

# Council

Meeting No 4

Monday 6 April 2020

Notice No 4/1616

Notice Date 2 April 2020

*minutes*

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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 5.11 pm, 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 People, Performance and Technology, Director City Services, Director City Planning, Development and Transport, Director Legal and Governance and Director City Life were also present.

**Remote Meeting**

The Chair (the Lord Mayor) advised that the meeting of Council was being held via audio visual links, with Councillors (and relevant staff) attending the meeting remotely. This is in accordance with section 747A of the Local Government Act 1993.

**Opening Prayer and Acknowledgement of Country**

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

**Webcasting Statement**

The Chair (the Lord Mayor), advised that in accordance with the City of Sydney Code of Meeting Practice, Council meetings are audio visually recorded and webcast live on the City of Sydney website. The Chair (the Lord Mayor) asked that courtesy and respect be observed throughout the meeting and advised those in attendance to refrain from making defamatory statements.

Due to unforeseen circumstances, the Council meeting is able only to be audio recorded and webcast while the Council is unable to meet in person.

**Item 1      Confirmation of Minutes**

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

That the Minutes of the meetings of Council of Monday, 9 March 2020, and Monday, 30 March 2020, as circulated to Councillors, be confirmed.

Carried unanimously.

**Item 2      Disclosures of Interest**

Councillor Jess Scully disclosed a less than significant, non-pecuniary interest in Item 12.4 on the agenda, as she is an associate of the Sydney Policy Lab.

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 Pyrmont Peninsula Place Strategy****Minute by the Lord Mayor**

To Council:

Last year, this Council stood together with the community against the Star Casino's proposed 237-metre luxury residential and hotel tower.

We objected to the proposal because it would have stood a full 200 metres above height controls for the area, and because of the negative impacts the building would have on the public domain, including overshadowing of parks and public places.

We supported the Department of Planning, Industry and Environment's advice rejecting the proposal, and ultimately the Independent Planning Commission (IPC) agreed.

The Minister for Planning and Public Spaces promptly instructed the Greater Sydney Commission to immediately review the area's planning rules for Pyrmont.

In September 2019, the Greater Sydney Commission submitted its Pyrmont Planning Review to the Minister making three recommendations including:

- aligning the planning framework for the area with the district and regional plans to help achieve the wider objectives for the area,
- developing a Place Strategy supported by an economic strategy, master plan, planning framework and governance model; and
- implementing the Place Strategy within nine to 12 months.

I welcomed these recommendations to develop a place-based strategy. For too long, the NSW Government had taken an ad-hoc approach to the development of Pyrmont and the Western Harbour, proposing development of state-owned land with little consideration for context and transport needs, and with almost no consultation with residents who live in an area which already has high density.

**Ten Early Directions**

The Department has now released 10 'Early Directions' as a starting point for the Pyrmont Peninsula Place Strategy, and is seeking feedback on them.

In a comment to the Daily Telegraph regarding the release of the directions, the Minister for Planning and Public Spaces Rob Stokes foreshadowed "larger scale development" in the area, yet we have not seen the detailed urban design research required to determine whether this is a desirable outcome.

These directions highlight some of the important work already underway by the City and opportunities for collaboration with the NSW Government that I have long campaigned for, but the rhetoric surrounding their announcement and the proposed process for development leave me with cause for concern.

The directions correctly point to the need to consolidate the myriad of state and local government planning controls that apply to the area, but this process must be driven by genuine research and consultation.

This includes mapping sun access planes and conducting an assessment of the entire precinct's character and heritage, including NSW Government controlled sites.

This must not become an exercise in simply retrofitting controls to justify a position that greater height and density is the best outcome for the area – or for the Star Casino to proceed with plans for an inappropriate tower.

The precinct needs to be linked to the broader area – its relationship to the Pyrmont village, the CBD and to the south and further west need to be properly understood.

The City of Sydney is an expert in this field and is well placed to lead this work, having developed the major strategic planning documents that will transform our City through evidenced-based studies and community consultation.

Pyrmont contains seven per cent of the city's employment and the City's Local Strategic Planning Statement outlines how having a highly skilled and diverse local resident population with existing educational, research and technology clusters, as well as the presence of major educational institutions will continue to enable jobs and economic growth.

While the directions refer to the need for investment and innovation to boost jobs, creativity, tourism and nightlife, along with the promotion of taller development in the area, they have failed to address the urgent need for mass transit to connect people to the city and surrounds.

Pyrmont must be included as part of the Sydney Metro West project, creating a continuous employment corridor linking Central Sydney, Pyrmont and The Bays.

In addition, the constraints of the landscape that make it difficult for people to move around should be seen as opportunities for bold ideas such as undergrounding the Western Distributor to open up new sites for development and remove the barriers to walkability and connectivity between the city and the harbour.

In light of unprecedented bushfires and drought conditions, the Department's lack of reference to climate change under these Directions is both surprising and disappointing. As the climate changes and the population grows, we must take the opportunity to build Pyrmont's resilience, and plan for net zero emissions by 2040 and best practice energy, water and waste performance.

The City supports a vibrant, mixed-use precinct that includes more diverse housing types, tenure mix and price points. If the Place Strategy finds that parts of Pyrmont are more suited to residential uses, then social and affordable housing should be mandated to encourage an inclusive and diverse community.

### **Community Engagement**

The Department has indicated that these initial directions are expected to evolve during the planning process as more information and feedback from the community comes to light. I commend this approach and strongly encourage the local community to have their say.



During these difficult and uncertain times, the community is feeling increasingly anxious and overwhelmed by the COVID-19 health crisis. It is more important than ever that this project, which will shape the way residents, workers and visitors experience the area into the future, does not add to their existing stress and concern.

The Department must ensure that the community has sufficient time to fully consider the changes that are planned for the area, including these initial directions, and have the opportunity to respond.

I ask the Department to establish a Community Reference Group comprising a cross section of the community within the area covered by the Strategy, to ensure a diverse range of views. The Community Reference Group should be briefed regularly by the Steering Committee with opportunity to provide their input and feedback through a variety of consultation channels at key milestones as the strategy evolves.

The City of Sydney will continue to participate in the development of the directions and the Place Strategy. To ensure that the resulting planning controls respond to community expectations and reflect the best qualities of Pyrmont, we must ensure that they are based on thorough research and consultation.

## **Recommendation**

It is resolved that:

(A) Council note:

- (i) in September 2019, the Greater Sydney Commission submitted its Pyrmont Planning Review to the Minister for Planning and Public Spaces making three recommendations including:
  - (a) aligning the planning framework for the area with the district and regional plans to help achieve the wider objectives for the area;
  - (b) developing a Place Strategy supported by an economic strategy, master plan, planning framework and governance model; and
  - (c) implementing the Place Strategy within nine to 12 months;
- (ii) the NSW Government established a Steering Committee to develop the Pyrmont Peninsula Place Strategy, led by the Department of Planning, Industry and Environment, and made up of local and state government representatives including the City of Sydney, NSW Treasury, Transport for New South Wales, and the NSW Government Architect; and
- (iii) the NSW Government has released ten 'Early Directions' as a starting point for the Pyrmont Peninsula Place Strategy, and is seeking feedback; and

- (B) the Lord Mayor be requested to write to the Minister for Planning and Public Spaces regarding the development of the Pymont Peninsula Place Strategy requesting that:
- (i) a Community Reference Group is established comprising a cross section of the community within the area of the Pymont Peninsula Place Strategy, and that the Community Reference Group be briefed regularly by the Steering Committee, with the opportunity to provide input and feedback through a variety of consultation channels as the strategy evolves;
  - (ii) social and affordable housing provision is mandated by the Pymont Peninsula Place Strategy and embedded into any new future planning controls for the area where any new residential development is proposed;
  - (iii) any new development and growth areas identified as a result of the Pymont Peninsula Place Strategy or any new planning controls:
    - (a) are supported by sufficient transport;
    - (b) prioritise employment growth and economic development;
    - (c) are sensitive to Pymont's unique built form and heritage qualities; and
    - (d) create a high standard of amenity for public and private spaces through design excellence; and
  - (iv) the community has sufficient time to fully consider the changes that are planned for the area, including these initial directions, and have the opportunity to respond.

