

# Council

Meeting No 10

Monday 28 October 2019

Notice No 10/1610

Notice Date 24 October 2019

*minutes*

*city of villages*

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**Present**

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

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

At the commencement of business at 5.01pm, those present were:-

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

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

Councillor Forster left the meeting of Council at 5.58pm prior to discussion on Item 6.4 and returned at 6.03pm following the vote on Item 6.4. Councillor Forster was not present at, or in sight of, the meeting of Council during discussion or voting on Item 6.4.

Councillor Scully left the meeting of Council at 6.29pm during the adjournment and returned at 6.50pm, during discussion and before the vote on Item 12.7.

Councillor Scully left the meeting of Council at 8.15pm during the adjournment and returned at 8.30pm, during discussion and before the vote on Item 12.13.

**Order of Business**

Council agreed that the order of business be altered such that Item 12.7 be brought forward and dealt with prior to Item 12.3 for the convenience of members of the public in attendance.

Council further agreed that the order of business be altered such that Item 12.12 be deferred and dealt with after Item 12.13 to provide opportunity for Councillor Scully to present her Notice of Motion.

**Opening Prayer and Acknowledgement of Country**

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

**Item 1 Confirmation of Minutes**

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

That the Minutes of the meeting of Council of Monday, 9 September 2019, and 27 September 2019, as circulated to Councillors, be confirmed.

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

That the minutes of Council of Monday 9 September be adopted with the following addition to Item 6.3 – Sydney Light Rail Project Update and Smoke Free George Street.

After the words: The Corporate, Finance, Properties and Tenders Committee, Councillor Vithoulkas moved:

It is resolved that Council:

- (A) note the information contained in this report:
  - (i) that this report refers to the CBD and South East Light Rail Business Case Summary, November 2013. This economic baseline is six years old and has since been downgraded by the NSW Audit Office, reducing the likelihood that a positive cost benefit will be achieved; and
  - (ii) the NSW Audit Office Media Release CBD and South East Light Rail Project 30 November 2016 stated “Transport for NSW did not effectively plan and procure the CBD and South East Light Rail (CSELR) project to achieve best value for money according to a report released today by NSW Auditor-General, Margaret Crawford. Transport for NSW is on track to deliver the project, but it will come at a higher cost with lower benefits than in the approved business case”;
- (B) note the commercial information contained within Confidential Attachment E to the subject report;
- (C) note the proposed pedestrianisation of other sections of George Street and Devonshire Street, which is in line with the original Sustainable Sydney project idea and that the public domain works associated with these additional pedestrianised sections will need to be funded from future capital budgets;
  - (i) instruct the CEO to set up and implement a robust stakeholder consultation program for residents and businesses that will be impacted by these additional proposed public domain works, prior to the City of Sydney making a commitment to implementation;
  - (ii) instruct the CEO to provide a full list of the public domain works associated with these proposed additional pedestrianisation sections and disclose the budgets for these future capitol works prior to the City of Sydney making a commitment to implementation and include this in the stakeholder consultation program;
  - (iii) instruct the CEO to set up and manage a Small Business and Residents Assistance Program for those that could be negatively impacted by these additional public domain works; and
  - (iv) this assistance program should be operational prior to the City of Sydney beginning any future public works for the proposed pedestrianised;

- (D) approve the designation of smoke-free zones along George Street from Hunter to Bathurst Streets, along with adjacent public places as outlined in Attachment D to the subject report;
- (E) note that Residents, Ratepayers, Small Businesses and their families have been severely and negatively impacted by the overdue and over budget Light Rail Project;
- (F) note that without the direct advocacy of the Small Business Community there would not be a Small Business Assistance Program of any kind;
- (G) note that Transport for NSW intends to terminate the Small Business Program on 1 October 2019;
- (H) the Lord Mayor write to Transport NSW and the Minister to request in the strongest language possible, that the Small Business Assistance Program remain in place for a full 12 months after the entire route is servicing a complete and paid timetable;
- (I) delegate the CEO to urgently create and implement an awareness advertising solution across all relevant media channels, to inform all businesses along the route of the October 1 deadline for assistance applications;
- (J) delegate the CEO to investigate any and all plausible activation programs and to encourage return patronage to the completed Light Rail route. This is to assist any longstanding or newly set up small businesses along the corridor;
- (K) request the Lord Mayor write to the Small Business Commissioner asking her Office to deploy its resources to conduct a business health check six months and twelve months after the Light Rail is fully operational. To then provide the results back to Council via CEO Update; and
- (L) delegate the CEO to make preparations for a post implementation traffic study at the twelve month milestone; to evaluate the transformation if any of Sydney in regards to the CBD Light Rail, including any mass transit shifts and congestion impacts, and report back to Council.

The amendment was lost on the following show of hands –

Ayes (4) The Chair (the Lord Mayor), Councillors Kok, Scott and Thalís

Noes (6) Councillors Chung, Forster, Miller, Phelps, Scully and Vithoukás.

Amendment lost.

The motion was carried on the following show of hands –

Ayes (9) The Chair (the Lord Mayor), Councillors Chung, Forster, Kok, Miller, Phelps, Scott, Scully, Thalís.

Noes (1) Councillor Vithoukás.

Motion carried.

**Procedural Motion**

Later in the meeting, at 7:20pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Vithoukas –

That Item 1 be recommitted in accordance with clause 15.17 (b) of the Code of Meeting Practice, to confirm the vote on the resolution.

Carried unanimously.

The motion was recommitted, and carried unanimously.

## Item 2 Disclosures of Interest

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

- a less than significant, non-pecuniary interest in Item 8.2 on the agenda, in that a person involved with the Sydney Fringe Festival made a less than reportable donation to the Clover Moore Independent Team prior to the 2016 election.
- a less than significant, non-pecuniary interest in Item 7.3 on the agenda, in that a resident of a building recommended for an Environmental Performance – Ratings and Assessments Grant, is a friend.

Councillor Linda Scott made the following disclosures:

- a less than significant, non-pecuniary interest in Item 6.3 on the agenda, in that, as President of Local Government NSW, she holds shares in Local Government Super, which is discussed as part of this item.
- a less than significant, non-pecuniary interest in Item 7.3 on the agenda, as an organisation recommended for funding is affiliated with the Australian Labour Party. Councillor Scott stated that they have not spoken to her about this item.

Councillor Jess Scully made the following disclosures:

- a less than significant, non-pecuniary interest in Item 7.3 on the agenda, as a resident of a building recommended for an Environmental Performance – Ratings and Assessments Grant is a friend.
- a less than significant non-pecuniary interest in Item 8.2 on the agenda, as a person involved with the Sydney Fringe Festival made a less than reportable donation to the Clover Moore Independent Team prior to the 2016 election.

Councillor Jess Miller made the following disclosures:

- a less than significant, non-pecuniary interest in Item 7.3 on the agenda, in that a resident of a building recommended for an Environmental Performance – Ratings and Assessments Grant, is a friend.
- a less than significant, non-pecuniary interest in Item 8.2 on the agenda, in that a person involved with one of the recommended recipients made a non-reportable donation to the Clover Moore Independent Team prior to the 2016 Local Government elections. Councillor Miller was not contacted by this person in relation to this grant.
- a less than significant, non-pecuniary interest in Item 6.13 on the agenda, as an individual recommended for a Night Time Diversification Grant is a friend of hers.

Councillor Robert Kok made the following disclosures:

- a less than significant, non-pecuniary interest in Item 7.3 on the agenda, in that a resident of a building recommended for an Environmental Performance – Ratings and Assessments Grant, is a friend.
- a less than significant, non-pecuniary interest in Item 8.2 on the agenda, in that a person involved with one of the recommended recipients made a non-reportable donation to the Clover Moore Independent Team prior to the 2016 Local Government elections. Councillor Kok was not contacted by this person in relation to this grant.



Councillor Philip Thalys made the following disclosures:

- a less than significant, non-pecuniary interest in Item 7.3 on the agenda, in that a resident in one of the buildings recommended to receive a grant is a personal friend. Councillor Thalys stated that he had not been approached by this person in relation to this grant, and he was not aware of it until the committee papers were made available.
- a less than significant, non-pecuniary interest in Item 7.4 on the agenda, in that the University of New South Wales (UNSW) is nominated as a partner on this project, at which he is a Fractional Professor. Councillor Thalys was not approached by UNSW in relation to this sponsorship and was not aware of it until the committee papers were made available.
- a less than significant, non-pecuniary interest in Item 8.2 on the agenda, in that a person involved with one of the recommended recipients made a non-reportable donation to the Clover Moore Independent Team prior to the 2016 Local Government elections. Councillor Thalys was not contacted by this person in relation to this grant.
- a less than significant, non-pecuniary interest in Item 8.2 on the agenda, specifically relating to the grant recommended to National Trust of Australia (NSW) as Councillor Thalys is a member. Councillor Thalys has not been contacted about this grant and was not aware of it until the committee papers became available.

Councillor Kerryn Phelps disclosed a less than significant, non-pecuniary interest in Item 8.2 on the agenda, as a person involved with one of the recommended recipients made a non-reportable donation to the Clover Moore Independent Team prior to the 2016 Local Government Elections. Councillor Phelps stated that she is not aware of the identity of the individual.

Councillor Angela Vithoukias disclosed a less than significant, non-pecuniary interest in Item 7.3 on the agenda, in that she lives in a building not recommended for a grant, but was unaware of the grant application until the committee papers were made available.

Councillor Christine Forster disclosed a significant, non-pecuniary interest in Item 6.4 on the agenda, as she is employed as Senior Media Advisor in the Corporate Affairs Department of Woodside Energy, a major Australian oil and gas producer. Councillor Forster stated that she would not be voting on this item.

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

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

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

**Item 3 Minutes by the Lord Mayor****Item 3.1 Vale Mandy Mailey****Minute by the Lord Mayor**

To Council:

I would like to inform Council about the passing of Mandy Mailey on Friday 27 September, 2019, who was a loved and respected member of the Pymont Community.

Mandy was best known for her contribution to the Pymont Community Centre and she was a caring person with a great sense of humour. She was a friend to our staff and a valuable and dedicated member of the local community.

Born in Northern Ireland, Mandy's childhood was lived during 'The Troubles'. Her family moved temporarily to England before returning home. Mandy moved back to London as an adult, where she met and married Michael.

In the years that followed, the Mailey family relocated several times to Switzerland, France, Singapore, and finally to Australia. Mandy became involved in the local community as soon as the family arrived in Pymont.

Mandy was a passionate volunteer over a number of years; she coordinated two playgroups, worked with local charity Pymont Cares, was an active member of 'Pymont Players', a community theatre group, and assisted with Christmas in Pymont, as well as events at the Pymont Community Centre.

I know that Mandy will be deeply missed by her family, friends, City of Sydney staff, and the Pymont community.

### **Recommendation**

It is resolved that all persons present in the Chamber stand for one minute's silence to mark the life of Mandy Mailey and her contribution to the Pymont community.

### **COUNCILLOR CLOVER MOORE**

Lord Mayor

Moved by the Lord Mayor, seconded by Councillor Scully –

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

Carried unanimously.

Note – all Councillors, staff and members of the public present stood in silence for one minute as a mark of respect to Mandy Mailey.

S051491

## **Item 3.2 City Awards**

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

To Council:

I am pleased to report to Council that the City has recently received awards which recognise our commitment to environmental sustainability and workplace diversity and inclusion.

#### **Smart City Awards**

The Resilient Sydney Platform, a collaboration between Resilient Sydney, the City of Sydney and Kinesis, has received two awards at the Smart City Awards 2019: the overall award for the Best Smart City Project and the 'Environmental Outcomes' category award.

The Resilient Sydney Platform is based on the City of Sydney's Environmental Sustainability Platform, an innovative solution developed in collaboration with Kinesis that commenced in 2015 to report environmental performance in line with the international reporting standard for community emissions.

The City has previously been recognised for international leadership in climate disclosure for producing the most comprehensive carbon disclosure project report in 2014 (Top 10 globally), 2016 (Top 5 globally), 2017 (1st regional) and 2018 ("A" score in the Leadership band). The Leadership band recognises the City for having strategic, holistic plans in place to implement climate actions.

The Resilient Sydney Platform is built on our contribution of expertise and investment and is being used to deliver a key action of the Resilient Sydney Strategy. This involves pioneering a standardised metropolitan-wide process for measuring and reporting on carbon emissions, energy, water and waste in Sydney to enable place-based targets and action.

This is the first time a robust, accessible, environmental data platform has been available for every local government area of Sydney. Councils are using the standardised data in their Local Strategic Planning Statements.

Resilient Sydney facilitated a series of capacity building workshops, including a masterclass in partnership with the NSW Government. As of September 2019, 140 strategic planners, environmental managers and general managers representing all the 33 councils of metropolitan Sydney are using the Resilient Sydney platform.

Addressing climate change is a fundamental challenge facing cities, governments and communities. On a city, state and national level we have made global commitments for action that will contribute to managing and mitigating extreme weather in Sydney.

## **Workplace Diversity and Inclusion Awards**

The City of Sydney has received the 2019 Australian HR Award for Best Workplace Diversity and Inclusion Program.

The award recognises our efforts to build an inclusive workplace that provides opportunity and equity for women, the LGBTIQ community, Aboriginal and Torres Strait Islander peoples, people with disability and refugees.

A wide body of research shows that diverse teams are more innovative and perform better. The quality of our customer service and community engagement improves the more our workforce reflects our broader community. Diversity and inclusion supports opportunity for all, fairness and equity – principles that we strive to achieve and value deeply at the City.

