

19 August 2019

At 5.00 pm



Council

Sydney 2030 Green Global Connected

Agenda

- 1. Confirmation of Minutes**
- 2. Disclosures of Interest**
- 3. Minutes by the Lord Mayor**
 - 3.1 Industry Awards for City Projects
 - 3.2 Breathable Sydney
 - 3.3 The Star Casino and the Credibility of the Planning System
 - 3.4 The Crisis in the Building and Construction Sector
- 4. Memoranda by the Chief Executive Officer**
 - 4.1 Appointment of New Member to the Nightlife and Creative Sector Advisory Panel
- 5. Matters for Tabling**
- 6. Report of the Corporate, Finance, Properties and Tenders Committee**
 - 6.1 Disclosures of Interest
 - 6.2 2018/19 Quarter 4 Review – Delivery Program 2017–2021
 - 6.3 Investments Held as at 30 June 2019
 - 6.4 Owner's Consent - 14-26 Wattle Street, Ultimo
 - 6.5 International Travel – 2019 Smart China Expo, Chongqing and 2019 Seoul Friendship Festival
 - 6.6 Contract Variation - Data Network Services
 - 6.7 Cancellation of Tender - Project Management of City of Sydney Heritage Study of Activity Street Precincts S1 to S9
 - 6.8 Tender - Southern Sydney Regional Organisation of Councils (SSROC) Incorporated: Cleaning and Inspection of Gross Pollutant Traps and Ancillary Services

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- 6.9 Tender - Reject and Negotiate - Appointment of an Operator for the Joynton Park Market, Zetland
- 6.10 Tender - Reject and Negotiate - Joynton Avenue Stormwater Drainage Upgrade Geotechnical Investigation
- 6.11 Tender - Reject and Negotiate - Provision of Virtual Customer Assistant and Live Chat Solution
- 6.12 Exemption from Tender - Variation to Existing Consultancy Services Contract for Green Square Town Centre Essential Infrastructure and Public Domain
- 6.13 Exemption from Tender and Contract Extension - Environmental Monitoring, Analysis and Reporting

Economic Development and Business Sub-Committee

- 6.14 Commercial Creative and Business Events Sponsorship - Vivid Sydney 2020-2022
- 6.15 Knowledge Exchange Sponsorship - Tech Startups Action Plan Initiatives

7. Report of the Environment Committee

- 7.1 Disclosures of Interest
- 7.2 Proposed Motion to Local Government NSW 2019 Annual Conference - Government Accommodation Procurement and Environmental Ratings
- 7.3 Project Scope - Beaconsfield Park Playground Upgrade, Beaconsfield
- 7.4 Project Scope - Cardigan Street Reserve Upgrade, Glebe
- 7.5 Project Scope - Clyne Reserve Upgrade, Millers Point
- 7.6 Project Scope - Daniel Dawson Playground Upgrade, Alexandria
- 7.7 Project Scope - James Hilder Playground Upgrade, Surry Hills
- 7.8 Project Scope - Palmerston Avenue Steps and Sarah Peninton Reserve Upgrade, Glebe

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- 7.9 Project Scope - Fig Lane Park Playground Upgrade, Ultimo
- 7.10 Project Scope - Kings Lane Reserve Upgrade, Darlinghurst
- 7.11 Project Scope - Hollis Park Playground Upgrade, Newtown
- 7.12 Project Scope - Strickland Park Upgrade, Chippendale

8. Report of the Cultural and Community Committee

- 8.1 Disclosures of Interest
- 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

Cultural and Creative Sub-Committee

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

9. Report of the Transport, Heritage and Planning Committee

- 9.1 Disclosures of Interest
- 9.2 Public Exhibition - Draft Local Strategic Planning Statement and Draft Housing Strategy
- 9.3 Public Exhibition - Planning Proposal - 1-11 Oxford Street Paddington – Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment
- 9.4 Public Exhibition - Planning Proposal - 4-22 Wentworth Avenue, Surry Hills - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment
- 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
- 9.6 Post Exhibition - Planning Proposal - 225-279 Broadway, Glebe - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment
- 9.7 Post Exhibition - Local Approvals Policy and Code of Practice for