## **COUNCILLOR CLOVER MOORE**

Lord Mayor

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

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

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

It is resolved that:

- (A) Council note:
- (i) in September 2019, the Greater Sydney Commission submitted its Pymont Planning Review to the Minister for Planning and Public Spaces making three recommendations including:
    - (a) aligning the planning framework for the area with the district and regional plans to help achieve the wider objectives for the area;
    - (b) developing a Place Strategy supported by an economic strategy, master plan, planning framework and governance model; and
    - (c) implementing the Place Strategy within nine to 12 months;

- (ii) the NSW Government established a Steering Committee to develop the Pyrmont Peninsula Place Strategy, led by the Department of Planning, Industry and Environment, and made up of local and state government representatives including the City of Sydney, NSW Treasury, Transport for New South Wales, and the NSW Government Architect;
  - (iii) the NSW Government has released ten 'Early Directions' as a starting point for the Pyrmont Peninsula Place Strategy, and is seeking feedback; and
  - (iv) that the NSW Government did not consult with the City of Sydney on the final version of the 'Early Directions' before they were released to the public;
- (B) the Lord Mayor be requested to write to the Minister for Planning and Public Spaces regarding the development of the Pyrmont Peninsula Place Strategy requesting that:
- (i) a Community Reference Group is established comprising a cross section of the community within the area of the Pyrmont Peninsula Place Strategy, and that the Community Reference Group be briefed regularly by the Steering Committee, with the opportunity to provide input and feedback through a variety of consultation channels as the strategy evolves;
  - (ii) social and affordable housing provision is mandated by the Pyrmont Peninsula Place Strategy and embedded into any new future planning controls for the area where any new residential development is proposed;
  - (iii) any new development and growth areas identified as a result of the Pyrmont Peninsula Place Strategy or any new planning controls:
    - (a) are supported by sufficient transport;
    - (b) prioritise employment growth and economic development;
    - (c) are sensitive to Pyrmont's unique built form and heritage qualities; and
    - (d) create a high standard of amenity for public and private spaces through design excellence; and
  - (iv) the community has sufficient time to fully consider the changes that are planned for the area, including these initial directions, and have the opportunity to respond through an extended period for public consultation; and

- (C) the Chief Executive Officer be requested to prepare a response to these 'Early Directions', including undertaking community consultation, which:
- (i) reinforces the City's primary role in land use planning;
  - (ii) calls on the NSW Government to return land use planning and other planning powers to the City; and
  - (iii) supports zoning in line with the City's previous and current community consultations.

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

Ayes (9) The Chair (the Lord Mayor), Councillors Chung, Kok, Miller, Phelps, Scott, Scully, Thalys and Vithoukias

Noes (1) Councillor Forster.

Minute carried.

S051491

**Item 3.2 Managing the Workforce during the COVID-19 Pandemic****Minute by the Lord Mayor**

To Council:

The City has acted swiftly to respond to the COVID-19 pandemic, including closing a large number of our facilities in accordance with Federal Government mandates to slow the spread of the virus. We have also put in place a range of support measures to mitigate its impact.

In addition, the City prioritised measures to secure the health and safety of its staff. Since 16 March 2020 all City staff who could work from home were asked to do so. IT access was fast-tracked and now supports all City staff with access to email, calendars, and video conferencing. Over 1,600 staff can connect into the city network to access key business systems.

For essential workers who cannot work remotely, such as our Rangers and Cleansing and Waste staff, Work Health and Safety risk assessments have been undertaken and new work procedures introduced.

While some of our staff are working harder than ever, the closure of so many of our facilities has left some staff with little or no work to do. The City has maintained pay to all permanent full time and part time staff, and is working on redeployment opportunities where possible. Staff are already being redeployed to other activities such as managing the new enhanced grants program and concierge service.

This pandemic has underlined the inherent problems with the ongoing trend to casualisation of Australia's workforce. It is something that the City has endeavoured to avoid.

However, there has been a need to employ casuals to fill irregular needs and vacancies, such as a permanent staff member being on sick leave. I am advised the City employs 135 casual staff, a small fraction of our total number of almost 2000. I believe we have responsibility to support our casual staff, and I take this very seriously.

Our casual staff were advised that many of our operations have been suspended due to the global COVID-19 pandemic, but approximately 45 casuals are still receiving shifts – such as after school care and childcare centres and Meals on Wheels. This may of course change as the situation further evolves.

All casuals are still on our system and considered employees of the City. The work is only suspended while some operations have temporarily ceased due to new measures restricting services. At no time did the City terminate the employment of any casual.

It has been my expectation that all our casuals would continue to be paid by the City until they are able to access government assistance.

On 25 March 2020, Local Government NSW (LGNSW) and the three relevant unions – the United Services Union, the Local Government Engineers Association and the Development and Environmental Professionals Association – signed a statement outlining a collective approach on how to manage casual staff. The agreed guidelines for councils across NSW were to pay casuals affected by closures four weeks' pay, and the City moved to adopt this approach. This statement is attached to this Minute.

While it is important that councils try and act collectively on these matters, it will be impossible if collective agreements cannot be reached and honoured.

It is now clear that the closure of our facilities could be for up to six months. With the uncertainty of Federal and State Government support for local government workers and the likelihood of longer term closure of our facilities, it is clear that the agreement signed by Local Government NSW and the unions does not go far enough.

Therefore I am asking Council to request the Chief Executive Officer to maintain the employment of existing City employees, including all casuals, on their current pay and employment conditions until the Council is able to fully consider the implications of the Federal and State government support packages and how they apply to councils, and the financial implications of the options that council may consider.

There will be many challenges for the City in managing its workforce throughout this period, including reallocating staff to areas experiencing high or new demands due to the Pandemic, finding enough productive work for all employees whose normal work has ceased or decreased, and maintaining employee's ongoing connection to the workplace.

There is also a significant financial cost to the City, given more than half the City's operating expenditure is salaries and wages.

It should be noted that the Victorian Government has announced a \$500 million Working for Victoria Fund that will help workers who have lost their jobs to find new opportunities. Through this Fund, Victorian councils who are maintaining their workforce will receive funding to employ staff in key essential roles and deliver critical community functions. It is an oversight that such an initiative has not been negotiated with the NSW Government, and should be a top priority for Local Government NSW.

The Chief Executive Officer should consider the measures required to manage the workforce during the pandemic and bring a report back to the next Council meeting on a package of measures, inclusive of their cost.

## **Recommendation**

It is resolved that:

- (A) the Chief Executive Officer be requested to maintain the current pay and employment conditions of our existing casual employees impacted by the closure of our facilities until Council considers the financial impact of the COVID-19 pandemic at its next meeting; and
- (B) Council note that the Victorian Government has announced a \$500 million Working for Victoria Fund that will provide funding to local councils to employ workers who have lost their jobs, and request the Lord Mayor write to the Premier seeking financial support for NSW councils to enable them to continue to provide essential services to the community and support the local government workforce.

## **COUNCILLOR CLOVER MOORE**

Lord Mayor

### **Attachments**

Attachment A. Joint Statement by Local Government NSW and the Unions

Moved by the Chair (the Lord Mayor) –

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 Emergency Delegations to the Lord Mayor - Coronavirus Pandemic****Memorandum by the Chief Executive Officer**

To Council:

The Coronavirus (COVID-19) pandemic is continuing to escalate quickly in the face of best endeavours to mitigate its spread and impacts. In this rapidly changing environment it is prudent to strengthen contingent administrative arrangements to ensure the continuity of essential services to the community, the work health and safety of City employees and councillors, and for the purposes of ensuring public safety.

The Office of Local Government has recently advised in Circular 20-09 that councils should review their delegations as a matter of urgency to ensure that decisions can be made quickly in response to any developments outside of the normal council meeting cycle, noting that Council's functions (other than those specified in section 377 of the Local Government Act 1993) can be delegated to the Chief Executive Officer, the Lord Mayor or another body such as a committee.

COVID-19 has given rise to a humanitarian and economic crisis on a large scale the like of which has not been seen for the best part of a century or more. Its far-reaching impacts are being felt by many people and organisations around the globe. The situation changes on an hour by hour basis.

Council continues to demonstrate leadership within the community and the local government industry with its responses to date to the challenges of COVID-19. The very high levels of seriousness, urgency and growth in risks, and related disruptions require constant reassessment. Agility in dealing with critical decisions around securing and deploying resources is paramount in the current environment.

Council is now facing increased risks around civic governance and resource decision making that are central to ensuring delivery of core services without seriously compromising the health and wellbeing of the community and staff. The business as usual approach to civic governance is likely to be inadequate if it is not safe enough or otherwise impractical for Council to convene ordinary or extraordinary meetings in the coming months as a result of COVID-19, including in the event of illness or incapacity by Councillors.

For the purposes of managing the rapidly evolving crisis and to ensure business continuity, immediate contingency arrangements should be put in place to enable Council to act swiftly in the best interests of the Council and the community under the circumstances.

Given the rapidly changing and evolving situation it is prudent to grant emergency powers to the Lord Mayor for a limited duration to ensure that crucial services can be provided and cover critical contingencies that may arise.



