City staff on these projects. I would like to congratulate Stewart Hollenstein with Stewart Architecture and Hassell, Mirvac Design, JMD Design and the Government Architects Office.

It is equally important to acknowledge the many contractors and suppliers who worked with us including Lahey Constructions, Gledhill Constructions, Iquon, Drying Green Alliance, Ford Civil and John Holland Group as the head contractors.

The success of these projects also relies on City staff who worked on them from their conception through to delivery. They should be congratulated and include:

Matthew Gribben, Michelle Samuel, Joel Munns, John Malcolm, Chris McBride, Paula Yu, Ebony Heslop, Samantha Carroll, Damon La'Rance, Chris Thomas, Tony Moore, Jason Green, Cathy Rush, Peter Cooper, Tracey Hargans, Irene Fakas, Lauren Simpson, Sue Anderson, Amarnath Reddy, Amit Chanan, Ann Hoban, Lillian Xue, Lisa Dodd and Kathleen Ng.

Recommendation

It is resolved that Council acknowledges these well-deserved awards that pay tribute to the skill and commitment of City staff and the Design Advisory Panel who worked with us to deliver these high quality projects, and commend the architects, contractors and suppliers for their excellent work.

COUNCILLOR CLOVER MOORE

Lord Mayor

Moved by the Lord Mayor, seconded by Councillor Thalís –

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

Carried unanimously.

S051491

Item 6.2 Breathable Sydney

Minute by the Lord Mayor

To Council:

The World Health Organisation considers air pollution to be the single largest environmental danger to public health globally, accounting for an estimated 4.2 million deaths per year due to stroke, heart disease, lung cancer and chronic respiratory diseases.

It is an increasingly important issue for cities, as the major source of human-induced air pollution is combustion of fuels in vehicles. Nitrogen and sulfur based pollutants, and atmospheric particulate matter (PM) are of particular concern to human health.

The Australian Institute of Health and Welfare has estimated that about 3,000 deaths are attributable to urban air pollution in Australia each year, and that the health costs from mortality alone are estimated to be in the order of \$11 to 24 billion per year.

A study by Asthma Australia showed that air pollution from motor vehicles kills over 1,700 Australians per year - around 650 of those deaths occur in NSW. This study indicates that the annual health costs of air pollution from vehicles is estimated to be \$3 billion in the Sydney-Newcastle-Wollongong region.

A 2017 study conducted by the Clean Air and Urban Landscapes Hub in Sydney revealed that the average roadside concentration of PM2.5 was double that prescribed as 'acceptable' under the existing air quality standards set by the National Environmental Protection Measures (NEPM). And in October 2018, Greenpeace released their analysis of European Space Agency satellite data, which showed that Sydney is a global hotspot for nitrogen dioxide.

Reducing the impacts of air pollution on our community's health is one of the principle reasons why the City has boldly moved forward with projects that improve air quality - such as active transport, urban greening and advocating for public transport - even when it requires the sometimes unpopular step of removing parking.

It is also why, for the past two years, we have been trying to get the NSW Government to find a suitable locations for air monitoring equipment in the CBD.

The NSW Government, as the primary agency responsible for monitoring and regulating air quality, is not meeting its obligation under the National Environment Protection (Ambient Air Quality) Measure of installing performance monitoring stations at population centres.

In June 2017, then Minister for the Environment Gabrielle Upton announced: "Air quality monitoring will be reinstated in Sydney's and Parramatta's CBDs. It will also be investigated for Penrith and for Sydney's busiest roads. In addition, a long term roadside monitor will be installed in Sydney's CBD by the end of this year".

Yet there is still no measurement of the air quality in our local government area. The small number of monitors closest to the city are located in parks and don't reveal the extent of the problem where it truly matters – in our city's streets, neighbourhoods and the CBD where people live, work and commute.

After extensive negotiations between the City and NSW Government, there is no agreement on a location, or a timeline for deployment. A number of sites within the city have been considered and assessed, with most being rejected by NSW Government agencies as unsuitable or rejected with consent not being given.

We cannot wait any longer for the NSW Government to act.

When I was in London in February, Mayor Khan organised an inspection of the network of air quality monitors, known as the Breathe London network, which is celebrated as the most advanced and comprehensive network of monitors in the world.

They use a range of cutting-edge fixed and mobile sensors to build up a real-time, hyperlocal image of London's air quality, providing an unprecedented level of detail about London's air quality, which delivers insights into the sources of pollution.

They have 100 state-of-the-art fixed sensor pods mounted on lampposts and buildings close to known air quality hotspots and sensitive locations, such as schools and nurseries, as well as sensors mounted on cars that take pollution readings approximately every 30 metres at tens of thousands of locations whilst they travel through London's streets. The data generated by this network is available for the public to view on an interactive online map.

The time has come for a Breathable Sydney network, similar to Breathe London. As elected representatives, we have a duty to our community to make sure the quality of the air we are all breathing every day is safe and acceptable. We can't fulfil this if we can't measure it.

Air quality monitoring will provide invaluable data to our planners. It will provide a reliable baseline with which to measure the negative health impacts of major road projects so that we can better quantify their true cost to our community. It also provides the basis to measure the positive impact of new cycleways, urban greening, electric buses, and the impact of the light rail.

Over the coming months, the City, in partnership with UTS and supported by the Australian Government, will deliver a network of sensors as part of the TULIP project. The TULIP network will consist of 9 UTS-developed Environmental Monitoring System Instruments which will measure temperature, humidity, air quality (PM, CO, NO₂, O₃) and noise.

Each device will deliver data every 15 minutes, via a Long Range Wide Area Network to a fully integrated, publicly accessible data platform that will display the data in a way that is useful to the community.

Through this project, we can gain a much clearer understanding of the costs involved in setting up an air quality monitoring network. Recent technological developments have brought the price and size of reliable air quality monitors down.

The NSW Government needs to fulfil its commitments and I am asking for Council's support to continue our advocacy. But we also need to be prepared to act ourselves, so I am also asking Council to support the City staff exploring and reporting back on how the city can implement an integrated, publicly accessible air quality monitoring network.

Recommendation

It is resolved that:

- (A) Council note:
- (i) the significant health impacts of air pollution on our communities;
 - (ii) the lack of roadside air quality data in the City of Sydney and surrounding suburbs;
 - (iii) the extensive advocacy and negotiations undertaken by the City to get the NSW Government to install air quality monitors in the local government area; and
 - (iv) the benefits that this data would bring to the City for planning and evaluating city projects;
- (B) the Lord Mayor seek an urgent meeting with the Minister for Energy and the Environment to advocate for the immediate installation of air quality monitors in the City of Sydney;
- (C) the Chief Executive Officer be requested to seek an urgent meeting with the Secretary of the NSW Office of Environment and Heritage to advocate for the immediate installation of air quality monitors in the City of Sydney; and
- (D) the Chief Executive Officer be requested to develop a report on the options (including staffing and equipment costs) associated with implementing an integrated, publicly accessible 'Breathable Sydney' air quality monitoring network, that displays data in an intuitive way and which has enough sensors to enable the City to:
- (i) monitor high traffic areas in all of the City's villages;
 - (ii) have a number of portable units, so that the City can respond to community concern about air pollution sources in an ongoing way; and
 - (iii) monitor city assets that cater to vulnerable members of the community, such as child care centres.

COUNCILLOR CLOVER MOORE

Lord Mayor

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

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

Carried unanimously.

S051491

Item 3.3 The Star Casino and the Credibility of the Planning System

Minute by the Lord Mayor

To Council:

The Department of Planning, Industry and Environment recently released its assessment report, recommending that the Independent Planning Commission (IPC) reject the Star Casino's luxury residential apartment and hotel tower.

The Department's report notes that the proposed built form would appear isolated and inconsistent in height and form with surrounding buildings; would inhibit views from public vantage points and adversely impact the established character of Pyrmont; and create unacceptable overshadowing impacts to public spaces such as Union Square, Pyrmont Bay Park and Pyrmont Bridge, and on private residences.

It also notes that the Star's suggested concept of a "global waterfront precinct" has no planning weight because it is not reflected in any Council or NSW Government strategic planning policy.

This is a point of vital importance to maintaining public faith in the credibility of the planning system to deliver outcomes for the community and the economy. It is through the development of strategies and controls that the community is consulted about what should dictate the future of their built environment.

As residents in Pyrmont have expressed to me, their suburb is a successful example of urban renewal, guided by Master Plans and Local Environment Plans with established parameters for redevelopment.

But the Star Casino's proposal undermines this community's vision for their area. It appears that the certainty that the City of Sydney's earlier planning process gave to residents in Pyrmont, which influenced their decisions to live there, is under threat. It is an astounding betrayal of public trust.

The Department's recommendation not only reflects the concerns of the community, it upholds the fundamental principle of the planning system – that a common agreed framework must apply to all, be developed in consultation with communities, business and developers, and that this framework is based on rigorous research, not ad hoc decisions by governments to accommodate interests of the powerful.

As an open letter to the Chair of the IPC signed by over 60 members of the planning and design community, including former NSW Government Architect Peter Mould, states, "*the final decision on the Star Casino's proposed tower in Pyrmont will go to the heart of the maintaining the integrity of the planning system and the community's faith that planning rules are applied fairly to all.*"

The signatories commend the Department on its assessment of the Star's proposal and urge the IPC to not overturn the Department's recommendation saying, "*[i]t is our view that no reasonable and independent assessment of the Star Casino's proposal could result in any other recommendation than that of the Department.*"

But powerful vested interests are campaigning that the assessment of the Department and the community's opposition to the project be cast aside.

To date, NewsCorp's Daily Telegraph has published 27 articles critical of the recommendation, including four front pages, three editorials and four op-eds. The paper has attacked the credibility of Peter Webber – the former NSW Government Architect and Professor of Architecture at Sydney University who conducted the expert review of the Star's proposal.

The Daily Telegraph's criticism of the Department's recommendation rests on the implication Pymont is somehow devoid of a planning vision and that Sydney urgently needs more high-end hotels to maintain our status as a global city and tourist destination.

The vision for Pymont dates back to 1991 guided by then Deputy Prime Minister Brian Howe's 'Building Better Cities' program that sought to improve urban environments and create more liveable cities. Under this policy, Pymont became one of the earliest examples of urban renewal in Australia and has resulted in a transformation from a former industrial area to a densely populated mixed residential and commercial area.

It has since transformed into one of the most densely populated and thriving urban renewal and mixed use locations in Australia.

The planning controls contained in the Sydney Local Environment Plan 2012 (LEP) after extensive community consultation envisage a 28 meter or seven storey development for the site, consistent with the established low to medium scale development and character of the eastern side of the Peninsula. Now the Star Casino is asking the community to accept a massive residential tower with a hotel on top, more than eight times the maximum building height permitted for this location.

The appropriate planning mechanism to investigate significant alterations to existing building height standards is a Planning Proposal – which is the process other private applicants are expected to undertake including public consultation. For the IPC to disregard the site controls to this extent and approve a proposal that represents the most significant departure from valid planning controls in NSW history would be vastly inequitable for all other developers, landholders and investors.

Pymont is also home to a burgeoning start-up and technology sector, and requires supporting infrastructure such as a metro station linking it to the CBD and metropolitan Sydney to reach its potential. But it is through a democratic consultative process that the vision for Pymont should evolve, not through ad hoc planning proposals by powerful interests with no consideration of context.

The City acknowledges the urgent need for hotels, and has prioritised hotel developments, approving over 5,700 hotel rooms in the past five years.

In 2017 the City of Sydney approved the 6-star, 28 storey Yuhu Hotel (formerly Wanda Hotel) on the corner of Alfred and Pitt Streets at Circular Quay. The applicant requested that the Minister delegate his determination functions for this tower to the City of Sydney, which approved the hotel DA in record time of five months including a month long exhibition period. This followed a competitive design process won by Kengo Kuma and Crone Studios. The tower is currently under construction.

I recently attended the turning of the sod for the Voco Hotel, a 15 floor, 300 room hotel in Haymarket that will cater to tourists from Asia. Developers Linzhu and IHG, and their architects, BVN, Architectus and 360 Landscape, worked with the City on the design which ensured sun access to one of the city's parks is retained, resulting in a striking landscaped sloping roof.

These developments represent just some of the over \$25 billion of development that the City of Sydney has approved over the past 10 years. Our ability to effectively assess and approve DA's and deliver design excellence outcomes for the community, visitors to the city, and developers relies upon controls being developed in consultation with all parties and applied consistently.

The situation with the Star Casino's proposal is a stark comparison. The Department has recommended against the proposal because it does not reflect an outcome envisaged by the Sydney LEP and lacks strategic planning merit.

The Star proposed a luxury residential apartment tower containing 204 residential apartments across 33 to 35 levels. Under the Sydney LEP 2012 the site is zoned for commercial, and residential accommodation is a prohibited use.

The additional 22 levels of visitor accommodation on the top of the tower is a relatively small hotel compared to those being built elsewhere in the city, but the lucrative, luxury residential apartments appear to be the main driver of the tower's height – a full 200 meters above the area's planning controls.

The result is a tower that is inconsistent with these rules and that would deliver a terrible outcome for the community. Unlike other waterfront developments such as the Harbour Bridge and Opera House icons, this proposal by a private entity – Star Casino – provides inadequate public benefit, despite being on public land.

But what is at stake should the IPC approve this development is not only the future of Pyrmont, but the credibility of the planning system in its entirety.

A Public Hearing is to be held on the 27 August 2019 and is a final chance to ensure the voice of the community is heard above those of the Star Casino and their allies in the media. The IPC must uphold the Department's recommendation to re-establish confidence in the planning system for all.

Recommendation

It is resolved that:

(A) Council:

- (i) supports the Department of Planning, Industry and Environment's recommendation, noting that it reflects the concerns of the community and the City;
- (ii) notes the proposal submitted by Star Casino completely disregards planning controls for the site established through extensive community consultation;
- (iii) stands in support of over 60 experts who have called for the Independent Planning Commission to uphold the recommendation of the Department;
- (iv) notes that the City of Sydney has approved \$25 billion in development in the last 10 years, including over 5,700 hotel rooms demonstrating it has been proactive in promoting the development hotel accommodation in the city; and
- (v) notes that the assessment of projects outside established planning controls undermines confidence in the planning system and could discourage investment in our city, including in much needed hotels;

- (B) Council notes that the Lord Mayor will appear at the public hearing of the Independent Planning Commission to support the Department's recommendation;
- (C) Council supports the voices of the community in opposition to the project by requesting that the Chief Executive Officer inform residents of the public meeting of the Independent Planning Commission to be held at 9:30am on 27 August 2019 by distributing a letter from the Lord Mayor to residents (\$5,950 + GST, to be funded from the 2019/20 Media and Communications Printing budget); and
- (D) Council supports the signatories of the open letter to the Chair of the Independent Planning Commission from members of the design and planning community by requesting the Chief Executive Officer publish it as a full page advertisement in the Sydney Morning Herald before the 27 August 2019 (\$54,102 + GST, to be funded from the 2019/20 General Contingency budget).

COUNCILLOR CLOVER MOORE

Lord Mayor

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

Procedural Motion

At this stage of the meeting, it was moved by Councillor Vithoukas, seconded by Councillor Phelps -

That the minute be voted on in three separate sections – (A) and (B) in one section, then (C) and (D) separately.

The procedural motion was carried on the following show of hands –

Ayes (8) The Chair (the Lord Mayor), Councillors Chung, Forster, Phelps, Scott, Scully, Thalys and Vithoukas.

Noes (2) Councillors Kok and Miller.

Clauses A and B

It is resolved that:

- (A) Council:
 - (i) supports the Department of Planning, Industry and Environment's recommendation, noting that it reflects the concerns of the community and the City;
 - (ii) notes the proposal submitted by Star Casino completely disregards planning controls for the site established through extensive community consultation;
 - (iii) stands in support of over 60 experts who have called for the Independent Planning Commission to uphold the recommendation of the Department;
 - (iv) notes that the City of Sydney has approved \$25 billion in development in the last 10 years, including over 5,700 hotel rooms demonstrating it has been proactive in promoting the development hotel accommodation in the city; and

- (v) notes that the assessment of projects outside established planning controls undermines confidence in the planning system and could discourage investment in our city, including in much needed hotels;

- (B) Council notes that the Lord Mayor will appear at the public hearing of the Independent Planning Commission to support the Department's recommendation;

Clauses A and B of the minute were carried on the following show of hands –

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

Noes (2) Councillors Chung and Forster

Clauses A and B of the minute were carried.

Clause C

It is resolved that:

- (C) Council supports the voices of the community in opposition to the project by requesting that the Chief Executive Officer inform residents of the public meeting of the Independent Planning Commission to be held at 9:30am on 27 August 2019 by distributing a letter from the Lord Mayor to residents (\$5,950 + GST, to be funded from the 2019/20 Media and Communications Printing budget);

Clause C of the minute was carried on the following show of hands –

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

Noes (2) Councillors Chung and Forster

Clause C of the minute was carried.

Procedural Motion

Moved by Councillor Phelps, seconded by Councillor Thalís –

That voting on clause (D) be deferred until a copy of the open letter to the Chair of the Independent Planning Commission had been distributed to all Councillors and after Item 3.4.

Carried unanimously.

At the resumption of discussion of Item 3.3 –

Clause D

It is resolved that:

- (D) Council supports the signatories of the open letter to the Chair of the Independent Planning Commission from members of the design and planning community by requesting the Chief Executive Officer publish it as a full page advertisement in the Sydney Morning Herald before the 27 August 2019 (\$54,102 + GST, to be funded from the 2019/20 General Contingency budget).

Clause D of the minute was carried on the following show of hands –

Ayes (6) The Chair (the Lord Mayor), Councillors Kok, Miller, Scott, Scully and Thalís

Noes (4) Councillors Chung, Forster, Phelps and Vithoukás.

Clause D of the minute was carried.

S051491

Extension of Time

During discussion on this matter, pursuant to the provisions of clause 8.35 of the Code of Meeting Practice, it was –

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

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

Carried unanimously.

During discussion on this matter, pursuant to the provisions of clause 8.35 of the Code of Meeting Practice, it was –

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

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

Carried unanimously.

Adjournment

At this stage of the meeting, at 6.41pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Miller –

That the meeting be adjourned for approximately 15 minutes.

Carried unanimously.

All Councillors were present at the resumption of the meeting of Council at 7.01pm.

Item 3.4 The Crisis in the Building and Construction Sector

Minute by the Lord Mayor

To Council:

The building defects crisis is undermining confidence in the multi-storey residential construction industry and causing heartbreak and financial difficulty for owners and dwellers in multi-storey buildings across the state.

A number of apartment buildings in the City of Sydney have recently made the news due to defects that, in some cases, left them unfit for occupation. These faults which have occurred after the design and approval process, include structural cracks, faulty water proofing, inadequate fire safety and soil contamination.

There are also high-profile examples of building defects occurring across metropolitan Sydney and elsewhere. As the scale of the situation becomes apparent, it is eroding confidence in the building and construction industry, threatening to undermine investment in the sector and harming purchasers and occupiers.

This crisis must be urgently addressed as it is having significant impacts for home owners and occupants, particularly those in multi-storey apartment buildings with seventy-five percent of households living in strata apartments in our city today.

The situation has emerged as a result of the breathtaking irresponsibility of successive NSW Governments that has weakened regulation of the sector by removing independent certification and supervision of construction sites.

It is welcomed that the Premier has recently acknowledged that self-regulation of building industry has not worked and in July 2019 the NSW Government established a Public Accountability Inquiry into the regulation of building standards, building quality and building disputes.

The City's submission to the inquiry calls for:

- A return to quality control during the construction phase, which means experienced, independent professionals bound by a code of conduct will put public interest first.
- A complete overhaul of private certification to include clear regulations to eliminate conflicts of interest and monitoring to better prevent building failures as well as the need via an audit trail in order to hold failures to account.
- A long-term plan to ensure buildings of adequate quality are constructed in the first place. Amendments to *Environmental Planning and Assessment Act 1979* to be expedited, including removing the ability for private certifiers to issue 'interim occupation certificates' allowing residents to move into incomplete developments.

In 1997, as Member for Bligh in State Parliament, I was one of two MPs who opposed changes to the *Environmental Planning and Assessment Act 1979* that handed over authority to private certifiers to approve certain categories of development.

I told Parliament that self-regulation would not work, and that public interest would be put at risk by time and cost saving pressures put on private building certifiers to keep the person who pays their wages happy.

The NSW Government must now act urgently to reinstate independent onsite construction inspectors, and ensure engineers and similar industry professionals are adequately accredited.

It is essential that certification of multi-storey buildings is carried out by a third party independent of the builder to ensure that there are proper checks and balances to protect amenity and the environment and to overcome the conflict of interest that currently exists when private certifiers are paid by the building contractor.

These changes to address the systemic issues causing the building defects in multi-storey residential towers will also serve to ensure that flammable cladding is not installed on buildings in the future, and that fire-safety standards are adhered to, in order to prevent a tragedy similar to the one that occurred at the Grenfell Tower in London.

The media recently reported that there are over 300 buildings in the City of Sydney that have been identified for further investigation and may contain flammable cladding to some degree. This is a clear failure of successive NSW Governments, and the risk to the community is unacceptable.

This Council has deployed increased resources to inspect each of these buildings, and to provide guidance to owners on actions they must take to make them fire safe.

But the length of time required to investigate each individual building and the lack of financial support to owners to remediate buildings to ensure they are compliant with fire safety standards, means that the community is exposed to unacceptable fire risk.

Recently the Victorian Government committed \$600 million dollars to support the investigation and rectification of flammable cladding across the state.

The NSW Government must act to immediately release emergency funding to expedite the investigation of buildings with flammable cladding and similar defects to support urgent rectification works.