The award also recognises our recent achievements in addressing gender equity.

Women hold the Council's most senior positions, the Lord Mayor, Chief Executive Officer and five other elected Councillors. For more than a decade, Council has made significant advances in women's workforce participation at the City. Since 2004, the City's female workforce has grown by 45.5 per cent. Women now make up over 40 per cent of the City's workforce and occupy 49.7 per cent of leadership positions, including several leadership roles in male-dominated sectors.

In 2018 and 2019, the City was awarded the Local Government NSW Ministers Award for 'Women in a Non-Traditional Role'. The City also received an award for Excellence in the area of 'Diversity and Inclusion' for gender equality in 2018 from NSW Local Government Professionals.

In 2015, the City began monitoring and publicly reporting on gender pay equity, and was the first local government to do so. Last year, the City introduced an extended superannuation scheme for staff on parental leave to help address the retirement wealth gap between men and women. The 2018 gender pay equity review revealed the City has a gender pay gap of 1.7 per cent for men and women at the same level, bringing the City closer to pay parity. It also revealed an overall gender pay gap of 7.5 per cent in favour of women. This means more women on average are employed in higher paying jobs across the organisation. This compares to the national gender pay gap 14 per cent in favour of men.

We still have more to do, as we understand that not all people have the same access to employment, development and advancement, but we have a very solid foundation to build upon.

**Recommendation**

It is resolved that Council:

- (A) acknowledge these well-deserved awards which recognise City achievements;
- (B) commend Resilient Sydney, City of Sydney staff and Kinesis for their development of the Resilient Sydney Platform and the contribution it is making to addressing climate change; and
- (C) commend the City's Workforce Services teams who have led the City's workplace diversity and inclusion initiatives over many years, and the managers and employees who put these programs and principles into practice, creating welcoming and inclusive teams.

**COUNCILLOR CLOVER MOORE**

Lord Mayor

Moved by the Lord Mayor, seconded by Councillor Scully –

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

Carried unanimously.

S051491

### **Item 3.3 Investing in Sydney's Water Security**

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

To Council:

#### **Securing the City's Water Supplies**

Australia is the driest inhabited continent on earth, and currently over 90 per cent of NSW is in drought, or is drought affected.

Sydney Water has said that Greater Sydney is in drought. Sydney's dams are 48 per cent full, down more than 10 billion litres over the past week. Sydney is seeing some of the lowest inflows since the 1940s, with dam levels dropping faster than they have in decades.

In response to the climate emergency, governments must put in place responsible policies to supply water to the growing number of people living in our towns and cities.

We know that, without intervention, population growth and global heating will drive up water demand across our city by approximately 30 per cent by 2030. Planting more trees to combat the urban heat island effect, and engaging in innovative urban greening projects will further increase the city's water consumption.

We must resolve not to allow Sydney to get to a critical state, where emergency powers must be rushed through at the eleventh hour to ensure our water security. We must invest in long-term, responsible water infrastructure solutions such as recycled water, now.

Experts say that treating wastewater to drinking standard is thirty to fifty percent cheaper than desalination, and uses only one quarter to a third of the energy. For these reasons, water recycling, along with water efficiency, must be the priority policy responses for ensuring Sydney's water security.

It is scandalous that we still use precious drinking water to flush our toilets, water our gardens and wash our clothes. More recycled water systems throughout the city and the state would relieve pressure on existing water infrastructure and reduce the amount of drinking water we waste every day. The City's Decentralised Water Master Plan highlighted that more than half of the water demand in the local government area could be provided by recycled water. Every kilolitre of recycled water used in the city is one less kilolitre that has to be supplied from Warragamba dam.

#### **Green Square Water Recycling**

The City has made significant investments in recycled water already. We have already switched on Australia's largest urban stormwater recycling facility in Green Square. This \$8 million facility can treat up to 900,000 litres of stormwater every day – diverting up to 320 million litres of polluted stormwater from waterways each year.

Now we want to commence stage two of our plans for recycled water in Green Square, which would treat wastewater and deliver it to residential, commercial and community buildings across all of the \$13 billion, 278 hectare Green Square area. However, construction is yet to commence because the Independent Pricing and Regulatory Tribunal (IPART) 'retail minus' determination used by Sydney Water is creating a financial disincentive.

This ruling, introduced by IPART in January 2018, enables Sydney Water to overcharge for the removal of waste – a by-product of wastewater recycling – through the sewerage system. The result is a financial disincentive for commercial water recycling operators to provide recycled water in residential developments.

New South Wales should follow the lead of Victorian Water Minister Lisa Neville, who is looking to drive the price of recycled water down so that it can be used for sporting grounds, for gardens, for industry, for irrigation and for agriculture, and so that dam water can be protected for drinking.

For the recycled water market to develop in Sydney, IPART must scrap the surcharge ('retail minus' methodology) for provision of recycled water in residential development and revert to the 'non-residential prices' that other businesses are charged.

Green Square is developing rapidly; we are expecting 70,000 people to have moved into the area by 2036. We must ensure that all buildings in Green Square are ready for a future with recycled water by requiring dual plumbing in all new buildings. Dual plumbing of buildings enables water to be used for a range of purposes beyond cooling, like toilet flushing, clothes washing, irrigation of green roofs and walls, and car washing.

The most cost effective time to dual plumb a building is during construction. Every new building constructed in the city without dual plumbing is an opportunity lost.

### **A Recycled Water Network along George Street**

Capital has been allocated for further water recycling projects in the City's long term financial plan because much more can be achieved. As part of the CBD and South East Light Rail project, the City of Sydney ensured that a recycled water pipe has been laid down George Street from Circular Quay to beyond Central Station. The work is almost complete and the end result will be a continuous network of pipe along the street. There is also a newly installed recycled water pipeline running within the wall of the Wynyard Walk tunnel across the road from Barangaroo, where there is an existing water recycling facility, to Wynyard Station. This pipeline could be connected to the George Street pipes.

If the existing recycled water facilities that currently operate in the CBD, such as the ones in Barangaroo and Central Park, were connected to the two kilometre network of pipe along George Street, their surplus water treatment capacity could be used as a water source. Connecting these facilities would only require an additional five hundred metres of pipeline.

In the longer term, if additional sources of recycled water are needed, existing water recycling facilities in the CBD could tap into other wastewater sources and expand their operations, or new treatment plants could be developed that tap wastewater sources running under the City.

Water from this network could be used in existing commercial buildings as a cost effective source of water for cooling towers. Connecting commercial buildings for this purpose would usually only require installation of a single pipe to the rooftop, and connecting one building alone could save ten million litres of drinking water every year.

The City could also encourage members of the Better Buildings Partnership and Sustainable Destination Partnership to connect to the network. Members of these partnerships have water use objectives linked to the SS2030 targets, and the Better Buildings Partnership has already published guidelines for recycled water use in commercial buildings, including a review of the quality of water required for cooling towers.



The installation of a further three hundred metres of pipe could connect the network to Hyde Park and allow the City to use recycled water for park maintenance. Parks currently account for 40 per cent of the City's water consumption.

A feasible business model might involve the City leasing access to the George Street pipelines to a suitably licenced business to enable it to deliver water to customers. Potentially one of the existing water recycling schemes could expand to provide this service.

## **Recommendation**

It is resolved that:

- (A) Council request that the Chief Executive Officer develop an implementation plan in preparation for going to market for suitably qualified private water companies to:
  - (i) deliver a recycled water scheme in the central business district that utilises the George Street, Wynyard Walk, and other pipelines that may be required to make the scheme viable; and
  - (ii) provide cost estimates for dual plumbing the City's major properties along George Street and connecting them to the network;
- (B) Council request that the Chief Executive Officer explore setting citywide targets for recycled water use as part of the next Environmental Strategy and Action Plan; and
- (C) the Lord Mayor be requested to write to:
  - (i) the Hon. Premier, Gladys Berejiklian; The Hon. Melinda Pavey, Minister for Water; The Hon. Matt Kean, Minister for Energy and the Environment; and Alex Greenwich, Member for Sydney, requesting that IPART scrap the 'retail minus' methodology for private operators providing recycled water in residential developments and revert to the 'non-residential prices' that other businesses are charged; and
  - (ii) the Hon. Rob Stokes, Minister for Planning and Public Spaces requesting that he mandate that new developments within urban renewal areas to install dual plumbing to future proof for recycled water supply.

## **COUNCILLOR CLOVER MOORE**

Lord Mayor

Moved by the Lord Mayor, seconded by Councillor Miller –

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

Carried unanimously.

S051491

**Item 4 Memoranda by the Chief Executive Officer****Item 4.1 Power of Attorney****Memorandum by the Chief Executive Officer**

To Council:

A Resolution of Council is sought to:

- (a) revoke a redundant Power of Attorney instrument; and
- (b) grant a new Power of Attorney to the General Counsel and Director of Legal and Governance, Kirsten Tara Morrin.

**Background**

At present the Council's attorneys are:

- Patricia Monica Barone, by resolution dated 1 June 2009;
- Kim Philip Woodbury, by resolution dated 24 October 2016;
- William Ross Carter, by resolution dated 24 October 2016; and
- Anthony Patrick Lenehan, by resolution dated 24 October 2016.

It is appropriate that the Power of Attorney granted to Anthony Patrick Lenehan is revoked because he is no longer employed by the City of Sydney.

It is appropriate that a new Power of Attorney be granted to Kirsten Tara Morrin to enable her to effectively and efficiently carry out her duties as General Counsel and Director of Legal and Governance.

## **Recommendation**

It is resolved that:

- (A) the Power of Attorney granted to Patricia Monica Barone be noted and confirmed;
- (B) the Power of Attorney granted to Kim Philip Woodbury be noted and confirmed;
- (C) the Power of Attorney granted to William Ross Carter be noted and confirmed;
- (D) the Power of Attorney granted to Anthony Patrick Lenehan is revoked in the form of Attachment A to this Memorandum which is to be executed under the Common Seal of Council; and
- (E) a new Power of Attorney to execute documents be granted to Kirsten Tara Morrin in the form of Attachment B to this Memorandum which is to be executed under the Common Seal of Council.

## **MONICA BARONE**

Chief Executive Officer

## **Attachments**

**Attachment A.** Revocation of Power of Attorney to Anthony Patrick Lenehan

**Attachment B.** Power of Attorney to Kirsten Tara Morrin

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

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

Carried unanimously.

S115439

## **Item 4.2 Central Sydney Traffic and Transport Committee - Nomination of Alternate Member**

### **Memorandum by the Chief Executive Officer**

To Council:

In 2012, the Central Sydney Traffic and Transport Committee (CSTTC) was established following amendments to the *City of Sydney Act 1988*.

The primary function of the Central Sydney Traffic and Transport Committee is to coordinate transport policy and major transport related works between the City of Sydney and the NSW Government.

The Central Sydney Traffic and Transport Committee is comprised of seven members:

- the Director General of Transport for New South Wales;
- three persons nominated by the City of Sydney and appointed by the Minister; and
- three persons representing the NSW Government and appointed by the Minister.

The current members of the Central Sydney Traffic and Transport Committee nominated by the City of Sydney are:

- Lord Mayor Clover Moore (alternate member Councillor Philip Thalys);
- Graham Jahn, Director City Planning, Development and Transport (alternate member Louise Kerr, Executive Manager Development); and
- Sebastian Smyth, Executive Manager, City Access and Transport (alternate member Andrew Aspden, Manager Transport Planning).

Louise Kerr resigned and her last day was 14 March 2019. Therefore, in accordance with section 51G (1) (b) and Schedule 2 of the *City of Sydney Act 1988*, Council approval is sought for:

- the revocation of the current nomination of Louise Kerr as an alternate member of the Central Sydney Traffic and Transport Committee; and
- the nomination of a new alternate member, Andrew Thomas, Executive Manager Development, to the Central Sydney Traffic and Transport Committee.

## **Recommendation**

It is resolved that:

- (A) the nomination of Louise Kerr as alternate member of the Central Sydney Traffic and Transport Committee be revoked; and
- (B) Council nominate Andrew Thomas to the position of alternate member of the Central Sydney Traffic and Transport Committee.

## **MONICA BARONE**

Chief Executive Officer

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

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

Carried unanimously.

S111818

## **Item 5 Matters for Tabling**

### **5.1 Disclosures of Interest**

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

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

Carried unanimously.

### **5.2 Petitions**

#### **(a) Rainbow Crossing at Hollis Park**

The following Petition (containing 319 signatures), of which notice was given by Councillor Phelps, was laid on the table.

We the undersigned petition the City of Sydney Council to install a permanent rainbow crossing on Wilson Street at Hollis Park. We believe this will improve the work currently being undertaken along Wilson Street and will enhance and beautify the area. Since we understand the council is rebuilding the crossing, there should be no extra cost to do this. Anyone who sees the crossing will know they have reached a safe zone where they are welcome, no matter what their sexual orientation, gender, race, ethnicity, or religion. We call on the council to install a rainbow crossing as part of the current works.

#### **(b) Save the Trees on Lawson Street, Redfern**

The following Petition (containing 2,000 signatures at 28 October 2019), was laid on the table by the Chair (the Lord Mayor).

In 2015 plans were made to remove trees from the footpath in Lawson Street, Redfern, to make way for human traffic from the train station. Since that time there has been extensive planning and the human traffic will be diverted to Little Eveleigh Street. There is no longer a good reason to remove these trees.

These trees are home to wildlife including birds and possums. The residents of the street are overwhelmingly in support of keeping them.

To our knowledge, they have not done a wildlife study and also have not consulted with residents or traditional owners.