Agenda

Hoisting and Construction Activities in Public Places

- 9.8 Post Exhibition - Amendment to the Mobile Food Vending Vehicles Local Approvals Policy
- 9.9 Traffic Treatment - One-Way Shared Zone - Darlington Lane, Darlington
- 9.10 Fire Safety Reports
- 10. Questions on Notice**
- 11. Supplementary Answers to Previous Questions**
- 12. Notices of Motion**
 - 12.1 AusMusic T-Shirt Day
 - 12.2 NBN Impacts on City Streets
 - 12.3 Vale Doris Goddard
 - 12.4 Liveable Slow Streets
 - 12.5 Cancellation of Cloud Arch
 - 12.6 Vale Doris Goddard
 - 12.7 Adoption of UNICEF's Child Friendly Cities Initiative
 - 12.8 Global Climate Strike on 20 September 2019
 - 12.9 City of Sydney Multicultural Statement
 - 12.10 Alternative Traffic Calming Measures for Maddox Street
 - 12.11 Hugo Street Masterplan
 - 12.12 Metro Theatre Kings Cross
 - 12.13 Oxford Street Development
 - 12.14 Leptospirosis and Rat Eradication in the Sydney LGA

Agenda

12.15 Air Quality Monitoring

12.16 Live Streaming

Item 1

Confirmation of Minutes

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

Meeting of 24 June 2019

Item 2

Disclosures of Interest

Pursuant to the provisions of the Code of Meeting Practice – May 2019 and the Code of Conduct – May 2019, Councillors are required to disclose pecuniary interests in any matter on the agenda for this meeting.

Councillors are also required to disclose any non-pecuniary interests in any matter on the agenda for this meeting.

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

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

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

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

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

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

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

Item 3.1

Minute by the Lord Mayor: Industry Awards for City Projects

Document to Follow

Item 3.2

Minute by the Lord Mayor: Breathable Sydney

Document to Follow

Item 3.3

Minute by the Lord Mayor: The Star Casino and the Credibility of the Planning System

Document to Follow

Item 3.4

Minute by the Lord Mayor: The Crisis in the Building and Construction Sector

Document to Follow

Item 4.1

Appointment of New Member to the Nightlife and Creative Sector Advisory Panel

File No: X012277

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.

Attachments

Attachment A. Nightlife and Creative Sector Advisory Panel Terms of Reference

MONICA BARONE

Chief Executive Officer

Attachment A

**Nightlife and Creative Sector Advisory
Panel Terms of Reference**

TERMS OF REFERENCE

NIGHTLIFE AND CREATIVE SECTOR ADVISORY PANEL

The Council of the City of Sydney

Town Hall House
456 Kent Street
SYDNEY NSW 2000

Reference: X012278

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TERMS OF REFERENCE

NIGHTLIFE AND CREATIVE SECTOR ADVISORY PANEL

1. Purpose

- 1.1 On 23 October 2017, Council resolved to endorse the establishment of a City of Sydney Nightlife and Creative Sector Advisory Panel (**Panel**). The Panel has been established to:
- (a) provide the City of Sydney (**City**) with strategic advice pertaining to development of the night time economy within the City's local government area;
 - (b) advise the City in implementation of initiatives that the City, its strategic partners or the nightlife industry elect to adopt; and
 - (c) advise the City in communication and consultation with nightlife industry stakeholders,
- so as to ensure the ongoing development of the night time economy in the City's local government area.
- 1.2 The Panel is not formed pursuant to any Act or legislation, but is an advisory panel formed to provide guidance and assistance to the City in accordance with paragraph 1.1. The City is not bound to adopt or incorporate any of the initiatives recommended by the Panel, but may elect to use the findings or initiatives recommended by the Panel in the development and implementation of policy.
- 1.3 These terms of reference set out the rules that members of the Panel agree to follow.