Recommendation

It is resolved that:

- (A) Council note that:
 - (i) the building defects crisis is undermining confidence in the construction industry and causing heartbreak and financial difficulty for owners and dwellers in our city;
 - (ii) these faults have occurred after the design and approval process, resulting in structural cracks, faulty water proofing, inadequate fire safety and soil contamination;
 - (iii) successive NSW Governments have eroded regulation of the building and construction sector by removing independent certification and supervision of construction sites; and
 - (iv) insufficient resources allocated by the NSW Government to investigate and rectify buildings with defects is exposing the city community to unacceptable risk;
- (B) Council endorse the recommendations of the City's submission to the Public Accountability Inquiry into the regulation of building standards, building quality and building disputes; and
- (C) the Lord Mayor write to the Premier:
 - (i) commending the NSW Government for establishment of the Public Accountability Inquiry into the regulation of buildings standards, building quality and building disputes; and
 - (ii) calling on the NSW Government to fund the accelerated investigation and rectification of buildings with defects emerging from the failures of private certification and the lack of independent supervision on construction sites.

COUNCILLOR CLOVER MOORE

Lord Mayor

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

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

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

It is resolved that:

- (A) Council note that:
 - (i) the building defects crisis is undermining confidence in the construction industry and causing heartbreak and financial difficulty for owners and dwellers in our city;
 - (ii) these faults have occurred after the design and approval process, resulting in structural cracks, faulty water proofing, inadequate fire safety and soil contamination;
 - (iii) successive NSW Governments have eroded regulation of the building and construction sector by removing independent certification and supervision of construction sites; and

- (iv) insufficient resources allocated by the NSW Government to investigate and rectify buildings with defects is exposing the city community to unacceptable risk;
- (B) Council endorse the recommendations of the City's submission to the Public Accountability Inquiry into the regulation of building standards, building quality and building disputes; and
- (C) the Lord Mayor write to the Premier:
 - (i) commending the NSW Government for establishment of the Public Accountability Inquiry into the regulation of buildings standards, building quality and building disputes;
 - (ii) calling on the NSW Government to fund the accelerated investigation and rectification of buildings with defects emerging from the failures of private certification and the lack of independent supervision on construction sites;
 - (iii) welcoming the appointment of a Building Commissioner and calling for adequate resourcing for the agency;
 - (iv) calling for the NSW Government to provide support for strata that at a minimum matches the Victorian Governments support package of \$600 million; and
 - (v) encouraging the NSW Government to lobby the Federal Government to match state funding on this matter.

Amendment. Moved by Councillor Vithoulkas, seconded by Councillor Phelps –

It is resolved that:

- (A) Council note that:
 - (i) the building defects crisis is undermining confidence in the construction industry and causing heartbreak and financial difficulty for owners and dwellers in our city;
 - (ii) these faults have occurred after the design and approval process, resulting in structural cracks, faulty water proofing, inadequate fire safety and soil contamination;
 - (iii) successive NSW Governments have eroded regulation of the building and construction sector by removing independent certification and supervision of construction sites; and
 - (iv) insufficient resources allocated by the NSW Government to investigate and rectify buildings with defects is exposing the city community to unacceptable risk;
- (B) Council endorse the recommendations of the City's submission to the Public Accountability Inquiry into the regulation of building standards, building quality and building disputes;
- (C) the Lord Mayor write to the Premier:
 - (i) commending the NSW Government for establishment of the Public Accountability Inquiry into the regulation of buildings standards, building quality and building disputes;
 - (ii) calling on the NSW Government to fund the accelerated investigation and rectification of buildings with defects emerging from the failures of private certification and the lack of independent supervision on construction sites;
 - (iii) welcoming the appointment of a Building Commissioner and calling for adequate resourcing for the agency;
 - (iv) calling for the NSW Government to provide support for strata that at a minimum matches the Victorian Governments support package of \$600million; and

- (v) encouraging the NSW Government to lobby the Federal Government to match state funding on this matter; and
- (D) the Chief Executive Officer be requested to develop a report on the options (including staffing and equipment costs) associated with implementing a purpose built Building Certification Department to provide some remedy to, and a long term solution for, the outcomes of private certification and consumer protections, both private and business to:
 - (i) review options with the goal of being revenue neutral based on fees generated; and
 - (ii) assess capacity to outsource this department to other councils to assist these councils and to generate effective productivity and profitability from said department.

The amendment was lost on the following show of hands –

Ayes (1) Councillor Vithoulikas

Noes (9) The Chair (the Lord Mayor), Councillors Chung, Forster, Kok, Miller, Phelps, Scott, Scully and Thalys.

Amendment lost.

The substantive minute, as varied by consent, was carried unanimously.

S051491

Procedural Motion

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

That the order of business be altered such that Items 12.3 and 12.6 be heard prior to Item 4 for the convenience of members of the public in attendance.

Carried unanimously.

Item 4 Memoranda by the Chief Executive Officer**Item 4.1 Appointment of New Member to the Nightlife and Creative Sector Advisory Panel****Memorandum by the Chief Executive Officer**

To Council:

On 23 October 2017, Council resolved to establish a Nightlife and Creative Sector Advisory Panel to provide expert advice to the City on how it can best work with industry, business and other government agencies to support a thriving, diverse and safe nightlife.

Panel members have a broad range of expertise in the nightlife sector, such as event and festival production, small bars, hotels, cafés and restaurants, live music, electronic dance music production, performance spaces, building and regulatory frameworks, and public safety. The current panel is comprised of 14 members and one City of Sydney Councillor.

In March 2019, panel member Greg Turton informed the City that he was leaving the industry and could no longer represent the nightclub sector on the Nightlife and Creative Sector Advisory Panel, as originally appointed.

Clause 3.8 of the Terms of Reference for the Nightlife and Creative Sector Advisory Panel (Attachment A), states that members of the panel must be appointed by the Chief Executive Officer and ratified by Council. Clause 3.12 states that if a member resigns during their period of appointment the Chief Executive Officer will appoint a new member. Clause 3.2 calls for the composition of the panel to provide fair representation of nightlife stakeholders, representing (as much as possible) the diversity of the City of Sydney local government area.

At the Nightlife and Creative Sector Advisory Panel meeting on 1 May 2019, members were advised of the resignation of Greg Turton. The panel agreed that a representative from the Haymarket area should be sought given the significant contribution this precinct makes to the city's nightlife. The City reviewed the applications received as part of the original call for expressions of interest in February 2018, however, no eligible candidates from Haymarket were identified.

Additional industry consultation has since identified Jessie Xiao, Director of the Umi group and Mizuya and Vice President of the Haymarket Chamber of Commerce, as a suitable representative. Ms Xiao is recommended on the basis of her skills and experience as a small business owner in the Haymarket area and her engagement with the local business community through her work with the Haymarket Chamber of Commerce.

Recommendation

It is resolved that Council ratify the appointment of Jessie Xiao (Umi Group) as a new member to the City of Sydney's Nightlife and Creative Sector Advisory panel for a period of two years.

MONICA BARONE

Chief Executive Officer

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

That the memorandum by the Chief Executive Officer be endorsed and adopted.

Carried unanimously.

X012277

Item 5 Matters for Tabling

5.1 Disclosures of Interest

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

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

Carried unanimously.

5.2 Petitions

a) Morehead Street Community – Slow Street Proposal

The following Petition (containing 38 signatures) was laid on the table by the Chair (the Lord Mayor).

We, the undersigned residents of the City of Sydney, request for the Council to consider our desire to calm and green our street by creating a cul-de-sac on Morehead Street, between Cooper Street and James Street in Redfern.

We believe calming and greening our street will create a much safer environment for all and, most importantly, enhance the strong community connections we have already established.

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

It is resolved that the Petition be received and noted.

Carried unanimously.

b) Relocate Hugo Street Basketball Court and Repurpose Hugo Street Reserve to Benefit the Wider Local Community

The following Petition (containing 36 signatures) was laid on the table by Councillor Phelps.

The basketball court in Hugo Street has been causing severe disturbance to the adjacent homes. The location of the basketball court is not suitable given the close proximity to so many homes. Nearby residents have experienced a wide range of issues caused by noise, loud music, banging, bouncing and shouting, including anxiety, sleep deprivation and physical damage to property.

We, the undersigned, request that Council relocates the basketball court to a more suitable location and repurpose the area to make it a high quality public space that will benefit the wider local community, as outlined in the Hugo Resident's Street Proposal sent to councillors on 11 June 2019.

c) Petition to have Yellowmunde Park Leash Free for Dogs

The following Petition (containing approximately 230 signatures) was laid on the table by Councillor Phelps.

I hereby petition the City of Sydney Council to have Yellowmunde Park, corner Hogo and Caroline Street Redfern, to be changed from an on leash park for dogs to an off leash park for dogs 24 hrs a day.

Moved by Councillor Phelps, seconded by Councillor Vithoukas –

It is resolved that Petitions (b) and (c) 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 Kerry Phelps AM, Jess Scully, Prof Philip Thalys and Angela Vithoulkas.

At the commencement of business at 2.00pm those present were -

The Lord Mayor, Councillors Chung, Kok, Phelps, Scott, Thalys and Vithoulkas.

Councillor Forster arrived at the meeting of the Corporate, Finance, Properties and Tenders Committee at 2.00pm prior to discussion on Item 6.1.

Councillor Scully arrived at the meeting of the Corporate, Finance, Properties and Tenders Committee at 2.21pm during discussion and prior to the vote on Item 6.2.

Councillor Miller arrived at the meeting of the Corporate, Finance, Properties and Tenders Committee (Economic Development and Business Sub-Committee) at 3.46pm during discussion and prior to the vote on Item 6.14.

Apologies

Councillor Miller extended her apologies for her inability to attend the meeting of the Corporate, Finance, Properties and Tenders Committee.

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

That the apology from Councillor Miller be accepted and leave of absence from the meeting be granted.

Carried unanimously.

Adjournment

At 3.15pm, it was moved by the Chair (the Lord Mayor) seconded by Councillor Kok –

That the meeting of the Corporate, Finance, Properties and Tenders Committee be adjourned for 15 minutes.

The motion was carried on the following show of hands –

Ayes (6) The Chair (the Lord Mayor), Councillors Kok, Phelps, Scott, Scully and Thalys

Noes (3) Councillors Chung, Forster and Vithoulkas.

Motion carried.

At the resumption of the meeting of the Corporate, Finance, Properties and Tenders Committee at 3.33pm, those present were –

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

Sub-Committees

The Economic Development and Business Sub-Committee, with Councillor Vithoukás as Deputy Chair, commenced at 3.42pm.

The meeting of the Corporate, Finance, Properties and Tenders Committee and its Sub-Committee concluded at 4.08pm.

Report of the Corporate, Finance, Properties and Tenders Committee

Moved by Councillor Kok, seconded by Councillor Thalís –

That the report of the Corporate, Finance, Properties and Tenders Committee of its meeting of 12 August 2019 be received, with Item 6.1 being noted, and the recommendations set out below for Items 6.2 to 6.13 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

2018/19 Quarter 4 Review – Delivery Program 2017–2021

It is resolved that Council:

- (A) note the financial performance of Council for the 2019 financial year ending 30 June 2019, including the Net Operating Surplus of \$94.4M as outlined in the subject report and summarised in Attachment A to the subject report;
- (B) note the full year Capital Works expenditure of \$173.4M and approve the proposed revote of budget and other adjustments, which will increase the adopted 2019/20 budget of \$235.0M by \$33.2M to \$268.2 (including a total of \$40.9M for light rail contributions), and note the forward estimates as detailed in Attachment B to the subject report;
- (C) note the Information Services capital expenditure of \$8.8M, and approve the proposed revote of \$4.4M and adjustments to increase the adopted budget 2019/20 to \$20.2M;
- (D) note the full year Plant and Assets expenditure of \$11.9M, net of disposals, and approve the proposed net revote of \$5.4M to increase the adopted 2019/20 net budget to \$19.4M;
- (E) note the full year Property Acquisition/Divestment net expenditure of \$23.6M and amendment to the adopted 2019/20 net budget to \$72.7M to reflect the deferred settlement for lease of properties;

- (F) note the operational performance indicators and quarter and full year achievements against the Delivery Program 2017-2021 objectives, as detailed in Attachment C to the subject report;
- (G) note the supplementary reports, including contracts issued over \$50,000, major legal issues and the Quick Response, Banner Pole and Reduced Rate Grant Programs in Quarter 4, as detailed in Attachment D to the subject report;
- (H) note the Environmental Sustainability Progress Report, as shown at Attachment E to the subject report; and
- (I) note the minor changes to fee and charges as specified in paragraph 10 within the body of the report.

Carried unanimously.

S096187

Item 6.3

Investments Held as at 30 June 2019

It is resolved that the Investment Report as at 30 June 2019 be received and noted.

Carried unanimously.

X020701

Item 6.4

Owner's Consent - 14-26 Wattle Street, Ultimo

It is resolved that Council delegate authority to the Chief Executive Officer to grant owner's consent to Landream Pymont Pty Limited lodging all applications required under the Environmental Planning and Assessment Act 1979 to allow Landream to progress its redevelopment of the entire site.

Carried unanimously.

X025362

Item 6.5

International Travel – 2019 Smart China Expo, Chongqing and 2019 Seoul Friendship Festival

The Corporate, Finance, Properties and Tenders Committee decided that consideration on this matter be deferred to the meeting of Council on 19 August 2019.

At the meeting of Council, the Officer's Recommendation was moved by Councillor Kok, seconded by Councillor Thalys, as part of an in globo motion –

It is resolved that Council:

- (A) endorse international travel to Chongqing, China and Seoul, South Korea for Councillor Robert Kok; and
- (B) note that Councillor Kok will provide a report to Council after the travel.

Carried unanimously.

X014468

Item 6.6

Contract Variation - Data Network Services

It is resolved that:

- (A) Council approve a variation of the Data Network Services contract to provide for an increase to the overall contract price for the extension of the contract term; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the variation of the Data Network Services contract to provide an increase to the overall contract price for the extension of the contract term.

Carried unanimously.

S076625

Item 6.7

Cancellation of Tender - Project Management of City of Sydney Heritage Study of Activity Street Precincts S1 to S9

It is resolved that Council:

- (A) decline to accept any of the tenders submitted for Project Management of City of Sydney Heritage Study of Activity Street Precincts S1 to S9; and
- (B) cancel the proposal for the contract for Project Management of City of Sydney Heritage Study of Activity Street Precincts S1 to S9.

Carried unanimously.

X021612.003

Item 6.8**Tender - Southern Sydney Regional Organisation of Councils (SSROC) Incorporated: Cleaning and Inspection of Gross Pollutant Traps and Ancillary Services**

It is resolved that:

- (A) Council accept the tender offers of Tenderers A, D and F to provide the City with the cleaning and inspection of Gross Pollutant Traps (GPTs) and ancillary services for a period of three years, with the option of a further two extensions of one year each, subject to satisfactory performance;
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender; and
- (C) authority be delegated to the Chief Executive Officer to exercise the option referred to in clause (A), if appropriate, and negotiate the price to extend the contracts accordingly.

Carried unanimously.

X021976

Item 6.9**Tender - Reject and Negotiate - Appointment of an Operator for the Joynton Park Market, Zetland**

It is resolved that:

- (A) Council decline to accept any of the tenders received for the appointment of an operator for the Joynton Park Markets, Zetland, for the reasons set out in Confidential Attachment A to the subject report;
- (B) Council enter into negotiations with any person with a view to entering into a contract in relation to the subject matter of the tender;
- (C) Council note the reason for determining to enter into the negotiations contemplated in item (B) above is as follows:
 - (i) none of the tenderers satisfactorily addressed the tender criteria and Council needs to negotiate with appropriate providers to understand what the barriers to service are; and
- (D) authority be delegated to the Chief Executive Officer to:
 - (i) undertake the negotiations referred to in (B) above; and
 - (ii) execute and administer any contract resulting from the negotiations contemplated by item (B) above.

Carried unanimously.

X005131.004

Item 6.10

Tender - Reject and Negotiate - Joynton Avenue Stormwater Drainage Upgrade Geotechnical Investigation

It is resolved that:

- (A) Council reject the tender received for the Joynton Avenue Stormwater Drainage Upgrade Geotechnical Investigation for the reasons set out in Confidential Attachment A to the subject report;
- (B) Council does not invite fresh tenders, as it is considered that inviting fresh tenders may not attract additional suitable suppliers over and above those that have responded to this tender;
- (C) authority be delegated to the Chief Executive Officer to enter into negotiations with any person with a view to entering into a contract in relation to the subject matter of the tender;
- (D) Council note the financial details of the project contained in Confidential Attachment A to the subject report; and
- (E) authority be delegated to the Chief Executive Officer to execute and administer a contract with the suitable service provider following completion of the negotiations.

Carried unanimously.

X021533.007

Item 6.11

Tender - Reject and Negotiate - Provision of Virtual Customer Assistant and Live Chat Solution

It is resolved that:

- (A) Council reject all tenders received for the Provision of a Virtual Customer Assistant and Live Chat solution for the reasons set out in the Tender Evaluation Summary, Confidential Attachment A to the subject report;
- (B) Council does not invite fresh tenders, as it is considered that inviting fresh tenders may not attract additional suitable suppliers over and above those that have responded to this tender;
- (C) authority be delegated to the Chief Executive Officer to enter into negotiations with any person with a view to entering into a contract in relation to the subject matter of the tender;
- (D) authority be delegated to the Chief Executive Officer to execute and administer a contract with the suitable vendor following completion of the negotiations;
- (E) authority be delegated to the Chief Executive Officer to execute and administer two optional extensions to the contract, if appropriate, the first for one year and the second for one year; and
- (F) Council be informed of the successful supplier by CEO Update.

Carried unanimously.

X019245

Item 6.12**Exemption from Tender - Variation to Existing Consultancy Services Contract for Green Square Town Centre Essential Infrastructure and Public Domain**

It is resolved that:

- (A) Council approve a variation to the existing contract with AECOM Australia Pty Limited to include additional scope relating to design services in the development, design, documentation and administration of the delivery of Green Square Town Centre Essential Infrastructure and Public Domain;
- (B) authority be delegated to the Chief Executive Officer to negotiate, and enter into any documentation required to vary the existing contract relating to consultancy services for Green Square Town Centre Essential Infrastructure and Public Domain; and
- (C) Council endorse the contract budget as allocated in Confidential Attachment A to the subject report.

Carried unanimously.

S105606

Item 6.13**Exemption from Tender and Contract Extension - Environmental Monitoring, Analysis and Reporting**

It is resolved that:

- (A) Council note that because of extenuating circumstances a satisfactory result would not be achieved by inviting tenders for the services currently provided under the existing Environmental Monitoring, Analysis and Reporting contract that expires on 31 July 2019;
- (B) Council note the reasons why a satisfactory result would not be achieved by inviting tenders for the services referred to in (A) above are:
 - (i) it would result in a gap in landfill gas monitoring at Sydney Park; and
 - (ii) the City would be unable to gather data and meet the timeframes set out in the Voluntary Management Plan submitted to the EPA;
- (C) Council approve a variation to extend the option of the current Environmental Monitoring, Analysis and Reporting contract to 31 July 2020 and increase the frequency of monitoring being conducted at the price outlined in Confidential Attachment A to the subject report;
- (D) Council approve the GHD Amended Schedule of Rates outlined in Confidential Attachment B to the subject report; and
- (E) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the variation to the contract under clause (C).

Carried unanimously.

S119487

Report of the Economic Development and Business Sub-Committee

Moved by Councillor Vithoukias, seconded by Councillor Scully -

That the report of the Economic Development and Business Sub-Committee of its meeting of 12 August 2019 be received, with the recommendations set out below for Items 6.14 and 6.15 being adopted in globo.

Carried unanimously.

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

Item 6.14

Commercial Creative and Business Events Sponsorship - Vivid Sydney 2020-2022

It is resolved that:

- (A) Council approve a cash and value-in-kind (VIK) sponsorship of \$100,000 (excluding GST) cash per annum in 2020, 2021 and 2022 to support and grow the Vivid X/Celerate live music program and up to a maximum value \$300,000 (excluding GST) VIK per annum in 2020, 2021 and 2022 in support of Vivid Sydney; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer a sponsorship agreement with Destination NSW in support of this event in 2020, 2021 and 2022.

Carried unanimously.

Speaker

Ms Julie Turpie addressed the meeting of the Corporate, Finance, Properties and Tenders Committee (Economic Development and Business Sub-Committee) on Item 6.14.

X024914

Item 6.15**Knowledge Exchange Sponsorship - Tech Start Ups Action Plan Initiatives**

It is resolved that:

- (A) Council approve a cash sponsorship of \$40,000 (excluding GST) to Indigi Lab Pty Ltd to produce the Indigi Hack hackathon event;
- (B) Council approve a cash sponsorship of \$40,000 (excluding GST) and value in kind of \$8,450 (excluding GST) for venue hire fee waiver to Spark Festival Limited, to produce the Sydney Innovators Expo;
- (C) Council approve a cash sponsorship of \$20,000 (excluding GST) to Cicada Innovations Pty Ltd for the 2019 EMERGE STEM Careers and Tech Expo; and
- (D) authority be delegated to the Chief Executive Officer to negotiate, execute and administer sponsorship agreements with each of the applicants.

Carried unanimously.

Speakers

Ms Britt Hartnett and Ms Maxine Sherrin addressed the meeting of the Corporate, Finance, Properties and Tenders Committee (Economic Development and Business Sub-Committee) on Item 6.15.

2019/302132

Item 7 Report of the Environment Committee

PRESENT

The Lord Mayor Councillor Clover Moore

(Chair)

Councillor Jess Miller

(Deputy Chair)

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

At the commencement of business at 4.09pm those present were -

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

Order of Business

The Environment Committee agreed, for the convenience of the public present, that the Order of Business be altered such that Items 11 and 12 be brought forward and dealt with before Item 3.