We object to their removal. Let's keep these beautiful paperbarks where they are.

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

It is resolved that the Petitions be received and noted.

Carried unanimously.

S044250

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

### **PRESENT**

The Lord Mayor Councillor Clover Moore

(Chair)

Deputy Lord Mayor Councillor Jess Scully

(Deputy Chair)

Councillors Craig Chung, Christine Forster, Robert Kok, Jess Miller, Prof Kerryn Phelps AM, Linda Scott, Prof Philip Thalys and Angela Vithoukas.

At the commencement of business at 2.05pm those present were -

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

Councillor Forster left the meeting of the Corporate, Finance, Properties and Tenders Committee at 2.57pm prior to discussion on Item 6.4, and returned at 3.09pm, after the vote on Item 6.4 and prior to commencement of discussion on Item 6.5. Councillor Forster was not present at, or in sight of, the meeting of the Corporate, Finance, Properties and Tenders Committee during discussion or voting on Item 6.4.

Councillor Scully left the meeting of the Corporate, Finance, Properties and Tenders Committee at 3.26pm, prior to discussion and the vote on Item 6.12, and did not return.

### **Adjournment**

At 3.40pm, it was moved by the Chair (the Lord Mayor) seconded by Councillor Kok—

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

Carried unanimously.

At the resumption of the meeting of the Corporate, Finance, Properties and Tenders Committee (Economic Development and Business Sub-Committee) at 4.01pm, those present were –

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

### **Sub-Committees**

The Economic Development and Business Sub-Committee, with Councillor Kok as Deputy Chair, commenced at 4.01pm.

### **Order of Business**

The Corporate, Finance, Properties and Tenders Committee agreed, for the convenience of the public present, that the Order of Business be altered such that Item 6.5 be brought forward and dealt with before Item 6.4.

**Recommittal of Items**

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

That Items 6.7, 6.8, 6.9 and 6.11 be recommitted to enable discussion and a second vote on the items in globo.

Carried unanimously.

The in globo motion was recommitted, and carried unanimously.

**Closed Meeting**

At 3.26pm, the Corporate, Finance, Properties and Tenders Committee resolved to close the meeting to the public to discuss the confidential attachment to Item 6.12 on the agenda.

**Open Meeting**

At 3.40pm, the meeting of the Corporate, Finance, Properties and Tenders Committee was reopened to the public.

The meeting of the Corporate, Finance, Properties and Tenders Committee and its Sub-Committee concluded at 4.04pm.

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

Moved by Councillor Scully, seconded by Councillor Miller –

That the report of the Corporate, Finance, Properties and Tenders Committee of its meeting of 21 October 2019 be received, with Item 6.1 being noted, the recommendations set out below for Items 6.2, 6.3 and 6.5 to 6.12 inclusive being adopted in globo, and Item 6.4 being dealt with as shown immediately following that item.

Carried unanimously.

**Item 6.1****Disclosures of Interest**

Councillor Christine Forster disclosed a significant non-pecuniary interest in Item 6.4 on the agenda, as she is employed as Senior Media Advisor in the Corporate Affairs Department of Woodside Energy, a major Australian oil and gas producer. Councillor Forster stated that she would not be voting on this item.

Councillor Linda Scott disclosed a less than significant, non-pecuniary interest in Item 6.3 on the agenda, in that, as President of Local Government NSW, she holds shares in Local Government Super.

Councillor Jess Miller disclosed a less than significant, non-pecuniary interest in Item 6.13 on the agenda, as an individual recommended for a Night Time Diversification Grant is a friend of hers.

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



The Corporate, Finance, Properties and Tenders Committee recommended the following:

**Item 6.2**

**Investments Held as at 31 August 2019**

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

Carried unanimously.

X020701

**Item 6.3**

**Presentation of the 2018/19 Financial Statements and Audit Reports to Council**

It is resolved that Council:

- (A) receive the Financial Statements for City of Sydney for the year ended 30 June 2019, as shown at Attachment A to the subject report;
- (B) authorise the Lord Mayor, Councillor Jess Scully (member – Audit, Risk and Compliance Committee), Chief Executive Officer, and the Chief Financial Officer to sign the General Purpose Financial Statements;
- (C) authorise the Lord Mayor, Councillor Jess Scully (member – Audit, Risk and Compliance Committee), Chief Executive Officer, and the Chief Financial Officer to sign the Special Purpose Financial Statements;
- (D) receive the auditor's reports on the 2018/19 Annual Financial Statements; and
- (E) authorise that notice be given, by newspaper advertisement, of public presentation of the audited 2018/19 Financial Statements for the City of Sydney at the Council meeting on 18 November 2019.

Carried unanimously.

**Speakers**

Ms Margaret Crawford, Auditor General, and Ms Caroline Karakatsanis, from the Audit Office of NSW, addressed the meeting of the Corporate, Finance, Properties and Tenders Committee on Item 6.3.

X025180

**Item 6.4****Review of the Investment Policy and Strategy for the Management of Councils Surplus Funds**

Moved by Councillor Scully, seconded by Councillor Scott –

It is resolved that Council adopt the revised Investment Policy and Investment Strategy for the management and investment of Council's surplus funds, as shown in Attachments A and B to the subject report.

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

It is resolved that Council:

- (A) adopt the revised Investment Policy and Investment Strategy for the management and investment of Council's surplus funds, as shown in Attachments A and B to the subject report;
- (B) note the findings of the 'Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry'; and
- (C) investigate incorporating stronger corporate and social protections into the next review of the City's Investment Policy.

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

X020701

**Item 6.5****Audit Risk and Compliance Committee Annual Report to Council 2018/19**

It is resolved that Council note the Audit Risk and Compliance Committee's 2018/19 Annual Report, as shown as Attachment A to the subject report.

Carried unanimously.

**Speaker**

Ms Elizabeth Crouch, Chair of the Audit Risk and Compliance Committee, addressed the meeting of the Corporate, Finance, Properties and Tenders Committee on Item 6.5.

S083523

## **Item 6.6**

### **Lease Approval - Campbell's Stores, Service Tunnel, Hickson Road, The Rocks**

It is resolved that:

- (A) Council note that the City has adopted a Divisional Procedure rather than a Policy for Leases Above and Below Roads;
- (B) having regard to (A) above, Council rescind the current policy for leases above and below roads in Attachment B to the subject report endorsed on 23 May 1983, 28 March 1994 and amended on 7 August 1995;
- (C) pursuant to Section 149 of the Roads Act 1993, Council approve the granting of a 99-year stratum lease to Place Management NSW for the proposed sub stratum below Hickson Road containing a service tunnel connecting with Campbells Stores at 7-27 Circular Quay West; and
- (D) authority be delegated to the Chief Executive Officer to undertake further negotiations as required to finalise the terms of the lease and to execute, administer and manage the stratum lease following execution.

Carried unanimously.

S094584.049

## **Item 6.7**

### **Tender - Reject and Negotiate - Work Based Child Care - Chippendale**

It is resolved that:

- (A) Council reject all the tender offers received for the provision of Work Based Child Care - Chippendale Child Care Centre for the reasons set out in the confidential Tender Evaluation Summary, Attachment A to the subject report;
- (B) Council does not invite fresh tenders, as it is considered that inviting fresh tenders would not attract additional suitable tenderers 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 tenderer following completion of the negotiations; and
- (E) Council be informed of the successful provider by CEO Update.

Carried unanimously.

X005298

**Item 6.8****Tender - Supply, Imaging and Delivery of Lenovo ThinkPad Carbon XI Laptops and Accessories**

It is resolved that:

- (A) Council accept the tender offer of Tenderer A for the supply, imaging and delivery of Lenovo ThinkPad Carbon X1 laptops and accessories, and removal of old equipment for the schedule of rates outlined in Confidential Attachment B, for a period of five years, with the option of two extensions of one year each if appropriate;
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender; and
- (C) authority be delegated to the Chief Executive Officer to exercise the options referred to in clause (A), if appropriate, and negotiate the price to extend the contract accordingly.

Carried unanimously.

X021537

**Item 6.9****Exemption from Tender - IT Maintenance and Support Contracts**

It is resolved that:

- (A) Council approve an exemption from tender for the provision of the maintenance and support of the software applications as listed in Attachment A to the subject report upon expiry of the current maintenance and support agreements, for a three-year period with an option of an extension of two years if appropriate, noting that because of extenuating circumstances, a satisfactory result would not be achieved by inviting tenders;
- (B) Council note the reasons why a satisfactory outcome would not be achieved by inviting tenders are:
  - (i) the existing suppliers are either the sole provider of the relevant maintenance and support, and a competitive tender is not possible; or
  - (ii) the existing suppliers were previously evaluated as best value for money from a competitive tender process, and a repeat tender process is unlikely to yield a different outcome;
- (C) Council enter into maintenance and support agreements with the suppliers as listed in Attachment A to the subject report, upon expiry of the current maintenance and support agreements, for annual renewal (if applicable) over a three-year period with the option of an extension for a two-year period if appropriate; and
- (D) authority be delegated to the Chief Executive Officer to negotiate, execute and administer (including exercising options if appropriate) the maintenance and support agreements with the relevant suppliers as listed in Attachment A to the subject report.

Carried unanimously.

S064539

**Item 6.10**

**Exemption from Tender - Management of Gunyama Park Aquatic and Recreation Centre**

It is resolved that:

- (A) Council approve an exemption from tender in accordance with section 55(3)(i) of the Local Government Act 1993, noting that, because of extenuating circumstances, a satisfactory result would not be achieved by inviting tenders to manage Gunyama Park Aquatic and Recreation Centre;
- (B) Council note the reasons why a satisfactory result would not be achieved by inviting tenders are:
  - (i) management of a "greenfield" site for a short term contract (less than three years) allows little time for an operator to have an impact on centre performance;
  - (ii) aligning the contract under one operator as a strategic cluster considers both the community benefits and the financial advantage achieved through economies of scale and integration of existing resource expertise and knowledge; and
  - (iii) Belgravia Leisure offers demonstrated value for money, as described in confidential Attachment A to the subject report;
- (C) Council enter into a contract with Belgravia Leisure commencing on 1 December 2019 for the management of Gunyama Park Aquatic and Recreation Centre for a 28-month contract for the amount set out in Confidential Attachment A to the subject report;
- (D) authority be delegated to the Chief Executive Officer to negotiate, execute and approve the terms of the contract of the management agreement with Belgravia Leisure, provided that the contract is consistent with this resolution; and
- (E) Council note the financial implications detailed in Confidential Attachment A to the subject report.

Carried unanimously.

S100639.011

**Item 6.11****Exemption from Tender - Provision and Installation of GSM Wireless Enabled Dual SIM Cards to All City Lifts**

It is resolved that:

- (A) Council approve an exemption from tender for the provision of the GSM wireless communication gateway provision, across all lifts located in buildings owned or operated by the City, noting that because of extenuating circumstances, a satisfactory result would not be achieved by inviting tenders;
- (B) Council note the reasons why a satisfactory outcome would not be achieved by inviting tenders are:
  - (i) the incumbent lift service provider has significant knowledge of the City's portfolio and the vertical transport equipment installed, and is therefore best placed to carry out these works as the NBN is rolled out;
  - (ii) multiple service contracts would be required if a tender was invited;
  - (iii) the likelihood of uncertainty of fault location during an emergency and / or maintenance call out would increase if a tender was invited (i.e. multiple contractors indicating the issue is with the other contractor's system / equipment);
  - (iv) compatibility of lift and Dual SIM provision is enhanced if the incumbent lift service provider is engaged; and
  - (v) as the industry recommended approach is preferred, requesting further quotations through a tender process is not likely to achieve any further value for money for the City;
- (C) Council approve the provision of the GSM wireless communication gateway provision, across all lifts located in buildings owned or operated by the City, under the existing Facility Management Agreement with Ventia Pty Ltd for the amount set out in Confidential Attachment A to the subject report; and
- (D) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the exemption from tender (including any variations to the Facility Management Agreement with Ventia Pty Ltd if necessary) for the provision of the GSM wireless communication gateway provision with the incumbent lift maintenance provider.

Carried unanimously.

S100529.006

**Item 6.12****Property Matter (Confidential)**

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

Carried unanimously.

X011294

## **Report of the Economic Development and Business Sub-Committee**

Moved by Councillor Kok, seconded by Councillor Scully –

That the report of the Economic Development and Business Sub-Committee of its meeting of 21 October 2019 be received, with the recommendation set out below for Item 6.13 being adopted.

Carried unanimously.

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

### **Item 6.13**

#### **Grants and Sponsorship - Round Two 2019/20 - Economic Grants**

It is resolved that:

- (A) Council approve the cash recommendations for the Business Support Live Music and Performance Grant Program as per Attachment A to the subject report;
- (B) Council note the applicants who were not successful in obtaining a cash grant for the Business Support Live Music and Performance Grant Program as per Attachment B to the subject report;
- (C) Council approve the cash recommendations for the Business Support - Night Time Diversification Grant Program as per Attachment C to the subject report;
- (D) Council note the applicants who were not successful in obtaining a cash grant for the Business Support - Night Time Diversification Grant Program as per Attachment D to the subject report;
- (E) Council note that all grants amounts are exclusive of GST; and
- (F) 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 Grants and Sponsorship Policy.

Carried unanimously.

S117676

**Item 7 Report of the Environment Committee**

PRESENT

The Lord Mayor Councillor Clover Moore

(Chair)

Councillor Jess Miller

(Deputy Chair)

Councillors Craig Chung, Christine Forster, Robert Kok, Prof Kerryn Phelps AM, Linda Scott, Prof Philip Thalys and Angela Vithoulkas.