2. Advice to the City

2.1 Scope

The Panel will form and meet in accordance with these Terms of Reference and will provide advice to the City on matters including:

- (a) Preparation, implementation and review of the City's nightlife and cultural strategies and policies;
- (b) Current and emerging issues and opportunities for the nightlife and cultural sectors;
- (c) Communication and engagement with the nightlife and cultural sectors and other stakeholders to share information and exchange ideas; and
- (d) Any other issues of relevance.

2.2 Reference to Certain Materials

The Panel will provide advice to the City having regard to:

- (a) the City of Sydney policy and regulatory framework including but not limited to Sustainable Sydney 2030, the City's Economic Development Framework, OPEN Sydney Strategy & Action Plan 2013-2030, Creative City Cultural Policy & Action Plan and the Live Music & Performance Action Plan;
- (b) the NSW Government policy and regulatory framework; and
- (c) other relevant policy and strategy documents, as identified from time to time.

2.3 Role of Panel

The Panel:

- (a) cannot require the City to adopt a policy or recommendation approved by the Panel; and
- (b) has no power or authority, whether by delegation, agency or otherwise to exercise any function, right, duty or power of the City whether under a statute or other law, as a landowner or in any other capacity.

3. Membership of the Panel

3.1 The Panel will be composed of up to 16 members, and may consist of less than 16 members. Representatives will be experts across a range of categories with extensive experience in the nightlife sector and related fields. There will be:

- (a) up to 9 representatives from the nightlife sector, with representation across the following sectors:
 - (i) cafes / restaurants (1);
 - (ii) hotels, night clubs and small bars (3);
 - (iii) performance spaces (1);
 - (iv) festival/event producers (1);
 - (v) live and electronic dance music producers (2); and
 - (vi) theatre and other performance producers (1);
- (b) up to 2 representatives from nightlife stakeholders, with representation across the following sectors:
 - (i) retailers (1); and
 - (ii) property developers (1);
- (c) up to 4 representatives from not-for-profit or academic organisations, with representation across the following sectors:
 - (i) business associations (1);

- (ii) urban planning and development (1);
 - (iii) building and regulatory frameworks (1); and
 - (iv) public safety and nightlife establishment security management (1); and
 - (d) one City of Sydney Councillor.
- 3.2 The composition of the Panel should at all times provide fair representation of nightlife stakeholders. Selectors of the Panel will use their best endeavour to ensure that the Panel represents (as much as possible) the diversity of the City of Sydney local government area.
- 3.3 The appointment of a City of Sydney Councillor as a member of the Panel does not limit, alter or fetter, and is not intended to limit, alter or fetter the lawful and proper discharge by the Council of the City of Sydney of any of the statutory responsibilities of the Council of the City of Sydney under any relevant laws and in its role as a consent authority.

Panel Selection Process

- 3.4 A call for nominations will be advertised and promoted to the City of Sydney nightlife sector and stakeholders via local channels, business networks, stakeholders and other related organisations.
- 3.5 The call for nominations will advise that applications will be assessed according to the following selection criteria:
- (a) nominees must live, work or study in the City of Sydney's Local Government Area;
 - (b) the nominee's commitment to serve on the Panel for the public benefit as outlined in their statement of interest and experience; and
 - (c) the skills, knowledge, industry connections and nightlife experience they will bring to the Advisory Panel in service of the local nightlife sector.
- 3.6 A minimum of two positions on the Panel are identified for young people under the age of 30. The selection panel will, where possible, use its best endeavour to select a Panel that is representative of the diversity within the City of Sydney local government area.
- 3.7 Following the call for nominations, applications for the Panel will be assessed against the selection criteria by a panel comprised of City of Sydney officers.

Appointment of the Panel

- 3.8 Members of the Panel will be appointed by the Chief Executive Officer (**CEO**) and ratified by Council.
- 3.9 Subject to clause 3.10, members of the Panel will be appointed for a period of three years.
- 3.10 The Panel may, from time to time, invite additional experts to provide specialist advice.