The meeting of the Environment Committee concluded at 5.03pm.

Report of the Environment Committee

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

That the report of the Environment Committee of its meeting of 12 August 2019 be received, with Item 7.1 being noted, the recommendations set out below for Items 7.3 to 7.7 inclusive, 7.9 and 7.10 being adopted in globo, and Items 7.2, 7.8, 7.11 and 7.12 being dealt with as shown immediately following those items.

Carried unanimously.

Item 7.1

Disclosures of Interest

Councillor Linda Scott declared a less than significant, non-pecuniary interest in Item 7.2 on the agenda, in that she is the President of Local Government NSW.

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

Item 7.2

Proposed Motion to Local Government NSW 2019 Annual Conference - Government Accommodation Procurement and Environmental Ratings

The Environment Committee decided that consideration of this matter be deferred to the meeting of Council on 19 August 2019.

At the meeting of Council, it was moved by Councillor Miller, seconded by Councillor Thalís –

It is resolved that Council endorse that the following three (separate) motions be submitted to the 2019 LGNSW Annual Conference:

- (A) that the Local Government and Shires Association of New South Wales (LGNSW):
 - (i) calls upon the Federal and NSW governments to establish a policy that government officers preference hotels holding a third party environmental performance rating or certification for metropolitan based accommodation requirements; and
 - (ii) asks Councils to introduce policies to preference hotels holding a third party environmental performance rating or certification for metropolitan based accommodation requirements;
- (B) that the Local Government and Shires Association of New South Wales (LGNSW) calls upon the NSW Government to develop an equivalent government framework to enable mandatory reporting of its climate risk exposure in line with the industry-led Task force on Climate-related Financial Disclosures (TCFD); and
- (C) that the Local Government and Shires Association of New South Wales (LGNSW) undertakes a review of the legislation and practice that guides local government procurement, and prepares a guide for local government on how the existing requirement to obtain “best value” in the procurement process, could incorporate local values and strategic objectives, such as ‘buy local’, or give adequate consideration to environmental concerns.

Amendment. Moved by Councillor Vithoukás, seconded by Councillor Chung –

That the wording of clause (C) be amended, such that it read as follows:

- (C) that the Local Government and Shires Association of New South Wales (LGNSW) undertakes a review of the legislation and practice that guides local government procurement, and prepares a guide for local government on how the existing requirement to obtain “best value” in the procurement process, could incorporate local values like ‘buy local’ and both State and LGA level strategic objectives such as, but not limited to resiliency and or sustainability.

The amendment was lost on the following show of hands –

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

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

Amendment lost.

Procedural motion

At this stage of the meeting, it was moved by Councillor Miller, seconded by Councillor Thalís –
That the motion be voted on in three separate sections – (A), (B) and (C).

The procedural motion was carried unanimously.

Clause A

It is resolved that Council endorse that the following motion be submitted to the 2019 LGNSW Annual Conference:

- (A) that the Local Government and Shires Association of New South Wales (LGNSW):
- (i) calls upon the Federal and NSW governments to establish a policy that government officers preference hotels holding a third party environmental performance rating or certification for metropolitan based accommodation requirements; and
 - (ii) asks Councils to introduce policies to preference hotels holding a third party environmental performance rating or certification for metropolitan based accommodation requirements.

Clause A of the motion was carried unanimously.

Clause B

It is resolved that Council endorse that the following motion be submitted to the 2019 LGNSW Annual Conference:

- (B) that the Local Government and Shires Association of New South Wales (LGNSW) calls upon the NSW Government to develop an equivalent government framework to enable mandatory reporting of its climate risk exposure in line with the industry-led Task force on Climate-related Financial Disclosures (TCFD).

Clause B of the motion was carried unanimously.

Clause C

It is resolved that Council endorse that the following motion be submitted to the 2019 LGNSW Annual Conference:

- (C) that the Local Government and Shires Association of New South Wales (LGNSW) undertakes a review of the legislation and practice that guides local government procurement, and prepares a guide for local government on how the existing requirement to obtain “best value” in the procurement process, could incorporate local values and strategic objectives, such as ‘buy local’, or give adequate consideration to environmental concerns.

Clause C of the motion was carried on the following show of hands –

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

Noes (2) Councillors Chung and Forster.

Clause C of the motion was carried.

Extensions of Time

During discussion on this matter, pursuant to the provisions of Clause 8.35 of the Code of Meeting Practice, it was –

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

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

Carried unanimously.

During discussion on this matter, pursuant to the provisions of Clause 8.35 of the Code of Meeting Practice, it was –

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

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

Carried unanimously.

X005190.003

The Environment Committee recommended the following:

Item 7.3**Project Scope - Beaconsfield Park Playground Upgrade, Beaconsfield**

It is resolved that Council:

- (A) endorse the scope of work for improvements to Beaconsfield Park Playground, access and BBQ facilities as described in the subject report and shown in the Final Concept Plan as Attachment B to the subject report, for progression to preparation of relevant approvals, construction documentation, tender and construction; and
- (B) note the estimated project forecast and that additional funding is required to complete the project as outlined in Confidential Attachment E.

Carried unanimously.

X013843.003

Item 7.4

Project Scope - Cardigan Street Reserve Upgrade, Glebe

It is resolved that Council:

- (A) endorse the scope of work for improvements to Cardigan Street Reserve as described in the subject report and shown in the concept design at Attachment B to the subject report, for progression to relevant approvals, preparation of construction documentation, tender and construction; and
- (B) note the estimated project forecast as outlined in Confidential Attachment D to the subject report.

Carried unanimously.

X019550.003

Item 7.5

Project Scope - Clyne Reserve Upgrade, Millers Point

It is resolved that Council:

- (A) endorse the scope of work for improvements to Clyne Reserve as described in the subject report and shown in the concept design at Attachment B to the subject report, for progression to relevant approvals, preparation of construction documentation, tender and construction; and
- (B) note the estimated project forecast and that additional funding is required to complete the project as outlined in Confidential Attachment D.

Carried unanimously.

X019528.003

Item 7.6

Project Scope - Daniel Dawson Playground Upgrade, Alexandria

It is resolved that Council:

- (A) endorse the scope of work for improvements to Daniel Dawson Reserve as described in the subject report and shown in the Final Concept Plan at Attachment B to the subject report, for progression to preparation of relevant approvals, construction documentation, tender and construction; and
- (B) note the estimated project forecast and that additional funding is required to complete the project as outlined in Confidential Attachment E to the subject report.

Carried unanimously.

X013853.003

Item 7.7**Project Scope - James Hilder Playground Upgrade, Surry Hills**

It is resolved that Council:

- (A) endorse the scope of work for improvements to James Hilder Reserve as described in the subject report and shown in the Final Concept Plan at Attachment B to the subject report, for progression to relevant approvals, preparation of construction documentation, tender and construction; and
- (B) note the estimated project forecast as outlined in Confidential Attachment E to the subject report.

Carried unanimously.

X013863.003

Item 7.8**Project Scope - Palmerston Avenue Steps and Sarah Peninton Reserve Upgrade, Glebe**

The Environment Committee decided that consideration of this matter be deferred to the meeting of Council on 19 August 2019.

At the meeting of Council, the Officer's Recommendation was moved by Councillor Miller, seconded by Councillor Kok –

It is resolved that Council:

- (A) endorse the scope of work for improvements to Palmerston Avenue Steps and Sarah Peninton Reserve as described in the subject report and shown in the concept design at Attachment B to the subject report, for progression to relevant approvals, preparation of construction documentation, tender and construction; and
- (B) note the estimated project forecast as outlined in Confidential Attachment D to the subject report.

Carried unanimously.

X019606.003

Item 7.9

Project Scope - Fig Lane Park Playground Upgrade, Ultimo

It is resolved that Council:

- (A) endorse the scope of work for improvements to Fig Lane Park Playground as described in the subject report and shown in the final concept plan at Attachment B to the subject report, for the progression to relevant approvals, preparation of construction documentation, tender and construction; and
- (B) note the estimated project forecast and that additional funding is required to complete the project as outlined in Confidential Attachment E to the subject report.

Carried unanimously.

X019498

Item 7.10

Project Scope - Kings Lane Reserve Upgrade, Darlinghurst

It is resolved that Council:

- (A) endorse the scope of work for improvements to Kings Lane Reserve as described in the subject report and shown in the concept design at Attachment B to the subject report, for the progression to relevant approvals, preparation of construction documentation, tender and construction; and
- (B) note the estimated project forecast as outlined in Confidential Attachment D to the subject report.

Carried unanimously.

X019564

Item 7.11**Project Scope - Hollis Park Playground Upgrade, Newtown**

Moved by Councillor Miller, seconded by Councillor Scott -

It is resolved that Council:

- (A) endorse the scope of work for improvements to Hollis Park Playground, as described in the subject report and shown in the Final Concept Plan at Attachment B to the subject report, for progression to preparation of relevant approvals, construction documentation, tender and construction; and
- (B) note the estimated project forecast and that additional funding is required to complete the project as outlined in Confidential Attachment D to the subject report.

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

It is resolved that Council:

- (A) endorse the scope of work for improvements to Hollis Park Playground, as described in the subject report and shown in the Final Concept Plan at Attachment B to the subject report, for progression to preparation of relevant approvals, construction documentation, tender and construction;
- (B) note the beloved Hollis Park boat will be maintained and included in the upgraded plans; and
- (C) note the estimated project forecast and that additional funding is required to complete the project as outlined in Confidential Attachment D to the subject report.

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

Speakers

Mr James Vandersteegen addressed the meeting of the Environment Committee on Item 7.11.

X019487

Item 7.12

Project Scope - Strickland Park Upgrade, Chippendale

The Environment Committee decided that consideration on this matter be deferred to the meeting of Council on 19 August 2019.

At the meeting of Council, the Officer's Recommendation was moved by Councillor Miller, seconded by Councillor Thalís –

It is resolved that Council:

- (A) endorse the scope of work for improvements to Strickland Park, as described in the subject report and shown in the Final Concept Plan at Attachment B to the subject report, for progression to preparation of relevant approvals, construction documentation, tender and construction; and
- (B) note the estimated project forecast and that additional funding is required to complete the project as outlined in Confidential Attachment D to the subject report.

Procedural Motion

At this stage of the meeting, it was moved by Councillor Phelps, seconded by Councillor Vithoulkas –

That this item be deferred to the next meeting of Council.

The procedural motion was lost on the following show of hands –

Ayes (4) Councillors Chung, Forster, Phelps and Vithoulkas.

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

Procedural motion lost.

The motion was carried unanimously.

Speakers

Ms Jeanette Brokman addressed the meeting of the Environment Committee on Item 7.12.

X019464

Item 8 Report of the Cultural and Community Committee

PRESENT

The Lord Mayor Councillor Clover Moore

(Chair)

Councillor Jess Scully

(Deputy Chair)

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

At the commencement of business at 5.23pm those present were -

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

Sub-Committees

Meetings of the following Sub-Committees of the Cultural and Community Committee commenced at the times shown below.

The Cultural and Creative Sub-Committee, with Councillor Scully as Deputy Chair, commenced at 6.26pm.

The meeting of the Cultural and Community Committee and all its Sub-Committees concluded at 6.36pm.

Report of the Cultural and Community Committee

Moved by Councillor Scully, seconded by Councillor Miller –

That the report of the Cultural and Community Committee of its meeting of 12 August 2019 be received, with Item 8.1 being noted, and Item 8.2 being dealt with as shown immediately following that item.

Carried unanimously.

Item 8.1**Disclosures of Interest**

Councillor Jess Miller declared a significant non-pecuniary interest in Item 8.2 on the agenda, in that she is a board member of one of the recipients being Newtown Neighbourhood Centre Incorporated. Councillor Miller stated she was not aware of this recommendation until the 17 June 2019 Committee report became available, and would not be participating in voting on this matter.

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

Item 8.2

Grants and Sponsorship - Round One 2019/20 - Funding to The Gender Centre Inc, Alexandria Residents Action Group Incorporated and Newtown Neighbourhood Centre Incorporated

The Cultural and Community Committee decided that consideration on this matter be deferred to the meeting of Council on 19 August 2019.

Procedural Motion

At this stage of the meeting, it was moved by Councillor Scully, seconded Councillor Miller –

That this item be dealt with and voted on in two separate parts, being Motion 1 and Motion 2.

Carried unanimously.

Motion 1

Moved by Councillor Scully, seconded by Councillor Thalís –

It is resolved that:

- (A) Council approve the cash and revenue forgone/value-in-kind recommendation for the Community Services Grant Program to Newtown Neighbourhood Centre Incorporated as per Attachment A to the subject report for Item 4 of the Cultural and Community Committee on 17 June 2019;
- (B) Council note that grant amounts are exclusive of GST and all value in kind offered is subject to availability; and
- (C) authority be delegated to the Chief Executive Officer to negotiate, execute and administer agreements with any organisation approved for a grant or sponsorship under terms consistent with this resolution and the Grants and Sponsorships Policy.

Carried unanimously.

Motion 2

Moved by Councillor Scully, seconded by Councillor Phelps –

It is resolved that:

- (A) Council approve a Festivals and Events Sponsorship Program (Village and Community) cash grant of \$10,000 per year for three years to Alexandria Residents' Action Group;
- (B) Council approve a Cultural and Creative Grants and Sponsorship Program grant of \$8,900 for the Gender Centre Inc, for Counting the Dead, an annual event to remember the death of transgender people globally;
- (C) Council note that all grant amounts are exclusive of GST and all value in kind offered is subject to availability; and
- (D) authority be delegated to the Chief Executive Officer to negotiate, execute and administer agreements with any organisation approved for a grant or sponsorship under terms consistent with this resolution and the Grants and Sponsorships Policy.

Amendment. Moved by Councillor Chung, seconded by Councillor Forster –

That the motion be amended such that a new clause be added after the current clause (B) granting funding of \$5,623 to the Malaysia Festival Sydney.

The Chair (the Lord Mayor) ruled the amendment out of order in accordance with clause 7.1 of the Code of Meeting Practice.

The substantive motion was carried unanimously.

Points of Order

Councillor Scully raised a point of order, stating that in accordance with clause 7.1 of the Code of Meeting Practice, Councillor Chung's amendment was not related to the motion, and that notice of the business had not been given.

The Chair (the Lord Mayor) upheld the point of order and ruled the amendment out of order.

Councillor Scully raised two further points of order, stating that Councillor Chung's language and comments towards councillors were inappropriate and impugned their motives.

The Chair (the Lord Mayor) upheld the points of order.

The Chair (the Lord Mayor) called Councillor Chung to order stating that he was not showing appropriate respect to the councillor speaking.

Misrepresentation

During discussion of Item 8.2, Councillor Miller stated that she had been misrepresented in respect to comments made by Councillor Chung and clarified her position accordingly.

During discussion of Item 8.2, Councillor Chung stated that he had been misrepresented in respect to comments made by Councillor Scully and clarified his position accordingly.

Speakers

Mr Muhammad Faiful Hazmi, Ms Vanessa Knight, and Ms Eloise Brook addressed the meeting of the Cultural and Community Committee on Item 8.2.

Report of the Cultural and Creative Sub-Committee

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

That the report of the Cultural and Creative Sub-Committee of its meeting of 12 August 2019 be received, with 8.3 being dealt with as shown immediately following that item.

Carried unanimously.

The Cultural and Creative Sub-Committee recommended the following:

Item 8.3

Grants and Sponsorship - City Recital Hall Limited - Operational Funding 2020-2025

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

It is resolved that:

- (A) Council approve a cash grant to City Recital Hall Limited of \$325,000 (excluding GST) for 2019/20 in addition to the previously approved grant of \$375,000, to be sourced from the 2019/20 General Contingency Budget, \$700,000 (excluding GST) per financial year for the financial years 2020/21, 2021/22, 2022/23, 2023/24 and 2024/25 for the purpose of assisting with the operational costs incurred by City Recital Hall Limited in operating the City Recital Hall venue;
- (B) Council note the base building funding, a total of \$6.3 million over six years, approved by Council in June as part of the City's annual Capital Expenditure Bid;
- (C) authority be delegated to the Chief Executive Officer to negotiate, execute and administer a grant agreement with City Recital Hall Limited in relation to the grant as detailed in clause (A) above;
- (D) Council approve the grant of a new sublease to City Recital Hall Limited for City Recital Hall, 1 Angel Place, Sydney with no annual rent payments for a term of five years with a commencement date of 1 July 2020; and
- (E) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the sublease with City Recital Hall Limited in relation to the sublease as detailed in clause (D) above.

Speakers

Ms Elaine Chia addressed the meeting of the Cultural and Community Committee (Cultural and Creative Sub-Committee) on Item 8.3.

Carried unanimously.

X000633

Adjournment

At this stage of the meeting, at 8.44pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Thalís –

That the meeting be adjourned for approximately 15 minutes.

Carried unanimously.

All Councillors were present at the resumption of the meeting of Council at 9.06pm.

Item 9 Report of the Transport, Heritage and Planning Committee

PRESENT

The Lord Mayor Councillor Clover Moore

(Chair)

Councillor Prof Philip Thalís

(Deputy Chair)

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

At the commencement of business at 6.37pm those present were -

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

Councillor Thalís left the meeting of the Transport, Heritage and Planning Committee at 7.01pm during discussion and before the vote on Item 9.5, which had been brought forward, and did not return.

Councillor Scott left the meeting of the Transport, Heritage and Planning Committee at 7.02pm during discussion and before the vote on Item 9.5, which had been brought forward, and returned at 7.03pm during discussion and before the vote on Item 9.6, which had been brought forward.

Councillor Forster left the meeting of the Transport, Heritage and Planning Committee at 7.18pm during discussion and before the vote on Item 9.10, which had been brought forward, and returned at 7.29pm during discussion and before the vote on Item 9.2, which had been deferred to the end of the meeting.

Order of Business

The Transport, Heritage and Planning Committee agreed, for the convenience of the public present, that the Order of Business be altered such that Items 9.3 to 9.10 be brought forward and dealt with before Item 9.2.

The meeting of the Transport, Heritage and Planning Committee concluded at 7.36pm.

Report of the Transport, Heritage and Planning Committee

Moved by Councillor Thalís, seconded by Councillor Scott –

That the report of the Transport, Heritage and Planning Committee of its meeting of 19 August 2019 be received, with Item 9.1 being noted, the recommendations set out below for Items 9.7 to 9.9 inclusive being adopted in globo, and Items 9.2 to 9.6 and 9.10 being dealt with as shown immediately following that those items.

Carried unanimously.

Item 9.1

Disclosures of Interest

Councillor Linda Scott made the following disclosures:

- a significant, non-pecuniary interest in Item 9.5 on the agenda, as an individual who has made a submission opposing this proposal has made a non-reportable donation to Councillor Scott. Councillor Scott stated that she would not be participating in the vote on this item.
- a less than significant, non-pecuniary interest in item 9.10 on the agenda, as a resident of one of the buildings made a non-reportable donation to Councillor Scott. Councillor Scott stated that she has not discussed this matter with the resident.

Councillor Christine Forster made the following disclosures:

- a less than significant, non-pecuniary interest in Item 9.3 on the agenda, as the submitter Giovanni Cirillo is a friend of Councillor Forster's.
- a pecuniary interest in Item 9.10 on the agenda, as Councillor Forster and her wife Virginia Flitcroft are the owners of a flat in one of the buildings discussed in the report. Councillor Forster stated that she would not be participating in the vote on this item.

Item 9.2

Public Exhibition - Draft Local Strategic Planning Statement and Draft Housing Strategy

The Transport, Heritage and Planning Committee decided that consideration of this matter be deferred to the meeting of Council on 19 August 2019.

At the meeting of Council, it was moved by Councillor Thalys, seconded by Councillor Scully -

It is resolved that:

- (A) Council support and approve City Plan 2036: Draft City of Sydney Local Strategic Planning Statement at Attachments A1-A6, subject to the amendments described in the Attachment A to the Information Relevant to Item 9.2 Memorandum, and incorporating any amendments made by the Chief Executive Officer under resolution (D), for public exhibition for 42 days;
- (B) Council support and approve Housing for All: Draft City of Sydney Local Housing Strategy at Attachment B, subject to the amendments described in the Attachment A to the Information Relevant to Item 9.2 Memorandum, and incorporating any amendments made by the Chief Executive Officer under resolution (D), for public exhibition for 42 days;
- (C) Council note the Draft City of Sydney Local Housing Strategy - Technical Paper, City of Sydney Capacity Study and City Plan 2036: Draft City of Sydney Local Strategic Planning Statement Overview at Attachments C, D and E respectively, amended as described in the Attachment A to the Information Relevant to Item 9.2 Memorandum, and incorporating any amendments made by the Chief Executive Officer under resolution (D), will be placed on public exhibition with the City Plan 2036: Draft City of Sydney Local Strategic Planning Statement and Housing for All: Draft City of Sydney Local Housing Strategy; and

- (D) authority be delegated to the Chief Executive Officer to make amendments to City Plan 2036: Draft City of Sydney Local Strategic Planning Statement, Housing for All: Draft City of Sydney Local Housing Strategy, City Plan 2036: Draft City of Sydney Local Strategic Planning Statement Overview, Housing for All: Draft City of Sydney Local Housing Strategy - Technical Paper and City of Sydney Capacity Study prior to public exhibition for correcting errors, updating graphics and editing, provided the intent of the priorities and actions is not changed.