At the commencement of business at 4.05pm those present were -

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

**Apologies**

Councillor Scully extended her apologies for her inability to attend the meeting of the Environment Committee.

Moved by Councillor Miller, seconded by Councillor Kok -

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

Carried unanimously.

The meeting of the Environment Committee concluded at 4.35pm.

**Report of the Environment Committee**

Moved by Councillor Miller, seconded by Councillor Scully –

That the report of the Environment Committee of its meeting of 21 October 2019 be received, with Item 7.1 being noted, the recommendations set out below for Items 7.2 to 7.4 inclusive being adopted in globo.

Carried unanimously.



## Item 7.1

### Disclosures of Interest

The Lord Mayor, Councillor Clover Moore, disclosed a less than significant, non-pecuniary interest in Item 7.3 on the agenda, in that a resident of a building recommended for an Environmental Performance – Ratings and Assessments Grant, is a friend.

Councillor Jess Miller disclosed a less than significant, non-pecuniary interest in Item 7.3 on the agenda, in that a resident of a building recommended for an Environmental Performance – Ratings and Assessments Grant, is a friend.

Councillor Robert Kok disclosed a less than significant, non-pecuniary interest in Item 7.3 on the agenda, in that a resident of a building recommended for an Environmental Performance – Ratings and Assessments Grant, is a friend.

Councillor Philip Thalys disclosed a less than significant, non-pecuniary interest in Item 7.3 on the agenda, in that a resident in one of the buildings recommended to receive a grant is a personal friend. Councillor Thalys stated that he had not been approached by this person in relation to this grant, and he was not aware of it until the committee papers were made available.

Councillor Angela Vithoukas disclosed a less than significant, non-pecuniary interest in Item 7.3 on the agenda, in that she lives in a building not recommended for a grant, but was unaware of the grant application until the committee papers were made available.

Councillor Linda Scott disclosed a less than significant, non-pecuniary interest in Item 7.3 on the agenda, as an organisation recommended for funding is affiliated with the Australian Labour Party. Councillor Scott stated that they have not spoken to her about this item.

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

The Environment Committee recommended the following:

## Item 7.2

### Sports Field Development Programme

It is resolved that:

- (A) Council note the content of this report;
- (B) Council approve the development of concept designs for multi-purpose synthetic fields at Crescent Park (Annandale), Turruwul Park (Rosebery) and Waterloo Oval (Waterloo) to use for consultation with sporting groups and the local community prior to implementation; and
- (C) a masterplan for Wentworth Park, Glebe is undertaken and used as a basis for discussion with the NSW Government and the community on how to best manage this important park.

Carried unanimously.

X006324

**Item 7.3****Grants and Sponsorship - Round Two 2019/20 - Environmental Grants**

It is resolved that:

- (A) Council approve the cash recommendations for the Environmental Performance - Building Operations Grant Program as per Attachment A to the subject report;
- (B) Council note the applicants who were not successful in obtaining a cash grant for the Environmental Performance - Building Operations Grant Program as per Attachment B to the subject report;
- (C) Council approve the cash recommendations for the Environmental Performance - Innovation Grant Program as per Attachment C to the subject report;
- (D) Council note the applicants who were not successful in obtaining a cash grant for the Environmental Performance - Innovation Grant Program as per Attachment D to the subject report;
- (E) Council approve the cash recommendations for the Environmental Performance - Ratings and Assessment Grant Program as per Attachment E to the subject report;
- (F) Council note the applicants who were not successful in obtaining a cash grant for the Environmental Performance - Ratings and Assessment Grant Program as per Attachment F to the subject report;
- (G) Council note that all grant amounts are exclusive of GST; and
- (H) authority be delegated to the Chief Executive Officer to negotiate, execute and administer agreements with any organisation approved for a grant or sponsorship under terms consistent with this resolution and the Grants and Sponsorship Policy.

Carried unanimously.

S117676

**Item 7.4****Knowledge Exchange Sponsorship - Build the Capacity of the Owners Corporation Network to Drive and Support Resilient Strata Communities**

It is resolved that:

- (A) Council approve a Knowledge Exchange cash sponsorship consisting of \$40,000 in year one, \$30,000 in year two and \$30,000 in year three (excluding GST) to the Owners Corporation Network Australia Ltd for their Capacity Building Project to support resilient strata communities; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer a sponsorship agreement with the Owners Corporation Network Australia Ltd for the Capacity Building Project.

Carried unanimously.

X026203

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

PRESENT

The Lord Mayor Councillor Clover Moore

(Chair)

Councillor Robert Kok / Councillor Linda Scott

(Deputy Chairs)

Councillors Craig Chung, Christine Forster, Jess Miller, Prof Kerryn Phelps AM, Prof Philip Thalís and Angela Vithoukás.

At the commencement of business at 4.36pm those present were -

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

**Apologies**

Councillor Scully extended her apologies for her inability to attend the meeting of the Cultural and Community Committee.

Moved by Councillor Kok, seconded by Councillor Miller -

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

Carried unanimously.

**Sub-Committees**

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

The Cultural and Creative Sub-Committee, with Councillor Kok as Deputy Chair, commenced at 4.39pm.

The Healthy Communities Sub-Committee, with Councillor Scott as Deputy Chair, commenced at 4.47pm.

The meeting of the Cultural and Community Committee and all its Sub-Committees concluded at 5.01pm.

## Item 8.1

### Disclosures of Interest

The Lord Mayor, Councillor Clover Moore, disclosed a less than significant, non-pecuniary interest in Item 8.2 on the agenda, in that a person involved with the Sydney Fringe Festival made a less than reportable donation to the Clover Moore Independent Team prior to the 2016 election.

Councillor Jess Miller disclosed a less than significant, non-pecuniary interest in Item 8.2 on the agenda, in that a person involved with one of the recommended recipients made a non-reportable donation to the Clover Moore Independent Team prior to the 2016 Local Government elections. Councillor Miller was not contacted by this person in relation to this grant.

Councillor Philip Thalys made the following disclosures:

- a less than significant, non-pecuniary interest in Item 8.2 on the agenda, in that a person involved with one of the recommended recipients made a non-reportable donation to the Clover Moore Independent Team prior to the 2016 Local Government elections. Councillor Thalys was not contacted by this person in relation to this grant.
- a less than significant, non-pecuniary interest in Item 8.2 on the agenda, specifically relating to the grant recommended to National Trust of Australia (NSW) as Councillor Thalys is a member. Councillor Thalys has not been contacted about this grant and was not aware of it until committee papers became available.

Councillor Phelps disclosed a less than significant, non-pecuniary interest in Item 8.2 on the agenda, as a person involved with one of the recommended recipients made a non-reportable donation to the Clover Moore Independent Team prior to the 2016 Local Government Elections. Councillor Phelps was not aware of this donation.

Councillor Kok disclosed a less than significant, non-pecuniary interest in Item 8.2 on the agenda, in that a person involved with one of the recommended recipients made a non-reportable donation to the Clover Moore Independent Team prior to the 2016 Local Government elections. Councillor Kok was not contacted by this person in relation to this grant.

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.

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

Moved by Councillor Kok, seconded by Councillor Scully –

That the report of the Cultural and Creative Sub-Committee of its meeting of 21 October 2019 be received, with Item 8.1 being noted, and the recommendation set out below for Item 8.2 being adopted.

Carried unanimously.

The Cultural and Creative Sub-Committee recommended the following:

**Item 8.2**

**Grants and Sponsorship - Round Two 2019/20 - Cultural Grants - Festivals and Events Sponsorships (Artform)**

It is resolved that:

- (A) Council approve the cash and value-in-kind recommendations for the Festivals and Events Sponsorship (Artform) Program as per Attachment A to the subject report;
- (B) Council note the applicants who were not successful in obtaining a cash or value-in-kind grant for the Festivals and Events Sponsorship (Artform) Program as per Attachment B to the subject report;
- (C) Council note that all grant amounts are exclusive of GST and all value-in-kind offered is subject to availability;
- (D) noting that the Sydney Fringe Festival does not receive core funding from the NSW Government, Council request the Lord Mayor write to the Minister for the Arts and other relevant bodies urgently requesting this be addressed; and
- (E) authority be delegated to the Chief Executive Officer to negotiate, execute and administer agreements with any organisation approved for a grant or sponsorship under terms consistent with this resolution and the Grants and Sponsorship Policy.

Carried unanimously.

**Speakers**

Mr Chris Tooher addressed the meeting of the Cultural and Community Committee (Cultural and Creative Sub-Committee) on Item 8.2.

S117676

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

Moved by Councillor Scott, seconded by Councillor Miller -

That the report of the Healthy Communities Sub-Committee of its meeting of 21 October 2019 be received, with the recommendations set out below for Items 8.3 to 8.7 inclusive being adopted in globo.

Carried unanimously.

The Healthy Communities Sub-Committee recommended the following:

### **Item 8.3**

#### **Grants and Sponsorship - Round Two 2019/20 - Social Grants - Festival and Events Sponsorship (Village and Community) and Matching Grants**

It is resolved that:

- (A) Council approve the cash and value-in-kind recommendations for the Festivals and Events Sponsorship (Village and Community) Program as per Attachment A to the subject report;
- (B) Council note that consideration of the grant to the ANZAC Day Dawn Service Trust Incorporated has been deferred, as per Attachment B to the subject report, while the City of Sydney, Department of Premier and Cabinet, Department of Veterans Affairs, NSW Police and the Returned and Services League negotiate ANZAC Day activities and arrangements, with a separate report to come to Council once negotiations have been finalised;
- (C) Council note the applicants who were not successful in obtaining a cash or value-in-kind grant for the Festivals and Events Sponsorship (Village and Community) Program as per Attachment C to the subject report;
- (D) Council approve the cash and value-in-kind recommendations for the Matching Grant Program as per Attachment D to the subject report;
- (E) Council note the applicants who were not successful in obtaining a cash or value in kind grant for the Matching Grants Program as per Attachment E to the subject report;
- (F) Council note that all grant amounts are exclusive of GST and all value-in-kind offered is subject to availability; and
- (G) authority be delegated to the Chief Executive Officer to negotiate, execute and administer agreements with any organisation approved for a grant or sponsorship under terms consistent with this resolution and the Grants and Sponsorship Policy.

Carried unanimously.

S117676

## **Item 8.4**

### **Grants and Sponsorship - Australian Paralympic Team 2020**

It is resolved that:

- (A) Council approve a \$60,000 (excluding GST) cash sponsorship to Paralympics Australia for the Australian Paralympic Team for the 2020 Paralympic Games; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer a sponsorship agreement with Paralympics Australia.

Carried unanimously.

### **Speakers**

Ms Shontayne Ward addressed the meeting of the Cultural and Community Committee (Healthy Communities Sub-Committee) on Item 8.4.

X025452

## **Item 8.5**

### **Ad Hoc Grant - Tribal Warrior Sydney to Hobart Sponsorship**

It is resolved that:

- (A) Council approve a cash sponsorship of \$25,000 (excluding GST) to Tribal Warrior Aboriginal Corporation to participate in the 2019 Sydney to Hobart Yacht Race, to be funded from the 2019/20 General Contingency budget; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer a sponsorship agreement with Tribal Warrior Aboriginal Corporation.

Carried unanimously.

### **Speakers**

Mr Shane Phillips and Mr Wayne Jones addressed the meeting of the Cultural and Community Committee (Healthy Communities Sub-Committee) on Item 8.5.

2019/473982

**Item 8.6****Post Exhibition - Inclusive and Accessible Public Domain Policy and Guidelines**

It is resolved that:

- (A) Council note the submissions and feedback received through the public exhibition process shown at Attachment E to the subject report;
- (B) Council approve the Inclusive and Accessible Public Domain Policy shown at Attachment A to the subject report, Inclusive and Accessible Public Domain Guidelines shown at Attachment B to the subject report, and Inclusive and Accessible Event Guidelines shown at Attachment C to the subject report, incorporating amendments shown at Attachment D to the subject report for adoption;
- (C) Council approve the incorporation of content from the Inclusive and Accessible Public Domain Guidelines shown at Attachment B to the subject report into relevant City of Sydney Public Domain Design Codes as appropriate;
- (D) people and organisations who made submissions (refer to Attachment E to the subject report) be notified of the adoption of the Inclusive and Accessible Public Domain Policy and Guidelines; and
- (E) authority be delegated to the Chief Executive Officer to make and approve minor housekeeping and editorial amendments to the adopted Inclusive and Accessible Public Domain Policy, Inclusive and Accessible Public Domain Guidelines and Inclusive and Accessible Event Guidelines, as may be required, including when relevant Australian Standards are amended or new standards developed.

Carried unanimously.

X023841.005

**Item 8.7****Post Exhibition - Markets Policy**

It is resolved that:

- (A) Council adopt the draft Markets Policy as shown at Attachment A to the subject report; and
- (B) authority be delegated to the Chief Executive Officer to make and approve minor housekeeping and editorial amendments to the adopted Markets Policy, as may be required from time to time.

Carried unanimously.

S077647



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

PRESENT

The Lord Mayor Councillor Clover Moore

(Chair)

Councillor Prof Philip Thalís

(Deputy Chair)

Councillors Craig Chung, Christine Forster, Robert Kok, Jess Miller, Prof Kerryn Phelps AM, Linda Scott and Angela Vithoukás.

At the commencement of business at 5.01pm those present were -

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

**Apologies**

Councillor Scully extended her apologies for her inability to attend the meeting of the Transport, Heritage and Planning Committee.

Moved by Councillor Thalís, seconded by Councillor Kok -

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

Carried unanimously.