- 3.11 Members of the Panel should attend all meetings and must attend an induction meeting and at least 3 of the 4 meetings held each calendar year. A member cannot delegate the responsibility to attend Panel meetings or otherwise send a replacement attendee to meetings in the place of the member.
- 3.12 If a member of the Panel resigns during his or her period of appointment the CEO will appoint a new member. For the avoidance of doubt and unless agreed otherwise by the CEO, a member must resign if the member:
- (a) is no longer active in the category that the member was part of at the time that the member was appointed;
 - (b) fails to attend at least 3 of the 4 meetings of the Panel in each calendar year.

A resignation must be effected by the member providing written notice to the CEO.

- 3.13 If:
- (a) a member fails to resign in accordance with paragraph 3.12;
 - (b) noting the obligations of members in clause 7, in the CEO's reasonable opinion a member has a conflict of interest with the member's role on the Panel; or
 - (c) in the CEO's reasonable opinion a member behaves in a manner that is not in the best interests of the Panel or uses the Panel to promote the interests of the member,

the CEO may terminate the member's term of appointment on the Panel and will appoint a new member from the same category (described in paragraph 3.1) that the terminated member was appointed to represent. Terminations will be effected by the CEO providing written notice to the member, and are final.

- 3.14 Applicants will be advised in writing of the outcome of their nomination.
- 3.15 The CEO may terminate the operation of the Panel at any time if the Council of the City of Sydney determines, by resolution, that the Panel is to be terminated.

Chairperson

- 3.16 The Panel will be chaired by a nightlife industry representative elected by the Panel at the first meeting of the term, with a City of Sydney Councillor Co-chair.
- 3.17 The Councillor Co-chair will be determined by Council.
- 3.18 At the first meeting of the newly selected Panel, members will be invited to nominate themselves or another member for the position of Chair.
- 3.19 The Chairperson and Co-chair will be appointed for a period of three years.
- 3.20 If the Chairperson resigns as a member or the Chairperson's membership is terminated by the CEO in accordance with paragraphs 3.13 or 3.14, the Panel will elect another Chairperson.

4. Meeting Procedure

- 4.1 The Panel will meet four times each year at the offices of the City.
- 4.2 The Chairperson may call an extraordinary meeting of the Panel with at least 5 days written notice to all members.
- 4.3 The Chairperson will preside as Chair at every meeting of the Panel unless, due to unavailability, the Chairperson has delegated the role in advance to another member. The Chairperson will determine at the commencement of the meeting if adequate numbers are present to conduct the meeting.
- 4.4 If the Chairperson is not present within 10 minutes after the time appointed for the meeting, the Co-chair will be chairperson for the purpose of that meeting.
- 4.5 Staff of the City may attend the meetings as observers and may provide advice to the Panel, if requested.
- 4.6 The City will prepare the agenda for each meeting. Members of the Panel should inform the Chairperson if they wish to include an item on the agenda for the meeting. The meeting agenda will be approved by the Chairperson and Co-chair prior to circulation to members.
- 4.7 All members have the authority to speak at meetings of the Panel.
- 4.8 The City will take minutes of the Panel meetings. The minutes will include the following:
 - (a) attendance;
 - (b) apologies;
 - (c) declarations of interest; and
- 4.9 Meeting minutes and advice sheets will be reviewed and approved for circulation to the Panel by the Chairperson for the meeting in question. The City will circulate minutes to all members, and all members will be asked to confirm the accuracy of the minutes.
- 4.10 The Panel may form a sub-committee to investigate certain matters further. If such a sub-committee is formed, the provisions of clause 5 will apply.

5. Sub-committees

- 5.1 If the Panel resolves to form a sub-committee in accordance with clause 4.10, the sub-committee must:
 - (a) be formed from members of the Panel, however the sub-committee may invite specialists to consult with and provide advice to the sub-committee;
 - (b) report on the progress of its investigations to the Panel at each meeting of the Panel; and
 - (c) can be dissolved by resolution of the Panel.