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

It is resolved that:

- (A) Council note that significant state and federal infrastructure are required to ensure the city remains liveable and sustainable with the projected growth within the following plans;
- (B) Council support and approve City Plan 2036: Draft City of Sydney Local Strategic Planning Statement at Attachments A1-A6, subject to the amendments described in the Attachment A to the Information Relevant to Item 9.2 Memorandum, and incorporating any amendments made by the Chief Executive Officer under resolution (E), for public exhibition for 42 days;
- (C) Council support and approve Housing for All: Draft City of Sydney Local Housing Strategy at Attachment B, subject to the amendments described in the Attachment A to the Information Relevant to Item 9.2 Memorandum, and incorporating any amendments made by the Chief Executive Officer under resolution (E), for public exhibition for 42 days;
- (D) Council note the Draft City of Sydney Local Housing Strategy - Technical Paper, City of Sydney Capacity Study and City Plan 2036: Draft City of Sydney Local Strategic Planning Statement Overview at Attachments C, D and E respectively, amended as described in the Attachment A to the Information Relevant to Item 9.2 Memorandum, and incorporating any amendments made by the Chief Executive Officer under resolution (E), will be placed on public exhibition with the City Plan 2036: Draft City of Sydney Local Strategic Planning Statement and Housing for All: Draft City of Sydney Local Housing Strategy; and
- (E) authority be delegated to the Chief Executive Officer to make amendments to City Plan 2036: Draft City of Sydney Local Strategic Planning Statement, Housing for All: Draft City of Sydney Local Housing Strategy, City Plan 2036: Draft City of Sydney Local Strategic Planning Statement Overview, Housing for All: Draft City of Sydney Local Housing Strategy - Technical Paper and City of Sydney Capacity Study prior to public exhibition for correcting errors, updating graphics and editing, provided the intent of the priorities and actions is not changed.

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

Speaker

Ms Jeanette Brokman addressed the meeting of the Transport, Heritage and Planning Committee on Item 9.2.

X019011

Item 9.3**Public Exhibition - Planning Proposal - 1-11 Oxford Street Paddington – Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment**

Note – the recommendation of the Transport, Heritage and Planning Committee was not adopted. The following alternative recommendation was adopted (as contained in the memo dated 16 August 2019 from the Director City Planning, Development and Transport, circulated prior to the meeting).

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

It is resolved that:

- (A) Council approve Planning Proposal: 1-11 Oxford Street, Paddington shown at Attachment A1-A3 to the subject report, for submission to the Department of Planning, Infrastructure and Environment with a request for Gateway Determination;
- (B) Council approve Planning Proposal: 1-11 Oxford Street, Paddington shown at Attachment A1-A3 for public authority consultation and public exhibition in accordance with any conditions imposed under the Gateway Determination;
- (C) Council seek authority from the Department of Planning, Infrastructure and Environment to exercise the delegation of all the functions under section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan to put into effect Planning Proposal: 1-11 Oxford Street, Paddington;
- (D) Council approve the draft Sydney Development Control Plan 2012 - 1-11 Oxford Street, Paddington, shown at Attachment B to the subject report for public authority consultation and public exhibition concurrent with the Planning Proposal, subject to the inclusion of ' , including the 1970s Brutalist style foyer fitout of the former Academy Twin Cinema' at the end of provision (12) of the Heritage conservation provisions and correcting an error in the RL relating to the ground level in the diagram titled 'Figure 6.xx: 1-11 Oxford Street, Paddington – Maximum building envelope section' under the Built form provisions from RL 68.655. to RL 47.455;
- (E) authority be delegated to the Chief Executive Officer to make any minor variations to Planning Proposal: 1-11 Oxford Street, Paddington, following receipt of the Gateway Determination; and
- (F) authority be delegated to the Chief Executive Officer to make any minor variations to Draft Sydney Development Control Plan 2012 - 1-11 Oxford Street, Paddington, to correct any drafting errors or to ensure it is consistent with the Planning Proposal following the Gateway Determination.

Carried unanimously.

Speakers

Mr Giovanni Cirillo and Mr Tim Greer addressed the meeting of the Transport, Heritage and Planning Committee on Item 9.3.

X021737

Item 9.4

Public Exhibition - Planning Proposal - 4-22 Wentworth Avenue, Surry Hills - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment

The Transport, Heritage and Planning Committee decided that consideration of this matter be deferred to the meeting of Council on 19 August 2019.

At the meeting of Council, it was moved by Councillor Thalís, seconded by the Chair (the Lord Mayor) –

It is resolved that Council defer consideration of this matter to enable preparation of an amended planning proposal and draft development control plan to take into account the whole street block length for 4 to 44 Wentworth Avenue.

Carried unanimously.

Speaker

Mr Daniel McNamara addressed the meeting of the Transport, Heritage and Planning Committee on Item 9.4.

X018846

Item 9.5

Post Exhibition - Planning Proposal - 12-22 and 24 Rothschild Avenue, Rosebery - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment

Moved by Councillor Thalís, seconded by Councillor Forster –

It is resolved that Council:

- (A) note the matters raised in response to the public exhibition of Planning Proposal - 12-22 and 24 Rothschild Avenue, Rosebery and Draft Sydney Development Control Plan 2012 - 12-22 and 24 Rothschild Avenue, Rosebery as shown at Attachment F to the subject report;
- (B) approve Planning Proposal 12-22 and 24 Rothschild Avenue, Rosebery as shown at Attachment A to the subject report, to be made as a local environmental plan;
- (C) approve the Draft Sydney Development Control Plan - 12-22 and 24 Rothschild Avenue, Rosebery, shown at Attachment B to the subject report, noting the approved development control plan will come into effect on the date of publication of the subject local environmental plan; and
- (D) delegate authority to the Chief Executive Officer to make any minor variations to Planning Proposal - 12-22 and 24 Rothschild Avenue, Rosebery and Draft Sydney Development Control Plan 2012 - 12-22 and 24 Rothschild Avenue Rosebery, to correct any minor errors prior to the finalisation of the local environmental plan and development control plan.

Carried unanimously.

X009371

Item 9.6**Post Exhibition - Planning Proposal - 225-279 Broadway, Glebe - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment**

Note – the recommendation of the Transport, Heritage and Planning Committee was not adopted. The following alternative recommendation was adopted (as contained in the memo dated 16 August 2019 from the Director City Planning, Development and Transport, circulated prior to the meeting).

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

It is resolved that:

- (A) Council note the matters raised in response to the public exhibition of Planning Proposal - 225-279 Broadway, Glebe and draft Development Control Plan for 225-279 Broadway, Glebe, as detailed in this report;
- (B) Council approve Planning Proposal - 225-279 Broadway, Glebe as shown in Attachments A1-A4, to be made as a local environmental plan under S3.36 of the Environmental Planning and Assessment Act 1979;
- (C) Council approve the draft Development Control Plan: 225-279 Broadway, Glebe, as shown at Attachment B, noting that it will come into effect on the date of publication of the subject local environmental plan, in accordance with Clause 21 of the Environmental Planning and Assessment Regulation 2000, subject to:
 - (i) the addition of the following in the Active Frontages provision: "Throughsite links are encouraged to improve pedestrian permeability and support the future activation of Grose Street." and "(3) Lots with a frontage to Broadway of 40m or longer are encouraged to provide a through-site link to Grose Street. Any through-site link is to be designed in accordance with Provision 3.1.2.2 - Through-site links"; and
- (D) authority be delegated to the Chief Executive Officer to make minor amendments to the Planning Proposal 225-279 Broadway, Glebe and draft Development Control Plan for 225-279 Broadway, Glebe to correct any minor errors or omissions prior to finalisation.

Carried unanimously.

Speaker

Ms Jeanette Brokman addressed the meeting of the Transport, Heritage and Planning Committee on Item 9.6.

X001999

Item 9.7

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

It is resolved that:

- (A) Council note the submissions and feedback received through the public exhibition process (Attachment D);
- (B) the proposed Local Approvals Policy for Hoisting and Construction Activities in Public Places (Attachment A) and the proposed Code of Practice for Hoisting and Construction Activities in Public Places (Attachment B) be approved, incorporating minor non-substantial amendments (Attachment C), for adoption under Section 161(1)(a) of the Local Government Act 1993;
- (C) authority be delegated to the Chief Executive Officer to make minor editorial adjustments to the Code of Practice in order to correct any drafting errors prior to formal notice being given of the adoption and commencement of the Local Approvals Policy and Code of Practice as required by Section 166 of the Local Government Act 1993;
- (D) persons who made submissions (Attachment D) be notified of the adoption of the draft Local Approvals Policy and draft Code of Practice;
- (E) authority be delegated to the Chief Executive Officer to make and approve minor housekeeping and editorial amendments to the adopted Code of Practice as may be required from time to time after commencement of the proposed Local Approvals Policy and the Code of Practice; and
- (F) public notice be given of the adoption of the Local Approvals Policy and Code of Practice in accordance with Section 166 of the Local Government Act 1993 with the notice being published in a local newspaper and include a date of commencement of the Policy and Code, as determined by the Chief Executive Officer.

Carried unanimously.

S129097

Item 9.8

Post Exhibition - Amendment to the Mobile Food Vending Vehicles Local Approvals Policy

It is resolved that Council adopt the draft Mobile Food Vending Vehicles Local Approvals Policy, as shown at Attachment A to the subject report.

Carried unanimously.

S111707.027

Item 9.9**Traffic Treatment - One-Way Shared Zone - Darlington Lane, Darlington**

It is resolved that Council approve a one-way eastbound restriction with exemption for bicycle riders in Darlington Lane, Darlington, between Golden Grove and Codrington Streets.

Carried unanimously.

S047162

Item 9.10**Fire Safety Reports**

Moved by Councillor Thalys, seconded by Councillor Kok -

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 in Attachments B to K of the subject report;
- (C) exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order as recommended by the City's Investigation Officer to address the identified fire safety deficiencies at 4A,4B and 4D Huntley Street, Alexandria as detailed in Attachment B;
- (D) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 38 York Street, Sydney, as detailed in Attachment C;
- (E) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 17 Wylde Street, Potts Point, as detailed in Attachment D;
- (F) exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order as recommended by the City's Investigation Officer to address the identified fire safety deficiencies at 40-40D Darlington Road, Potts Point as detailed in Attachment E;
- (G) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 56 Clarence Street, Sydney, as detailed in Attachment F;
- (H) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 7-9 Wilmot Street, Sydney, as detailed in Attachment G;
- (I) exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order as recommended by the City's Investigation Officer to address the identified fire safety deficiencies at 116 Lang Road, Moore Park, as detailed in Attachment H;
- (J) exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order as recommended by the City's Investigation Officer to address the identified fire safety deficiencies at 300 George Street, Sydney, as detailed in Attachment I;

- (K) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 46 Dowling Street, Woolloomooloo, as detailed in Attachment J; and
- (L) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 600-612 George Street, Sydney, as detailed in Attachment K.

Carried unanimously.

S105001.002

Item 10 Questions on Notice

Use of Pale Pavement in the City of Sydney

1. By Councillor Scott

Question

In 2014, the City of Sydney trialled a lighter coloured road surface in Myrtle Street, Chippendale to test its effectiveness in reducing the effects of the urban heat island effect. The trial concluded that (partly as a result of maintenance costs) installing additional street greenery and trees is a more effective mechanism for reducing the effects of the urban heat island. Further, urban greening has co-benefits regarding amenity and biodiversity.

In the five years since, further trials and studies conducted have demonstrated the benefits of lighter coloured road surfaces. These include but are not limited to:

- (a) Lighting research that has shown that a reduction in public lighting of more than 40 per cent is possible through the use of pale pavement. This can mean huge energy savings and associated reductions in CO2 emissions.
- (b) The proliferation of new materials such as CoolSeal which has been successfully trialled in cities with environmental conditions comparable to Sydney's such as Los Angeles.
- (c) That existing research suggest the 'White Streets' strategy used in Los Angeles could lower surface temperatures by up to 10 degrees Fahrenheit.

1. Did the City of Sydney consider the further findings, specifically those found in (a), as a potential benefit in their assessment of the Myrtle Street trial?
2. Has the City of Sydney considered a retrial of pale pavement, or of other light materials, in the period since?
3. Are there any plans to trial pale pavement, or any comparable materials, in the near future?

S129275

Answer by the Chief Executive Officer

The reduction in energy was considered as a possible benefit in the pale pavement trial.

The lights in Myrtle Street are owned and operated by Ausgrid and did not have a dimming function to save energy.

As smart lighting features evolve, it may be possible to adjust lighting to achieve energy savings.

Other heat island mitigation techniques such as increasing the urban tree canopy, adding green verges to footpaths and green roofs were assessed and considered, as well as the benefits of pale pavement,

City staff work with industry partners to investigate new materials which reduce the effects of the urban heat island and energy consumption.

City staff are actively replacing dark coloured asphalt footpaths with light coloured concrete and introducing a green verge in its annual footway renewal programs to reduce the effects of the urban heat island. In 2018/19, 5,500 square metres of asphalt footpath was replaced with concrete and 2,448 square metres of hard surface was replaced with green verge.

Data for the pale pavement trial at Myrtle Street was collected from 2013 through to 2016. The average surface temperature results on pale pavement were 1.7 degrees cooler than standard asphalt when exposed to sun, and 0.6 degrees cooler than standard asphalt in shady conditions.

The trial concluded that the City can also reduce urban heat through other heat island mitigation techniques like increasing the urban tree canopy, adding green verges to footpaths and green roofs.

Solar Panel Installation in the City of Sydney

2. By Councillor Scott

Question

A September 2016 report published in the City of Sydney's CEO Update titled 'Solar Power Energy System' claims that:

"Exempt or complying provisions are being developed by City staff that would allow solar PV in heritage conservation areas as long as certain conditions are met. Many areas of the LGA are heritage conservation areas which triggers a development application even for non-heritage households and very small scale systems".

1. What 'exempt or complying provisions' have been developed and implemented in the period since the report which have allowed for greater solar PV installation in heritage areas? Has the City developed a policy which would allow for residents living in heritage conservation areas to more easily install solar power systems?
2. When the 2016 report was published the rate of solar panel installation as a percentage of dwellings in the City of Sydney was 3.4 per cent, far lower than comparable Local Government Areas. What is the current rate of installation in the City of Sydney?

S129275

Answer by the Chief Executive Officer

Solar energy systems can be undertaken as exempt development in heritage conservation areas under the NSW Government's *State Environmental Planning Policy (Infrastructure) 2007* provided certain criteria are met. The City's planning controls for solar energy systems in heritage conservation areas have been reviewed as part of a larger review of controls for heritage areas. The draft controls are intended to be reported to Council in 2020 as part of the Local Environmental Plan and Development Control Plan update.

Ausgrid reported around 11,539 kW of solar PV installed in the local government area in 2017/18, including 869 residential customers and 643 non-residential customer properties. The total number of solar customers increased from 908 customers generating around 4,620kW as reported by Ausgrid for 2015/16. Residential and non-residential customer breakdown was not reported for the period.

The reason the City of Sydney has comparatively less domestic solar panels is that 75 per cent of people in the local government area live in apartments (2016 Census) therefore there is less roof space to install panels compared with local government areas that have many more single dwellings.

Argyle Place and Windmill Street Ongoing Investigation

3. By Councillor Scott

Question

At the meeting of Council on 24 of June 2019, a variation to Item 7.5 'Project Scope Small Parks Upgrade - Observatory Hill Park Pathways, Millers Point' was proposed and carried unanimously reading: 'the Chief Executive Officer be requested to investigate a proposal for an improved urban design for the areas surrounding Argyle Place and Windmill Street to improve narrowing streets and pedestrian safety'.

Can the Chief Executive Officer please details the progress of these investigations?

S129275

Answer by the Chief Executive Officer

The City's current focus is working with School Infrastructure on the redevelopment of Fort Street Public School. The student population is anticipated to rise from just under 200 students to over 500 students. Traffic and transport implications will need to be assessed as part of the planning proposal to ascertain impacts if any on the local neighbourhood and whether any measures additional to those proposed in the adopted Harbour Village North Public Domain Plan are required.

Safe Lighting in Price Alfred Park

4. By Councillor Scott

Question

A group of women contacted my office about their female exercise group that meets in Prince Alfred Park. Members have been worried about their personal safety while exercising and utilising public exercise equipment in their local park during the dark early mornings.

After representations were made to staff on their behalf, the city rejected investing in safer lighting because some parts of the park were already lit, and because it would increase our carbon footprint. Since then the city has publically indicated it will find a solution and that new lighting options in this area would be considered.

1. What is the progress of lighting considerations in Price Alfred Park?
2. When will safe lighting in the identified area be installed?

S129275

Answer by the Chief Executive Officer

Prince Alfred Park was upgraded in 2011 and included an upgrade to lighting which was in accordance with the Council approved master plan and Australian Standards. There are 56 park lights located on the main paths which operate all night and 28 lights located on the seven sports courts (five tennis courts, two multi-purpose courts) which operate until late evening. Lighting is provided at two of the three fitness stations in the park.

City staff met with the park fitness group in response to the safety concerns they have raised subsequent to their original request, and we are now arranging to extend the park lighting to the third fitness station. Staff are researching an immediate temporary lighting solution.

Timing (Average) of Payments made to Small Businesses by the City of Sydney

5. By Councillor Scott

Question

Small business is a vibrant and important part of our city's economy. But every year small and medium businesses extend \$216 billion of trade credits to large businesses (Paying the Price, June 2019). This has a huge impact on small business and the potential working capital of our city. The City of Sydney is a large organisation and should be exhibiting best practise with our partners.

1. What is the average time of payment to small and medium business by the City of Sydney?
2. What is the current City of Sydney payment policy, and how do staff ensure that payments are made on time?

S129275

Answer by the Chief Executive Officer

1. The City does not categorise its suppliers into large, medium and small businesses and notes that there are numerous definitions for these categories from a range of organisations. However the overall average days for payment to all suppliers in the 2018/19 financial year, was just under 30 days from date of invoice, for over 38,000 transactions.
2. The City's standard terms of trade for the payment of suppliers, are 30 days from the date of the invoice, unless subject to Security of Payment legislation or other contractual agreement. The City has the capacity to negotiate terms of payment with suppliers, based on an assessment of their liquidity requirements and commercial terms, with any amendments from the standard terms approved by the Chief Procurement Officer. For instance, many small catering, Indigenous businesses, and some small artists, are paid in seven days.

The City's financial systems maintain a record of all supplier's payment terms, and following the order, delivery of goods or service, and receipt of invoice the system ensures that all relevant payments are included within the City's next available payment run. Payments are only made outside of approved payment terms where the goods are yet to be delivered, the invoice has not been received, or there is a dispute regarding the goods or services delivered, or the amount invoiced differs from the contracted amount.

Asset Management Plan 2018 - Timeline and Properties

6. By Councillor Phelps

Question

Could the Chief Executive Officer please provide:

1. A high-level timeline for priority projects listed in the 'Asset Strategy – Focus Areas' of the Asset Management Plan 2018?

Noting that the annual condition report for all Council-owned properties is measured by a single rating in the Asset Management Plan, calculated as an average of 183 community properties, 57 commercial properties and the Town Hall, could the Chief Executive Officer please provide:

2. A list of all Council-owned properties with their current condition report rating (eg. Good, Poor etc) and the year of rating?

S129272

Answer by the Chief Executive Officer

1. Asset Strategy - Focus Areas projected timelines are as follows:

Focus Area	Timeline	Expected completion
A) Asset Management Governance	<ul style="list-style-type: none"> • Asset Management Framework Review: in progress • Re-engineering of Asset Management Project Control Group: in progress • 2018 Risk Plan: review in 2019/20 • Asset Management Policy review: 2020 • Asset Management Strategy: 2021 • Continuous improvement of Asset Management Plans: new template in development 	Mid-2021
B) Asset Management Skills and Processes	<ul style="list-style-type: none"> • Ongoing collation of library and online links for Citynet pages: completed • Handover methodology and communication plan in development • Ongoing training 	Mid-2020
C) Asset Information and Systems	<ul style="list-style-type: none"> • Roads data collection complete • Kerb and Footway data collection underway. • Drainage data collection 55% complete. • Plant assets completed. • Comprehensive audits of all buildings for Mechanical and Fabric assets: underway. 	Mid-2021

Focus Area	Timeline	Expected completion
D) Levels of Service	<ul style="list-style-type: none"> • Parks and Trees review complete and implemented. • Service level reviews: partially complete. • Integration of Envisi / Performance Planning / CAMs / Pathway / Geocortex to enable better reporting: underway. 	Mid-2021
E) Financial Sustainability	<ul style="list-style-type: none"> • Mobile deployment and cost collection: ongoing • Parks staff using Confirm Workzone and ConfirmConnect: 90% • CITO staff using Confirm Workzone and ConfirmConnect: 85%. • Costing module: being introduced as stage 2 in the change management process. • Linking of the renewal programs: complete and being refined as part of a continuous improvement cycle. • CAMs is now financial register for Land and Buildings, waiting for minor changes to the interface. • Other asset groups will migrate on their next revaluation cycle. 	Mid-2021
F) Environmentally Sustainable Asset Management Practices	<ul style="list-style-type: none"> • Pilot projects, including cool roads, verge planting and Environmental Management Plan distribution: complete or ongoing. • Integration of Envisi / Performance Planning / CAMs / Pathway / Geocortex to enable reporting: underway. • Consideration of environmental factors into the decision making processes for Plant and Equipment: incorporated. 	Mid-2020

2.

