

6 April 2020

At 5.00 pm



Council

Agenda

1. **Confirmation of Minutes**
2. **Disclosures of Interest**
3. **Minutes by the Lord Mayor**
 - 3.1 Pymont Peninsula Place Strategy
4. **Memoranda by the Chief Executive Officer**
 - 4.1 Emergency Delegations to the Lord Mayor - Coronavirus Pandemic
5. **Matters for Tabling**
6. **Report of the Corporate, Finance, Properties and Tenders Committee**
 - 6.1 Disclosures of Interest
 - 6.2 Investments Held as at 29 February 2020
 - 6.3 Post Exhibition - Smart City Strategic Framework
 - 6.4 Policy - Adoption - Fraud and Corruption Internal Reporting Policy
 - 6.5 Lease Approval - Part 540 George Street, Sydney and Stratum Stair Access Town Hall - Woolworths Group Limited
 - 6.6 Tender - Reject and Negotiate - Renewable Energy Concierge
 - 6.7 Exemption from Tender - Supply and Installation of Hoardings for Fig and Wattle Streets Depot and The Bulk Store at Bay Street Depot
7. **Report of the Environment Committee**
 - 7.1 Disclosures of Interest
 - 7.2 Project Scope - Ernest Pedersen Reserve, Glebe
8. **Report of the Cultural and Community Committee**
 - 8.1 Disclosures of Interest

Agenda

Cultural and Creative Sub-Committee

8.2 Memorandum of Understanding - ANZAC Day 2020-2022

8.3 Public Exhibition - Archives Collection Management Policy

Healthy Communities Sub-Committee

8.4 Public Exhibition - Draft Mobile Voluntary Services Policy and Guidelines

9. Report of the Transport, Heritage and Planning Committee

9.1 Disclosures of Interest

9.2 Award of Heritage Floor Space - Capitol Theatre, Haymarket

9.3 Fire Safety Reports

10. Questions on Notice

11. Supplementary Answers to Previous Questions

12. Notices of Motion

12.1 Congratulations Lucy Turnbull AO

12.2 COVID-19 Guidelines for Strata Buildings

12.3 Coal Mining under Woronora Reservoir

12.4 Just and Resilient City

12.5 Pyrmont Peninsula Place Strategy

12.6 Powerhouse Museum

Item 1

Confirmation of Minutes

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

Meeting of 9 March 2020

Extraordinary Meeting of 30 March 2020

Item 2

Disclosures of Interest

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

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

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

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

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

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

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

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

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

Item 3.1

Pyrmont Peninsula Place Strategy

Document to Follow

Item 4.1**Emergency Delegations to the Lord Mayor - Coronavirus Pandemic****File No: X008482****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

Attachment A

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

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.

Item 5

Matters for Tabling

5.1 Disclosures of Interest

Disclosure of Interest returns that have been lodged in accordance with the City of Sydney Code of Conduct are being received and collated by staff.

Recommendation

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

Item 6

Report of the Corporate, Finance, Properties and Tenders Committee - 30 March 2020

Item 6.1

Disclosures of Interest

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

The Committee recommends the following:

Item 6.2

Investments Held as at 29 February 2020

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

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

X020701

The Committee recommends the following:

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.

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

X017671

The Committee recommends the following:

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.

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

The Committee recommends the following:

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.

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

X013361.005

The Committee recommends the following:

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.

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

S101696

Item 7

Report of the Environment Committee - 30 March 2020

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 Committee recommends 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.

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

Speakers

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.

X019475

Item 8

Report of the Cultural and Community Committee - 30 March 2020

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 Committee recommends 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.

(Note – At the meeting of the Cultural and Community Committee, this recommendation was moved by Councillor Kok, seconded by Councillor Scully, and carried unanimously.)

X012633

The Committee recommends the following:

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.

(Note – At the meeting of the Cultural and Community Committee, this recommendation was moved by Councillor Kok, seconded by Councillor Thalys, and carried unanimously.)

X002609.001

The Committee recommends 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.

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

Speakers

Written submissions from Ms Sharon Gudu (Department of Communities and Justice), Ms Stephanie McFarlane (NSW Health), Mr Norm McGillivray (Beddown), Mr Andrew Davies (NSW Food Authority), Ms Helen Wilkinson (Investa), and Ms Katherine McKernan (Homelessness NSW) were considered by the Cultural and Community Committee, which was conducted remotely.

S111435

Item 9

Report of the Transport, Heritage and Planning Committee - 30 March 2020

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 Committee recommends 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.

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

X025504

The Committee recommends the following:-

Item 9.3

Fire Safety Reports

It is resolved that Council:

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

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

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

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

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

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

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

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

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

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

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

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?

S129269

Item 11

Supplementary Answers to Previous Questions

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

Item 12.1**Notices of Motion****Congratulations Lucy Turnbull AO**

By Councillor Chung

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:
 - (a) awarded an honorary Doctorate of Business by the University of NSW in 2012;
 - (b) appointed Adjunct Professor at the Faculty of Built Environment, University of NSW in 2016; and
 - (c) 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;
 - (v) Mrs Lucy Turnbull AO has announced her resignation as the Greater Sydney Commission's Chief Commissioner, effective 31 March 2020; and
 - (vi) 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.

S129259

Item 12.2**Notices of Motion****COVID-19 Guidelines for Strata Buildings**

By Councillor Phelps

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.

S129263

Item 12.3

Notices of Motion

Coal Mining under Woronora Reservoir

By Councillor Phelps

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 millions 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.

Item 12.4

Notices of Motion

Just and Resilient City

By Councillor Scott

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.

S129275

Item 12.5**Notices of Motion****Pymont Peninsula Place Strategy**

By Councillor Scott

It is resolved that:

- (A) Council notes the NSW Minister for Planning:
 - (i) is consulting on the preparation of the Pymont Peninsula Place Strategy through the release of 10 Directions;
 - (ii) did not advise the City of Sydney of the final Directions before they were placed on public exhibition;
- (B) Council note the Minister has been requested to extend the period for public consultation, given the challenges for public consultation due to COVID-19; and
- (C) the Chief Executive Officer be requested to prepare a response to this Strategy, endorsing the City's primary role in land use planning, calling on the NSW Government to return these powers to the City and supporting zoning in line with previous community consultations.

S129275

Item 12.6

Notices of Motion

Powerhouse Museum

By Councillor Scott

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.

S129275