6. Costs

- 6.1 The City will bear the cost of preparing the agenda for each meeting of the Panel, hosting each meeting of the Panel and preparing minutes of meetings of the Panel.
- 6.2 Members of the Panel will not be reimbursed for the time each member spends as a result of being a member of the Panel.

7. Confidentiality and impartiality

- 7.1 Members of the Panel will::
- (a) act solely in the capacity of providing overall advice, guidance and assistance to nightlife stakeholders in relation to the nightlife sector in the City's local government area; and
 - (b) not use any of the information or initiatives that arise directly because of or incidental to the Panel in any other forum or initiative, whether or not that forum or initiative is to the competitive advantage of the member, any organisation or company to which the member belongs or is employed by.
- 7.2 The information obtained or received by each member as a result of the member's involvement in the Panel is confidential in nature and may not be disclosed except in the following circumstances:
- (a) if required by law;
 - (b) to a legal or other professional adviser;
 - (c) if the written consent of the City to the proposed disclosure is obtained prior to the disclosure being made. The City may give or withhold its consent to such a disclosure in its absolute discretion; or
 - (d) after the information is in the public domain due to a disclosure by the City.

8. Review

- 8.1 These terms of reference may be reviewed and amended by the City at any time. Significant amendments will only be made following consultation by the City with the Chair and Members of the Nightlife and Creative Sector Advisory Panel.
- 8.2 Subject to the termination right in clause 3.13, the operation of the Panel generally will be reviewed by the City after a term of three years.

Item 5

Matters for Tabling

5.1 Disclosures of Interest

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

Recommendation

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

Item 6

Report of the Corporate, Finance, Properties and Tenders Committee - 12 August 2019

Item 6.1

Disclosures of Interest

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

The Committee recommends the following:-

Item 6.2

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.

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

S096187

The Committee recommends the following:-

Item 6.3

Investments Held as at 30 June 2019

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

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

X020701

The Committee recommends the following:-

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.

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

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 of this matter shall be deferred to the meeting of Council on 19 August 2019.

Officer's Recommendation

The officer's recommendation to the Corporate, Finance, Properties and Tenders Committee was as follows -

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.

Officer's Report

The officer's report on this matter can be found at Item 5 on the agenda of the meeting of the Corporate, Finance, Properties and Tenders Committee on 12 August 2019.

X014468

The Committee recommends the following:-

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.

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

S076625

The Committee recommends the following:-

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.

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

X021612.003

The Committee recommends the following:-

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.

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

X021976

The Committee recommends the following:-

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.

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

X005131.004

The Committee recommends the following:-

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.

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

X021533.007

The Committee recommends the following:-

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.

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

X019245

The Committee recommends the following:-

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.

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

S105606

The Committee recommends the following:-

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).

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

S119487

The Sub-Committee recommends 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.

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

The Sub-Committee recommends the following:-

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.

(Note – At the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Vithoukias, seconded by Councillor Scott, and 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 - 12 August 2019

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 shall be deferred to the meeting of Council on 19 August 2019.

Officer's Recommendation

The officer's recommendation to the Environment Committee was as follows -

It is resolved that Council 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):

- (i) calls upon the Federal and NSW governments to establish a mandate that government officers only use 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.*

Officer's Report

The officer's report on this matter can be found at Item 2 on the agenda of the meeting of the Environment Committee on 12 August 2019.

X005190.003

The Committee recommends 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.

(Note – at the meeting of the Environment Committee, this recommendation was moved by Councillor Miller, seconded by the Chair (the Lord Mayor), and carried unanimously – as part of an in globo motion.)

X013843.003

The Committee recommends the following:-

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.

(Note – at the meeting of the Environment Committee, this recommendation was moved by Councillor Miller, seconded by the Chair (the Lord Mayor), and carried unanimously – as part of an in globo motion.)

X019550.003

The Committee recommends the following:-

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.

(Note – at the meeting of the Environment Committee, this recommendation was moved by Councillor Miller, seconded by the Chair (the Lord Mayor), and carried unanimously – as part of an in globo motion.)