Site Address	Condition Rating	Year of rating	Comments
277-279 Bourke Street, DARLINGHURST, 2010	Very Good	Jun-17	
Bullecourt Lift (adjacent to Ian Thorpe Aquatic Centre), 460-492 Harris Street ULTIMO NSW 2007	Very Good	Jun-17	
Chinatown Kiosk, 5010 Goulburn Street, HAYMARKET, NSW, 2000	Very Good	Jun-17	
Community Space (Heritage Strata Unit), Basement B1 70B William Street, WOOLLOOMOOLOO, 2011	Very Good	Jun-17	
Coronation Recreation Centre and Tennis Courts, 1003 Chalmers Street SURRY HILLS NSW 2010	Very Good	Jun-17	
Darling Square Library, 2-58 Hay Street. Haymarket. 2 Floors Only	Very Good	Jun-17	
Depot - Alexandria Canal, 67C Bourke Road, ALEXANDRIA, NSW, 2015	Very Good	Jun-17	
East Sydney Community and Arts Centre (ESCAC), (formerly Heffron Hall, In Albert Sloss Reserve) 225-245 Palmer Street, DARLINGHURST, 2010	Very Good	Jun-17	
Fish Market Light Rail Lift, 55A Miller Street, PYRMONT, 2009	Very Good	Jun-17	
Green Square Library 355 Botany Road, ZETLAND, 2017	Very Good	Jun-18	

Site Address	Condition Rating	Year of rating	Comments
Harold Park Community Hall, 1A Dalgal Way, Forest Lodge, 2037	Very Good	Jun-17	
Huntley Street Early Learning Centre, 4H Huntley Street, ALEXANDRIA, 2015	Very Good	Jun-17	
Juanita Nielsen Community Centre, 31 Nicholson Street WOOLLOOMOOLOO NSW 2011	Very Good	Jun-17	
Kiosk - Sydney Park, 38 Barwon Park Road, ALEXANDRIA, 2015	Very Good	Jun-17	
Paddington Reservoir Gardens, 251-255 Oxford Street, PADDINGTON, 2021	Very Good	Jun-17	
Pedestrian Lift - 280A Jones Street, PYRMONT, 2009	Very Good	Jun-17	
Perry Park Recreation Centre - 1B Maddox Street , ALEXANDRIA NSW 2015	Very Good	Mar-19	
Pirrama Park Cafe, 22-24 Pirrama Road, PYRMONT, 2009	Very Good	Jun-17	
Public Toilet - Dr Foley Park, Dr H J Foley Rest Park, 140 Glebe Point Road, GLEBE, 2037	Very Good	Jun-17	
Public Toilet - Exeloo - Wulaba Park, 30 Amelia Street, WATERLOO NSW 2017	Very Good	Jun-17	
Public Toilet (Kiosk) - Sydney Park, 38 Barwon Park Road, ALEXANDRIA, 2015	Very Good	Jun-17	
Public Toilets - Wallamulla Reserve, 161-171 Cathedral Street, WOOLLOOMOOLOO, 2011	Very Good	Jun-17	

Site Address	Condition Rating	Year of rating	Comments
Public Toilets within Viaduct - Federal Park, 8 Chapman Road ANNANDALE NSW 2038	Very Good	Jun-17	
Pumping Facility (old cricket room and toilet now closed) - Sydney Park, 167-169 Euston Road, ALEXANDRIA, 2015	Very Good	Jun-17	
Redfern Oval Grandstand and Cafe, Redfern Oval, 51 Redfern Street, REDFERN, 2016	Very Good	Jun-17	
St James Park Tennis Courts and Clubhouse, 3 Woolley Street GLEBE NSW 2037	Very Good	Jun-17	
Surry Hills Library and Community Centre, 405 Crown Street SURRY HILLS NSW 2010	Very Good	Jun-17	
Tabernacle, (known as Eternity Playhouse) 39 Burton Street, DARLINGHURST, 2010	Very Good	Jun-17	
The Crescent Early Learning Centre, 7 Chapman Road, ANNANDALE, NSW, 2038	Very Good	Jun-17	
Turruwul Park Tennis Centre and Kiosk, 115 Rothschild Avenue ROSEBERY NSW 2018	Very Good	Jun-17	
WBG Incinerator, Glebe Foreshore Walk East, 53 Forsyth Street, GLEBE, 2037	Very Good	Jun-17	
Joynton Avenue Creative Centre (JACC), (formerly Esme Cahill Building), 3a Joynton Avenue, ZETLAND, 2017	Very Good	May-18	
101-111 William Street, DARLINGHURST NSW 2010	Good	Jun-17	

Site Address	Condition Rating	Year of rating	Comments
113-115 William Street, DARLINGHURST NSW 2010	Good	Jun-17	
137-155 Palmer Street, DARLINGHURST NSW 2010	Good	Jun-17	
343 George Street, SYDNEY NSW 2000	Good	Jun-17	
34-42 Bourke Road, ALEXANDRIA, 2015	Good	Jun-17	
545-549 South Dowling Street, SURRY HILLS NSW 2010	Good	Jun-17	
90 Regent Street, REDFERN NSW 2016	Good	Jun-17	
Abraham Mott Hall, 2 Watson Road MILLERS POINT NSW 2000	Good	Jun-17	
Alexandria Aged Health Centre, 12A Dadley Street ALEXANDRIA NSW 2015	Good	Jun-17	
Alexandria Child Care Centre, 41 Henderson Road EVELEIGH NSW 2015	Good	Jun-17	
Alexandria Town Hall, 73 Garden Street ALEXANDRIA NSW 2015	Good	Jun-17	Upgrade works completed last year post last report good condition
Andrew 'Boy' Charlton Pool, 1C Mrs MacQuarie's Road SYDNEY NSW 2000	Good	Jun-17	
Banga Community Shed, 3 Joynton Avenue, ZETLAND, NSW, 2017	Good	Jun-17	
Bellevue Cottage, Blackwattle Bay Park, 55 Leichhardt Street, GLEBE, 2037	Good	Jun-17	
Benledi House, 186-194 Glebe Point Road GLEBE NSW 2037	Good	Jun-17	

Site Address	Condition Rating	Year of rating	Comments
Booler Community Centre, 25-27 Lambert Street CAMPERDOWN NSW 2050	Good	Jun-17	
Broughton Street Kindergarten, 80 Broughton Street GLEBE NSW 2037	Good	Jun-17	
Cafe - Martin Place, 2003 Martin Place, SYDNEY, 2000	Good	Jun-17	The café closed when Metro acquired the Martin Place Shopping Arcade.
Capitol Theatre, 3-21 Campbell Street HAYMARKET NSW 2000	Good	Jun-17	
Cathedral Street Car Park, 1 Cathedral Street, SYDNEY, 2000	Good	Jun-17	
Chifley Square Cafe, 1 Chifley Square SYDNEY NSW 2000	Good	Jun-17	
Chippendale Child Care Centre, 1 Beaumont Street, CHIPPENDALE NSW 2008	Good	Jun-17	
City Recital Hall, 1 Angel Place SYDNEY NSW 2000	Good	Jun-17	
Cliff Noble Activity Centre, 24 Suttor Street ALEXANDRIA NSW 2015	Good	Jun-17	
Commercial - Ground Floor, 437-441 Bourke Street , SURRY HILLS NSW 2010	Good	Jun-17	Stratum

Site Address	Condition Rating	Year of rating	Comments
Customs House, 31 Alfred Street SYDNEY NSW 2000	Good	Jun-17	
Cycling Centre - Sydney Park, 410-416 Sydney Park Road ALEXANDRIA NSW 2015	Good	Jun-17	
Doody Street Industrial Complex, 4 Doody Street ALEXANDRIA NSW 2015	Good	Jun-17	
Erskineville Art's Centre, 1A Clara Street ERSKINEVILLE NSW 2043	Good	Jun-17	
Erskineville Town Hall, 104 Erskineville Road ERSKINEVILLE NSW 2043	Good	Jun-17	
Franklyn Park Community Space, 50 Glebe Street, GLEBE, 2037	Good	Jun-17	
Giba Park Lift, Giba Park, 2A Point Street, PYRMONT, 2009	Good	Jun-17	
Glebe Library, 186-194 Glebe Point Road GLEBE NSW 2037	Good	Jun-17	
Glebe Town Hall, 160 St Johns Road GLEBE NSW 2037	Good	Jun-17	
Grandstand - Jubilee Park, 2 Federal Road GLEBE NSW 2037	Good	Jun-17	

Site Address	Condition Rating	Year of rating	Comments
Green Infrastructure Centre, 3 Joynton Avenue, ZETLAND, NSW, 2017	Good	Jun-17	
Harry Jensen Centre, 2 Watson Road MILLERS POINT NSW 2000	Good	Jun-17	
Huntley Street Industrial Complex, 4 Huntley Street ALEXANDRIA NSW 2015	Good	Jun-17	
Ian Thorpe Aquatic Centre, 460-492 Harris Street ULTIMO NSW	Good	Jun-17	
International Grammar School, 4-8 Kelly Street ULTIMO NSW 2006	Good	Jun-17	
James Cahill Pre-School, 1-7 Raglan Street WATERLOO NSW 2016	Good	Jun-17	
John J Carroll Pre-School, 2-14 Phelps Street SURRY HILLS NSW 2009	Good	Jun-17	
King George V Recreation Centre, 15 Cumberland Street THE ROCKS NSW 2000	Good	Jun-17	
Kings Cross Car Park, 9A Elizabeth Bay Road ELIZABETH BAY NSW 2011	Good	Jun-17	
Kings Cross Police Station, 1 Elizabeth Bay Road ELIZABETH BAY NSW 2011	Good	Jun-17	

Site Address	Condition Rating	Year of rating	Comments
Kiosk and Exeloo Joynton Park, 21 Gadigal Avenue ZETLAND NSW 2017	Good	Jun-17	
Surry Hills Child Care Centre, 443-453 Riley Street SURRY HILLS NSW 2010	Good	Jun-17	
Lance Pre-School and Child Care Centre, 37 High Street MILLERS POINT NSW 2000	Good	Jun-17	
Library Link and Customer Service - Green Square, 100 Joynton Avenue, ZETLAND, 2017	Good	Jun-17	
Lois Barker Child Care Centre, 102 -104 Wellington Street WATERLOO NSW 2017	Good	Jun-17	
Paddington Town Hall, 247 Oxford Street PADDINGTON NSW 2021	Good	Jun-17	
Pavilion - Sydney Park, 38 Barwon Park Road, ALEXANDRIA, 2015	Good	Jun-17	
Peter Forsythe Auditorium, 67 Francis Street (part 23-35A Bay Street), GLEBE, 2037	Good	Jun-17	
Phillip Park Community and Children's Centre, 1B Cathedral Street WOOLLOOMOOLOO NSW 2011	Good	Jun-17	
Prince Alfred Park Pool, 105 Chalmers Street, SURRY HILLS, 2012	Good	Jun-17	

Site Address	Condition Rating	Year of rating	Comments
Public Toilet - 13A Refinery Drive, PYRMONT, 2009	Good	Jun-17	
Public Toilets - (east) Jubilee Park, 2 Federal Road GLEBE NSW 2037	Good	Jun-17	
Public Toilets - Automated - Eddie Ward Park, 45 Marlborough Street, SURRY HILLS, 2010	Good	Jun-17	
Public Toilets - Beare Park, 13 Esplanade ELIZABETH BAY NSW 2011	Good	Jun-17	
Public Toilets - Exeloo Tote Park, 7 Grandstand Parade, ZETLAND. NSW, 2017	Good	Jun-17	
Public Toilets - Pissoir, 5010 George Street SYDNEY NSW 2000	Good	Jun-17	
Public Toilets - Watson Road, 1 Watson Road MILLERS POINT NSW 2000	Good	Jun-17	
Public Toilets (Car park) - Sydney Park, 2A Princes Highway, ALEXANDRIA, 2015	Good	Jun-17	
Public Toilets and Garden Shed - Bourke Street Park, 109-115 Bourke Street, WOOLLOOMOOLOO NSW 2011	Good	Jun-17	
Public Toilets Nuffield Park - adjacent to George Julis Avenue, 3 Hutchinson Walk, ZETLAND NSW 2017	Good	Jun-17	

Site Address	Condition Rating	Year of rating	Comments
Public Toilets, Wentworth Park, 9 Wentworth Park Road, GLEBE, 2037	Good	Jun-17	
Queen Victoria Building, 429-481 George Street SYDNEY NSW 2000	Good	Jun-17	
Railway Square Interchange, 816 George Street CHIPPENDALE NSW 2008	Good	Jun-17	
Redfern Community Centre, 12-36 Caroline Street, REDFERN, 2016	Good	Jun-17	
Redfern Occasional Care Centre, 55 Pitt Street REDFERN NSW 2016	Good	Jun-17	
Reg Bartley Oval Grandstand, 6 Waratah Street RUSHCUTTERS BAY NSW 2011	Good	Jun-17	
Rex Community Centre, 58A MacLeay Street ELIZABETH BAY NSW 2011	Good	Jun-17	
Rotunda - Observatory Hill Park, 1001 Upper Fort Street, MILLERS POINT, 2000	Good	Jun-17	Works are planned as part of the park renewal program.
Small Store and Wireless Radio Shack, Dr H J Foley Rest Park, 140 Glebe Point Road, GLEBE, 2037	Good	Jun-17	
South Sydney Youth Centre,	Good	Jun-17	

Site Address	Condition Rating	Year of rating	Comments
1B Elizabeth Street WATERLOO NSW 2017			
St Helens Community Centre, 184 Glebe Point Road GLEBE NSW 2037	Good	Jun-17	
St James Café, 110 Elizabeth Street SYDNEY NSW 2000	Good	Jun-17	
Stage and Service Rooms - Martin Place, 2002 Martin Place SYDNEY NSW 2000	Good	Jun-17	
Sydney Town Hall, 483 George Street SYDNEY NSW 2000	Good	Jun-17	
Tennis Centre including Kiosk, 7 Waratah Street RUSHCUTTERS BAY NSW 2011	Good	Jun-17	
Town Hall Arcade, 483 George Street SYDNEY NSW 2000	Good	Jun-17	
Victoria Park Gardener's Lodge, 2001 Parramatta Road CAMPERDOWN NSW 2050	Good	Jun-17	
Victoria Park Pool, 1001 City Road CAMPERDOWN NSW 2050	Good	Jun-17	
Waranara Early Education Centre, 3 Joynton Avenue, ZETLAND, NSW, 2017	Good	Jun-17	

Site Address	Condition Rating	Year of rating	Comments
Wilcox Mofflin Building, 46-52 Mountain Street ULTIMO NSW 2007	Good	Jun-17	
York Lane Subway, 5030 Clarence Street SYDNEY NSW 2000	Good	Jun-17	
Former Redfern Post Office, 119 Redfern St Redfern	Good	Dec-18	
107 Redfern Street Redfern, NSW 2016	Fair	Jun-17	
10A Wattle Street, PYRMONT NSW 2009	Fair	Jun-17	
17A Albert Street, ERSKINEVILLE, 2043	Fair	Jun-17	
307 Pitt Street, SYDNEY NSW 2000	Fair	Jun-17	
Abraham Mott Youth Centre, 2 Watson Road MILLERS POINT NSW 2000	Fair	Jun-17	
Alexandria Park Tennis Courts, 10 Buckland Street ALEXANDRIA NSW 2015	Fair	Jun-17	
Alexandria Park Toilets and Changerooms, 10 Buckland Street ALEXANDRIA NSW 2015	Fair	Jun-17	
Beaconsfield Community Centre, 169 Victoria Street BEACONSFIELD NSW 2015	Fair	Jun-17	

Site Address	Condition Rating	Year of rating	Comments
Breezeway 8/9 - passageway with overhead roof, 26A Hickson Road, MILLERS POINT, 2000	Fair	Jun-17	
Bus Shelter Hyde Park, 110 Elizabeth Street SYDNEY NSW 2000	Fair	Jun-17	
Café (Hyde Park South), 120 Elizabeth Street SYDNEY NSW 2000	Fair	Jun-17	
Capitol Square (Watkins Terrace), 730-742 George Street HAYMARKET NSW 2000	Fair	Jun-17	
Chinese Welcome Arch 1 at Hay Street, 5020 Dixon Street, HAYMARKET, NSW, 2000	Fair	Jun-17	
Chinese Welcome Arch 2 at Factory Street, 5020 Dixon Street, HAYMARKET, NSW, 2000	Fair	Jun-17	
Cook and Phillip Park Aquatic and Leisure Centre, 2 College Street SYDNEY NSW 2000	Fair	Jun-17	
Coronation Hotel, 5-7 Park Street SYDNEY NSW 2000	Fair	Jun-17	
Corporation Building, 181-187 Hay Street HAYMARKET NSW 2000	Fair	Jun-17	
Depot - Alexandria Gerard Street, 36 Gerard Street ALEXANDRIA	Fair	Jun-17	Works undertaken by Ventia prior to occupation.

Site Address	Condition Rating	Year of rating	Comments
NSW 2015			
Depot - Arthur McElhone Reserve, 1A Billyard Avenue ELIZABETH BAY NSW 2010	Fair	Jun-17	
Depot - Bourke Street (Plunkett Street), 75 Bourke Street WOOLLOOMOOLOO NSW 2011	Fair	Jun-17	
Depot - Cumberland Street, 9 Cumberland Street THE ROCKS NSW 2000	Fair	Jun-17	
Depot - Nursery, Sydney Park, 38 Barwon Park Road ALEXANDRIA NSW 2015	Fair	Jun-17	
Depot - Riley Street Woolloomooloo, 13-17 Riley Street WOOLLOOMOOLOO NSW 2010	Fair	Jun-17	
Depot - Surry Hills, 303-307 Riley Street, SURRY HILLS,2010	Fair	Jun-17	
Erskineville Oval Grandstand, 149 Mitchell Road ERSKINEVILLE NSW 2043	Fair	Jun-17	
Erskineville Retail Holding, 106-112 Erskineville Road ERSKINEVILLE NSW 2042	Fair	Jun-17	
Goulburn Street Parking Station, 101 Goulburn Street HAYMARKET NSW 2000	Fair	Jun-17	
Green Park Bandstand, 301 Victoria Street	Fair	Jun-17	The building is heritage listed, currently unoccupied with the City

Site Address	Condition Rating	Year of rating	Comments
DARLINGHURST NSW 2010			going to market seeking a new tenant. Fit-out works will be agreed and implemented with the new tenant.
Green Square Community Centre, 3 Joynton Avenue ZETLAND NSW 2017	Fair	Jun-17	Site is proposed for redevelop as a joint project with the Department of Education to build a new integrated community facility and school
Haymarket Library, 744-744B George Street HAYMARKET NSW 1999	Fair	Jun-17	
Hilda Booler Child Care Centre, 2 Federal Road GLEBE NSW 2037	Fair	Jun-17	
Huntley Street Units, Unit 1/6-8 Huntley Street, ALEXANDRIA, 2015	Fair g	Aug-18	
Huntley Street Units, Unit 2/6-8 Huntley Street, ALEXANDRIA 2015	Fair	Aug-18	
Huntley Street Units, Unit 3/6-8 Huntley Street, ALEXANDRIA 2015	Fair	Aug-18	
Huntley Street Units, Unit 4/6-8 Huntley Street, ALEXANDRIA 2015	Fair	Aug-18	
Joseph Sargeant Community Centre, 60 Prospect Street, ERSKINEVILLE, 2043	Fair	Jun-17	
Kent Street Tennis Centre, 96-108 Kent Street MILLERS	Fair	Jun-17	

Site Address	Condition Rating	Year of rating	Comments
POINT NSW 1999			
King Street Retail Holding - Harry Burland Hall, 218-222 King Street NEWTOWN NSW 2042	Fair	Jun-17	
Kings Cross Neighbourhood Service Centre and Library, 50-52 Darlinghurst Road POTTS POINT NSW 2011	Fair	Jun-17	
Known as Jane Evans Day Centre, 8-10 Victoria Street NEWTOWN NSW 2041	Fair	Jun-17	
Known as Maybanke Pre-School, 99 Harris Street PYRMONT NSW 2009	Fair	Jun-17	
Known as Rushcutters Bay Childcare Centre, 7A Waratah Street RUSHCUTTERS BAY NSW 2011	Fair	Jun-17	
Known as Surry Hills Child Care (Girl and Boys Brigade) Centre, 402-404 Riley Street, SURRY HILLS, 2010	Fair	Jun-17	Leased by the City
Leachate Plant - Sydney Park, 171-203 Euston Road, ALEXANDRIA, 2015	Fair	Jun-17	Facility currently being reconstructed post WestConnex compulsory acquisition
Manning Building, 447 and 451 Pitt Street HAYMARKET NSW 2000	Fair	Jun-17	
Mary McDonald Activity Centre, 80 and 82-88 Bourke Street,	Fair	Jun-17	

Site Address	Condition Rating	Year of rating	Comments
WOOLLOOMOOLOO, 2011			
Maybanke Recreation Centre, 87-97 Harris Street PYRMONT NSW 2009	Fair	Jun-17	
McKee Street Child Care Centre, 2-10 Mary Ann Street ULTIMO NSW 2007	Fair	Jun-17	
Meals on Wheels Centre, Unit 7/8-10 Burrows Road ST PETERS NSW 2044	Fair	Jun-17	
Newtown Library and Community Hall, 8-10 Brown Street NEWTOWN NSW 2042	Fair	Jun-17	
Nurses Quarters, 184 Glebe Point Road GLEBE NSW 2037	Fair	Jun-17	
PACT Theatre, 107-125 Railway Parade ERSKINEVILLE NSW 2043	Fair	Jun-17	
Park House, 295-301 Pitt Street SYDNEY NSW 2000	Fair	Jun-17	
Pine Street Creative Arts (Annex), 132-134 Shepherd Street, DARLINGTON, 2008	Fair	Jun-17	
Pine Street Creative Arts Centre, 62-64 Pine Street CHIPPENDALE NSW 2008	Fair	Jun-17	