It is recommended that a contingency arrangement for decision making outside of Council meetings be put in place until such time as the pandemic has ended, or unless terminated by Council before that date. The need for these emergency delegations will be reviewed after six months, reflecting the timing adopted by the NSW Government in relation to its recent legislative amendments to deal with this issue.

This memorandum recommends that Delegation 27 of the Delegation to the Lord Mayor (General Authority of Council During Recess) be temporarily revoked and replaced with a broader delegation allowing the Lord Mayor to make decisions of Council in emergency situations.

Should the Lord Mayor need to exercise this delegation, the following conditions of exercise would apply. The Lord Mayor may only exercise these emergency delegations:

1. After a report in such a form as would ordinarily be presented to Council has been circulated electronically to all councillors, councillors have been given 24 hours to consider the report, and a majority of councillors have given support for the proposed resolution in writing (including by email); or
2. In such circumstances where the Lord Mayor and Chief Executive Officer determine that the time to comply with the conditions of exercise in condition 1 above would exacerbate the risk to service continuity, employee work health and safety, and/or public safety, the Lord Mayor will provide a report to all councillors within 24 hours of their exercise, advising, as a minimum: of the exercise of the delegations, reasons for exercising the delegations, and the circumstances as to why the conditions of exercise in condition 1 could not be met.

The Chief Executive Officer will provide a consolidated report once a month to all Councillors specifying any actions taken by the Lord Mayor under the delegation adopted by Council.

Whilst these emergency delegations are intended to be granted to the Lord Mayor, and it is hoped that the Lord Mayor would be in a position to exercise them if required, it is necessary to have a contingency hierarchy in place, should the Lord Mayor not be able to exercise these delegations for reason of illness or incapacity. Should this be the case, it is intended that the emergency delegations would automatically pass to the Deputy Lord Mayor and Chief Executive Officer or Acting Chief Executive Officer (in that order).

Additionally, in order to enable critical services to be procured in the most efficient and effective way possible, it is recommended that an amendment be made to the current delegations to the Chief Executive Officer to enable contracts up to \$10 million to be dealt with under delegation, up from the existing \$5 million, and to increase the capacity to vary contracts to 20% of the approved contract sum or contract contingency (up from the existing 10%), up to a limit of \$10 million. This will enable the City to act more swiftly to engage providers, commence projects, procure services, extend existing contracts and assist the local economy in every way possible through this difficult period. Procurement under this delegation will continue to be in accordance with the requirements of the Local Government Act 1993, which at this time continue to require a tender for amounts over \$250,000. Reports will continue to be provided to Council of any tenders approved and contracts entered into under this delegation in accordance with current processes.

In addition, following the adoption of a resolution in the Lord Mayoral Minute at the 30 March 2020 Extraordinary Meeting of Council allowing the variation of existing grant agreements, it is recommended that authority be delegated to the Chief Executive Officer to enter into any contracts or documentation to give effect to that resolution. This will allow for existing grant agreements to be varied as efficiently as possible.

In these rapidly revolving and unprecedented times, maintaining a proactive approach to contingency planning and risk mitigation for COVID-19 is vital as part of the ongoing program to serve and protect the interests of Council and the community.

## Recommendation

It is resolved that:

- (A) Council temporarily amend Delegation 27 of the Delegations to the Lord Mayor with Emergency Delegations to the Lord Mayor - Coronavirus Pandemic, as shown at Attachment A to the subject memorandum, noting they will be reviewed no later than six months after the date of being made;
- (B) Council note that amended Delegation 27 (Emergency Delegations) may be exercised by the Deputy Lord Mayor or the Chief Executive Officer or Acting Chief Executive Officer (in that order) should the Lord Mayor or Deputy Lord Mayor be unable to exercise these Emergency Delegations by reason of illness or incapacity;
- (C) Council temporarily amend the Instrument of Delegations to the Chief Executive Officer dated 7 August 2017 (as amended by resolution dated 29 October 2018) by amending Delegation 5 to remove the reference to "\$5 million" and replacing with "\$10 million", noting that this will be reviewed no later than six months after being made;
- (D) Council temporarily amend the Instrument of Delegations to the Chief Executive Officer dated 7 August 2017 (as amended by resolution dated 29 October 2018) by amending Delegation 6 to remove the reference to "10%" and replacing with "20% (up to a limit of \$10 million)", noting that this will be reviewed no later than six months after being made; and
- (E) authority be delegated to the Chief Executive Officer to enter into any contracts or documentation to allow grant recipients to vary their deliverables under existing grant agreements for the next six months, in accordance with resolution (D) of the 30 March 2020 Lord Mayoral Minute.

## MONICA BARONE

Chief Executive Officer

## Attachments

**Attachment A** Temporary Delegation 27 - Delegations to the Lord Mayor

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

It is resolved that:

- (A) Council temporarily amend Delegation 27 of the Delegations to the Lord Mayor with Emergency Delegations to the Lord Mayor - Coronavirus Pandemic, as shown at Attachment A to the subject memorandum, noting they will be reviewed no later than three months after the date of being made;
- (B) Council note that amended Delegation 27 (Emergency Delegations) may be exercised by the Deputy Lord Mayor or the Chief Executive Officer or Acting Chief Executive Officer (in that order) should the Lord Mayor or Deputy Lord Mayor be unable to exercise these Emergency Delegations by reason of illness or incapacity;
- (C) Council temporarily amend the Instrument of Delegations to the Chief Executive Officer dated 7 August 2017 (as amended by resolution dated 29 October 2018) by amending Delegation 5 to remove the reference to "\$5 million" and replacing with "\$10 million", noting that this will be reviewed no later than three months after being made;
- (D) Council temporarily amend the Instrument of Delegations to the Chief Executive Officer dated 7 August 2017 (as amended by resolution dated 29 October 2018) by amending Delegation 6 to remove the reference to "10%" and replacing with "20% (up to a limit of \$10 million)", noting that this will be reviewed no later than three months after being made; and
- (E) authority be delegated to the Chief Executive Officer to enter into any contracts or documentation to allow grant recipients to vary their deliverables under existing grant agreements for the next three months, in accordance with resolution (D) of the 30 March 2020 Lord Mayoral Minute.

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

It is resolved that:

- (A) Council note that Section 377 of the *Local Government Act 1993* allows a council, by resolution, to delegate some functions of the general manager or any other person or body (not including another employee of the council). However, the section also singles out a range of functions that cannot be delegated. Examples of functions that cannot be delegated include:
  - (i) making rates, charges and fees;
  - (ii) borrowing money;
  - (iii) voting of money for expenditure on council works, services or operations;
  - (iv) the purchase, sale, exchange or surrender of land;
  - (v) the compulsory acquisition of land; and
  - (vi) decisions to classify or reclassify land;
- (B) Council note that NSW local governments are prohibited from delegating their role in decision-making, or in directing and controlling the affairs of the council, that the governing body of a council is all the councillors, and it is that body as a whole that must make the relevant decisions. Councils are required to continue to meet as a democratically-elected body to make these key decisions;

- (C) Council request that the Chief Executive Officer prepare emergency COVID-19 delegations with an expiry date of 30 June 2020, specifying within them what delegations will be used for (rather than exemptions), factors that will determine the circumstances under which the delegations will be invoked, and the key governance controls and reporting delegations, and return to council for consideration and approval;
- (D) Council temporarily amend the Instrument of Delegations to the Chief Executive Officer dated 7 August 2017 (as amended by resolution dated 29 October 2018) by amending Delegation 5 to remove the reference to "\$5 million" and replacing with "\$10 million", noting that this will be reviewed no later than three months after being made;
- (E) Council temporarily amend the Instrument of Delegations to the Chief Executive Officer dated 7 August 2017 (as amended by resolution dated 29 October 2018) by amending Delegation 6 to remove the reference to "10%" and replacing with "20% (up to a limit of \$10 million)", noting that this will be reviewed no later than three months after being made; and
- (F) authority be delegated to the Chief Executive Officer to enter into any contracts or documentation to allow grant recipients to vary their deliverables under existing grant agreements for the next three months, in accordance with resolution (D) of the 30 March 2020 Lord Mayoral Minute.

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

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

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

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

Amendment lost.

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

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

Noes (5) Councillors Chung, Firster, Scott, Phelps and Vithoukas.

The Lord Mayor exercised her casting vote in favour of the motion. The motion was declared carried.

Motion carried.