The meeting of the Transport, Heritage and Planning Committee concluded at 5.03pm.

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

Moved by Councillor Thalís, seconded by Councillor Kok –

That the report of the Transport, Heritage and Planning Committee of its meeting of 21 October 2019 be received, with Item 9.1 being noted, and the recommendation set out below for Item 9.3 being adopted.

Carried unanimously.

## **Item 9.1**

### **Disclosures of Interest**

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

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

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

## **Item 9.2**

### **Delegation to the City of Sydney under the NSW Heritage Act 1977**

Note – Item 9.2 was withdrawn from the agenda of the Transport, Heritage and Planning Committee.

The Transport, Heritage and Planning Committee recommended the following:

## **Item 9.3**

### **Fire Safety Reports**

It is resolved that Council:

- (A) note the contents of the Fire Safety Report Summary Sheet, as shown at Attachment A to the subject report;
- (B) note the inspection reports by Fire and Rescue NSW, as shown at Attachments B to F of the subject report;
- (C) exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order on the owners of 1 Kings Cross Road, Darlinghurst, as detailed in Attachment B to the subject report;
- (D) exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order on the owners of 1 Macquarie Place, Sydney, as detailed in Attachment C to the subject report;
- (E) exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order on the owners of 31 Market Street, Sydney, as detailed in Attachment D to the subject report;
- (F) exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order on the owners of 44-62 Castlereagh Street, Sydney, as detailed in Attachment E to the subject report;
- (G) exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order on the owners of 96-118 Gloucester Street, The Rocks, as detailed in Attachment F to the subject report;

- (H) exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order as recommended by the City's Investigation Officer to address the identified fire safety deficiencies in 76-78 Liverpool Street Sydney, as detailed in Attachment G to the subject report.

Carried unanimously.

S105001.002

**Item 10 Questions on Notice****Timeline Wilson Street, Newtown Cycleway Construction**

1. By Councillor Phelps

**Question**

Construction began in May 2019 on the Wilson Street, Newtown Cycleway. The project is expected to be completed in multiple sections.

Could the Chief Executive Office please provide:

1. The timeline and estimated completion date of each section of construction of the cycleway.
2. City correspondence to residents regarding notification of the timelines for construction.
3. The plans, if any, to remove the telegraph pole at Wilson and Golden Grove Streets, which currently sits in the middle of the cycleway and is a serious hazard to cyclists using the cycleway.

S129272

**Answer by the Chief Executive Officer**

1. The first section of the new cycleway along Wilson Street between Ivy Street and Codrington Street opened on 11 October 2019. Between Codrington Street and Golden Grove Street works are largely complete, barriers have been removed and parking was reinstated on 19 September 2019. Works between Golden Grove Street and Burren Street are scheduled to be completed and the cycleway along Wilson Street opened for use by the end of 2019. The final stage of the project is scheduled to be complete in March 2020. It includes the cycleway along Burren Street, shared path works in Leamington Lane and a cycle lane in Pine Street.
2. The City sent 3850 notification letters to residents prior to the construction start in May 2019. In addition to this City correspondence, Ford Civil has distributed at least 20 separate notification letters to thousands of residents within a 50-400m radius, providing information about specific construction dates and activities and related changes to local traffic arrangements.
3. This pole is to be removed as part of the works, noting that this section of the cycleway is not yet open.

## **Johnstons Creek Naturalisation Project**

2. By Councillor Scott

### **Question**

1. Request an update on the Johnstons Creek naturalisation project; a joint project between the City of Sydney and Sydney Water. Initial due date was early 2019 so this project is now behind schedule.
2. In addition how does this link with City's floodplain management plan for this area?

S129275

### **Answer by the Chief Executive Officer**

This project is being funded and managed by Sydney Water. A CEO update in March 2018 advised Council works were due to commence in January 2019. The commencement day is now January 2020. The City has been advised that changes in the schedule relate to Sydney Water's budgetary approval processes.

Johnstons Creek naturalisation project involves replacing the concrete walls with natural banks enhancing the natural environment around the lower section of the canal area. This project has neutral effects on the City's floodplain management plan of the area.

## **Castlereagh Street Cycleway**

3. By Councillor Forster

### **Question**

Last month it was reported in the media that the City of Sydney was considering a new separated cycle path along the northern end of Castlereagh Street which could be built if Transport for NSW (TfNSW) re-routes buses to Elizabeth Street as part of an overhaul of the network due to the start of light rail services in December.

1. What discussions has the City of Sydney had with TfNSW with regard to the potential cycle path along Castlereagh Street between Liverpool Street and King Street?
2. When will further information about this potential project become available to the public?
3. When will affected businesses along the route be notified of any proposed plans?

S129269

### **Answer by the Chief Executive Officer**

City staff have had one initial meeting with Transport for NSW on 16 October 2019, to explore what changes can be made to the Roads and Maritime Services (RMS) 2013 design for the Castlereagh Street cycleway, to address issues raised in the previous community consultation.

When the City has better clarity on state government project requirements, we will start contacting key businesses and stakeholders, possibly in the next month, to gather information about their use of the street.

The City will commence broad consultation with businesses and stakeholders along the route once we have developed a new concept design, likely in the first quarter of 2020.

## City of Sydney Information Kiosks

4. By Councillor Forster

### Question

According to the City of Sydney website there are three information kiosks located around the local government area as well as a Visitor Information Centre located in The Rocks. Outside the RBA building in Martin Place there is an information kiosk that has been closed for a significant period of time.

1. Are there any plans to add to or subtract the number of kiosks, if so, in what locations?
2. Are there any plans to reopen the Martin Place information kiosk?

S129269

### Answer by the Chief Executive Officer

The Rocks Visitor Information Centre is operated by a private commercial company, iConcierge, which is an Australian owned and operated company providing Tours and Attractions and local information in cities and regions.

The City operates two visitor information kiosks (Haymarket and Kings Cross), plus visitor services from Customs House.

We have 240 roaming ambassadors providing services to the visitor economy and Visitor Services staff who manage the kiosks, visitor enquiries and oversee operations and management of the team and pool of volunteers. We are on a continuous recruitment drive for volunteer ambassadors.

There are no plans to add any further kiosks to the City's offering of visitor information services. The City's focus is on increasing the 'Roaming Ambassador' program, to ensure we provide services in key areas where the visitors are located rather than at fixed kiosks.

The kiosk at Martin Place was not located in a high visitor foot traffic location. There are no plans to re-open this kiosk.

## Public Art Advisory Panel

5. By Councillor Chung

### Question

1. Can you confirm media reports in August 2019 that the Public Art Advisory Panel refused a nomination for a statue of three-time NSW Premier Sir James Martin KCB QC to be placed in Martin Place?
2. If so, why did the Public Art Advisory Panel reject the nomination when it is clear that Sir James Martin was a historically notable figure, three-time Premier of NSW, Attorney General and Chief Justice of NSW and significant figure in the history of Sydney?
3. Can you confirm the accuracy of the media report which states that the Lord Mayor overruled the Public Art Advisory Panel with an extract from Lord Mayoral correspondence "I have reconsidered your proposal and will agree to your request"?
4. Does the Lord Mayor have delegated power to overrule the Public Art Advisory Panel?

5. Who has delegated power to approve public art in Sydney?
6. When is the Public Art Policy due for review?
7. What criteria determine whether public art is approved under delegation or directly by Council?

S129268

### **Answer by the Chief Executive Officer**

While the Public Art Advisory Panel acknowledged the Lysicrates Foundation's work in introducing concepts of democracy to youth today and commended its work in supporting young playwrights, the Panel did not support the artwork.

The Panel made the following comments:

- Martin Place, one of Sydney's most iconic places, is already identified as such in recognition of Sir James Martin's life;
- The Sydney Cenotaph and Martin Place Reflection memorial resist the notion of a hierarchy of individuals in one of Sydney's most significant public places;

The proposal contradicts the City North Public Domain Plan endorsed by Council in December 2015, which aims to refine the presentation of Martin Place by reducing the number of elements within it; and

The proposal contradicts the City of Sydney's Public Art Acquisitions and Deaccessions Guidelines through: not being a contemporary and high quality artwork; through the direct appointment of an artist; and the lack of oversight by the City and the Public Art Advisory Panel.

As per the Terms of Reference approved by Council in September 2019 the Public Art Advisory Panel is an Advisory Panel only, and has no delegation of power of functions. The reports are therefore inaccurate, the panel has no power to make rulings and therefore cannot be overruled. Furthermore, the Statue of Sir James Martin has been submitted under a Crown Development Application and as such, the City has no authority to refuse the application.

The Lord Mayor has historically highly valued the independent expert advice of the Panel. In this case, she chose to publicly support the installation following written and public advocacy from the Treasurer, and due to the small and unobtrusive nature of the statue.

As per the City's Public Art Acquisition and Deaccession Guidelines, the Public Art Advisory Panel provides the City with independent expert advice on public art. Artworks at the concept design stage are assessed by the Public Art Advisory Panel who makes a recommendation regarding the suitability of the artwork for the City's collection. Depending on the work, the recommendation will be passed to the CEO, and where necessary Council, for approval. Public art is subject to all necessary planning approvals.

The City's Public Art Policy will be reviewed in 2021.

All Public Art commissioned by the City of Sydney is delivered in accordance with the City Art Public Art Strategy approved by Council in 2011 and in accordance with the delegations for procurement of all products and services by Council. Public Art delivered by others is subject to the any necessary planning approvals and these are reported to Council as per the delegations for planning approvals.

## Climate Strike

6. By Councillor Chung

### Question

On 20 September 2019, City of Sydney staff were invited by Council to participate in the Global Climate Strike. Can the Chief Executive Officer please advise:

1. How many staff attended the Global Climate Strike Rally?
2. How many staff attended the Global Climate Strike Rally during work hours?
3. How many staff took personal leave, annual leave or any other type of leave to attend the Global Climate Strike?
4. What assistance and resources did the City of Sydney provide for the Global Climate Strike rally including but not limited to facilities, event cleaning, promotion, staffing, advice, access and parking?

S129268

### Answer by the Chief Executive Officer

In accordance with the resolution of Council of 19 August 2019, the City supported staff who wished to attend the rally through access to flexible working arrangements and other forms of leave.

As these arrangements were managed locally within business units, and staff taking a leave are not required to provide the specific reason for their leave, we do not have data on how many staff attended the Climate Strike, whether within or outside work hours.

Also in accordance with the resolution of Council, the Climate Strike was promoted on the City's media and engagement channels including:

- City of Sydney News digest on 17 September 2019 (Environment section): <https://cityofsydneynews.createsend1.com/t/ViewEmail/j/64DEDC912CB2DF092540EF23F30FEDED>
- What's On email on 19 September 2019: <https://cityofsydney.createsend.com/campaigns/reports/viewCampaign.aspx?d=i&c=F72E89742D312C03&ID=F50319B3CD5F78102540EF23F30FEDED&temp=False&tx=0>
- What's On webpage: <https://whatson.cityofsydney.nsw.gov.au/events/global-climate-strike>
- Instagram post on the day of the event: <https://www.instagram.com/p/B2ng-xxJC5S/>
- LinkedIn post on the day of the event

The Global Climate Change Strike was held in the Domain which is managed by the Royal Botanic Gardens and Domain Trust (Botanic Gardens and Centennial Parklands). The City's Cleansing and Waste and Security Management staff were not required to assist with any clean-up or security matters. Streets adjacent to the Domain were cleaned as part of usual duties after the rally.



## Sister Cities

7. By Councillor Chung

### Question

Sydney has six Sister Cities around the world that according to the agreements signed share significant historical, cultural, social or geographic similarities with Sydney.

For each Sister City/Friendship City relationship:

1. Could the Chief Executive Officer please provide a line-by-line breakdown of cost associated with each City of Sydney Sister/Friendship relationships over the past five years?
2. How many City of Sydney staff are responsible for managing each Sister City relationships and coordinating events with Sister Cities? What are the duties for each of the staff? What percentage of each staff member's time is allocated to each Sister City relationship?
3. What City of Sydney resources are allocated to Sister/Friendship City agreements including use of facilities, catering and access to buildings and meeting space?
4. Since 2004, which Councillors have been invited or attended meetings associated with Sister/Friendship city relationships including with locally based people, Council staff and/or overseas delegations? Please detail by each meeting invited or attended?
5. Since 2004, please detail any visits from or to Sister/Friendship cities by staff, volunteers and or Councillors. Please include names, dates, purpose of visits, source of funding (whether City of Sydney or otherwise), outcomes of visits and any other information pertaining to visits?
6. What time, resources and funding will be allocated to Sister/Friendship city relationships in 2019/20, 2020/21, 2021/22?

S129268

### Answer by the Chief Executive Officer

Each of the City's Sister City and Friendship Agreements were signed by the incumbent Lord Mayors beginning in 1968. We currently have six Sister and six Friendship City relationships. The City allocates \$30,000 per annum to support these and other international relationships. The funding is approved by, and within, Council's annual budget.

Support for Sister and Friendship City relationships is provided by many different staff within the organisation depending on the support required. The City's Protocol and International Engagement teams provide assistance but also have other responsibilities. Both teams host international delegations visiting Sydney, with Protocol also managing the City's Citizenship Ceremonies, Civic receptions and other functions. The International Engagement team also curates thought leadership and capacity building programs to:

- attract business, events, students and tourists to Sydney
- foster connections between local and foreign businesses

- organise investment showcases that promote the city and its economy
- build skills and facilitate knowledge exchange
- provide business grants throughout the year.