Site Address	Condition Rating	Year of rating	Comments
Pittsway Arcade, 303-305 Pitt Street, SYDNEY, 2000	Fair	Jun-17	
Public Toilets - (west) Jubilee Park, 2 Federal Road GLEBE NSW 2037	Fair	Jun-17	
Public Toilets - George Street North, 23 George Street THE ROCKS NSW 2000	Fair	Jun-17	
Public Toilets - Martin Place, 2002 Martin Place SYDNEY NSW 2000	Fair	Jun-17	
Public Toilets - Pyrmont Point Park, 22-24 Pirrama Road PYRMONT NSW 2009	Fair	Jun-17	
Pyrmont Community Centre, 79A John Street PYRMONT NSW 2009	Fair	Jun-17	
Redfern Terrace, 12-36 Caroline Street, REDFERN, 2016	Fair	Jun-17	
Redfern Town Hall, 73 Pitt Street REDFERN NSW 2016	Fair	Jun-17	External rectification works undertaken on the external facade over the last four years. An upgrade project is planned for next financial aimed at upgrade works in the main hall
Reginald Murphy Activity Club, 19 Greenknowe Avenue ELIZABETH BAY NSW 2011	Fair	Jun-17	
Residence - No. 11 Norman Street, DARLINGHURST NSW 2010	Fair	Jun-17	

Site Address	Condition Rating	Year of rating	Comments
Residence - No. 13 Norman Street, DARLINGHURST NSW 2010	Fair	Jun-17	
Residence - No. 15 Norman Street, DARLINGHURST NSW 2010	Fair	Jun-17	
Residence - No. 17 Norman Street, DARLINGHURST NSW 2010	Fair	Jun-17	
Residence - No. 5 Norman Street, DARLINGHURST NSW 2010	Fair	Jun-17	
Residence - No. 7 Norman Street, DARLINGHURST NSW 2010	Fair	Jun-17	
Residence - No. 9 Norman Street, DARLINGHURST NSW 2010	Fair	Jun-17	
Ron Williams Activity Centre, 5-11 Kepos Street, REDFERN, 2016	Fair	Jun-17	
Rosebery Child Care Centre, 1 Harcourt Parade ROSEBERY NSW 2018	Fair	Jun-17	
Rosebery Community Centre, 78 Harcourt Parade ROSEBERY NSW 2018	Fair	Jun-17	
Shelter - Bicentennial Park, 2A Chapman Road, ANNANDALE, 2038	Fair	Jun-17	

Site Address	Condition Rating	Year of rating	Comments
State Emergency Service (SES) Building, 107-125 Railway Parade, ERSKINEVILLE, 2043	Fair	Jun-17	
Strata Lot 1 SP18382 Ground Floor, 309-313 Pitt Street SYDNEY NSW 2000	Fair	Jun-17	
Strata Lot 15 SP18382, 309-313 Pitt Street SYDNEY NSW 2000	Fair	Jun-17	
Strata Lot 2 SP18382, 309-313 Pitt Street SYDNEY NSW 2000	Fair	Jun-17	
Strata Lot 23 SP18382, 309-313 Pitt Street SYDNEY NSW 2000	Fair	Jun-17	
Strata Lot 24 SP18382, 309-313 Pitt Street SYDNEY NSW 2000	Fair	Jun-17	
Strata Lot 3 SP18382, 309-313 Pitt Street SYDNEY NSW 2000	Fair	Jun-17	
Strata Lot 44 SP45483, 309-313 Pitt Street SYDNEY NSW 2000	Fair	Jun-17	
Strata Lot 47 SP45483, 309-313 Pitt Street SYDNEY NSW 2000	Fair	Jun-17	

Site Address	Condition Rating	Year of rating	Comments
Strata Lot 48 SP53565, 309-313 Pitt Street SYDNEY NSW 2000	Fair	Jun-17	
Sunbeam Kindergarten, 8 Lyne Street ALEXANDRIA NSW 2015	Fair	Jun-17	
Sydney Square, 483 George Street SYDNEY NSW 2000	Fair	Jun-17	
Town Hall House, 456 Kent Street SYDNEY NSW 2000	Fair	Jun-17	
Ultimo Child Care Centre and Residence, 247-257 Bulwara Road ULTIMO NSW 2007	Fair	Jun-17	
Ultimo Community Centre, 40 William Henry Street ULTIMO NSW 2007	Fair	Jun-17	
Unit 7 - 12 Springfield Avenue, POTTS POINT NSW 2011	Fair	Jun-17	
Unit 8 - 12 Springfield Avenue, POTTS POINT NSW 2011	Fair	Jun-17	
Viaduct Rooms - Jubilee Park, 6 Chapman Road ANNANDALE NSW 2038	Fair	Jun-17	
Waterloo Library, 770 Elizabeth Street WATERLOO NSW 2017	Fair	Jun-17	

Site Address	Condition Rating	Year of rating	Comments
Waterloo Oval Grandstand, 1B Elizabeth Street WATERLOO NSW 2017	Fair	Jun-17	
Wattle Street Lift - Wentworth Park, 9 Wentworth Park Road, GLEBE, 2037	Fair	Jun-17	
Woolworths, 532-540 George Street SYDNEY NSW 2000	Fair	Jun-17	
110-122 Oxford Street, DARLINGHURST NSW 2010	Poor	Jun-17	Buildings to be divested through a 99 year lease
56-78 Oxford Street, DARLINGHURST NSW 2010	Poor	Jun-17	Buildings to be divested through a 99 year lease
82-106 Oxford Street, DARLINGHURST NSW 2010	Poor	Jun-17	Buildings to be divested through a 99 year lease
9 The Crescent, ANNANDALE NSW 2038	Poor	Jun-17	Building to be demolished for future skate park
Club Room - Jubilee Park, 2 Federal Road, GLEBE, 2037	Poor	Jun-17	Building unoccupied, under review to be demolished.
Public Toilet (Closed) and Substation, 136 Oxford Street DARLINGHURST NSW 2010	Poor	Jun-17	Toilet is underground. It was closed in mid-1990s due to concerns about public safety and staff safety (enclosed spaces). Renovation would be cost prohibitive due to Access requirements. From time to time this facility has been used by local artists for temporary installations or performance art.

Site Address	Condition Rating	Year of rating	Comments
Rooms under Viaduct, 11-13 The Crescent, ANNANDALE, 2038	Poor	Jun-17	Building unoccupied
Ted McDermott Tennis Centre and Toilet, 54 Queen Street BEACONSFIELD NSW 2015	Poor	Jun-17	This facility comprises of a public toilet (separate male and female) and a community room currently used by the operator of the tennis court. Prior to 2009 the room was used by nearby church community group for youth activities. Condition is fair.
WAVES Hydro Therapy, 3 Joynton Avenue ZETLAND NSW 2017	Poor	Jun-17	Occupied areas have a fair condition, to be demolished as part of the Department of Education Integrated school community facility.
Annex - Kellett Place, 66-68 Kellett Street, POTTS POINT, 2011	Very Poor	Jun-17	Agreement reached with adjoining owner to undertake rectification works.
Brick Kilns and Chimneys - Sydney Park, 2 Princes Highway, ALEXANDRIA, 2015	Very Poor	Jun-17	Structures unoccupied, works complete to make safe. A strategy is being developed to determine the future use of the building.
Depot - Bay Street, 10-16 Bay Street ULTIMO NSW 2007	Very Poor	Jun-17	This is an overall rating of the complex and is representative of occupied buildings (fair condition) and unoccupied buildings.
Depot - Fig and Wattle Street, 14-26 Wattle Street , PYRMONT NSW 2009	Very Poor	Jun-17	Property sold awaiting settlement.

Site Address	Condition Rating	Year of rating	Comments
Depot - Redfern (Marion Street), 11 Gibbons Street REDFERN NSW 2016	Very Poor	Jun-17	Property sold. Building to be demolished for affordable housing (St George Community Housing).
Mandible Industrial, 41 Mandible Street, ALEXANDRIA, 2015	Very Poor	Jun-17	To be demolished, site to be repurposed as a community park
Mower Workshop Depot, 11 Gibbons Street REDFERN NSW 2016	Very Poor	Jun-17	Building to be demolished for affordable housing St George.
Public Toilets - (Closed) - Belmore Park, 191 Hay Street HAYMARKET NSW 2000	Very Poor	Jun-17	This facility was a male-only toilet, and an APT was installed (1999) to provide toilet coverage at this site. Condition unknown.
Public Toilets - (Closed) - Hickson Road, 5010 High Steps MILLERS POINT NSW 2000	Very Poor	Jun-17	This facility was a male-only toilet closed 1990s due to poor condition.
Public Toilets - (Closed) - Macquarie Place, 36 Bridge Street SYDNEY NSW 2000	Very Poor	Jun-17	Toilet is underground. It was closed and backfilled with sand in mid-1990s due to concerns about public safety and staff safety (enclosed spaces). Renovation would be cost prohibitive due to access requirements.
Public Toilets - (Closed) - Sussex Street, 18 Sussex Street SYDNEY NSW 2000	Very Poor	Jun-17	This male only facility was closed (assumed 1990s) due to poor repair and was/is leased to the Sussex Hotel for storage.

Site Address	Condition Rating	Year of rating	Comments
Public Toilets - (Closed) - Wynyard Park, 1001 York Street SYDNEY NSW 2000	Very Poor	Jun-17	These toilets were underground. They were closed (not sure whether demolished or backfilled with sand) due to concerns about public safety and staff safety. An APT was installed near this location on York St.
Public Toilets - Perry Park, 1B Maddox Street ALEXANDRIA NSW 2015	Very Poor	Jun-17	This facility is a standalone brick building comprised of changing rooms for hirers of the sports oval and public toilets. The facility is still open but is scheduled for demolition and replacement in the future upgrade of Perry Park sports field.
Public Toilets - Wattle & Broadway Rest Area, 123 Broadway, ULTIMO, 2007	Very Poor	Jun-17	This is a standalone brick building located in a landscaped road island. The toilet was closed in 1990s due to poor condition. It is scheduled for demolition as part of the landscape upgrade for this site.
Rotunda - Belmore Park, 191 Hay Street HAYMARKET NSW 2000	Very Poor	Jun-17	Part of the City's renewal program
330 - 332 Botany Road, ALEXANDRIA, 2015	N/A	Jun-17	Demolition underway for affordable housing (City West and St George) and Green Square to Ashmore Connector (GSAC).

Site Address	Condition Rating	Year of rating	Comments
334-336 Botany Road, ALEXANDRIA, 2015	N/A	Jun-17	Demolition underway for affordable housing (City West and St George) and Green Square to Ashmore Connector (GSAC).
338 Botany Road, ALEXANDRIA, 2015	N/A	Jun-17	Demolition underway for affordable housing (City West and St George) and Green Square to Ashmore Connector (GSAC).
44-54 Bourke Road, ALEXANDRIA, NSW, 2015	N/A	Jun-17	Building demolished - GSAC

Erskineville Sugarcube Lots

7. By Councillor Phelps

Question

The "Sugarcube apartments" (and "Honeycomb terraces") residential development located at former units 21-34, 1A Coulson Street, Erskineville, has recently gained much media attention as Council has prevented owners from moving in due to concerns of contaminated groundwater.

The City granted development consent for the project in September 2015. The previous use of the site and surrounding area was for industrial purposes and the land was known to contain contaminants which required remediation prior to the proposed residential use of the site.

Could the Chief Executive officer please advise on:

1. Who issued the construction certificate?
2. Was the remediation reviewed and approved by the City prior to construction commencement? If not, why not? If so, why are the owners unable to move in?
3. Why was building allowed to proceed?
4. What action will be taken about the building proceeding without the Site Audit Statement or remediation works having been completed?
5. When did Council become aware that the remediation had not been conducted?

S129272

Answer by the Chief Executive Officer

1. The Construction Certificate was issued by the applicant appointed Certifier, City Plan Services.
2. Remediation was assessed at the development application stage and conditions of consent regarding remediation were imposed, including a condition requiring the provision of a final Site Audit Statement prior to the undertaking of construction of the built form of the development. No final Site Audit Statement has yet been issued, largely due to the City's concerns with the site remediation works that have been undertaken. Residents cannot move in as no Occupation Certificate has been issued to date. A final Site Audit Statement is required before an Occupation Certificate can be issued.
3. This matter has recently been discussed with the Investigations Unit of the Building Professionals Board who accredit and regulate Certifiers in NSW.
4. The Building Professionals Board were informed that the City will likely be submitting a complaint to them in relation to the Certifier allowing the development to be constructed without the final Site Audit Statement having been obtained from the Site Auditor. They have since requested details of the Certifier and are making their own enquiries into this matter.
5. The City received correspondence from the Site Auditor in May 2018 in relation to the remediation works undertaken, at which point the City became aware that this development had been built and was largely completed without a final Site Audit Statement having been submitted and approved. Further enquiries and investigations have been ongoing since that time.

Costs of WestConnex Campaign

8. By Councillor Phelps

Question

At a Council meeting in June 2017, funding of \$360,000 was approved for a campaign to inform people about WestConnex and its impacts. By April 2018, Council had also approved grants for over \$117,800 to WestConnex-related groups.

Could the Chief Executive Officer please provide:

1. A total, to date, of how much Council has spent on its campaign against WestConnex?
2. Detailed costing of Council's expenditure on the Lord Mayor's WestConnex campaign; including consultant fees, council officer time and grants to WestConnex-related community groups?
3. An update on the activities of the campaign and any outcomes that have been achieved?

S129272

Answer by the Chief Executive Officer

The City has awarded \$117,800 to Community groups for projects related to WestConnex between 2015 and 2018. The City costs for the WestConnex campaign totalled \$261,749.

The campaign and grants to community groups provided a strong platform to raise awareness within the community of the issues relating to the WestConnex project. They provided a mechanism to support the community to provide feedback on their concerns about the project and for the City to advocate its position to the NSW Government. Community groups have also been able to provide affected communities with information on how to report and seek resolution of construction-related issues such as noise, dust or work hours breaches.

The City has no communications activities currently underway.

Air Quality Monitor Follow Up

9. By Councillor Phelps

Question

Following a Notice of Motion on 13 August 2018, the 7 September 2018 CEO Update provided that the City of Sydney was in talks with the NSW Office of Environment and Heritage regarding the installation of an air quality monitor in the LGA.

Considering no air quality data is available for the City of Sydney LGA, could the Chief Executive Officer please provide:

1. An update on talks with the NSW Office of Environment and Heritage regarding the installation of an air quality monitor at Railway Square and any progress that has been achieved in securing an air quality monitor in the LGA.
2. An update on any research or investment the City has made in the deployment of fixed and mobile air quality monitors, as part of future smart city projects since September 2018.

S129272

Answer by the Chief Executive Officer

1. The City continues to work collaboratively with the Office of Environment and Heritage (OEH) to find a suitable location for air monitoring equipment in the CBD. A number of sites have been considered and assessed, with most being rejected as unsuitable.

In late 2018 it was understood that an agreed site had been determined at Railway Square on land owned by Railcorp. It is our understanding that the discussions between RailCorp and OEH were unsuccessful with OEH not receiving consent.

On 13 August 2019, OEH advised they are considering Goulburn Street carpark as a potential location for an air quality monitor. Further investigations will need to be conducted into the suitability of this location.

OEH have also explored State government-owned sites, but have advised that there are no current suitable options.

2. A sensor network in the City of Sydney is being delivered over coming months by UTS in partnership with the City as part of the Australian Government Smart Cities and Suburbs project. The network consists of 9 UTS-developed Environmental Monitoring Systems (EMS) instruments which will measure temperature, humidity, air quality (particulates, CO, NO₂, O₃) and noise (average and peak dBA). Another seven sensors are being deployed to measure heat in addition to six existing sensors. The EMS are powered by a small solar panel and battery (sensor life is thought to be 5 to 10 years). Each device provides data every 15-minutes via a Long Range Wide Area Network (LoRaWAN). This consists of multiple 'gateways' that receive radio bursts from devices within a range of several kilometres. Locations for sensor deployment have been chosen based on strength of LoRaWAN signal, suitable poles for mounting, and context (e.g. on major roads or near community hotspots). There is a concentration of devices being deployed around Broadway and Haymarket, making use of the strong signal surrounding the UTS campus. Data from all the devices will be captured into a single cloud-based platform and dashboard. The City will need to ensure data quality is reliable before making data public.

Item 11 Supplementary Answers to Previous Questions

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

Item 12 Notices of Motion**Item 12.1 AusMusic T-Shirt Day**

Moved by Councillor Scully, seconded by Councillor Miller –

It is resolved that:

- (A) Council note:
- (i) Support Act is a charity which provides financial help, advice and practical assistance to artists, roadies and music industry workers who are experiencing hardship due to illness, a mental health problem, an injury or other crisis which impacts on their ability to work in music;
 - (ii) a study by Victoria University reported that musicians are five times more likely to suffer from depression and 10 times more likely to show symptoms of anxiety. A survey of almost 3,000 music industry workers found that suicide attempts were more than double that of the general population;
 - (iii) AusMusic T-Shirt Day is an annual community fundraising event established to expand the Support Act Crisis Relief and Funeral Support Services as well as the Support Act Wellbeing Helpline - a free, confidential 24/7 professional counselling service that is available to anyone working in Australian music;
 - (iv) AusMusic T-Shirt Day is an opportunity to celebrate Australian music while raising funds and awareness for artists, roadies and music industry workers experiencing hardship; and
 - (v) organisations can participate in AusMusic T-Shirt Day 2019 by registering as a team on the Support Act website and encouraging staff to wear their favourite AusMusic T-Shirt and make a donation to Support Act;
- (B) Council endorse supporting the City's participation in AusMusic T-Shirt Day on 15 November 2019; and
- (C) the Chief Executive Officer be requested to:
- (i) register the City of Sydney for AusMusic T-Shirt Day 2019;
 - (ii) promote the City's support and participation in AusMusic T-Shirt Day 2019 through the City's media channels; and
 - (iii) encourage staff to participate in the fundraising event.

Carried unanimously.

S129264

Item 12.2 NBN Impacts on City Streets

Moved by Councillor Scully, seconded by Councillor Miller –

It is resolved that:

(A) Council note:

- (i) under the Telecommunications Act 1997 companies are allowed to install "low impact facilities" without consultation or planning approval;
- (ii) as a result, the design and placement of these facilities has, in some cases, had a distinctly negative impact on public amenity and access;
- (iii) low impact facilities can include roadside cabinets, (small) radio communications dishes and antennae, cable pits, and public payphones. They are not regulated because their size means they are meant to have a low visual impact and be less likely to raise planning, heritage or environmental concerns;
- (iv) the Telecommunications Code of Practice requires that when installing low impact facilities carriers must take all reasonable steps to:
 - (a) ensure as little detriment, damage and inconvenience as practicable is caused;
 - (b) minimise interference with public utilities, roads and paths, traffic and land use;
 - (c) ensure that the land is restored to a condition that is similar to its condition before the installation began; and
 - (d) protect the environment (including ecosystems, people and communities; resources; qualities and characteristics of locations and areas, and the social, economic and cultural aspects of all these);
- (v) it is apparent these standards are not being met, as evident by the inappropriate placement of NBN facilities on public footpaths which obstruct reasonable thoroughfare and access;
- (vi) poorly considered line installations, and footpaths left in a poor state after lines are laid, are also having an impact on the quality and accessibility of footpaths and the public realm in the City of Sydney;
- (vii) the City of Sydney's draft Inclusive and Accessible Public Domain Guidelines ("the Guidelines"), currently on exhibition for public comment, have been developed to achieve our objective of a liveable city where everyone has equitable and dignified access in the public domain. The Guidelines provide information to ensure that accessibility and inclusion of people with disability is considered in the design, management and use of public spaces in the City of Sydney Local Government Area;
- (viii) the Guidelines state that "Quality and accessible public outdoor spaces play an important role in creating a liveable and welcoming city" and "The continuous accessible path of travel is the foundation of an inclusive and accessible public domain"; and

- (ix) City staff have sought better outcomes and discussions with NBN Co over the years in order to secure better outcomes for City residents, businesses and visitors impacted by NBN node boxes, but have not been able to secure meaningful co-operation on a suitable outcome for the public domain;
- (B) the Lord Mayor be requested to invite NBN Co representatives and other relevant organisations to a meeting of the Inclusion Advisory Panel, to present their practices and to receive feedback about the impact of these facilities as advocates for fair and equitable access in the public domain;
- (C) the Lord Mayor be requested to invite the Chief Executive Officer of NBN Co to meet with City of Sydney staff, Councillors and members of the Inclusion Advisory Panel for a tour of the city to review existing NBN facilities, and discuss solutions for mitigating their significant impacts on public amenity and accessibility; and
- (D) the Chief Executive Officer be requested to consult with members of the Retail Advisory Panel about the impact of these facilities on city main streets and businesses.

Carried unanimously.

S129264

Item 12.3 Vale Doris Goddard

Moved by Councillor Miller, seconded by Councillor Scott –

It is resolved that:

- (A) Council note that beloved Sydney publican performer and icon Doris Goddard passed away on 28 July 2019, aged 89;
 - (i) born in Forest Lodge on 1 March 1930, Doris has had a longstanding contribution to Sydney's cultural life, night time ecology, LGBTQI+ community and for those less fortunate than herself;
 - (ii) Doris found fame during the 1950s as an actress and cabaret singer performing alongside Hollywood greats including Katherine Hepburn, Mel Gibson, Piper Laurie, Bob Hope and Sid James;
 - (iii) upon her return to Australia, Doris owned pubs in Surry Hills, Newtown and Balmain. In 1977 she and her husband Charlie Bishop purchased the iconic art deco building at the corner of Foster Street and Hunt Street, Surry Hills, which would become known as the Hotel Hollywood. Throughout her career as a publican, Doris enraptured punters with performances and tales of Old Hollywood gossip. The Hotel Hollywood was her home for over 40 years;
 - (iv) Doris was driven by a love for her community and an affinity with the underdog. She lent an ear to any concern, and unconditionally gave her hospitality, respect and kindness without judgement. Despite the disapproval of some of her neighbours, she was known to open the doors of the hotel to the homeless when nearby hostels became full, and reached out to patrons experiencing hardship. She was truly the beating heart of the Hotel Hollywood, and embraced the Surry Hills arts, music and entertainment community with gusto; and
 - (v) Doris was a champion of Sydney's nightlife until her final days. She attended rallies against the State Government's Lock Out Laws as recently as February this year, and was described by Mr Mark Symons, who has managed the Hotel Hollywood for Doris since 1998, as continuing "to sing until the end";
- (B) all persons present in the chamber rise to observe one minute's silence to mark the passing of Doris Goddard; and
- (C) the Lord Mayor be requested to write the family of Doris Goddard expressing Council's condolences.

