

18 May 2020

At 5.00 pm



# Council

## Agenda

1. **Confirmation of Minutes**
2. **Disclosures of Interest**
3. **Minutes by the Lord Mayor**
  - 3.1 Vale Jack Munday AO
  - 3.2 Support for the Arts
  - 3.3 Creating More Space for People - the Urgent Vision for a Post-Covid-19 City
4. **Memoranda by the Chief Executive Officer**
5. **Matters for Tabling**
6. **Report of the Corporate, Finance, Properties and Tenders Committee**
  - 6.1 Disclosures of Interest
  - 6.2 Revised 2019/20 Operational Plan - Adoption
  - 6.3 2019/20 Quarter 3 Review - Delivery Program 2017-2021
  - 6.4 Integrated Planning and Reporting Program and Budget 2020/21 - Public Exhibition
  - 6.5 Investments Held as at 31 March 2020
  - 6.6 Investments Held as at 30 April 2020
  - 6.7 Proposed Land Transfers from the Department of Planning, Industry and Environment - Various Sites
  - 6.8 Land Classification - Various Lots, Macdonald Street Erskineville
  - 6.9 Lease Approval - Part 540 George Street, Sydney and Stratum Stair Access Town Hall - Woolworths Group Limited
  - 6.10 Lease Approval - Kings Cross Police Station

## Agenda

- 6.11 Exemption from Tender - Head Contractor - The Crescent Lands at Johnstons Creek
- 6.12 Tender - Design and Construction of Drying Green Park Above Ground Works, Green Square Town Centre
- 6.13 Contract Variation - Operation of the City's Aquatic Leisure Centres - Belgravia Health and Leisure Group Pty Limited - Covid-19 Pandemic

### **Economic Development and Business Sub-Committee**

- 6.14 Knowledge Exchange Grant - Committee for Sydney - Precinct Vision for Kings Cross
- 6.15 Knowledge Exchange Sponsorship - City Business Initiatives

## **7. Report of the Cultural and Community Committee**

- 7.1 Disclosures of Interest

### **Healthy Communities Sub-Committee**

- 7.2 Community Services Grant - Funding to Address Homelessness in the Inner City
- 7.3 Change to Meals on Wheels Service Area

## **8. Report of the Transport, Heritage and Planning Committee**

- 8.1 Disclosures of Interest
- 8.2 Public Exhibition – Planning Proposal – 55 Pitt Street, Sydney - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment
- 8.3 Un-Deferral of Planning Controls - 6-12 O'Riordan Street, 320-322 Botany Road and 324 Botany Road Alexandria (Green Square Town Centre) and Public Exhibition of Draft Planning Agreement
- 8.4 Post Exhibition - Planning Proposal – 1-11 Oxford Street, Paddington – Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment
- 8.5 Award of Heritage Floor Space - Queen Victoria Building

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- 8.6 Traffic Treatment - Proposed Permanent Road Closure - Loftus Lane, Sydney
- 8.7 Fire Safety Reports
- 9. Covid-19 Relief Grants Program**
- 10. Questions on Notice**
- 11. Supplementary Answers to Previous Questions**
- 12. Notices of Motion**
  - 12.1 Redirection of Council Notices
  - 12.2 State Government Arts and Cultural Institutions Support
  - 12.3 Safer Cladding for City Buildings
  - 12.4 Investigation of Alternative Financing Options
  - 12.5 Increasing the City's Covid-19 Response Grant Amounts
  - 12.6 Public Libraries Adapting to Covid-19
  - 12.7 Extending Outdoor Pool Season
  - 12.8 Extending Oval Lights into Winter during Covid-19
  - 12.9 Vale Jack Munday
  - 12.10 Local Government Award

## **Item 1**

### **Confirmation of Minutes**

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

Meeting of 6 April 2020

Extraordinary Meeting of 4 May 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.

### 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

#### Vale Jack Munday AO

File No: S051491

#### Minute by the Lord Mayor

To Council:

I inform Council of the death of Jack Munday, trade union leader, environmental activist, protector of our natural and built heritage and former Sydney City Council Alderman on 10 May 2020.