The City does not record the allocation of staff time to particular tasks. Accordingly, it is not possible to provide a breakdown of the percentage of staff time allocated to Sister City relationships, individually or as a group.

Meeting spaces and secretariat assistance are provided for the active community committees of two Sister Cities, Nagoya and Portsmouth, who currently meet four times each per year.

Visits to our Sister or Friendship Cities are reported in the Annual Report which is available on the City's website. Additionally, international travel by Councillors is approved by Council with the Councillor reporting back to Council after the visit. These are also publicly available on the City's website.

Future allocations of resources and funding will be reported to Council for endorsement as part of future year's annual budgets.

## **Electoral Roll Progress Update**

8. By Councillor Phelps

### **Question**

Could the Chief Executive Officer please provide an update regarding the City's formation of a full electoral roll for the 2020 Council Election including: the stage of completion, level of business enrolment and the expected date of completion.

S129272

### **Answer by the Chief Executive Officer**

The NSW Electoral Commission is responsible for preparing the City's electoral roll, which comprises the residential and non-residential rolls.

The City of Sydney residential roll is maintained in a complete form on an on-going basis by the NSW Electoral Commission.

The City maintains the non-residential register which is used to generate draft non-residential rolls for verification by the NSW Electoral Commission. Councillors agreed unanimously, through their endorsement of the Non-Residential Register Methodology and Plan 2017-2020, to receive bi-annual updates on the status of the non-residential register via CEO Update. The most recent was in the CEO Update of 24 May 2019 and the next update will be in November 2019. In addition, Councillors received an update on the non-residential register engagement activities leading up to the 2020 election in the CEO Update of 23 August 2019.

The electoral roll for the 2020 Council election will be completed by the NSW Electoral Commission shortly after close of rolls, which is 3 August 2020.

**Item 11      Supplementary Answers to Previous Questions**

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

## Item 12 Notices of Motion

### Item 12.1 Zero Litter to Ocean

By Councillor Chung

It is resolved that:

- (A) Council note:
- (i) each year, at least eight million tonnes of plastics flow into the ocean - which is equivalent to dumping the contents of one garbage truck into the ocean every minute. If no action is taken, this is expected to increase to two per minute by 2030 and four per minute by 2050;
  - (ii) eighty per cent of plastic pollution in our ocean comes from land-based sources flowing through drains to our waterways and oceans via stormwater runoff. Urban stormwater runoff often also contains harmful levels of other less visible (but extremely damaging) pollutants, such as suspended solids, heavy metals, nutrients and bacteria;
  - (iii) the City of Sydney currently has 50 gross pollutant traps that collect approximately 150 tonnes of litter annually and has set targets to reduce solid pollution by 50 per cent on 2006 levels; and
  - (iv) the degradation of our local waterways and oceans is a risk to public health and has a direct impact to our economy, with the ban on commercial fishing and cautions around consumption of fish products from Sydney Harbour due to pollution as just one current example;
- (B) Council endorse a 'Zero Litter to Ocean' target across the entire local government area by 30 June 2030; and
- (C) the Chief Executive Officer be requested to consult with Stormwater NSW, industry and environmental groups and prepare a report to be brought back to Council, prior to the 2020/21 budget process, to demonstrate the best alternatives for how this target can be achieved, including timeframes and budgets.

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

Moved by Councillor Chung, seconded by Councillor Forster –

It is resolved that:

- (A) Council note:
- (i) each year, at least eight million tonnes of plastics flow into the ocean - which is equivalent to dumping the contents of one garbage truck into the ocean every minute. If no action is taken, this is expected to increase to two per minute by 2030 and four per minute by 2050;

- (ii) eighty per cent of plastic pollution in our ocean comes from land-based sources flowing through drains to our waterways and oceans via stormwater runoff. Urban stormwater runoff often also contains harmful levels of other less visible (but extremely damaging) pollutants, such as suspended solids, heavy metals, nutrients and bacteria;
  - (iii) the City of Sydney currently has 50 gross pollutant traps that collect approximately 150 tonnes of litter annually and has set targets to reduce solid pollution by 50 per cent on 2006 levels; and
  - (iv) the degradation of our local waterways and oceans is a risk to public health and has a direct impact to our economy, with the ban on commercial fishing and cautions around consumption of fish products from Sydney Harbour due to pollution as just one current example;
- (B) Council endorses a 'Zero Litter to Ocean' target across the entire local government area by 30 June 2030;
- (C) the 'Zero Litter to Ocean' target be included in the 2021-2026 Environmental Action Plan; and
- (D) the Chief Executive Officer be requested to consult with Stormwater NSW, industry and environmental groups and prepare a report to be brought back to Council, prior to the 2020/21 budget process, to demonstrate the best alternatives for how this target can be achieved, including timeframes and budgets.

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

It is resolved that:

- (A) Council note:
- (i) each year, at least eight million tonnes of plastics flow into the ocean - which is equivalent to dumping the contents of one garbage truck into the ocean every minute. If no action is taken, this is expected to increase to two per minute by 2030 and four per minute by 2050;
  - (ii) eighty per cent of plastic pollution in our ocean comes from land-based sources flowing through drains to our waterways and oceans via stormwater runoff. Urban stormwater runoff often also contains harmful levels of other less visible (but extremely damaging) pollutants, such as suspended solids, heavy metals, nutrients and bacteria;
  - (iii) the City of Sydney currently has 50 gross pollutant traps that collect approximately 150 tonnes of litter annually and has set targets to reduce solid pollution by 50 per cent on 2006 levels;
  - (iv) the degradation of our local waterways and oceans is a risk to public health and has a direct impact to our economy, with the ban on commercial fishing and cautions around consumption of fish products from Sydney Harbour due to pollution as just one current example;
  - (v) that addressing the problem of plastic pollution requires a whole of system approach which minimises the production of plastic, and moves towards eliminating single-use plastics; and

- (vi) that in June 2019, over 50 leading companies joined the City in pledging to dramatically reduce plastics across their businesses. The City has taken a platinum pledge, committing to phasing out seven single-use items in its buildings, at its own venues, and at events within our local government area;
- (B) Council investigate a 'Zero Litter to Ocean' target across the entire local government area by 30 June 2030 as part of the next Environmental Strategy and Action Plan; and
- (C) the Chief Executive Officer be requested to consult with Stormwater NSW, industry and environmental groups and prepare a report that demonstrates the best alternatives for how this target can be achieved, including timeframes and budgets, as part of the next Environmental Strategy and Action Plan.

Variation. At the request of Councillor Chung, and by consent, the motion was again varied, to substitute the words "strongly supports" for the word "investigate" in clause (B), such that the motion read as follows –

It is resolved that:

- (A) Council note:
  - (i) each year, at least eight million tonnes of plastics flow into the ocean - which is equivalent to dumping the contents of one garbage truck into the ocean every minute. If no action is taken, this is expected to increase to two per minute by 2030 and four per minute by 2050;
  - (ii) eighty per cent of plastic pollution in our ocean comes from land-based sources flowing through drains to our waterways and oceans via stormwater runoff. Urban stormwater runoff often also contains harmful levels of other less visible (but extremely damaging) pollutants, such as suspended solids, heavy metals, nutrients and bacteria;
  - (iii) the City of Sydney currently has 50 gross pollutant traps that collect approximately 150 tonnes of litter annually and has set targets to reduce solid pollution by 50 per cent on 2006 levels;
  - (iv) the degradation of our local waterways and oceans is a risk to public health and has a direct impact to our economy, with the ban on commercial fishing and cautions around consumption of fish products from Sydney Harbour due to pollution as just one current example;
  - (v) that addressing the problem of plastic pollution requires a whole of system approach which minimises the production of plastic, and moves towards eliminating single-use plastics; and
  - (vi) that in June 2019, over 50 leading companies joined the City in pledging to dramatically reduce plastics across their businesses. The City has taken a platinum pledge, committing to phasing out seven single-use items in its buildings, at its own venues, and at events within our local government area;

- (B) Council strongly supports a 'Zero Litter to Ocean' target across the entire local government area by 30 June 2030 as part of the next Environmental Strategy and Action Plan; and
- (C) the Chief Executive Officer be requested to consult with Stormwater NSW, industry and environmental groups and prepare a report that demonstrates the best alternatives for how this target can be achieved, including timeframes and budgets, as part of the next Environmental Strategy and Action Plan.

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

S129259

## Item 12.2 Rainbow Crossing - Wilson Street, Newtown

By Councillor Scott

It is resolved that:

(A) Council note:

- (i) the success of the Rainbow Crossing at Taylor Square in Surry Hills installed before last year's Mardi Gras Parade;
- (ii) the importance of celebrating our great city's diversity and recognising the reality of LGBTIQ struggle in Sydney's history through public art; and
- (iii) community support for a rainbow crossing on Wilson Street to Hollis Park - which has been expressed in a petition to the City of Sydney; and

(B) the Chief Executive Officer be requested to:

- (i) prepare a report on the feasibility of a new rainbow crossing to be located on Wilson Street across from Hollis Park; and
- (ii) incorporate the rainbow crossing into the upgraded plan for the Wilson Street cycleway, should this project be feasible.

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

Moved by Councillor Scott, seconded by Councillor Scully –

It is resolved that:

(A) Council note:

- (i) the success of the Rainbow Crossing at Taylor Square in Surry Hills installed before last year's Mardi Gras Parade;
- (ii) the importance of celebrating our great city's diversity and recognising the reality of LGBTIQ struggle in Sydney's history through public art;
- (iii) community support for a rainbow crossing on Wilson Street to Hollis Park - which has been expressed in a petition to the City of Sydney;
- (iv) that approval from Roads and Maritime Services will be required to install a rainbow crossing;
- (v) that Councillor Thalys wrote to the Hon. Andrew Constance, Minister for Transport and Roads on 8 October 2019 seeking his support for a rainbow crossing in Newtown; and
- (vi) that City staff have written to Roads and Maritime Services seeking their approval for a rainbow crossing at Newtown; and



(B) the Chief Executive Officer be requested to:

- (i) prepare a report on the feasibility of a new rainbow crossing to be located on Wilson Street across from Hollis Park; and
- (ii) incorporate the rainbow crossing into the upgraded plan for the Wilson Street cycleway, should this project be feasible.

Carried unanimously.

S129266

### **Adjournment**

At this stage of the meeting, at 6.29pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Thalís –

That the meeting be adjourned for approximately 15 minutes.

Carried unanimously.

At the resumption of the meeting of Council, at 6.49pm, those present were –

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

Councillor Scully returned to the meeting of Council at 6.50pm during discussion and before the vote on Item 12.7, which was brought forward.

### **Procedural Motion**

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

That the Order of Business be altered such that Item 12.7 be brought forward and dealt with before Item 12.3.

Carried unanimously.

### Item 12.3 Boyce Street Median Strip Cancellation

Moved by Councillor Phelps, seconded by Councillor Vithoukias -

It is resolved that:

(A) Council note:

- (i) a 2019 Australian study entitled 'Association of Urban Green Space with Mental Health and General Health Among Adults in Australia' by Thomas Astell-Burt PHD and Xiaoqi Feng PhD has found that urban communities with a healthy amount of tree cover - not just grass and green space - were psychologically healthier than those that didn't;
- (ii) in neighbourhoods with a tree canopy of 30 per cent or more, adults had 31 per cent lower odds of developing psychological distress, and 33 per cent lower odds of rating their general health as "fair" or "poor" over six years. Urban green spaces with open grass rather than a tree canopy did not deliver the same benefits;
- (iii) the City has plans to increase its total canopy cover from 15.5 per cent to 23.5 per cent by 2030 and to 27.3 per cent by 2050;
- (iv) the City of Sydney's Urban Forest Strategy found Glebe already has 21 to 25 per cent canopy cover, the second highest level after Centennial Park;
- (v) the City has proposed installing a two-metre-wide, planted median strip down the centre of Boyce Street between Bell Street and Glen Lane, to "increase tree canopy in the street as well as increasing safety by reducing vehicle speeds";
- (vi) the residents of Boyce Street, along with Glebe Police, have expressed concerns and object to the building of this median strip due to issues including but not limited to:
  - (a) increased safety issues and delays for residents who live and park on Boyce Street;
  - (b) increased likelihood of damage to parked cars by trucks and wide vehicles, given the maximum of three metres drivable space, and removalist truck requirements of 2.5 metres; and
  - (c) impact on accessibility for emergency vehicles;
- (vii) the petition by the residents of Boyce Street in objection to the proposed median strip tabled at the 9 September 2019 Council meeting; and
- (viii) the matter has been deferred until the City comes up with a viable solution for Boyce Street that meets residents' concerns; and

(B) the Chief Executive Officer be requested to:

- (i) continue to look for opportunities to increase tree canopy in the City of Sydney local government area in consultation with the local communities directly affected;
- (ii) confirm the permanent cancellation of the planned median strip on Boyce Street, Glebe; and
- (iii) ensure any future plans regarding a median strip or other traffic calming and beautification measures in Boyce Street, Glebe, involve prior consultation with residents of the affected street.