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

- (A) Council note that beloved Sydney publican performer and icon Doris Goddard passed away on 28 July 2019, aged 89;
- (i) born in Forest Lodge on 1 March 1930, Doris has had a longstanding contribution to Sydney's cultural life, night time ecology, LGBTQI+ community and for those less fortunate than herself;
 - (ii) Doris found fame during the 1950s as an actress and cabaret singer performing alongside Hollywood greats including Katherine Hepburn, Mel Gibson, Piper Laurie, Bob Hope and Sid James;
 - (iii) upon her return to Australia, Doris owned pubs in Surry Hills, Newtown and Balmain. In 1977 she and her husband Charlie Bishop purchased the iconic art deco building at the corner of Foster Street and Hunt Street, Surry Hills, which would become known as the Hotel Hollywood. Throughout her career as a publican, Doris enraptured punters with performances and tales of Old Hollywood gossip. The Hotel Hollywood was her home for over 40 years;
 - (iv) Doris was driven by a love for her community and an affinity with the underdog. She lent an ear to any concern, and unconditionally gave her hospitality, respect and kindness without judgement. Despite the disapproval of some of her neighbours, she was known to open the doors of the hotel to the homeless when nearby hostels became full, and reached out to patrons experiencing hardship. She was truly the beating heart of the Hotel Hollywood, and embraced the Surry Hills arts, music and entertainment community with gusto;
 - (v) Doris was a trail blazer for women across the entertainment and hospitality industries. As Sydney's first female publican she changed the face of the city for the better; and
 - (vi) Doris was a champion of Sydney's nightlife until her final days. She attended rallies against the State Government's Lock Out Laws as recently as February this year, and was described by Mr Mark Symons, who has managed the Hotel Hollywood for Doris since 1998, as continuing "to sing until the end";
- (B) all persons present in the chamber rise to observe one minute's silence to mark the passing of Doris Goddard; and
- (C) the Lord Mayor be requested to write to Doris Goddard's family, friend Mark Symons and all at the Hotel Hollywood expressing Council's condolences.

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 Doris Goddard.

S129262

Item 12.4 Liveable Slow Streets

By Councillor Miller

It is resolved that:

(A) Council note:

- (i) the petition submitted by residents of Morehead, Walker, Little Young, Cleveland and Young Streets, Redfern, requesting that Council consider their desire to calm and green their street - Morehead Street, between Cooper Street and James Street, Redfern - through a revised design of the public space;
- (ii) that there is high community support to transform a passive road space into a well-loved and well-used green space that prioritises the health, safety, community connectivity and amenity of residents, as well as encouraging positive environmental outcomes such as stormwater harvesting, urban cooling and biodiversity; and
- (iii) that the Liveable Slow Street proposal is consistent with the preliminary findings of the Sydney 2050 consultation which demonstrates that the community has a high level of interest and desire for more public green spaces, walkability, and opportunities for community interaction; and

(B) the Chief Executive Officer be requested to:

- (i) respond to the proposal attached to the petition and investigate the suggested traffic measures and feasibility of the street design;
- (ii) trial a Liveable Slow Street proposal over the summer months of 2019/20 through a range of temporary design measures and appropriate signage that would disallow through traffic from Morehead Street onto James Street; and
- (iii) report back to Council via the CEO Update on progress.

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

Moved by Councillor Miller, seconded by Councillor Scott –

It is resolved that:

(A) Council note:

- (i) the petition submitted by residents of Morehead, Walker, Little Young, Cleveland and Young Streets, Redfern, requesting that Council consider their desire to calm and green their street - Morehead Street, between Cooper Street and James Street, Redfern - through a revised design of the public space;
- (ii) that there is high community support to transform a passive road space into a well-loved and well-used green space that prioritises the health, safety, community connectivity and amenity of residents, as well as encouraging positive environmental outcomes such as stormwater harvesting, urban cooling and biodiversity; and
- (iii) that the Liveable Slow Street proposal is consistent with the preliminary findings of the Sydney 2050 consultation which demonstrates that that the community has a high level of interest and desire for more public green spaces, walkability, and opportunities for community interaction; and

(B) the Chief Executive Officer be requested to:

- (i) respond to the proposal attached to the petition and investigate the suggested traffic measures and feasibility of the street design;
- (ii) trial a Liveable Slow Street proposal when possible through a range of temporary design measures and appropriate signage that would disallow through traffic from Morehead Street onto James Street; and
- (iii) report back to Council via the CEO Update on progress.

Carried unanimously.

S129262

Procedural motion

At this stage of the meeting, pursuant to clause 16.2 of the Code of Meeting Practice, it was moved by Councillor Vithoukas, seconded by Councillor Chung –

That the meeting of Council be extended until all Notices of Motion on the agenda be dealt with.

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

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

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

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

At this stage of the meeting, pursuant to clause 16.2 of the Code of Meeting Practice, it was moved by the Councillor Scully, seconded by Councillor Thalís –

That the meeting of Council be extended until 11.00pm.

Carried unanimously.

Item 12.5 Cancellation of Cloud Arch

Moved by Councillor Forster, seconded by Councillor Chung –

It is resolved that:

(A) Council note:

- (i) in June 2013, Council endorsed the City Centre Public Art Plan, followed closely by the adoption of the George Street Concept Design in September 2013;
- (ii) following an international competition, Council awarded a tender to Partridge Events for Cloud Arch by Junya Ishigami in July 2014, with an estimated total budget of \$3.5 million;
- (iii) in August 2017, more than three years after awarding the tender, a revised design for Cloud Arch was released and the cost had increased 222 per cent to \$11.3 million;
- (iv) in December 2018, the City's Chief Operating Officer revealed that the overall project delivery costs totalled approximately \$22 million, a 528 per cent cost blowout;
- (v) financial analysis of comparable city councils in Australia, including Melbourne, Perth and Brisbane, and international cities such as New York and London, shows that spending on public art is approximately 1 per cent of those councils' total capital works budgets;
- (vi) the City of Sydney's 2019/20 Public Art spend in the local government area is currently estimated at \$4.7 million or 1.83 per cent of its total capital works budget; and
- (vii) the Cloud Arch, at a cost of \$22 million, would make up 11 per cent of the City's total capital works budget; and

(B) the Lord Mayor be requested to:

- (i) confirm the permanent cancellation of the Cloud Arch project;
- (ii) reassess the potential for a different public art installation in the future Town Hall Square, following the completion of the Light Rail Project; and
- (iii) allocate no more than 1 per cent of the City's Total Capital Works budget for the relevant financial year to any future public art installation in the future Town Hall Square.

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

It is resolved that:

(A) Council note:

- (i) in June 2013 Council endorsed the City Centre Public Art Plan, followed closely by the adoption of the George Street Concept Design in September 2013;
- (ii) following an international competition, Council awarded a tender to Partridge Events for Cloud Arch by Junya Ishigami in July 2014 with a budget and delivery strategy endorsed by Council in August 2017;

- (iii) the City of Sydney and Transport for NSW had negotiated a Light Rail Development Agreement for installation of the footings for Cloud Arch, but the Light Rail subcontractor denied access to the City to construct the footings;
 - (iv) the City was forced to modify its designs for the footings in response to light rail infrastructure being built through the proposed footing locations, which resulted in redesigns, more complex construction needs, cost increases and time delays;
 - (v) the program for the Light Rail provided no opportunity for installation of the footings before it opened for operations and regrettably, the City made the difficult but responsible decision to defer the project;
 - (vi) a report to Council on 10 December 2018 outlined the significant challenges staff were presented with that impacted on delivery of the Cloud Arch project. At that time Council approved the deferral of the Cloud Arch project to be considered as part of the Town Hall Square project when the Light Rail is complete and financial conditions are more favourable. The City's position has not changed since then; and
 - (vii) the draft Central Sydney Planning Strategy envisages significant public domain improvements incorporating public art within a new future Town Hall Square and therefore presents the most opportune time to revisit the Cloud Arch project.
- (B) the Lord Mayor be requested to defer the Cloud Arch project until consultation on the Town Hall Square redevelopment commences, so that the feasibility of incorporating Cloud Arch, or an alternative suitably iconic public art installation into the future Town Hall Square project can be considered, noting that funding for the Future Town Hall Square project will need to be considered in future budgets.

The amendment was carried on the following show of hands –

Ayes (6) The Chair (the Lord Mayor), Councillors Kok, Miller, Scott, Scully, Thalís

Noes (4) Councillors Chung, Forster, Phelps and Vithoukás.

Amendment carried.

The substantive motion was carried on the following show of hands –

Ayes (6) The Chair (the Lord Mayor), Councillors Kok, Miller, Scott, Scully, Thalís

Noes (4) Councillors Chung, Forster, Phelps and Vithoukás.

Substantive motion carried.

S129260

Misrepresentation

During discussion on Item 12.5, Councillor Scully stated that she had been misrepresented in respect to comments made by Councillor Phelps and clarified her position accordingly.

During discussion on Item 12.5, Councillor Thalís stated that he had been misrepresented in respect to comments made by Councillor Phelps and clarified his position accordingly.

During discussion on Item 12.5, Councillor Thalís stated that he had been misrepresented in respect to comments made by Councillor Forster and clarified his position accordingly.

Item 12.6 Vale Doris Goddard

Procedural Motion

At this stage of the meeting, it was moved by Councillor Scott, seconded by Councillor Miller –

That Item 12.6 be withdrawn as the matter has already been dealt with at Item 12.3.

Carried unanimously.

Item 12.7 Adoption of UNICEF's Child Friendly Cities Initiative

Moved by Councillor Scott, seconded by Councillor Miller –

It is resolved that:

- (A) Council note:
- (i) there are more children in our city than ever before. The number of children aged 0-4 in the City of Sydney has grown by 70 per cent in the last 15 years;
 - (ii) the strong work that the City of Sydney has done in making Sydney a child friendly Sydney. This includes the development of more child friendly parks, childcare centres and skate parks;
 - (iii) global cities such as Sydney must be places that welcome children, and that we can always do more. This includes empowering children so that they can make substantial contributions to the design and planning of our Cities; and
 - (iv) that the Child Friendly Cities Initiative (CFCI), developed by UNICEF, provides a set of principles and procedures by which local governments can develop more child friendly cities;
- (B) Council consider endorsing the CFCI's Framework for building a child friendly city and respecting the rights of children:
- (i) Non-discrimination: The rights of all children are respected, without discrimination of any kind irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status;
 - (ii) Best interests of the child: The best interests of children are a primary consideration in decisions that may affect them with State Parties assuring the care and protection necessary for their wellbeing;
 - (iii) The inherent right to life, survival and development: Children have the right to life, with States Parties committed to ensuring the maximum extent possible, their right to survival and healthy development; and
 - (iv) Respect for the views of the child: Children have the right to voice their opinions and have these be taken into account in decisions that affect them; and
- (C) the Chief Executive Officer be requested to:
- (i) investigate:
 - (a) signing on as a Child Friendly Cities Initiative (CFCI) city;
 - (b) integrating this framework into the City of Sydney's 2050 plan; and
 - (c) the feasibility of a Child Advisory Panel; and
 - (ii) provide a report back to Council via the CEO Update.

Carried unanimously.

S129266

Item 12.8 Global Climate Strike on 20 September 2019

Moved by Councillor Scott, seconded by Councillor Miller –

It is resolved that:

- (A) Council note:
- (i) the commitments that the City of Sydney has made in the past to address Climate Change, including:
 - (a) adopting a long term strategy for the City's approach to Climate Change in the 'Adapting for Climate Change Paper'; and
 - (b) a declaration of the climate emergency at the last meeting of Council;
 - (ii) that the City of Sydney has recognised the importance of action on climate change and has acted accordingly. The City of Sydney should continue to work for climate justice by working with community groups, local businesses, schools and other levels of government; and
 - (iii) the importance of the forthcoming Student Climate Strike on 20 September 2019 in the fight for climate justice and that student strikers have called on workers across the world to join them. School Strikers 4 Climate (SS4C) have developed a Worker Participation Guide to assist those interested in participating in the strike;
- (B) Council endorse supporting the Global Climate Strike on 20 September 2019; and
- (C) the Chief Executive Officer be requested to promote the Global Climate Strike through the City of Sydney's media and engagement platforms.

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

- (A) Council note:
- (i) the commitments that the City of Sydney has made in the past to address Climate Change including:
 - (a) adopting a long term strategy for the City's approach to Climate Change in the 'Adapting for Climate Change Paper'; and
 - (b) a declaration of the climate emergency at the last meeting of Council;
 - (ii) the City of Sydney has recognised the importance of action on climate change and has acted accordingly by:
 - (a) becoming the first Australian Government to be certified Carbon Neutral in 2011;
 - (b) setting ambitious, science based emissions reduction targets;
 - (c) reducing emissions from City operations by 25 per cent since 2006;
 - (d) installing 4,958 solar panels and retrofitting street lights to LEDs throughout the local government area;
 - (e) committing to 100 per cent renewable electricity in 2020; and

- (f) successfully bidding to host the C40 Women for Climate conference in April 2020, bringing together leaders from across the world to exchange ideas and work together on climate change solutions;
- (iii) the City of Sydney should continue to work for climate justice by working with community groups, local businesses, schools and other levels of government;
- (iv) the importance of the forthcoming Student Climate Strike on 20 September 2019 in the fight for climate justice and that student strikers have called on workers across the world to join them. School Strikers 4 Climate (SS4C) have developed a Worker Participation Guide to assist those interested in participating in the strike; and
- (v) that the demands of the strikers are:
 - (a) no new coal, oil and gas projects, including the Adani mine;
 - (b) 100 per cent renewable energy generation and exports by 2030; and
 - (c) fund a just transition and job creation for all fossil-fuel industry workers;
- (B) Council endorse the Global Climate Strike on 20 September 2019 and Councillors attend where possible;
- (C) the Chief Executive Officer be requested to promote the strike through the City of Sydney's media and engagement platforms; and
- (D) the Chief Executive Officer support staff who wish to attend the 20 September rally through access to flexible working arrangements and other forms of leave.

The amendment was carried on the following show of hands –

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

Noes (3) Councillors Chung, Forster and Vithoukaskas.

Amendment carried.

Amendment. Moved by Councillor Phelps, seconded by Councillor Chung –

That clause (C) be amended such that it read as follows -

- (C) the Chief Executive Officer be requested to promote the lunchtime rally through the City of Sydney's media and engagement platforms.

The amendment was lost on the following show of hands –

Ayes (1) Councillor Phelps

Noes (9) The Lord Mayor, Councillors Chung, Forster, Kok, Miller, Scott, Scully, Thalys and Vithoukaskas.

Amendment lost.

Variation. At the request of the Chair (the Lord Mayor), and by consent, the amended motion was varied such that clause (C) read as follows –

(C) the Chief Executive Officer be requested to inform the Sydney community about the strike through the City of Sydney's media and engagement platforms.

The substantive motion, as varied by consent, was carried on the following show of hands –

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

Noes (3) Councillors Chung, Forster and Vithoukaskas.

Substantive motion carried.

S129266

Act of Disorder

During discussion on Item 12.8, the Chair (the Lord Mayor) ruled Councillor Vithoukaskas out of order due to her frequent interruptions in accordance with clause 13.20 of the Code of Meeting Practice.

Item 12.9 City of Sydney Multicultural Statement

Moved by Councillor Scott, seconded by Councillor Thalís –

It is resolved that Council:

- (A) note ‘A City for All: Towards a socially just and resilient Sydney’ Social Sustainability Policy was adopted by Council in July 2016. In recognition of these previous commitments and considering the massacre of Muslim worshippers at a mosque in New Zealand earlier this year, it is imperative that Council reaffirm its commitment to be a welcoming city that embraces and celebrates the cultural and linguistic diversity of its residents and visitors;
- (B) reaffirm:
 - (i) its commitment to a multicultural Australia that is inclusive for all people;
 - (ii) its commitment to supporting a socially cohesive community in our Local Government Area;
 - (iii) its support of the Policy Principles of LGNSW in their Multicultural Communities Policy Statement:
 - (a) Equity – fair distribution of resources;
 - (b) Rights – equality for all people;
 - (c) Access – to services essential to quality of life;
 - (d) Participation – of all people in their community; and
 - (e) Recognition – of the unique place of Aboriginal people in NSW and the right of Aboriginal people to be involved in all decisions affecting Aboriginal communities;
- (C) support building social cohesion within the Sydney LGA creating linkages between communities within our LGA to help break down barriers and grow acceptance and inclusion; and
- (D) endorse that the following motion be submitted to the 2019 LGNSW Annual Conference:

That the Local Government and Shires Association of New South Wales (LGNSW) supports the Multicultural Communities Policy Statement:

- (a) *Equity – fair distribution of resources;*
- (b) *Rights – equality for all people;*
- (c) *Access – to services essential to quality of life;*
- (d) *Participation – of all people in their community; and*
- (e) *Recognition – of the unique place of Aboriginal people in NSW and the right of Aboriginal people to be involved in all decisions affecting Aboriginal communities.*

Carried unanimously.

Item 12.10 Alternative Traffic Calming Measures for Maddox Street

Moved by Councillor Chung, seconded by Councillor Forster –

It is resolved that:

(A) Council note:

- (i) Maddox Street, Alexandria, between Euston Road and Mitchell Road, is predominantly a residential street containing low density housing which has a maximum weight limit of 3 tonnes for vehicles entering the street to pass through;
- (ii) there have been significant breaches of the weight limits on this street, many of which have been reported to the City of Sydney. There is photographic evidence of some these breaches;
- (iii) at the June 2019 Alexandria Community Meeting, it was announced that RMS did not support the full road closure at Maddox Street as proposed by the City of Sydney and as an alternative, City staff proposed installation of raised thresholds; and
- (iv) existing traffic calming measures such as roundabouts and garden beds have been proven ineffective in preventing overweight vehicles in entering and passing through Maddox Street, as shown through photographic evidence; and

(B) the Chief Executive Officer be requested to:

- (i) investigate the option of installing chicanes in an effort to deter overweight vehicles rat-running through Maddox Street;
- (ii) take immediate action to install permanent and clearer signs that indicate Maddox Street has a maximum weigh limit of 3 tonnes; and
- (iii) report back to Council within two months.

Foreshadowed motion. Councillor Miller foreshadowed that, should the motion moved by Councillor Chung be lost, she would move an alternative motion.

The motion was lost on the following show of hands –

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

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

Motion lost.

Councillor Miller then moved her foreshadowed motion, seconded by Councillor Kok –

It is resolved that:

(A) Council note:

- (i) Maddox Street, Alexandria between Euston Road and Mitchell Road is predominantly a residential street containing low density housing which has a maximum weight limit of 3 tonnes for vehicles entering the street to pass through;
- (ii) there have been significant breaches of the weight limits on this street, many of which have been reported to the City of Sydney. There is photographic evidence of some of these breaches;
- (iii) since August 2016, City of Sydney staff have been taking action to calm traffic in Maddox Street including:
 - (a) installing three roundabouts – one each at the intersections with Mitchell Road, Belmont Street and Lawrence Street; traffic signals at the intersection with Euston Road;
 - (b) road narrowing and in-road street trees along the southern kerb between Belmont Street and Belmont Lane; and
 - (c) a raised threshold just east of the intersection with Mitchell Road.
- (iv) while the RMS and the Police are best equipped to conduct roadside enforcement of overweight vehicles, some City staff have also been authorised by RMS to conduct roadside intercepts for overweight vehicles;
- (v) City of Sydney staff have installed temporary, large electronic signs and permanent, large yellow reflective load limit signs at Maddox Street that clearly show the weight-tonne limit;
- (vi) City of Sydney staff cannot install chicanes on Maddox Street because garbage trucks and some emergency vehicles and will not be able to access the street;
- (vii) at the June 2019 Alexandria Community Meeting, it was announced that RMS did not support the full road closure of Maddox Street as proposed by the City of Sydney;
- (viii) a full road closure is the best outcome to resolve overweight vehicles breaching the weight-tonne limit on Maddox Street and;
- (ix) as an alternative, City staff proposed installation of raised thresholds that will only slow regular sized vehicles.

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

It is resolved that:

(A) Council note:

- (i) Maddox Street, Alexandria between Euston Road and Mitchell Road is predominantly a residential street containing low density housing which has a maximum weight limit of 3 tonnes for vehicles entering the street to pass through;
- (ii) there have been significant breaches of the weight limits on this street, many of which have been reported to the City of Sydney. There is photographic evidence of some of these breaches;
- (iii) since August 2016, City of Sydney staff have been taking action to calm traffic in Maddox Street including:
 - (a) installing three roundabouts – one each at the intersections with Mitchell Road, Belmont Street and Lawrence Street; traffic signals at the intersection with Euston Road;
 - (b) road narrowing and in-road street trees along the southern kerb between Belmont Street and Belmont Lane; and
 - (c) a raised threshold just east of the intersection with Mitchell Road.
- (iv) while the RMS and the Police are best equipped to conduct roadside enforcement of overweight vehicles, some City staff have also been authorised by RMS to conduct roadside intercepts for overweight vehicles;
- (v) City of Sydney staff have installed temporary, large electronic signs and permanent, large yellow reflective load limit signs at Maddox Street that clearly show the weight-tonne limit;
- (vi) at the June 2019 Alexandria Community Meeting, it was announced that RMS did not support the full road closure of Maddox Street as proposed by the City of Sydney;
- (vii) a full road closure is the best outcome to resolve overweight vehicles breaching the weight-tonne limit on Maddox Street and;
- (viii) as an alternative, City staff proposed installation of raised thresholds that will only slow regular sized vehicles.