John Bernard Munday was born on 17 October 1929 in Malanda, a small town on the Atherton Tableland 100km west of Cairns in far north Queensland, at the beginning of the Great Depression. His mother died when he was six and his four siblings were scattered among relatives. Jack remained with his father, a dairy farmer who moved around looking for work. Jack attended several schools, running away from his last school, St Augustine's, Cairns at the age of 14 because of its "authoritarian methods" of discipline.

He had excelled at sport and in 1951 moved to Sydney to play rugby league for Parramatta, which he continued for three years, mostly in the reserve grade. He also worked initially as a plumber's apprentice, then in a range of jobs, eventually becoming a builder's labourer.

As Jack changed jobs, he became increasingly involved in the union movement. This culminated with his active membership of the Builders Labourers Federation leading to him being elected as a full-time organiser in 1962. In 1968 Jack, Bob Pringle and Joe Owens supported by a rank and file committee took over the union leadership with Jack becoming secretary.

Jack's election coincided with the beginning of a building boom in Sydney. Workplace safety and improving wages and conditions in this environment were the initial priorities. Jack however believed that the union movement had wider social responsibilities and should act on them. This was put to the test when the union was approached by a group of women who had exhausted all obvious avenues in their campaign to save a small patch of bushland in Hunters Hill from residential development. When a public meeting attended by several hundred people supported their campaign, the union agreed to not allow work on the site and stop work on the developer's new office building. This was the world's first green ban, although the name came later. Kelly's Bush is still there, part of a larger park on the Parramatta River.

Around 40 green bans followed, all imposed with widespread community support. They preserved significant sites and social housing in The Rocks, Woolloomooloo, Centennial Park and Victoria Street in Potts Point. Other green bans stopped a car park for the Opera House being built underneath the Royal Botanic Gardens and ensured a new theatre would be included in the MLC Centre development to replace the theatre which had occupied the same site since 1875. Another green ban supported the rights of a gay university student threatened with expulsion from his residential college. A "Blak" Ban was placed on supposedly 'empty' houses in Redfern were actually occupied by Indigenous Australians. That ban gave the newly elected Whitlam Government time to buy the houses and hand them over to a new housing company under Aboriginal control.

In a letter to the Sydney Morning Herald Jack explained that the preferred to build urgently-required hospitals, schools, other public utilities, high-quality flats, units and houses, provided they are designed with adequate concern for the environment, than to build ugly unimaginative architecturally-bankrupt blocks of concrete and glass offices ... “

“The environmental interests of three million people are at stake and cannot be left to developers and building employers whose main concern is making profit. Progressive unions, like ours, therefore have a very useful social role to play in the citizens' interest, and we intend to play it.”

Jack retired as Builders Labourers Federation Secretary on 1 November 1973, consistent with his belief that union officials should have limited tenure and return to the rank and file and Joe Owens succeeded him. The following year the Federal office of the Builders Labourers Federation took over the NSW Branch and in 1975 Jack, Joe Owens, Bob Pringle and several of their supporters were expelled. Their membership was reinstated in November 1981, just as Jack was launching his book, *Green Bans and Beyond*.

Jack continued his activism both in Australia and internationally, undertaking a lecture tour, which included London's Centre of Environmental Studies and the first United Nations Conference on the Built Environment in 1976. He was a Communist Party candidate for the Senate in 1974 and just missed out being elected to the Legislative Council in 1978.

Jack was elected to Sydney City Council in April 1984 as an Alderman for Gipps Ward, which covered the northern CBD, The Rocks and Millers and Dawes Points, one of nine independents elected that year. A former Liberal Alderman described us as “communists and trendy bleeding heart lefties”. We were all committed to ensuring people had a voice in the decisions that impact on their lives.

Jack chaired Council's Planning Committee until September 1985, which historian Hilary Golder has suggested that probably sent shivers down many a developer's spine! He promoted low-cost housing and attempted to broaden the social and environmental criteria used to assess development applications. He was active in our campaign against the monorail, a developer led proposal to link the CBD to the Darling Harbour development. The alternative, which Council supported, was light rail connected with other public transport.

In March 1987 the State Labor Government sacked the Council. Jack continued his activism supporting community groups, Indigenous Australians, educational institutions, and anti-nuclear campaigns. He served as a Councillor of the Australian Conservation Foundation from 1974 to 1993 and as Chair of the Historic Houses Trust from 1995 to 2001. During the 1990s he was involved in campaigns to protect Circular Quay and the Opera House precinct.