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

(A) Council note:

- (i) a 2019 Australian study entitled 'Association of Urban Green Space with Mental Health and General Health Among Adults in Australia' by Thomas Astell-Burt PHD and Xiaoqi Feng PhD has found that urban communities with a healthy amount of tree cover - not just grass and green space - were psychologically healthier than those that didn't;
- (ii) in neighbourhoods with a tree canopy of 30 per cent or more, adults had 31 per cent lower odds of developing psychological distress, and 33 per cent lower odds of rating their general health as "fair" or "poor" over six years. Urban green spaces with open grass rather than a tree canopy did not deliver the same benefits;
- (iii) the City has plans to increase its total canopy cover from 15.5 per cent to 23.5 per cent by 2030 and to 27.3 per cent by 2050;
- (iv) the City of Sydney's Urban Forest Strategy found Glebe already has 21 to 25 per cent canopy cover, the second highest level after Centennial Park;
- (v) the City has proposed installing a two-metre-wide, planted median strip down the centre of Boyce Street between Bell Street and Glen Lane, to "increase tree canopy in the street as well as increasing safety by reducing vehicle speeds";
- (vi) the residents of Boyce Street, along with Glebe Police, have expressed concerns and object to the building of this median strip due to issues including but not limited to:
  - (a) increased safety issues and delays for residents who live and park on Boyce Street;
  - (a) increased likelihood of damage to parked cars by trucks and wide vehicles, given the maximum of three metres drivable space, and removalist truck requirements of 2.5 metres; and
  - (b) impact on accessibility for emergency vehicles;
- (vii) the petition by the residents of Boyce Street in objection to the proposed median strip tabled at the 9 September 2019 Council meeting;
- (viii) in response to residents' concerns, City of Sydney staff revised the design of the median strip;

- (ix) the Lord Mayor met with Boyce Street residents on 23 October 2019 and agreed to write to the Commissioner for Fire and Rescue, and Superintendent Stathis Zone Commander;
- (x) City of Sydney staff will investigate whether tree canopy can be increased in Boyce Street; and
- (xi) City of Sydney staff will investigate Canada Bay Council's use of white asphalt to reduce the urban heat island effect, and will report back to Boyce Street residents.

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

S129263

**Item 12.4 Hockey 5s Field, Annandale**

Moved by Councillor Phelps, seconded by Councillor Vithoukias -

It is resolved that:

(A) Council note:

- (i) Glebe Hockey Club has been in contact with Council since 2017 in an attempt to get a multi-purpose synthetic playing field in the local government area:
  - (a) in 2019, Council officers advised Glebe Hockey Club that a location near the new skate park being constructed on the Crescent, Annandale, meets all Council guidelines to support a 50 metre by 30 metre synthetic surface. They advised it will take 24 months to be completed;
  - (b) at the above dimensions the pitch will have an area just over a quarter of a full-sized hockey field, but will create a place where Glebe juniors are able to train, and where others can develop their skills;
  - (c) if Council increases the field width to 31.70 metres (an increase of 1.7 metres from the original allocation) it would comply with the International Hockey Federation's (FIH) size requirements for an internationally compliant Hockey5s field;
  - (d) side and back boards are an integral part of the game, and would be required for the field. Glebe Hockey Club is willing to create some innovative engineering designs to include rebound boards into the fencing structure necessary for a Hockey5s field;
  - (e) a suitable synthetic hockey pitch surface can be used for multiple sports without compromising hockey, and regular-sized removable goals can be used to maintain pitch versatility; and
  - (f) this modification and size increase would not preclude other sports from using the field, and would keep the pitch as a local multi-purpose sporting facility;
- (ii) Hockey5s is a new game format that is gaining traction worldwide and is starting to be played at an international level. It is the format played for the Youth Olympics and Oceania Continental 5s tournaments;
- (iii) Hockey5s is an official short-form version of hockey. It is played by five players per side rather than 11 players and is designed as a complementary format of the game. Hockey5s condenses the best of hockey into an action-packed, skilful and fun game;
- (iv) Hockey5s widens hockey's reach by reducing the costs of facilities and matches sports trends towards smaller teams and more urbanised experiences; and
- (v) if this field is built to the international size it will be the first purpose built 5s field in Australia. This would allow a local Sydney club (Glebe Hockey Club) to host Youth Olympics and Oceania Continental 5s tournaments, as well as Hockey5s Carnivals, junior and some senior training, run regular Hookin2Hockey programs for Under 7s and Under 9s with a competition element, and create a space where kids can have a hit, while safely promoting active play and lifestyle; and

- (B) the Chief Executive Officer be requested to:
- (i) investigate the feasibility of modifying the proposed multi-purpose pitch in Annandale so that it meets the International Hockey Federation's (FIH) requirements of a Hockey5s pitch, which includes:
    - (a) amending the size of the pitch to comply with FIH standards for Hockey5s;
    - (a) full-sized removable hockey goals;
    - (b) the correct type of synthetic pitch; and
    - (c) side and back boards integrated into the fencing;
  - (ii) consult with Glebe Hockey Club as part of the investigation, to ensure plans for a Hockey5s pitch is internationally compliant; and
  - (iii) report back to Council with a project feasibility and cost breakdown including all necessary features described above.

Carried unanimously.

S129263

## **Item 12.5 Needle Exchange Bin Corner Forbes Street and Premier Lane**

Moved by Councillor Phelps, seconded by Councillor Vithoukias -

It is resolved that:

(A) Council note:

- (i) there is a needle exchange bin on the corner of Forbes Street and Premier Lane with City of Sydney branding, which had up until recently been removed and then replaced on 10 October 2019;
- (ii) teachers from the nearby SCEGGS Darlinghurst school have reported having to remove needles, condoms and empty drug paraphernalia from streets surrounding the school each morning prior to the arrival of students; and
- (iii) the City of Sydney has a responsibility to ensure its streets are safe and well maintained for those in the area; and

(B) the Chief Executive Officer be requested to ensure that the needle exchange bin remain in place, on the corner of Forbes Street and Premier Lane, and that a regular cleansing and servicing schedule for the area is created and followed.

Carried unanimously.

S129263

**Item 12.6 Rainbow Crossing, Wilson Street, Newtown****Procedural Motion**

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

–

That Item 12.6 be withdrawn as the matter had already been dealt with at Item 12.2.

Carried unanimously.

S129263



**Item 12.7 Vale Ray Richmond**

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

It is resolved that:

(A) Council note:

- (i) Reverend Ray Richmond, pastor and former Chief Executive Officer of Wayside Chapel sadly passed away in September 2019:
  - (a) Reverend Ray Richmond first worked at Wayside Chapel as a young man in the early 1960s;
  - (b) he continued his commitment to community development by working with and training new generations of community workers during his work in Spain, India, West Samoa, Indonesia and in particular with Indigenous communities in Australia and Papa New Guinea;
  - (c) in 1991, Reverend Richmond came back to Wayside Chapel 28 years later to become it's pastor and Chief Executive Officer and served in that position for 13 years; and
  - (d) during that time he oversaw the launch of the Hands-on-Health Clinic, Bath House and Youth Space, a program focused on youth most at risk in the community;
- (ii) in 1999, 1,116 young Australians died from a heroin overdose, and throughout the late 1990s, Kings Cross was in the midst of a drug epidemic, which was destroying the strong sense of community in Kings Cross and creating a public health disaster;
- (iii) devastated by the loss of life and inaction from Government, in May 1999, Reverend Richmond became the informal leader of a group of community members who engaged in an act of civil disobedience by opening the 'Tolerance Room' a safe supervised injecting facility at the Wayside Chapel in Sydney;
- (iv) despite being charged with aiding and abetting the self-administration of a prohibited drug (the charges were later dropped), the threat of jail and backlash from the Government, Reverend Richmond's commitment to creating a place free from judgment and showing compassion to those facing addiction changed the face of addiction policy in Australia and across the world;
- (v) the 'Tolerance Room' galvanised the community and Government into action and led to the first medically supervised injecting centre not only in Sydney but the entire English speaking world. Reverend Richmond's courageous action saved hundreds of lives, cleaned up needles left on the street and reduced the impact of HIV and Hepatitis in the community;
- (vi) despite the controversy, injecting centres are now accepted as a lifesaving facility and an important health and community service and is the fastest scaling harm reduction strategy in the world;

- (vii) Reverend Richmond's actions sent the message to the Government and the community that people struggling with addiction were human beings and their lives had value; and
- (viii) Dr Alex Wodak has described him as a "thoroughly decent, modest, selfless and humble man";
- (B) the Chamber observe one minute's silence to honour the contribution of Reverend Ray Richmond to the Kings Cross community and the City of Sydney; and
- (C) a letter, under the Lord Mayor's signature, be conveyed to Reverend Richmond's family expressing Council's sincere condolences.

Carried unanimously.

Note – all Councillors, staff and members of the public present stood in silence for one minute as a mark of respect to Reverend Ray Richmond.

S129263

**Item 12.8 Amendment to Code of Conduct**

Moved by Councillor Phelps, seconded by Councillor Vithoukaskas -

It is resolved that:

(A) Council note:

- (i) on Monday 16 September 2019, the Daily Telegraph published an article entitled "City Councillors in a 'plagiarism' row" about the copying of motions by certain City of Sydney Councillors without appropriate attribution to the original author;
- (ii) the use of foreshadowed motions that contain substantially similar content including: sentence structure, facts and research to a previously failed motion without proper accreditation of the original author is a common practice at City of Sydney Council meetings;
- (iii) at academic institutions, a standard of conduct is placed on all staff and students who are expected to uphold academic integrity. Plagiarism is considered a serious breach of ethics by these academic institutions, and when an individual breaches the expectations placed on them by the Code of Conduct, the institution takes disciplinary action; and
- (iv) the City's Code of Meeting Practice states that "an amendment should not be moved that is substantially the same as an earlier rejected amendment on the motion", however, this does not address situations with substantially similar foreshadowed motions to a previously rejected notice of motion; and

(B) the Chief Executive Officer be requested to:

- (i) amend the City of Sydney Code of Conduct to include a clause which states:

'If a Councillor prepares a foreshadowed motion to be put forward where the words or ideas are not substantially different from the original motion, the new motion is to be passed as an amendment to the original motion in the original Councillor's name.'

and

- (ii) investigate and create a plagiarism policy for the City of Sydney, including appropriate amendments to the Code of Conduct.

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

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

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

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

S129263

**Extension of Time**

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

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

That Councillor Vithoukas be granted an extension of time of one minute to speak on this matter.

Carried unanimously.

**Item 12.9 Darling Harbour Seabin Trial**

Moved by Councillor Forster, seconded by Councillor Miller -

It is resolved that:

(A) Council note:

- (i) the City of Sydney is committed to improving the quality of local waterways by reducing pollution that is discharged from stormwater outlets;
- (ii) the City's water quality targets aim to:
  - (a) reduce yearly solid pollution load discharged to waterways from stormwater by 50 per cent by 2030; and
  - (b) reduce yearly nutrient load discharged to waterways from stormwater by 15 per cent by 2030;
- (iii) since 2005, the City has installed 154 raingardens in the local area, aiming to treat stormwater, protect local waterways and green inner-city streets;
- (iv) there are also 50 gross pollutant traps installed underground in stormwater pipes that collect approximately 150 tonnes of litter each year;
- (v) the City is also working with its Sydney Harbour partners to create a management program to achieve the long-term vision for Sydney Harbour's coastal zone, supporting the coordinated management and ecologically sustainable development of Greater Sydney Harbour to maintain its exceptional social, cultural, economic and environmental values, and symbolic status as Australia's most globally iconic waterway;
- (vi) one of the goals of the Seabin Project is to provide practical, visible, tangible and measurable solutions to reduce plastics in our oceans;
- (vii) in September, the Seabin Project announced a new partnership with NSW Roads and Maritime Services trialling Australia's first Public Seabin in Rose Bay for three months, building on its existing Seabins which are located in private marinas around Sydney Harbour, including four at Jones Bay Wharf, one at Pyrmont, one at Sydney Wharf and one at the Australian National Maritime Museum; and
- (viii) the Seabins are also used to gather baseline data on the amounts of micro plastic in Sydney Harbour waterways and measuring the health of the water table in Darling Harbour; and

- (B) the Chief Executive Officer be requested to liaise with the NSW State Government and other related agencies to investigate the installation of additional Seabins around the City of Sydney's harbour foreshore, including Darling Harbour for:
- (i) efficient capture of floating marine litter including micro plastics;
  - (ii) high impact visual communication for solutions, awareness and education; and
  - (iii) data monitoring of micro plastics, marine litter, surface pollutants and general health of the water table.

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

It is resolved that:

(A) Council note:

- (i) the City of Sydney is committed to improving the quality of local waterways by reducing pollution that is discharged from stormwater outlets;
- (ii) the City's water quality targets aim to:
  - (a) reduce yearly solid pollution load discharged to waterways from stormwater by 50 per cent by 2030; and
  - (b) reduce yearly nutrient load discharged to waterways from stormwater by 15 per cent by 2030;
- (iii) since 2005, the City has installed 247 raingardens in the local area, aiming to treat stormwater, protect local waterways and green inner-city streets;
- (iv) there are also 50 gross pollutant traps installed underground in stormwater pipes that collect approximately 150 tonnes of litter each year;
- (v) the City is also working with its Sydney Harbour partners to create a management program to achieve the long-term vision for Sydney Harbour's coastal zone, supporting the coordinated management and ecologically sustainable development of Greater Sydney Harbour to maintain its exceptional social, cultural, economic and environmental values, and symbolic status as Australia's most globally iconic waterway;
- (vi) one of the goals of the Seabin Project is to provide practical, visible, tangible and measurable solutions to reduce plastics in our oceans;
- (vii) the Seabins Project website says "We need to turn off the tap first if we are ever to clean up the mess";
- (viii) that addressing the problem of plastic pollution requires a whole of system approach which minimises the production of plastic, and moves towards eliminating single-use plastics;
- (ix) that in June 2019, over 50 leading companies joined the City in pledging to dramatically reduce plastics across their businesses. The City has taken a platinum pledge, committing to phasing out seven single-use items in its buildings, at its own venues and at events within our local government area;

- (x) in September, the Seabin Project announced a new partnership with NSW Roads and Maritime Services trialling Australia's first Public Seabin in Rose Bay for three months, building on its existing Seabins which are located in private marinas around Sydney Harbour, including four at Jones Bay Wharf, one at Pyrmont, one at Sydney Wharf and one at the Australian National Maritime Museum; and
  - (xi) the Seabins are also used to gather baseline data on the amounts of micro plastic in Sydney Harbour waterways and measuring the health of the water table in Darling Harbour; and
- (B) the Chief Executive Officer be requested to liaise with the NSW State Government and other related agencies to investigate the installation of additional Seabins around the City of Sydney's harbour foreshore, including Darling Harbour for:
- (i) efficient capture of floating marine litter including micro plastics;
  - (ii) high impact visual communication for solutions, awareness and education; and
  - (iii) data monitoring of micro plastics, marine litter, surface pollutants and general health of the water table.