X008482

## City of Sydney Council

### Temporary Delegation 27 – Delegations to the Lord Mayor

#### General authority of Council between meetings

27. to exercise the powers, authorities, duties and functions of Council that are lawfully able to be delegated between meetings of the Council, in order to ensure provision or continuity of essential Council services and functions; the protection of employee and councillor work health and safety; and/or public safety;

provided:

- 1) a report in such a form as would ordinarily be presented to Council has been circulated electronically to all councillors, councillors have been given 24 hours to consider the report, and a majority of councillors have given support for the proposed resolution in writing (including by email); or
- 2) in such circumstances where the Lord Mayor and Chief Executive Officer determine that the time to comply with the conditions of exercise in condition 1 above would exacerbate the risk to service continuity, employee work health and safety, and/or public safety, the Lord Mayor will provide a report to all councillors within 24 hours of their exercise, advising, as a minimum: of the exercise of the delegations, reasons for exercising the delegations, and the circumstances as to why the conditions of exercise in condition 1 could not be met.

27A. Should the Lord Mayor be unable to exercise Delegation 27 for reason of illness or incapacity, this delegation automatically passes to:

- a) the Deputy Lord Mayor, or
- b) the Chief Executive Officer (or any person formally acting in that capacity), if the Deputy Lord Mayor is unable to exercise them for reason of illness or incapacity.

#### Point of Order

During discussion of this item, Councillor Chung raised a point of order, stating that the emergency delegations were not specifically identified as such in the business paper.

The Chair (the Lord Mayor) did not uphold the point of order.

#### Adjournment

At this stage of the meeting, at 6.36pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Miller –

That the meeting be adjourned for approximately 15 minutes.

Carried unanimously.

All Councillors were present at the resumption of the meeting of Council at 7.03pm.

**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 Council note that Disclosures of Interest returns will be received following the resumption of in person meetings.

Carried unanimously.

**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 2.06pm those present were -

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

The meeting of the Corporate, Finance, Properties and Tenders Committee concluded at 2.27pm.

**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 30 March 2020 be received, with Item 6.1 being noted, and the recommendations set out below for Items 6.2 to 6.7 inclusive being adopted in globo.

Carried unanimously.

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

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

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

**Item 6.2****Investments Held as at 29 February 2020**

It is resolved that the Investment Report as at 29 February 2020 be received and noted.

Carried unanimously.

X020701

**Item 6.3****Post Exhibition - Smart City Strategic Framework**

It is resolved that:

- (A) Council adopt the Smart City Strategic Framework, as amended following public consultation and shown at Attachment B to the subject report; and
- (B) authority be delegated to the Chief Executive Officer to undertake minor editorial amendments to prepare the Smart City Strategic Framework document for publication.

Carried unanimously.

X017671

**Item 6.4****Policy - Adoption - Fraud and Corruption Internal Reporting Policy**

It is resolved that Council adopt the draft Fraud and Corruption Internal Reporting Policy, as shown at Attachment A to the subject report.

Carried unanimously.

S121629.035

**Item 6.5****Lease Approval - Part 540 George Street, Sydney and Stratum Stair Access Town Hall - Woolworths Group Limited**

Note – This item was withdrawn from the agenda of the Corporate, Finance, Properties and Tenders Committee.



## **Item 6.6**

### **Tender - Reject and Negotiate - Renewable Energy Concierge**

It is resolved that Council:

- (A) decline to accept any of the tenders received for the Renewable Energy Concierge;
- (B) cancel the proposal for the contract for the Renewable Energy Concierge; and
- (C) note that the Renewable Energy Concierge will be reconsidered at a later date.

Carried unanimously.

X013361.005

## **Item 6.7**

### **Exemption from Tender - Supply and Installation of Hoardings for Fig and Wattle Streets Depot and The Bulk Store at Bay Street Depot**

It is resolved that:

- (A) Council approve an exemption from tender for the extension of the hire of B Class hoardings for a period of 36 months from 30 March 2020 to 31 March 2023, due to extenuating circumstances, as a satisfactory result would not be achieved by inviting tenders;
- (B) Council note the reasons a satisfactory result would not be achieved by inviting tenders for the hoarding installations at Fig and Wattle Streets Depot and The Bulk Store at Bay Street Depot are:
  - (i) Fig and Wattle Streets Depot is in the process of being sold, it is necessary to urgently extend the existing contract in order to ensure public safety;
  - (ii) The Bulk Store at Bay Street Depot hoarding is essential for public safety until the completion of structural reinforcement works, it is necessary to urgently extend the existing contract;
  - (iii) if the City were to seek competitive quotes, additional costs for removal and reconstruction of the hoarding would need to be paid; and
  - (iv) the current rates for the hoarding rental remain competitive compared to market rates;
- (C) Council approve the variation of the current contracts for the construction and hire of B Class hoardings to protect pedestrians and vehicular traffic, by extending the contract term for a further 36 month period to 31 March 2023; and
- (D) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the construction and hire of B Class hoardings to protect pedestrians and vehicular traffic, referred to in clause (C) above.

Carried unanimously.

S101696

**Item 7 Report of the Environment Committee**

PRESENT

The Lord Mayor Councillor Clover Moore

(Chair)

Councillor Jess Miller

(Deputy Chair)

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

At the commencement of business at 2.28pm those present were -

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

The meeting of the Environment Committee concluded at 2.37pm.

**Report of the Environment Committee**

Moved by Councillor Miller, seconded by Councillor Scully –

That the report of the Environment Committee of its meeting of 30 March 2020 be received, with Item 7.1 being noted, and the recommendation set out below for Item 7.2 being adopted.

Carried unanimously.

**Item 7.1****Disclosures of Interest**

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

The Environment Committee recommended the following:-

## **Item 7.2**

### **Project Scope - Ernest Pedersen Reserve, Glebe**

It is resolved that Council:

- (A) endorse the scope of work for improvements to Ernest Pedersen Reserve, Glebe, as described in the subject report and shown in the Revised Concept Plan at Attachment B to the subject report, for progression to relevant approvals, preparation of construction documentation, tender and construction;
- (B) note that feedback from the community will be further investigated and incorporated into the improvements to Ernest Pedersen Reserve, Glebe, during the detailed design phase where possible; and
- (C) note the estimated project forecast as outlined in Confidential Attachment F to the subject report.

Carried unanimously.

X019475

### **Speakers**

Written submissions by Mr Robert Hannan, Mr Samuel Whiteman, Mr Brian Baumhammer and Ms Kristy Harris on Item 7.2 were considered by the Environment Committee, which was conducted remotely.

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

The Lord Mayor Councillor Clover Moore

(Chair)

Councillor Robert Kok / Councillor Linda Scott

(Deputy Chair)

Deputy Lord Mayor Councillor Jess Scully, Councillors Craig Chung, Christine Forster, Jess Miller, Prof Kerryn Phelps AM, Prof Philip Thalys and Angela Vithoukaskas.

At the commencement of business at 2.38pm those present were -

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

**Sub-Committees**

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

The Cultural and Creative Sub-Committee, with Councillor Kok as Deputy Chair, commenced at 2.38pm.

The Healthy Communities Sub-Committee, with Councillor Scott as Deputy Chair, commenced at 2.44pm.

The meeting of the Cultural and Community Committee and all its Sub-Committees concluded at 3.11pm.

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

Moved by Councillor Kok, seconded by Councillor Miller –

That the report of the Cultural and Creative Sub-Committee of its meeting of 30 March 2020 be received, with Item 8.1 being noted, and the recommendations set out below for Items 8.2 to 8.3 inclusive being adopted in globo.

Carried unanimously.

**Item 8.1****Disclosures of Interest**

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

The Cultural and Creative Sub-Committee recommended the following:

## **Item 8.2**

### **Memorandum of Understanding - ANZAC Day 2020-2022**

It is resolved that:

- (A) Council approve the terms of the Memorandum of Understanding as shown at Attachment A to the subject report;
- (B) authority be delegated to the Chief Executive Officer to finalise and enter into the Memorandum of Understanding with The Returned and Services League of Australia (NSW Branch), the Dawn Service Trust Inc. and the State of New South Wales as shown at Attachment A to the subject report;
- (C) Council note the funding implications for the implementation of ANZAC Day services as detailed in the subject report.

Carried unanimously.

X012633

## **Item 8.3**

### **Public Exhibition - Draft Archives Collection Management Policy**

It is resolved that:

- (A) Council endorse the draft Archives Collection Management Policy, as shown at Attachment A to the subject report for public exhibition for a minimum of 14 days;
- (B) authority be delegated to the Chief Executive Officer to make minor editorial amendments prior to the exhibition of the draft Archives Collection Management Policy;
- (C) should no amendments be required following public exhibition, Council adopt the draft Archives and Collection Management Policy as shown at Attachment A to the subject report; and
- (D) authority be delegated to the Chief Executive Officer to make and approve minor housekeeping and editorial amendments to the adopted Archives and Collection Management Policy, as may be required from time to time.