X019528.003

The Committee recommends the following:-

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.

(Note – at the meeting of the Environment Committee, this recommendation was moved by Councillor Miller, seconded by the Chair (the Lord Mayor), and carried unanimously – as part of an in globo motion.)

X013853.003

The Committee recommends the following:-

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.

(Note – at the meeting of the Environment Committee, this recommendation was moved by Councillor Miller, seconded by the Chair (the Lord Mayor), and carried unanimously – as part of an in globo motion.)

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 shall be deferred to the meeting of Council on 19 August 2019.

Officer's Recommendation

The officer's recommendation to the Environment Committee was as follows -

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.

Officer's Report

The officer's report on this matter can be found at Item 8 on the agenda of the meeting of the Environment Committee on 12 August 2019.

X019606.003

The Committee recommends the following:-

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.

(Note – at the meeting of the Environment Committee, this recommendation was moved by Councillor Miller, seconded by the Chair (the Lord Mayor), and carried unanimously – as part of an in globo motion.)

X019498

The Committee recommends the following:-

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.

(Note – at the meeting of the Environment Committee, this recommendation was moved by Councillor Miller, seconded by the Chair (the Lord Mayor), and carried unanimously – as part of an in globo motion.)

X019564

The Committee recommends the following:-

Item 7.11

Project Scope - Hollis Park Playground Upgrade, Newtown

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.

(Note – at the meeting of the Environment Committee, this recommendation was moved by Councillor Miller, seconded by the Chair (the Lord Mayor), and 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 of this matter shall be deferred to the meeting of Council on 19 August 2019.

Officer's Recommendation

The officer's recommendation to the Environment Committee was as follows -

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.

Officer's Report

The officer's report on this matter can be found at Item 12 on the agenda of the meeting of the Environment Committee on 12 August 2019.

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 - 12 August 2019****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 of this matter shall be deferred to the meeting of Council on 19 August 2019.

Officer's Recommendation

The officer's recommendation to the Cultural and Community Committee was as follows -

It is resolved that:

- (A) Council approve the cash recommendation for the Community Services Grant Program to Newtown Neighbourhood Centre Incorporated of Year 1 - \$45,100, Year 2 - \$35,000, Year 3 - \$20,000 as per Attachment A to the subject report for Item 4 of the Cultural and Community Committee on 17 June 2019;
- (B) Council approve the cash recommendation for the Festivals and Events Sponsorship Program (Village and Community) to Alexandria Residents' Action Group Incorporated of \$7,000 per year for 3 years as per Attachment C to the subject report for Item 4 of the Cultural and Community Committee on 17 June 2019;
- (C) Council does not approve the Cultural and Creative Grants and Sponsorship Program application from The Gender Centre Inc, as per Attachment B to the subject report for Item 2 of the Cultural and Community Committee on 17 June 2019;
- (D) Council note that all grant amounts are exclusive of GST and all value in kind offered is subject to availability; and
- (E) authority be delegated to the Chief Executive Officer to negotiate, execute and administer agreements with any organisation approved for a grant or sponsorship under terms consistent with this resolution and the Grants and Sponsorships Policy.

Officer's Report

The officer's report on this matter can be found at Item 2 on the agenda of the meeting of the Cultural and Community Committee on 12 August 2019.

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.

S117676

The Sub-Committee recommends the following:-

Item 8.3

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

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.

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

Speakers

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

X000633

Item 9**Report of the Transport, Heritage and Planning Committee - 12 August 2019****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 flat number 43 at 17 Wylde Street, Potts Point. Councillor Forster stated that she would not be participating in the vote on this item.

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

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 shall be deferred to the meeting of Council on 19 August 2019.

Officer's Recommendation

The officer's recommendation to the Transport, Heritage and Planning Committee was as follows -

It is resolved that:

- (A) Council support and approve *City Plan 2036: Draft City of Sydney Local Strategic Planning Statement* at Attachments A1-A6, incorporating any amendments made by the Chief Executive Officer under resolution (C), for public exhibition for 42 days;
- (B) Council approve *Housing for All: Draft City of Sydney Local Housing Strategy* at Attachment B, incorporating any amendments made by the Chief Executive Officer under resolution (C), for public exhibition for 42 days; and
- (C) 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 Strategy*, *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.