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

S129260

**Item 12.10 City of Sydney Welcomes Recommendations for Night Time Economy**

By Councillor Chung

It is resolved that:

- (A) Council note the Joint Select Committee on Sydney's Night Time Economy released its report in September 2019 following a review of submissions and evidence given at public hearings by key stakeholders;
- (B) the Lord Mayor be requested to write to the Chair of the Joint Select Committee on Sydney's Night Time Economy, The Hon Natalie Ward MLC and the Premier of NSW, The Hon Gladys Berejiklian commending them on the report; and
- (C) the Chief Executive Officer be requested to investigate and collaborate with stakeholders including Potts Point Partnership to develop opportunities to further improve Kings Cross through continuing to implement a streetscape and furniture improvement plan to make it pedestrian friendly in line with recommendation 7.

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

Moved by Councillor Chung, seconded by Councillor Scully –

It is resolved that:

- (A) Council note the Joint Select Committee on Sydney's Night Time Economy released its report in September 2019 following a review of submissions and evidence given at public hearings by key stakeholders; and
- (B) the Lord Mayor be requested to write to the Chair of the Joint Select Committee on Sydney's Night Time Economy, The Hon Natalie Ward MLC and the Premier of NSW, The Hon Gladys Berejiklian commending them on the report;
- (C) the Chief Executive Officer be requested to:
  - (i) investigate and collaborate with stakeholders including Potts Point Partnership to develop opportunities to further improve Kings Cross through continuing to implement a streetscape and furniture improvement plan to make it pedestrian friendly in line with recommendation 7; and
  - (ii) investigate how the City of Sydney can contribute to implementing and supporting other recommendations of the report including but not limited to recommendations 4 (coordination between regulatory bodies), 8 (Good Neighbour Policy), 9 (agent of change) and 22 (rule of thumb).



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

It is resolved that:

(A) Council:

- (i) note the Joint Select Committee on Sydney's Night Time Economy released its report in September 2019 following a review of submissions and evidence given at public hearings by key stakeholders;
- (ii) note that many of the City's and individual Councillor recommendations were adopted as recommendations of the Inquiry; and
- (iii) acknowledge the contributions of the City's Nightlife and Creative Sector Advisory Panel;

(B) the Lord Mayor be requested to write to the Chair of the Joint Select Committee on Sydney's Night Time Economy, The Hon Natalie Ward MLC and the Premier of NSW, The Hon Gladys Berejiklian commending the report; and

(C) the Chief Executive Officer be requested to:

- (i) investigate and collaborate with stakeholders including Potts Point Partnership to develop opportunities to further improve Kings Cross through continuing to implement a streetscape and furniture improvement plan to make it pedestrian friendly in line with recommendation 7; and
- (ii) investigate how the City of Sydney can contribute to implementing and supporting other recommendations of the report including but not limited to recommendations 4 (coordination between regulatory bodies), 8 (Good Neighbour Policy), 9 (agent of change) and 22 (rule of thumb).

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

S129259

**Item 12.11 Johnstons Creek Naturalisation Project**

Moved by Councillor Chung, seconded by Councillor Forster -

It is resolved that:

(A) Council note:

- (i) Sydney Water are currently conducting investigation and planning activities of a naturalisation project at Johnsons Creek, with the project scope extending to The Crescent, Annandale;
- (ii) naturalisation involves repairing the concrete with natural looking banks made of rocks and native plants, typically mimicking the former history of the waterway to some extent; and
- (iii) waterway naturalisation can provide a large number of environmental and social benefits including water quality improvement, ecological restoration, flood mitigation, urban cooling and community recreation and amenity; and

- (B) the Chief Executive Officer be requested to write to the Chief Executive Officer of Sydney Water and request that the scoping study for the naturalisation project is extended to Johnstons Creek at Wigram Road and Orphan School Creek at Bridge Road.

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

It is resolved that:

(A) Council note:

- (i) Sydney Water is currently in the design development and community consultation stages of a naturalisation project at Johnstons Creek, with the project scope currently extending to The Crescent, Annandale;
- (ii) naturalisation involves the use of natural materials, as opposed to reinforced concrete, to rebuild the channel banks to create a softer landscape feel and improve the habitat for native wildlife, typically mimicking the former history of the waterway to some extent;
- (iii) waterway naturalisation can provide a large number of environmental and social benefits including water quality improvement, ecological restoration, flood mitigation, urban cooling and community recreation and amenity;
- (iv) the naturalisation will also extend the design life of the waterway channel, ensuring the asset is better suited to a tidal, estuarine environment; and
- (v) naturalisation projects must carefully consider impacts on properties adjacent to the channel so as not to exacerbate localised flooding and is a key consideration for design; and

- (B) the Chief Executive Officer be requested to write to the Chief Executive Officer of Sydney Water and request an investigation into extending the Johnstons Creek naturalisation project to Wigram Road and Orphan School Creek at Bridge Road.

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

S129259

### **Adjournment**

At this stage of the meeting, at 8.15pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Kok –

That the meeting be adjourned for approximately 10 minutes.

Carried unanimously.

At the resumption of the meeting of Council, at 8.29pm, those present were –

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

Councillor Scully returned to the meeting of Council at 8.31pm during discussion and before the vote on Item 12.13, which had been brought forward.

### **Procedural Motion**

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

That the Order of Business be altered such that Item 12.12 be brought forward and dealt with before Item 12.13 so that Councillor Scully could present her Notice of Motion.

Carried unanimously.

**Item 12.12 'Easy Streets' for Community Events**

Moved by Councillor Scully, seconded by Councillor Miller -

It is resolved that:

(A) Council note:

- (i) there is growing community demand for local celebrations and neighbourhood events, such as Christmas parties and Halloween trick-or-treating, that would be enhanced by the temporary closure of residential streets to motorised traffic;
- (ii) Community groups and Parent & Citizens' associations attempting to hold such events have been deterred in the past by the existing process to apply for road closures, which can sometimes be complex and costly for one-day community events;
- (iii) Seventy eight per cent of respondents in the City's Planning for Sydney 2050 Community Engagement Insights Report wanted more space for walking in their local streets; and
- (iv) the City has the resources and knowledge to assist communities that want to organise temporary road closures, but are intimidated by current processes or unsure how to navigate them, and could streamline the approval process for a number of select residential streets in neighbourhoods across the City; and

(B) the Chief Executive Officer be requested to investigate how the City could simplify the road closures process for community groups, including by:

- (i) inviting local communities and Parents & Citizens' Associations to nominate 'easy streets' for community events in their area that would benefit from an expedited process for pedestrian-friendly events; and
- (ii) liaising with Transport for NSW, police local area commands, Service NSW, Sydney Buses, car share operators and other relevant authorities to facilitate the creation of 'easy streets'.

Carried unanimously.

S129264

### **Item 12.13 City Deals**

By Councillor Scott

It is resolved that:

(A) Council note:

- (i) the Federal Government's City Deals seek to be a genuine partnership between the three levels of government and the community to work towards a shared vision for productive and liveable cities;
- (ii) that nine City Deals have been announced to date, including for Western Sydney; and
- (iii) that the City of Sydney and surrounds is a strong contender for a future City Deal;

(B) the Chief Executive Officer be requested to:

- (i) seek expressions of interest from willing and capable partners to be part of a bid for a Sydney City Deal, including neighbouring local governments; and
- (ii) identify resources required for the City of Sydney to lead a City deal bid, and report back to Councillors via the CEO Update; and

(C) should the Chief Executive Officer identify that a Sydney City Deal proposal is viable, the Lord Mayor be requested to write to the Premier and Prime Minister indicating the City's interest in the development of a Sydney City Deal, and seek meetings to progress this issue.

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

Moved by Councillor Scott, seconded by Councillor Thalís –

It is resolved that:

(A) Council note:

- (i) the Federal Government's City Deals seek to be a genuine partnership between the three levels of government and the community to work towards a shared vision for productive and liveable cities;
- (ii) that nine City Deals have been announced to date, including for Western Sydney;
- (iii) that the City of Sydney and surrounds is a strong contender for a future City Deal;
- (iv) that City Deals are based on one of six focus areas;
- (v) that the City is in the process of developing its Sydney 2050 strategy; and
- (vi) the Sydney 2050 process is developing city shaping project ideas within the six focus areas that, once endorsed by the community, could form the basis for a City Deals bid;

- (B) the Chief Executive Officer be requested to:
- (i) once Sydney 2050 is completed, identify ideas and projects that have the potential to be developed into a viable City Deals bid;
  - (ii) seek expressions of interest from neighbouring Councils and willing, capable non-government organisations to partner with the City to develop a City Deals bid; and
  - (iii) identify resources required for the City of Sydney to lead a City deal bid, and report back to Councillors via the CEO Update; and
- (C) should the Chief Executive Officer identify that a Sydney City Deal proposal is viable, the Lord Mayor be requested to write to the Premier and Prime Minister indicating the City's and its partners' interest in the development of a Sydney City Deal, and seek meetings to progress this issue.

Carried unanimously.

S129266

**Item 12.14 Western Sydney Metro**

By Councillor Scott

It is resolved that:

- (A) Council note:
- (i) the State Government's announcement that construction will soon begin for the Western Sydney Metro;
  - (ii) that this announcement detailed seven proposed new stops, none of which included Pymont; and
  - (iii) that Pymont is almost the densest part of Australia, with more than 16,000 people per square kilometre;
- (B) that the Chief Executive Officer be requested to:
- (i) write to the Secretary of Transport for NSW, Rodd Staples, welcoming the announcement of more public transport for Sydney and noting with concern the lack of stop for Pymont; and
  - (ii) identify resources required for the City of Sydney to undertake a public advocacy campaign calling on the State Government to include a Pymont stop for the Western Sydney Metro, and report back to Councillors via the CEO update; and
- (C) that the Lord Mayor be requested to write to the Premier and Minister for Transport welcoming the announcement of more public transport for Sydney, however, calling on the NSW Government to urgently include a stop for Pymont.

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

Moved by Councillor Scott, seconded by Councillor Kok –

It is resolved that:

- (A) Council note:
- (i) the State Government's announcement that construction will soon begin for the Western Sydney Metro;
  - (ii) that this announcement detailed seven proposed new stops, with an additional two stops at Rydalmere and Pymont being investigated as strategic station options;
  - (iii) that Pymont/Ultimo is the third densest area in Australia after Melbourne CBD and Potts-Point/Woolloomooloo, with more than 16,000 people per square kilometre;
  - (iv) as the city's daily population grows to 1.7 million people in 2036 and 2 million in 2050, capacity constraints in public transport place the liveability and productivity of our city at risk unless the Government invests significantly more in mass transit;
  - (v) the City's draft Local Strategic Planning Statement, currently on public exhibition, notes that the Innovation Corridor, which forms part of the City Fringe Area, could accommodate up to 53,800 additional jobs by 2036;

- (vi) the Innovation Corridor incorporates the Camperdown-Ultimo Health and Education precinct and areas within Pyrmont featuring knowledge-intensive business clusters vital to the District's ongoing economic success and global competitiveness;
  - (vii) there is significant congestion on roads, buses and trains at peak times in and around Green Square, given its position at the head of Sydney's global gateways (Sydney Airport and Port Botany) and the Eastern Economic Corridor;
  - (viii) the City's draft Local Strategic Planning Statement envisages over one third of residential growth in Sydney will occur in the Green Square Urban Renewal Area, which will accommodate around 60,000 to 70,000 people when the area is expected to be fully built out by 2036; and
  - (ix) the City's draft Local Strategic Planning Statement confirms the importance of new Metro West stations at Zetland (Green Square) and Pyrmont to serve existing and forecast populations and to connect valuable employment sectors and their workers.
- (B) the Chief Executive Officer be requested to:
- (i) write to the Secretary of Transport for NSW, Rodd Staples, welcoming the announcement of more public transport for Sydney and noting with concern the lack of confirmed stops for Pyrmont and Zetland (Green Square); and
  - (ii) identify resources required for the City of Sydney to undertake a public advocacy campaign calling on the State Government to include stops at Pyrmont and Zetland (Green Square) for the Western Sydney Metro, and report back to Councillors via the CEO Update.
- (C) the Lord Mayor be requested to write to the Premier and Minister for Transport welcoming the announcement of more public transport for Sydney, however calling on the NSW Government to urgently confirm that stations at Pyrmont and Zetland (Green Square) will be constructed in stage one of the Western Sydney Metro.

Carried unanimously.

S129266



At 8.53 pm the meeting concluded.

Chair of a meeting of the Council of the City  
of Sydney held on Monday 18 November 2019 at which  
meeting the signature herein was subscribed.