Carried unanimously.

X002609.001

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

Moved by Councillor Scott, seconded by Councillor Thalís -

That the report of the Healthy Communities Sub-Committee of its meeting of 30 March 2020 be received, with the recommendation set out below for Item 8.4 being adopted.

Carried unanimously.

The Healthy Communities Sub-Committee recommended the following:

**Item 8.4****Public Exhibition - Draft Mobile Voluntary Services Policy and Guidelines**

It is resolved that:

- (A) Council endorse the draft Mobile Voluntary Services Policy and Guidelines, as shown at Attachments A and B to the subject report, for public exhibition for a minimum of 28 days.
- (B) authority be delegated to the Chief Executive Officer to undertake minor editorial amendments prior to the exhibition of the draft Mobile Voluntary Services Policy and Guidelines.

Carried unanimously.

S111435

**Speakers**

Written submissions from Ms Sharon Gudu, Ms Stephanie McFarlane, Mr Norm McGillivray, Mr Andrew Davies, Ms Helen Wilkinson, and Ms Katherine McKernan were considered by the Cultural and Community Committee, which was conducted remotely.

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

PRESENT

The Lord Mayor Councillor Clover Moore

(Chair)

Councillor Prof Philip Thalís

(Deputy Chair)

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

At the commencement of business at 3.11pm those present were -

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

The meeting of the Transport, Heritage and Planning Committee concluded at 3.14pm.

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

Moved by Councillor Thalís, seconded by Councillor Scully –

That the report of the Transport, Heritage and Planning Committee of its meeting of 30 March 2020 be received, with Item 9.1 being noted, and the recommendations set out below for Items 9.2 to 9.3 inclusive being adopted in globo.

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.

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

## **Item 9.2**

### **Award of Heritage Floor Space - Capitol Theatre, Haymarket**

It is resolved that:

- (A) Council approve the Capitol Theatre Conservation Management Plan, prepared by Urbis Pty Ltd, dated 28 January 2020, as required by the Sydney Local Environmental Plan 2012 and provided at Attachment E to the subject report;
- (B) Council approve the award of 10,871.25 square metres of heritage floor space, subject to:
  - (i) covenants on title, as required by the Sydney Local Environmental Plan 2012, to ensure that no development can occur on the site that either:
    - (a) increases the gross floor area of the heritage building; or
    - (b) increases the height of the heritage building;
  - (ii) covenants on title that ensure the continued maintenance and conservation of the building in line with the Capital Theatre Conservation Management Plan, prepared by Urbis Pty Ltd, dated 28 January 2020. This covenant must include a requirement for ongoing provision of adequate insurance and a maintenance fund, as required by the Sydney Development Control Plan 2012; and
- (C) authority be delegated to the Chief Executive Officer to confirm the calculation of the final award and finalise the deed and required covenants in accordance with (B) above.

Carried unanimously.

X025504



### **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 D of the subject report;
- (C) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 35-37 Erskineville Road, Erskineville, as detailed in Attachment B;
- (D) 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 51-55 Missenden Road, Camperdown, as detailed in Attachment C; and
- (E) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 2 Defries Avenue, Zetland, as detailed in Attachment D.

Carried unanimously.

S105001.002

**Item 10 Questions on Notice****Anthony Lister Commissioned Art**

1. By Councillor Chung

**Question**

In the period 2016-2020:

1. Does/did Council have any artwork in its collection by the artist Anthony Lister? (If so, please list them).
2. Does/did Council display any artworks by artist Anthony Lister?
3. How many street artworks are/were in the City of Sydney by artist Anthony Lister?
4. How many grants and for how much has Council given which supported Anthony Lister either directly or indirectly? Please provide details by year and organisation.

S129268

**Answer by the Chief Executive Officer**

1. The City does not have art works by Anthony Lister in either the public art collection or the Civic Collection.
2. The City does not display art works by Anthony Lister. He has not been commissioned by the City's Art and About program, and his work has not been included in the site works hoarding program.
3. There are approximately ten art works by Anthony Lister in the City of Sydney local government area. (Staff have not been able to confirm through site visits this week). The works have either been created by Mr Lister without consent or have been commissioned by the respective property owners as exempt development.
4. Anthony Lister has not received grants or other support from the City.

## Save the Curtain Call Statue

2. By Councillor Scott

### Question

Please detail progress from the City of Sydney and NSW State Government on the restoration of the 'Curtain Call' statue.

S129266

### Answer by the Chief Executive Officer

The City is not responsible for the Curtain Call statue or its location.

The Lord Mayor wrote to Property NSW regarding this matter in July 2019. In response, Property NSW confirmed that the sculpture was in storage while the cost, location and work, health and safety aspects of a possible future reinstatement were considered.

## Tom Uren Place, Woolloomooloo

3. By Councillor Scott

### Question

1. Please detail the allocation of funding for the upgrade of equipment in Bourke Street Park for the following budget years, broken down by year since 2004.
2. Please detail City actions taken to increase public safety (additional street lighting on City-owned and leased land) around the following areas, including providing details of correspondence between the City and Ausgrid:
  - Tom Uren Place; Cathedral Street, Bourke Street, Charles Street and Forbes Street.
3. Please detail City actions we are taking in light of COVID-19 in Woolloomooloo, and specifically for Tom Uren Place.
4. Please detail community consultation efforts in Woolloomooloo as part of the Sustainable Sydney 2050 Strategy.

S129266

### Answer by the Chief Executive Officer

1. Bourke Street Park is open space under the eastern suburbs railway. It was upgraded in 2011 at a cost of \$977,050. Upgrade works included a community garden, public toilet, fitness station and landscaping. The fitness station soft fall has recently been replaced and the community garden expansion was completed in February 2020. There is no play equipment in Bourke Street Park. There is currently no budget allocated for further works. Budget will be allocated based on asset condition.
2. The City upgraded pedestrian lighting in 2017/18 on both sides of Bourke Street by installing additional LED lighting on the footpath side of existing Ausgrid wooden poles, as part of the City's Pedestrian Lighting Improvement program.

City-owned lighting in Forbes Street was upgraded in 2017.

The City has partnered with Ausgrid to upgrade conventional street lighting in Cathedral, Bourke and Charles Streets to LED lights under the Accelerated LED rollout program over the next two years, which will improve lighting quality. The tragic death of an Ausgrid line worker, in early 2019, resulted in the temporary cessation of all Ausgrid live-line works until completion of their investigations, which has impacted this program.

The City undertook an independent audit of lighting levels at Tom Uren Place in May 2019 to provide guidance as to where lights may be added to achieve compliant lighting levels. This area is privately owned by RailCorp NSW, and any upgrade to lighting at this location will require support of the owner. The City will continue to work with RailCorp NSW regarding upgrade of lighting at this location.

3. The City's Cleansing Operations team service Tom Uren Place and the area around Matthew Talbot seven days a week, including public holidays and Christmas/New Year.

The Cleansing Operations team uses a steam plant, mechanical sweepers and a response truck to service these areas; a garbage compactor is used to empty the street litter bins around Tom Uren Place. The Cleansing department currently uses an enzyme for deodorising and are awaiting delivery of COVID 19 specific sanitiser to incorporate in conjunction with our steam plants for COVID 19 cleaning.

The City is aware of at least fourteen mobile voluntary services operating in the Woolloomooloo area, with most operating on Tom Uren Place – an area of land owned and managed by NSW Rail Corporation

The City has advised all mobile voluntary services we have a relationship with to review their service delivery practices to ensure the safety of service users, staff and volunteers and shared information from NSW Health as well as work with Kings Cross Police Area Command to help oversee and manage the measures

The City continues to provide public domain management, with the City's Public Space Liaison Officers continuing to visit the area, and coordinate cleansing with the Cleansing and Waste team

The City is working with the Department of Communities and Justice, NSW Police and sector partners to provide safe and appropriate accommodation for people sleeping rough for as long as it is required.

4. The City of Sydney hosted a community session at the Juanita Nelsen Community Centre on 19 March 2019 as part of the Sydney 2050 engagement program. A pop-up stall took place at the Woolloomooloo Social Housing Forum in March and a workshop with students at Plunkett Street Primary School was held in May 2019. Outcomes of these consultation activities were reported to Council in December 2019 and are available online.

The City also undertook early engagement on Waterloo Playground with students from Plunkett Street Primary School, through an online survey and with the community garden group in November 2019.

## **Pedestrian Access in Walsh Bay**

4. By Councillor Scott

### **Question**

1. Please detail investigations and actions taken to increase pedestrian accessibility between Walsh Bay and Millers Point, particularly on Pottinger Street.
2. Please detail City expenditure on this area, if any.
3. Please detail the outcomes of these investigations and actions.