Officer's Report

The officer's report on this matter can be found at Item 2 on the agenda of the meeting of the Transport, Heritage and Planning Committee on 12 August 2019.

Speaker

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

X019011

The Committee recommends the following:-

Item 9.3

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

It is resolved that:

- (A) Council approve Planning Proposal: 1-11 Oxford Street, Paddington shown at Attachments 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 Attachments 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;
- (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.

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

Speakers

Mr 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 shall be deferred to the meeting of Council on 19 August 2019.

Officer's Recommendation

The officer's recommendation to the Transport, Heritage and Planning Committee was as follows -

It is resolved that:

- (A) Council approve Planning Proposal – 4-22 Wentworth Avenue, Surry Hills, shown at Attachments A1-A4 to the subject report, for submission to the Department of Planning, Infrastructure and Environment with a request for a Gateway Determination;
- (B) Council approve the Planning Proposal – 4-22 Wentworth Avenue, Surry Hills, shown at Attachments A1-A4 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 functions under the relevant local plan making authority 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 – 4-22 Wentworth Avenue, Surry Hills;
- (D) Council approve Draft Sydney Development Control Plan 2012 – 4-22 Wentworth Avenue, Surry Hills shown at Attachment B to the subject report for public authority consultation and public exhibition together with the Planning Proposal;
- (E) authority be delegated to the Chief Executive Officer to make any minor variations to Planning Proposal – 4-22 Wentworth Avenue, Surry Hills, 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 – 4-22 Wentworth Avenue, Surry Hills, to correct any drafting errors or to ensure it is consistent with the Planning Proposal following the Gateway Determination.

Officer's Report

The officer's report on this matter can be found at Item 4 on the agenda of the meeting of the Transport, Heritage and Planning Committee on 12 August 2019.

Speaker

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

X018846

The Committee recommends the following:-

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

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.

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

X009371

The Committee recommends the following:-

Item 9.6

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

It is resolved that:

- (A) Council note 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; 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.

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

Speaker

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

X001999

The Committee recommends the following:-

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.

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

S129097

The Committee recommends the following:-

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.

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

S111707.027

The Committee recommends the following:-

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.

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

S047162

The Committee recommends the following:-

Item 9.10

Fire Safety Reports

It is resolved that Council:

- (A) note the contents of the Fire Safety Report Summary Sheet, as shown at Attachment A to the subject report;
- (B) note the inspection reports by Fire and Rescue NSW, as shown 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 Darlinghurst 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.

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

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 Local Government Area 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

Argyle Place and Windmill Street Ongoing Investigation

3. By Councillor Scott

Question

At the meeting of Council on 24 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 detail the progress of these investigations?

S129275

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

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

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

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

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

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 Local Government Area.

Considering no air quality data is available for the City of Sydney Local Government Area, 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 Local Government Area.
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

Item 11

Supplementary Answers to Previous Questions

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

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

By Councillor Scully

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 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.

S129264

Item 12.2

Notices of Motion

NBN Impacts on City Streets

By Councillor Scully

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.

S129264

Item 12.3**Notices of Motion****Vale Doris Goddard**

By Councillor Miller

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.

S129262

Item 12.4

Notices of Motion

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 that the community has a high level of interest and desire for more public green spaces, walkability, and opportunities for community interaction;
- (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.

S129262

Item 12.5

Notices of Motion

Cancellation of Cloud Arch

By Councillor Forster

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.