The motion, as varied by consent was carried unanimously.

S129259

Procedural Motion

At this stage of the meeting pursuant to clause 16.2 of the Code of Meeting Practice, it was moved by Councillor Phelps, seconded by Councillor Chung –

That the meeting be extended to 11.15pm.

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

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

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

The Chair (the Lord Mayor) exercised her casting vote against the motion.

Motion lost.

At 10.55pm the meeting was adjourned, to be reconvened at 6.00pm, Wednesday 21 August 2019.

At the resumption of Council at 6.00pm, Wednesday 21 August, 2019 –

Item 12.11 Hugo Street Masterplan

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

It is resolved that:

(A) Council note:

- (i) Redfern's history and contribution to the uniqueness of the City of Sydney LGA;
 - (a) it is an important historical and political centre, a place of many stories and is an urban centre for not just Aboriginal Australians, but also students, visitors and long-time residents; and
 - (b) ongoing developments in Redfern, including the Redfern station upgrade, the growth of the University of Sydney and redevelopment of The Block, reflect the changing character and demographics of the area;
- (ii) Hugo Street Reserve, and the surrounding area, has the potential to become a public place of inclusion and engagement. However, it currently is a source of community disharmony and discontent because of the lack of maintenance of the green space, and a basketball court which is not compliant with the NSW Office for Sports guidelines as it is too close to homes, causing disturbance to residents in adjoining homes;
 - (a) The Hugo St Reserve Residents' Proposal, details a concept for future use of this open space; and
- (iii) the City received a petition on 11 November 2016 and another petition to be tabled on the 19 August 2019 from these residents requesting that Yellomundee Park be converted into an off-leash dog park; and

(B) the Chief Executive Officer be requested to:

- (i) create a masterplan for the Hugo Street Reserve area, covering Yellomundee Park and the Hugo Street Reserve, which incorporates:
 - (a) the needs of current and future residents as outlined in the Residents' Proposal;
 - (b) considering the location of the basketball courts;
 - (c) creating a new off-leash dog park at Yellomundee Park; and
 - (d) consideration of a new traffic management plan for the area; and
- (ii) prepare a report to be presented to Council detailing the findings of the investigation and a draft masterplan for the Hugo Street Reserve and Yellomundee Park.

Foreshadowed motion. Councillor Thalís 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 (1) Councillor Phelps

Noes (5) The Lord Mayor, Councillors Kok, Miller, Scott and Thalís.

Motion lost.

Councillor Thalís then moved his foreshadowed motion, seconded by Councillor Scott –

It is resolved that:

(A) Council note:

- (i) ongoing developments in Redfern and Waterloo, including the Redfern station upgrade, the growth of the University of Sydney, Pemulwuy, and the redevelopment of The Block;
- (ii) the Chief Executive Officer met with Hugo Street residents last month on behalf of the Lord Mayor, to discuss their concept proposal for Hugo Street Reserve and their concerns about noise associated with the basketball court;
- (iii) the Chief Executive Officer spoke about the City of Sydney's intention to create a Masterplan for Redfern and Waterloo;
- (iv) the location of the basketball court will be considered as part of this process;
- (v) City of Sydney staff are scheduled to develop on a Public Domain Plan for Redfern and Waterloo in March 2020, and Hugo Street residents have been informed of these plans;
- (vi) this will consider improvements for:
 - (a) Hugo Street Reserve;
 - (b) Yellowmunde Park that will take into account residents' requests for an off-leash park;
 - (c) Redfern Terrace open space;
 - (d) Pemulwuy Park;
 - (e) Footpath upgrades along Caroline Street; and
 - (f) Lawson Street cycleway and footpath;
- (vii) residents' concept proposal for Hugo Street Reserve will be considered as part of that work;
- (viii) the 'practice' basketball court in Hugo Street Reserve has existed for over thirty years;
- (ix) it is used by young people from the Redfern Community Centre and people living in nearby student accommodation;

- (x) the court is locked between 9pm and 9am each day and, in response to resident requests, City of Sydney staff have installed new backboards and hoops which are designed to reduce noise impacts;
- (xi) staff are looking at further options to improve residents' amenity, and will look at whether re-surfacing the court can reduce noise any further;
- (xii) any park upgrades and traffic management planning for the area, will need to align with the Pemulwuy project, which is anticipated to bring an additional sixty-two households into the Aboriginal Affordable Housing Precinct and up to six hundred students into the area, increasing the need for active recreation;
- (xiii) there may be an opportunity for local residents to share recreational facilities that will be built on the Pemulwuy site;
- (xiv) the Aboriginal Housing Company anticipates people will move in to the Aboriginal Affordable Housing precinct by the end of 2020, and the rest of the site is scheduled for completion by December 2022;
- (xv) the City will work with residents during the future consultation period on the design scope for Hugo Street Reserve; and
- (xvi) the City will look into developing a traffic management plan for the area when the Pemulwuy site is completed, and the impacts of traffic are realised.

Variation. At the request of Councillor Scott, and by consent, the foreshadowed motion was varied by the addition of words to clause (A)(v) as follows:

- (v) City of Sydney staff are scheduled to develop on a Public Domain Plan for Redfern and Waterloo in March 2020 including space for public art, and Hugo Street residents have been informed of these plans;

Variation. At the request of Councillor Phelps, and by consent, the foreshadowed motion was varied such that clause (A)(xvi) read as follows:

- (xvi) the City will develop a traffic management plan for the area when the Pemulwuy site is completed, and the impacts of traffic are realised.

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

S129263

Item 12.12 Metro Theatre Kings Cross

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

It is resolved that:

(A) Council note:

- (i) the Metro Theatre (formerly the Minerva Theatre) remains an architectural and cultural icon of the Sydney LGA and has been afforded heritage protection under Clause 5.10 (Heritage conservation) of the Sydney Local Environment Plan 2012;
- (ii) on 19 March 2018, Council rejected a Notice of Motion by Councillor Forster to begin negotiations to acquire the Metro Theatre when it went on sale in late 2017;
- (iii) while the Metro Theatre was sold in March 2019 to Abacus Property Group, there is substantial community interest in the future of the property as an entertainment venue;
- (iv) a study commissioned by the City of Sydney following Councillor Phelps' 16 April 2018 Notice of Motion, found the Metro Theatre meets the criteria for State Heritage Significance for its historic, associative, aesthetic and representative values and its rarity. Supported by a letter of support from the Art Deco and Modernism Society of Australia, supporting the nomination;
- (v) re-establishing the Metro Theatre as an entertainment venue would provide the City with the opportunity to:
 - (a) ensure the heritage protection of the building for any future use;
 - (b) drive economic growth and bring investment into the Kings Cross / Potts Point areas; and
 - (c) provide the Kings Cross / Potts Point community with a much needed entertainment venue; and

(B) the Chief Executive Officer be requested to:

- (i) investigate the business case for future use of the Metro Theatre as an entertainment and cultural facility and report back findings to Council; and
- (ii) begin discussions with the NSW Government and relevant private interests regarding the purchase of the Metro Theatre by the NSW Government or City of Sydney and the option of a public private partnership.

Foreshadowed motion. Councillor Thalís 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 (2) Councillors Phelps and Scott

Noes (4) The Lord Mayor, Councillors Kok, Miller and Thalís.

Motion lost.

Councillor Thalys then moved his foreshadowed motion, seconded by Councillor Miller –

It is resolved that:

(A) Council note:

- (i) the Metro Theatre (formerly the Minerva Theatre) remains an architectural and cultural icon of the Sydney LGA and has been afforded heritage protection under Clause 5.10 (Heritage conservation) of the Sydney Local Environment Plan 2012;
- (ii) the City has submitted a State Heritage nomination for the theatre which is currently being considered by the NSW Office of Environment and Heritage;
- (iii) the theatre is currently not for sale, following its purchase by the Abacus Property Group for \$19.8 million in March 2019;
- (iv) despite this purchase taking the theatre off the market, a continuing hope remains that the building could be restored as a live theatre due to:
 - (a) the shortage of theatres which meet the needs of independent, professional non-profit and commercial theatre producers;
 - (b) the organic growth of the eastern edge of the city as a theatre precinct comprising several small performance spaces; and
 - (c) its potential contribution to revitalising Kings Cross nightlife;
- (v) the City of Sydney has long played a major role in providing and increasing performance spaces and live theatre through:
 - (a) the restoration of the Capitol Theatre in the early 1990s;
 - (b) provision and ongoing support of the City Recital Hall in Angel Place;
 - (c) transformation of the former Baptist Tabernacle in Darlinghurst into the Eternity Playhouse, a 200 seat state of the art theatre;
 - (d) retention of the Reg Murphy Hall as the Hayes Theatre, now Australia's leading home of independent music theatre and cabaret;
 - (e) provision of the PACT Theatre for Emerging Artists in Erskineville;
 - (f) support for the Sydney Fringe Festival to establish Fringe HQ with multiple small performance spaces in the former World Bar Kings Cross;
 - (g) making City properties available as temporary performances spaces for the Sydney Festival and Sydney Fringe Festival;
 - (h) providing support for independent theatre through the City's grants program, most recently to Redline Productions for improvements to the Old Fitz Theatre in Woolloomooloo;
 - (i) encouraging licenced premises to establish new live performance spaces through incentives in the City's Late Night Development Control Plan;

- (j) developing mechanisms to make it easier to establish temporary and permanent performance spaces for consideration by Council; and
 - (k) working through ongoing issues relating to availability of creative space, including performance spaces, rehearsal spaces, studios and workshops through the development of the cultural and creative components of Sustainable Sydney 2050; and
- (B) the Chief Executive Officer be requested to continue to work with the NSW Government, the performing arts sector and other relevant stakeholders to:
- (i) address the shortage of theatres and performance spaces within the City of Sydney;
and
 - (ii) support the continued growth of the eastern edge of the city as a theatre precinct.

Carried unanimously.

S129263

Item 12.13 Oxford Street Development

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

It is resolved that:

(A) Council note:

- (i) Oxford Street is an iconic part of the City of Sydney as:
 - (a) a historical and cultural hub for the LGBTQI community in Sydney;
 - (b) a centre of night life and night time activity in the City; and
 - (c) home to a unique and diverse range of businesses that have been part of the community, some for over 30 years;
- (ii) the City opened up expressions of interest for a 99 year lease on its properties at 56-76, 82-106 and 110-122 Oxford Street on 30 May 2018, and whilst this opens up new opportunities for growth and development in the area, it has also produced a number of problems throughout its management including:
 - (a) many tenants and businesses remain uninformed about the progress of the development and relevant information leaving them uncertain about the future of their businesses for over a year;
 - (b) the abundance of vacant storefronts on Oxford Street available for lease, some for over two years, have:
 - contributed to a negative impact on sales for surrounding businesses;
 - discouraged foot traffic; and
 - caused businesses to move from the area; and
 - (c) many properties are overdue for maintenance, repair and renovation which have been postponed by the City in anticipation of development;
- (iii) long periods of construction will severely impact the already fragile economy of the Oxford Street strip, and put the unique character of Oxford Street at risk of being lost; and
- (iv) a managed development that occurs in stages across the strip will allow businesses to continue to operate with less disruption and reduce the risk of businesses being forced to close or move permanently as a result of the construction; and

(B) the Chief Executive Officer be requested to:

- (i) investigate options the City can undertake to support the Oxford Street businesses currently under stress from the proposed development, and report suggestions back to Council;
- (ii) investigate options for a managed development that occurs in stages across Oxford Street to support businesses who may be affected by long periods of construction, and report suggestions back to Council;

- (iii) create a small business support plan for any future development, in consultation with existing tenants, which includes:
 - (a) notifying residents and tenants as soon as legally possible of any chosen development plan;
 - (b) a regular communication schedule with residents and tenants;
 - (c) requiring any development plan to include sufficient consultation with affected tenants; and
 - (d) a plan for rent relief for affected storefronts throughout any proposed development;

Foreshadowed motion. Councillor Thalís 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 (1) Councillor Phelps

Noes (5) The Lord Mayor, Councillors Kok, Miller, Scott and Thalís.

Councillor Thalís then moved his foreshadowed motion, seconded by Councillor Miller –

It is resolved that:

(A) Council note:

- (i) the resolution of Council of 18 November 2018 which:
 - (a) endorsed a preferred entity to acquire the commercial properties at 56-76 82-106 and 110-122 Oxford Street, Darlinghurst via a 99 year lease and implement and manage their successful transformation; and
 - (b) delegated authority to the Chief Executive Officer to negotiate, execute and administer the transaction documents with the preferred entity;
- (ii) all matters relating to this proposed lease and related negotiations remain confidential until execution of the lease;
- (iii) the City kept tenants and local businesses informed about progress during the Expressions of Interest process, and continue to update tenants about progress, most recently on 25 June 2019, where all tenants were notified that the preferred entity would be undertaking due diligence investigations over the coming months;
- (iv) all existing tenants will be transferred to the preferred entity, enabling them to continue to occupy their premises and run their business under the conditions of their current lease agreement;
- (v) as tenants with rent arrears will have any arrears transferred to the new entity, the City has informed tenants that it is their best interest to clear any arrears prior to handover;
- (vi) all repairs, maintenance, cleaning and waste services for the Oxford Street properties will continue up to six weeks post-handover, so there is no disruption in service provision; and

- (vii) any future transformation of the Oxford Street properties would require a development application, entailing comprehensive consultation with the community, including local businesses; and
- (B) the Chief Executive Officer be requested to continue to work with the preferred entity and local businesses to ensure:
 - (i) any concerns about impacts arising from the transformation of the Oxford Street properties are addressed; and
 - (ii) the transformation of the Oxford Street properties provides long term economic, cultural and social benefits to the Oxford Street neighbourhood.

The foreshadowed motion was carried on the following show of hands –

Ayes (5) The Lord Mayor, Councillors Kok, Miller, Scott and Thalís

Noes (1) Councillor Phelps.

Motion carried.

S129263

Item 12.14 Leptospirosis and Rat Eradication in the Sydney LGA

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

It is resolved that:

(A) Council note:

- (i) public health relies on the provision of safe and clean public spaces by Council, and is one of the City's core responsibilities;
- (ii) the presence of rats and other vermin pose a threat to public health by acting as reservoir hosts for *Leptospira* bacteria, passing to other organisms in their urine;
 - (a) it is known that Leptospirosis, a bacterial infection which causes a systemic inflammatory response and organ failure, can prove lethal to dogs and humans and is transmitted via rat urine;
 - (b) the increasing number of rats in the City of Sydney LGA has resulted in an outbreak of Leptospirosis in Sydney;
 - (c) Leptospirosis has never before been seen in the Sydney area, but as of July 2019, five dogs have been reported to have died from the disease;
 - (d) the bacteria can survive for long periods in moist environments, with environmental flooding (such as occurred in Surry Hills following extensive ground disturbance due to light rail construction) prolonging the survival of these organisms in surface water;
 - (e) Questions and Motions have previously been submitted by multiple Councillors asking the City for details or reviews on the City's vermin control program including:
 - Question on Notice by Cr Scott on 14 September 2015;
 - Notices of Motion by Cr Forster on 29 June 2015 and 26 June 2017; and
 - Question of Notice by Cr Vithoukas on 13 August 2018; and
- (iii) the recent reported significant increase of rodents and subsequent heightened risks to public health require a more extreme course of action for pest control; and

(B) the Chief Executive Officer be requested to:

- (i) benchmark the City of Sydney against other cities' actions and best practice vermin control such as fitting drains with interceptor traps according to risk and requiring a 2-3m clear 'no-grow' zone or 0.5m clear zone from the bottom of vegetation around external walls;
- (ii) intensify efforts on rat control in an attempt to control the outbreak of Leptospirosis;
- (iii) increase the City's current budget and actions on rat and other vermin control; and
- (iv) develop a new, intensified vermin control and eradication plan and report back to Council.

Foreshadowed motion. Councillor Thalís 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 (1) Councillor Phelps

Noes (5) The Lord Mayor, Councillors Kok, Miller, Scott and Thalís.

Motion lost.

Councillor Thalís then moved his foreshadowed motion, seconded by Councillor Kok –

It is resolved that:

(A) Council note:

- (i) public health relies on the provision of safe and clean public spaces by Council, and is one of the City's core responsibilities;
- (ii) the presence of rats and other vermin pose a threat to public health by acting as reservoir hosts for *Leptospira* bacteria, passing it to other organisms in their urine;
- (iii) it is known that Leptospirosis, a bacterial infection which causes a systemic inflammatory response and organ failure, can prove lethal to dogs and humans and is transmitted via rat urine;
- (iv) rat populations have been stirred by an unprecedented number of major construction and infrastructure projects taking place across the City of Sydney area;
- (v) the increasing number of rats in the City of Sydney LGA has been attributed to an outbreak of Leptospirosis in Sydney;
- (vi) leptospirosis has never been seen before in the Sydney area, but as of July 2019, seven dogs have been reported to have died from the disease;
- (vii) the bacteria can survive for long periods in moist environments, with environmental flooding (such as occurred in Surry Hills following extensive ground disturbance due to light rail construction) prolonging the survival of these organisms in surface water;
- (viii) the City of Sydney has doubled its existing rat baiting stations and increased the frequency of inspections which has increased the budget from \$50,000 up to \$150,000;
- (ix) the City of Sydney has 860 rat bait stations in public areas, and will place additional baits in response to complaints from residents and businesses;
- (x) the Director City Planning, Development and Transport has written to Sydney Trains, Property NSW and the Land and Housing Corporation, to request they increase baiting and monitoring of rats on their land in the City of Sydney;
- (xi) the City of Sydney will monitor the effectiveness of the enhanced baiting program through increased coordination across Council including mapping of hot spots which include areas where residents have complained about rats, where most rats are killed from baiting, and areas of poor waste management practice;
- (xii) the City of Sydney has benchmarked with local and international cities and will continue to focus on best practice regarding rodent management;

- (xiii) the City of Sydney has urged residents and businesses to take care with food scraps and other waste;
 - (xiv) City of Sydney regulatory staff target poor waste management practices and illegal dumping in hot spots;
 - (xv) City of Sydney residents are entitled to 52 free bulky waste collections every year, which aims to tackle illegal dumping and control pests and vermin;
 - (xvi) the City of Sydney has recommended private property owners ensure regular pest control is carried out, and that they remove overgrown vegetation and accumulated rubbish that may attract vermin;
 - (xvii) the City of Sydney has put signs in Ward Park Surry Hills recommending dog owners keep their dogs away from any puddles and mud to reduce the risk of contamination;
 - (xviii) the signs also recommend that pet owners concerned about recent cases of leptospirosis in the inner city should contact their vet; and
 - (xix) the City of Sydney has provided free vaccinations against the disease to dogs from the Northcott social housing estate, next to Ward Park in Surry Hills; and
- (B) the Chief Executive Officer be requested to:
- (i) report back to Council via CEO Update on the overall effectiveness of the program to reduce rodents, after six months.

Variation. At the request of the Chair (the Lord Mayor), and by consent, the motion was varied by the addition of clause (B)(ii) as follows:

- (B)(ii) urgently undertake a study of eradication options to suit our city conditions and utilise general contingency funds for this study and additional measures if required.

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

S129263

Extension of Time

During discussion on this matter, pursuant to the provisions of clause 8.35 of the Code of Meeting Practice, it was –

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

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

Carried unanimously.

Item 12.15 Air Quality Monitoring

Procedural Motion

At this stage of the meeting, it was moved by Councillor Phelps, seconded by Councillor Kok –

That Item 12.15 be withdrawn as the matter had already been dealt with at Item 3.2.

Carried unanimously.

Item 12.16 Live Streaming

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

It is resolved that:

(A) Council note:

- (i) changes to the legislation in the Model Code of Meeting Practice require all local governments in NSW to live stream all Council, Committee and other public meetings by December 2019 so Council activities are readily accessible by constituents;
 - (a) currently, very little information has been released to Council on the progress of implementing live streaming for Council and Committee meetings;
 - (b) Council's Code of Meeting Practice calls for decisions to be made openly and in a way that is accountable;
 - (c) Clause 4.18 of the City of Sydney's Code of Meeting Practice requires all meetings of Council and Committees of Council to be webcast on the Council's website; and
 - (d) Supplementary provision 4.19 requires the meetings to be audio-visually recorded and webcast live;
- (ii) that Council has rejected requests on multiple occasions to introduce live streaming and testing including but not limited to:
 - (a) 27 February 2017;
 - (b) 27 March 2017;
 - (c) 26 June 2017; and
 - (d) 11 December 2017; and

(B) the Chief Executive Officer be requested to:

- (i) provide Council with an update on the integration of live streaming for Council and Committee meetings which includes:
 - (a) an estimated date for commencement of live streaming; and
 - (b) a breakdown of total cost of equipment implementation and ongoing cost for the City; and
- (ii) advise Council on implementation of an interim arrangement to livestream on an available digital platform such as Facebook Live.

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) on 14 December 2018, a Model Code of Meeting Practice was prescribed under the Local Government (General) Regulation 2005;
- (ii) this Code made webcasting of Council meetings mandatory by 14 December 2019;
- (iii) Council unanimously endorsed adopting the City of Sydney's Code of Meeting Practice on 13 May 2019;
- (iv) as required by the Office of Local Government and the model code of conduct, livestreaming of Council and Committees will be available from 14 December 2019; and
- (v) interim arrangements will not be required because webcasting will be implemented by the mandatory implementation date; and

(B) the Chief Executive Officer be requested to provide Council with an update on the integration of live streaming for Council and Committee meetings which includes a breakdown of implementation and ongoing costs for the City.

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

S129263

At 7.29pm, Wednesday, 21 August 2019 the meeting concluded.

Chair of a meeting of the Council of the City
of Sydney held on Monday 9 September 2019 at which
meeting the signature herein was subscribed.