S129266

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

1. Together with the Millers Point Resident Action Group, City staff have developed a concept plan to widen footpaths and introduce pedestrian crossings in Lower Fort, Pottinger and Windmill Streets and Trinity Avenue, to improve access and safety for pedestrians.
2. Nil expenditure to date.
3. The Heritage Impact Statement states that the concept plan is “not consistent with the heritage values of the area” and that “that the proposed changes to intersections would have adverse impacts on the heritage significance of the area in all locations”. At this stage we are not pursuing any changes until heritage matters are resolved.

## **Walsh Bay Arts and Cultural Precinct**

5. By Councillor Scott

### **Question**

Please detail the advocacy actions the Lord Mayor and Council have undertaken with the NSW and Federal Governments regarding residential use and access to the foreshore of the Walsh Bay area, during and after redevelopment.

S129266

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

Public access to the Walsh Bay wharves is protected through existing registered easements on title. The Walsh Bay Arts and Cultural Precinct (WBACP) redevelopment will not change this. The WBACP redevelopment was approved by the Department of Planning, Industry and Environment, under application reference SSSDA 8671.

Council's advocacy actions on this redevelopment, was via the Central Sydney Planning Committee (CSPC), as per Clause 16(a) of Sydney Regional Environmental Plan 16, Walsh Bay. A draft of the Council's submission to the Department of Planning, Industry and Environment was circulated to all members of the CSPC on Wednesday 29 November 2017 and the Committee was specifically briefed on the proposal prior to the CSPC meeting on Thursday 30 November 2017.

During construction, waterfront access around the wharves is closed for safety reasons, with wayfinding signage to advise the public. The bicycle shoulder lane and pedestrian footpath along Hickson Road, however, is still open, allowing the public to traverse in an east / west direction.

The existing asphaltic concrete footpath along Hickson Road is in poor condition and is likely to require resurfacing to support an anticipated increase in pedestrian traffic. Accordingly, The City's Public Domain unit recommended conditions be imposed on SSDA 8671, including the provision of alignment levels, a public domain plan, protection of the stone curb and a public domain damage deposit.

Once the redevelopment of Wharf 4/5 and its shore sheds are complete, the public will be once again able to access the waterfront, including people who wish to partake in recreational fishing. City staff are continuing to work with the State Government on the wayfinding signage strategy.

In terms of residential use, consideration by NSW Government of potential uses in the 1990s resulted in the redevelopment of Piers 6/7 and 8/9 to provide a mix of residential, commercial and retail uses – ultimately to be complemented by an arts and cultural focus on Pier 2/3, Wharf 4/5 and the Wharf 4/5 shore sheds.

Between 2004 and 2010 several options for the precinct were explored. These options were further refined as part of an extensive preliminary concept design process. In 2013 a Master Plan was prepared by the NSW Government Architect and provided a blueprint for the ongoing redevelopment of Walsh Bay Pier 2/3, Wharf 4/5 and Wharf 4/5 shore sheds. There are no plans to turn more of Walsh Bay wharfs / piers into residential use.

## **City of Sydney Casuals**

6. By Councillor Scott

### **Question**

1. Please detail how many casuals the City has employed in 2019/20.
2. Of these, please detail how many have ceased working for the City due to COVID-19 restrictions since 19 March 2020.
3. Please detail the entitlements casuals employed will receive from the City of Sydney, noting not all staff had regular work hours.
4. Please detail when these entitlements will be paid, for work that has ceased due to Coronavirus services restrictions.

S129266

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

In the four weeks (20 January to 16 February 2020) prior to the first service disruptions resulting from the COVID-19 Pandemic, the City employed approximately 135 casuals.

88 casual employees have had shifts temporarily suspended due to COVID-19 restrictions since 19 March 2020. Most are casual staff work who in facilities impacted by the Government's social distancing measures, including libraries, community and recreation centres, events and venues.

All casuals remain on the payroll system and have been getting paid even as services were being closed. The City has been talking to casuals about the closures as they were announced and how this affects them to assure they would be getting paid for four weeks, from the closure of the service.

This approach was in line with the Joint Statement by Local Government NSW and the Unions, which clearly outlines the conditions for casuals in this situation.

The City is yet to determine what it will do in regard to the payment of casual employees whose shifts are suspended due to temporary service closures.

## City of Sydney Capital Works Register Update

7. By Councillor Forster

### Question

On 13 November 2017, I moved a Notice of Motion, carried unanimously, for the Chief Executive Officer to investigate the development of a City of Sydney Capital Works portal, accessed via the City's website, that identifies all current Capital Works projects, their scope, location, most recently adopted budget, estimated completion date and status.

To date no updates on the progress of this investigation have been provided. Can the Chief Executive Officer please provide an update on the status of these investigations?

S129269

### Answer by the Chief Executive Officer

The City's Capital Works Program is an extensive program (\$235 million adopted for 2019/20 alone, and \$1.6 billion over the ten years) that includes significant new projects, asset enhancement and asset renewal programs.

Council adopts its annual and long term financial program each year, including the capital works program, and this is publicly exhibited and shared with the community for comment as part of the integrated planning and reporting each year in May before being adopted in June.

Throughout the year, the progress of many individual projects is shared with the public through our extensive engagement and consultation process, culminating in the public exhibition of relevant scoping reports. The "Sydney Have Your Say" website <https://www.cityofsydney.nsw.gov.au/council/your-say> provides online access to all current City projects that are in consultation phase, including information on concept design, key dates and contact details of staff for further information should the community member needs additional information. Specific scoping reports are also publicly provided for many individual projects within many of council's asset enhancement and renewal programs, including cycleways, open space and parks, community cultural and recreational facilities and public art. Scoping reports generally provide indicative design, artist impressions, the location of the specific project and any important elements incorporated within the overall project. The delivery of each of these projects is then progressed through a public tender process, along with any required budget adjustments, which also advises the relevant timeline for delivery.

Council and the public are provided an update for the overall capital works program every quarter, which highlights any significant delays, and any necessary budget adjustments. For all significant projects, those individually valued at more than \$5M, an individual progress comment is provided at each quarter.

In addition to this current information, the City currently provides a number of web pages that include information on a number of selected capital works. This is available on the City's main web site under the Vision/Better Infrastructure menu. In the last 12 months this has received over 53,000 unique page views with the page on Parks and Playgrounds the most popular with 38 per cent of the total number of unique hits. The "Vision" group of web pages receive over 375,000 unique page views in the same period for comparison.

## **Creative Spaces Data Survey**

8. By Councillor Forster

### **Question**

The Creative Spaces Data Survey - January to June 2019 was released in the 24 January 2020 CEO Update.

Quarterly data surveys are completed by tenants included in the City's Creative Spaces Program and they help the City measure the impact of the Creative Spaces programs within precincts and the creative sector.

How is the data provided by the tenants verified?

S129269

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

The City is currently a member of the National Local Government Cultural Forum, consisting of representatives of all Australian capital city councils and the Australia Council for the Arts. The forum has worked with the Cultural Development Network to establish data protocols for measuring cultural and creative industries activity.

Details on tenancy, space, usage, and building replacement cost are made using the Cultural Development Network's methodology as well as the City's assets and finance data, to estimate the City's inputs. The information in the Creative Spaces CEO Update draws data from tenant self-reporting surveys. Tenant responses are analysed and compared to previous quarters and same period last year to identify anomalies or changes. These are then clarified with tenants if required.

Additionally, the City has commissioned an independent cost benefit analysis of the creative spaces project, with a particular focus on the allocation of workspace for creative enterprise. This was undertaken by the University of Tasmania. It notes a \$17:\$1 return on City investment. This comparatively high number is due to the program's impact on those smaller scale enterprises at the beginning of knowledge economy supply chains, and subsequent value created by addressing market failures brought about by high rental costs.

## **External Combustible Cladding Programme Update**

9. By Councillor Forster

### **Question**

Councillors received a memo regarding the City's External Combustible Cladding Programme on 20 December 2019. The memo stated that 'the City's assessment of cladded buildings is comprehensive and includes the overall inherent adequacy of the building's fire safety standards and the composition of the cladding material affixed to the external features of a building.'

Can the Chief Executive Officer please provide further details of the findings of the City's assessments regarding the overall inherent adequacy of the buildings' fire safety standards?

S129269



**Answer by the Chief Executive Officer**

The City is currently investigating 282 premises. To date, City officers have issued 59 fire safety orders requiring owners to remove and replace cladding, or to conduct a cladding safety audit. 70 buildings have been declared safe.

All high-risk premises have been inspected by City staff as agreed with the State's Cladding Taskforce and the focus now is issuing notice of intention to issue fire safety orders for all high-risk buildings by the end of June 2020. 37 notices are required to be issued by the end of June and while this is on track there are some delays due to the impacts of the COVID-19 pandemic.