Item 12.6**Notices of Motion****Vale Doris Goddard**

By Councillor Scott

It is resolved that:

- (A) Council note:
- (i) the passing of the local icon, renowned entertainer, and Sydney publican Doris Goddard on 29 July 2019;
 - (ii) Doris was born in Forrest Lodge in the City of Sydney and spent most of her life in the Sydney Local Government Area;
 - (iii) she was a renowned performer and found success as a cabaret performer travelling across Europe and Asia. Her career led her to Hollywood where she appeared in several films with stars such as Katherine Hepburn;
 - (iv) Doris continued to contribute to the famous nightlife of Sydney upon her return by buying pubs in Newtown and Balmain. She finally found her forever home in Surry Hills when she purchased the famous Hotel Hollywood in 1977; and
 - (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. This was a role that she cherished, and her customers felt the same about her. She could often be found serenading locals and patrons alike;
- (B) the Chamber be requested to observe one minute's silence to honour the contribution of Doris Goddard to the City of Sydney and beyond; and
- (C) a letter, under the signature of the Lord Mayor, expressing this Council's sincerest condolences be written to Doris Goddard's family, friend Mark Seymour and all at the Hotel Hollywood.

S129266

Item 12.7

Notices of Motion

Adoption of UNICEF's Child Friendly Cities Initiative

By Councillor Scott

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.

S129266

Item 12.8**Notices of Motion****Global Climate Strike on 20 September 2019**

By Councillor Scott

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.

S129266

Item 12.9**Notices of Motion****City of Sydney Multicultural Statement**

By Councillor Scott

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.*

S129266

Item 12.10**Notices of Motion****Alternative Traffic Calming Measures for Maddox Street**

By Councillor Chung

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;

S129259

Item 12.11

Notices of Motion

Hugo Street Masterplan

By Councillor Phelps

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;
 - (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;
- (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;

- (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;
 - (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

S129263

Item 12.12**Notices of Motion****Metro Theatre Kings Cross**

By Councillor Phelps

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;

S129263

Item 12.13

Notices of Motion

Oxford Street Development

By Councillor Phelps

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;

S129263

Item 12.14**Notices of Motion****Leptospirosis and Rat Eradication in the Sydney LGA**

By Councillor Phelps

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 Vithoukias 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.

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Item 12.15

Notices of Motion

Air Quality Monitoring

By Councillor Phelps

It is resolved that:

(A) Council note:

- (i) air pollution is a major human health concern;
 - (a) Nitrogen dioxide (NO₂), which is a pollutant that occurs alongside busy roads, is a quick acting respiratory irritant that can cause potentially long term effects on health;
 - (b) the 2018 Australian Child Health and Air Pollution Study (ACHAPS) found that even 8.8ppb of NO₂ causes harm; and
 - (c) the 2018 ACHAPS Study of 2,630 children aged 7-10, at 55 schools across capital cities in Australia, found a strong association between NO₂ exposure and asthma;
- (ii) substantial exposure to NO₂ and other irritants is particularly dangerous in urban areas where 74% of Australians are expected to live by 2061;
- (iii) an air quality monitor was decommissioned in George Street in 2004 after four years of operation. While discussion has started with the NSW Office of Environment and Heritage regarding the installation of an air quality monitor in the City LGA, according to the 7 September 2018 CEO Update, no current air quality data exists for the City LGA;
- (iv) monitoring air quality data in the City LGA would have substantial benefits in:
 - (a) better informing planning decisions which is particularly important for schools and childcare centres given the particular sensitivity of children to traffic related air pollution;
 - (b) assisting the City to meet its requirements under Sustainable Development Goal 11: Make cities and human settlements inclusive, safe, resilient and sustainable', provides a target to "reduce the adverse per capita environmental impact of cities, including by paying special attention to air quality and municipal and other waste management"; and
 - (c) providing valuable information on the progress of air quality interventions; and

- (B) the Chief Executive Officer be requested to:
- (i) increase efforts to work with the NSW Office of Environment and Heritage for the installation of an air quality monitor in the City LGA; and
 - (ii) proceed with the implementation of an air quality monitor in the City LGA should an agreement fail to be reached with the NSW Office of Environment and Heritage for the installation of an air quality monitor in the City LGA;

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Item 12.16

Notices of Motion

Live Streaming

By Councillor Phelps

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.

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