City officers continue to update the cladding data held by the NSW Cladding Taskforce, Department of Customer Service, to assist in the NSW cladding compliance program, as well as contribute to an interagency cladding working group.

The City also continue to receive further cladding enquires from Fire and Rescue NSW, the Department of Planning Industry and Environment's register and the public.

**The Crescent Skate Park and Playground Update**

10. By Councillor Forster

**Question**

On 26 August 2013, Council adopted the Johnstons Creek Parklands Master Plan. On 8 December 2014, Council endorsed the scope of the proposed works arising out of the adopted the Master Plan. The proposed scope included the removal of all Council-owned buildings along The Crescent and the remediation of contaminated land to create new green open space. It also included a new skate space at the northern end of The Crescent and the clearing of the arches under the viaduct to connect the new open space to Federal Park.

On 26 October 2015, Council endorsed the refined concept design for the new open space at The Crescent and related works in Federal Park. Construction was to take place between October 2016 and June 2017.

Works finally commenced on the site on 6 June 2019, almost three years later than originally scheduled.

In December 2019, the City was advised that the contractor building the skate park and playground next to Federal Park had gone into administration.

The City has stated that the Johnstons Creek masterplan and this new open space continue to be a priority.

1. When is work expected to restart on this project?
2. When is this project expected to be completed?
3. What is the expected total cost of this project given these new circumstances and delays?

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**Answer by the Chief Executive Officer**

1. The City has formally terminated the contract with previous Head Contractor, made the site safe and secure, and undertaken any required works to make the existing works safe and reduce any risk exposure to the City.

The City is now working towards engaging another an alternate contractor to complete the project. Should these negotiations be successful and following endorsement by Council, it is hoped these works could commence mid-2020. This, of course, would be subject to the changing regulatory and legislative environments at all levels of government, during the time of the COVID-19 pandemic.

2. Anticipated project completion is mid-2021, subject to inclement weather and the potential COVID-19 impacts.
3. The report to Council will highlight the additional costs incurred resulting from the liquidation of the previous contractor earlier this year. It will also highlight the additional cost required to engage the alternate contractor if negotiations are successful.

**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 Congratulations Lucy Turnbull AO

Moved by Councillor Chung, seconded by Councillor Forster -

It is resolved that:

- (A) Council note:
- (i) Lucy Turnbull AO was the first female Lord Mayor of the City of Sydney from 2003-2004;
  - (ii) in 2015 Mrs Turnbull was appointed the inaugural Chief Commissioner of the Greater Sydney Commission. Since that time, Mrs Turnbull has overseen the development and release of the Greater Sydney Region Plan (Metropolis of Three Cities), the NSW Government's 40-year vision for the growth and development of Greater Sydney and the development and release of five associated District Plans;
  - (iii) Mrs Turnbull has championed a personal passion for Greater Sydney's liveability through local open spaces, walkability to promote health and community and a female-friendly focus on improving access for everyone;
  - (iv) Mrs Turnbull has been recognised for her commitment to greater Sydney including having been:
  - (v) awarded an honorary Doctorate of Business by the University of NSW in 2012;
  - (vi) appointed Adjunct Professor at the Faculty of Built Environment, University of NSW in 2016; and
  - (vii) awarded an honorary Doctorate of Letters from Western Sydney University which she received for her substantial and sustained service and contribution to the University and the Greater Western Sydney region in 2017;
  - (viii) Mrs Lucy Turnbull AO has announced her resignation as the Greater Sydney Commission's Chief Commissioner, effective 31 March 2020; and
  - (ix) Mr Geoff Roberts AM, the Commission's Deputy Chief Commissioner has been appointed Chief Commissioner from 1 April 2020 until March 2021;
- (B) the Lord Mayor be requested to write to Mrs Lucy Turnbull AO congratulating her on the achievements during her time as the Greater Sydney Commission's Chief Commissioner and thanking her for her service to Greater Sydney; and
- (C) the Lord Mayor be requested to write to Mr Geoff Roberts AM to congratulate him on his appointment as the new Chief Commissioner for the Greater Sydney Commission.

Carried unanimously.

S129259

## **Item 12.2 COVID-19 Guidelines for Strata Buildings**

Moved by Councillor Phelps, seconded by Councillor Vithoukias -

It is resolved that:

(A) Council note:

- (i) high-density apartment buildings with residents staying at home due to the coronavirus pandemic have the potential to have mass outbreaks of the disease, similar to those that have occurred on cruise ships;
- (ii) in the City of Sydney local government area, 80 per cent of residents live in strata buildings;
- (iii) outbreaks are possible and these high-density strata buildings need to be equipped to deal with them; and
- (iv) without a set of clear guidelines to follow, there will be a lack of compliance and these blocks could see outbreaks, given such large groups of people living so closely together; and

(B) the Chief Executive Officer be requested to urgently develop, with advice from the NSW Department of Health and the Strata Community Association NSW, a set of evidence-based guidelines to minimise the risks of outbreaks of COVID-19 in strata communities.

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

The motion was lost on the following show of hands –

Ayes (1) Councillor Phelps

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

Councillor Scully then moved her foreshadowed motion, seconded by the Chair (the Lord Mayor) -

It is resolved that:

(A) Council note:

- (i) in the City of Sydney local government area, over 70 percent of residents live in high-density settings, such as apartment buildings;
- (ii) people live in many different high-density building types, including those managed by strata committees, or managed by owners through company title;
- (iii) the City of Sydney local government area has a significant population of vulnerable residents whose living arrangements include boarding houses, social housing and co-housing;
- (iv) outbreaks of COVID-19 are possible because residents are staying at home due to the pandemic, with increased contact in common areas, and some building managers may be unaware of what is required to protect residents in shared spaces;

- (v) residents living in high-density buildings of all kinds need to have the information they need to manage the risk of outbreaks occurring; and
  - (vi) without clear information, the risk of compliance failures is increased, which could result in outbreaks, given large groups of people living so closely together;
  - (vii) the Strata Community Association represents strata managers who provide facilities and building management services to approximately 90 percent of the strata buildings in the City of Sydney local government area, and around 75 percent of strata buildings across NSW;
  - (viii) the Strata Community Association has prepared and distributed best practice guidelines for strata committees and building managers on how to manage and mitigate COVID-19 risks in high-density living areas, and is holding information sessions to educate committees and managers about their responsibilities;
  - (ix) NSW Fair Trading is the key government channel for information on building management to strata communities, and also has some resources available to help strata committees prepare their responses to COVID-19, but these resources could be enhanced;
  - (x) the NSW Minister for Families and Communities, the Hon Gareth Ward MP, has written to social housing tenants advising that the Department of Families and Communities is "increasing common area cleaning programs in multi-unit and high-rise building complexes in the inner city"; and
  - (xi) local councils are responsible for enforcing safety and accommodation standards in boarding houses. They also have the power to fine operators if they are unregistered and order them to meet building, safety and accommodation standards. City staff are liaising with the Tenants Union of NSW, NSW Health and the Department of Communities and Justice to ensure boarding house residents and operators are aware of their rights and responsibilities around COVID-19; and
- (B) the Lord Mayor be requested to write to the following ministers requesting that the state government work with the relevant community and industry bodies such as Strata Community Association to distribute evidence-based information and guidelines to minimise the risks of outbreaks of COVID-19 in residential settings, including strata communities, company title buildings, boarding houses and social housing;
- (i) NSW Minister for Health and Medical Research;
  - (ii) NSW Minister for Water, Property and Housing;
  - (iii) NSW Minister for Better Regulation and Innovation; and
  - (iv) NSW Minister for Families, Communities and Disability Services.

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

It is resolved that:

- (A) Council note:
- (i) in the City of Sydney local government area, over 70 percent of residents live in high-density settings, such as apartment buildings;
  - (ii) people live in many different high-density building types, including those managed by strata committees, or managed by owners through company title;

- (iii) the City of Sydney local government area has a significant population of vulnerable residents whose living arrangements include boarding houses, social housing and co-housing;
  - (iv) outbreaks of COVID-19 are possible because residents are staying at home due to the pandemic, with increased contact in common areas, and some building managers may be unaware of what is required to protect residents in shared spaces;
  - (v) residents living in high-density buildings of all kinds need to have the information they need to manage the risk of outbreaks occurring; and
  - (vi) without clear information, the risk of compliance failures is increased, which could result in outbreaks, given large groups of people living so closely together;
  - (vii) the Strata Community Association represents strata managers who provide facilities and building management services to approximately 90 percent of the strata buildings in the City of Sydney local government area, and around 75 percent of strata buildings across NSW;
  - (viii) the Strata Community Association has prepared and distributed best practice guidelines for strata committees and building managers on how to manage and mitigate COVID-19 risks in high-density living areas, and is holding information sessions to educate committees and managers about their responsibilities;
  - (ix) NSW Fair Trading is the key government channel for information on building management to strata communities, and also has some resources available to help strata committees prepare their responses to COVID-19, but these resources could be enhanced;
  - (x) the NSW Minister for Families and Communities, the Hon Gareth Ward MP, has written to social housing tenants advising that the Department of Families and Communities is "increasing common area cleaning programs in multi-unit and high-rise building complexes in the inner city"; and
  - (xi) local councils are responsible for enforcing safety and accommodation standards in boarding houses. They also have the power to fine operators if they are unregistered and order them to meet building, safety and accommodation standards. City staff are liaising with the Tenants Union of NSW, NSW Health and the Department of Communities and Justice to ensure boarding house residents and operators are aware of their rights and responsibilities around COVID-19; and
- (B) the Lord Mayor be requested to write to the following ministers requesting that the state government work with the relevant community and industry bodies such as Strata Community Association to distribute evidence-based information and guidelines to minimise the risks of outbreaks of COVID-19 in residential settings, including strata communities, company title buildings, boarding houses and social housing:
- (i) NSW Minister for Customer Service;
  - (ii) NSW Minister for Health and Medical Research;
  - (iii) NSW Minister for Water, Property and Housing;
  - (iv) NSW Minister for Better Regulation and Innovation; and
  - (v) NSW Minister for Families, Communities and Disability Services; and

- (C) the Lord Mayor be requested to write to the NSW Minister for Mental Health to seek advice on how City of Sydney Council may be able to assist in promoting good mental health for all residents during the COVID-19 pandemic.

Carried unanimously.

**Misrepresentation**

During discussion on Item 12.2, Councillor Scully stated that she had been misrepresented in respect to comments made by Councillor Phelps and clarified her position accordingly.

S129263



### **Item 12.3 Coal Mining under Woronora Reservoir**

Moved by Councillor Phelps, seconded by Councillor Miller -

It is resolved that:

(A) Council note:

- (i) the NSW Government has recently granted planning approvals for an expansion of coal mining operations under Woronora reservoir, one of Sydney's key drinking water catchments;
- (ii) the new expansion will see new coal faces established under the Woronora dam, which supplies drinking water to Sydney. Up to three new underground coal faces will be established at the mine, with two of them running below the dam's water storage;
- (iii) this decision to allow coal mining under the Woronora reservoir poses a direct threat to the drinking water of hundreds of thousands of Sydneysiders;
- (iv) mining activities under the reservoir could compromise the integrity of the water storages, potentially leading to leakages, and flow on environmental damage to the surrounding water table and the quality of drinking water supplies;
- (v) the full impacts of the underground mining operations will not be known for several decades, and changes in the geological structures below the dam could continue well after the final coal has been extracted from the site;
- (vi) the roof of the mine has the potential to collapse if abandoned, meaning the threat of contamination to Sydney's water supply will remain indefinitely;
- (vii) as reported by the ABC in August 2017, the abandoned Berrima Colliery was found to be releasing increasingly polluted wastewater into the Wingecarribee River which, like the Woronora reservoir, also feeds into Sydney's water supply, despite the mine closing in 2013; and
- (viii) this contamination only emerged in 2015, according to the Environment Protection Authority, two years after its closure;

(B) the Lord Mayor be requested to write to the NSW Minister for Planning and Public Spaces, the Hon. Rob Stokes, on behalf of Council requesting the NSW Government reverse its decision on the long wall coal mine approval under Woronora reservoir; and

(C) the Chief Executive Officer be requested to release a public statement via City communication channels on behalf of Council requesting the NSW Government reverse its decision on the long wall coal mine approval under Woronora reservoir.

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 NSW Government has recently granted planning approvals for an expansion of coal mining operations under Woronora reservoir, one of Sydney's key drinking water catchments;
- (ii) the new expansion will see new coal faces established under the Woronora dam, which supplies drinking water to Sydney. Up to three new underground coal faces will be established at the mine, with two of them running below the dam's water storage;
- (iii) this decision to allow coal mining under the Woronora reservoir poses a direct threat to the drinking water of hundreds of thousands of Sydneysiders;
- (iv) mining activities under the reservoir could compromise the integrity of the water storages, potentially leading to leakages, and flow on environmental damage to the surrounding water table and the quality of drinking water supplies;
- (v) the full impacts of the underground mining operations will not be known for several decades, and changes in the geological structures below the dam could continue well after the final coal has been extracted from the site;
- (vi) the roof of the mine has the potential to collapse if abandoned, meaning the threat of contamination to Sydney's water supply will remain indefinitely;
- (vii) as reported by the ABC in August 2017, the abandoned Berrima Colliery was found to be releasing increasingly polluted wastewater into the Wingecarribee River which, like the Woronora reservoir, also feeds into Sydney's water supply, despite the mine closing in 2013;
- (viii) this contamination only emerged in 2015, according to the EPA, two years after its closure;
- (ix) the Lord Mayor has written to the NSW Minister for Planning and Public Services, the Hon. Rob Stokes, on behalf of Council requesting the NSW Government reverse its decision on the long wall coal mine approval under Woronora reservoir and implement a permanent ban on all coal mining in the Sydney water catchment; and

(B) that the Chief Executive Officer be requested to release a public statement via City communication channels on behalf of Council requesting the NSW Government reverse its decision on the long wall coal mine approval under Woronora reservoir, and implement a permanent ban on all coal mining in the Sydney water catchment.

The motion was carried on the following show of hands –

Ayes (9) The Lord Mayor, Councillors Chung, Kok, Miller, Phelps, Scott, Scully, Thalys, and Vithoukias

Noes (1) Councillor Forster.

Motion carried.

S129263

**Item 12.4 Just and Resilient City**

Moved by Councillor Scott, seconded by Councillor Scully -

It is resolved that Council:

- (A) supports a socially just and resilient City of Sydney, through the City for All and Resilient City policy framework; and
- (B) supports and endorses the Sydney Policy Lab's principles, endorsing them to guide the City's response to the COVID-19 crisis:
  - (i) fair and equal access to healthcare;
  - (ii) shared economic sacrifice;
  - (iii) enhancing social relationships;
  - (iv) protecting democracy, rights and liberties; and
  - (v) building a sustainable future.

Carried unanimously.

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**Item 12.5 Pymont Peninsula Place Strategy****Procedural Motion**

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

That Item 12.5 be withdrawn as the matter had already been dealt with at Item 3.1.

Carried unanimously.

## **Item 12.6 Powerhouse Museum**

Moved by Councillor Scott, seconded by Councillor Scully –

It is resolved that:

- (A) Council strongly opposes the sale of the Powerhouse museum; and
- (B) the Chief Executive Officer be requested to prepare a response to the NSW Government's heritage changes, advocating for the City's heritage protections that are in place.

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

It is resolved that:

- (A) Council reaffirm its strong opposition to plans to remove the Powerhouse Museum from its current Ultimo location, noting its continuing significance to the City of Sydney's cultural, social, scientific, industrial and economic history and heritage and its vital contribution to the Ultimo-Pyrmont-Chippendale creativity and innovation precinct;
- (B) Council note that:
  - (i) a 2019 New South Wales Parliamentary Inquiry found that the business case for the move of the Ultimo Powerhouse Museum to Parramatta is 'inadequate', and had recommended against the move, instead calling for major investment to restore the museum "to its former glory";
  - (ii) despite these findings and recommendation and the City's and community's opposition to the move, the NSW Government is proceeding with plans to relocate the museum with a design for the new museum being selected through an international design competition;
  - (iii) the NSW Minister for the Arts remains committed to retaining the museum's Ultimo site for cultural and creative purposes;
  - (iv) despite this commitment, pressure continues for the site to be repurposed or redeveloped;
- (C) if the NSW Government continues with the museum's relocation, Council:
  - (i) strongly advocate for continued use of the Ultimo site for cultural and creative purposes; and
  - (ii) strongly oppose repurposing of the site for other uses, sale of the site and unsympathetic, inappropriate development of all or part of the site; and
- (D) the Chief Executive Officer be requested to prepare a response in support of the NSW Government's application to state heritage list the Ultimo Tramways Powerhouse.

The motion was carried on the following show of hands –

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

Noes (2)      Councillors Chung and Forster.

Motion carried.

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At 8.48 pm the meeting concluded.

Chair of a meeting of the Council of the City of Sydney held on Monday 18 May 2020 at which meeting the signature herein was subscribed.