His activism continued into this century. In 2003, he became a member of the Australian Greens, in support of their opposition to the Iraq War and their environmental stance. In 2012 he joined the action to preserve what is thought to be the oldest public square in Australia, Thompson Square and protect Windsor Bridge from further development. In 2014 he became Patron of the Friends of Millers Point after joining the campaign to save the Sirius Building.

It is one of the many accolades Jack received during his life. In 1998 the University of Western Sydney made Jack an honorary Doctor of Letters and an honorary Doctor of Science in recognition of his service to the environment. Three years later, in 2001, the University of Sydney presented Jack with an honorary degree of Master of Environment - a degree especially created for him. In 2000 he was made an Officer of the Order of Australia for service to "the identification and preservation of significant sections of Australia's natural and urban heritage through initiating 'Green Bans' and through the Historic Houses Trust of New South Wales". In 2007, a portion of Argyle Place in The Rocks was renamed Jack Munday Place.

Jack is survived by his wife Judy, a lawyer and activist in her own right, who supported him in many of his campaigns. In the late 1950s Jack married Stephanie Lennon, who died aged only 22, in 1963 15 months after their son Michael's birth. Michael died in car accident also at the age of 22.

Jack's legacy is not just the natural and built environment that was saved through his leadership and activism. It is the values which inspired his activism and which should continue to inspire us.

### **Recommendation**

It is resolved that:

- (A) Council observe a minute's silence to mark the passing of Jack Munday AO, noting his significant contribution to conserving and protecting the natural and urban environment and heritage, to trade unionism and for activism in support of Aboriginal, women's and gay rights, social justice and peace; and
- (B) the Lord Mayor be requested to write to Mr Munday's widow, Judy expressing Council's condolences.

### **COUNCILLOR CLOVER MOORE**

Lord Mayor

## Item 3.2

### Support for the Arts

File No: S051491

#### Minute by the Lord Mayor

To Council:

The essential measures to stop the spread of the Covid-19 coronavirus and protect public health have taken a terrible toll on national cultural life. Theatres, cinemas and other live entertainment venues along with galleries and museums are now closed and it is uncertain when it will financially viable for them to reopen.

A letter to the Prime Minister signed by over 100 arts and cultural organisations highlighted the devastating impact this has had: “Work that has taken years to develop has been lost. Livelihoods are jeopardised. Our venues and other programs have been closed down by government order. As each day passes, the likelihood of reopening or restarting diminishes. The scale of loss across the cultural and creative sector is unprecedented – and devastating, culturally and economically.”

While the framework for easing restrictions announced by the Prime Minister on 8 May 2020 allows theatres to reopen and eventually gatherings of 100 people, physical distancing requirements means this will have little practical effect. Most live performances will not be financially viable and many theatres, concert halls and other live entertainment venues will remain closed. Significantly, while the Safe Work Australia website which provides industry specific Covid-19 workplace advice has none for the arts and live entertainment industries.

These restrictions have had a similarly devastating impact on arts workers. As of 10 April 2020, the *I lost my gig* website recorded lost earnings of \$330 million by musicians, performers, and others with live music related jobs. The closure of bars, restaurants and cafes at the same time denied them traditional alternative sources of employment. These two sectors were the hardest hit. Between 14 March and 18 April, 33.4 per cent of jobs were lost in accommodation and food services and 27 per cent arts and recreation.

On 5 May 2020, while outlining job losses across the Australian economy, the Prime Minister revealed that the hospitality sector had lost 441,000 jobs followed by a loss of 180,000 arts and recreation jobs. This was the first and only time the Prime Minister had uttered the word “arts” since the restrictions were first imposed in March.

These official figures may not reveal the full extent of the impact. The Grattan Institute estimates that creative and performing arts activities employment is expected to drop by 75 per cent. Yet because of their particular employment arrangements, many cultural workers are not eligible for the Commonwealth Government’s JobKeeper program. Suggestions that they should apply for the less financially beneficial JobSeeker program sends a message that their work does not have the same value as other Australians.

It is an appalling message, given their significant contribution to the Australian economy. Research by the Bureau of Communications and Arts in 2018 found cultural and creative activity in Australia contributed \$111.7 billion in 2016-17 across the economy, constituting 6.4 per cent of GDP. Of this cultural activity contributed \$63.5 billion or 57 per cent of total creative and cultural activity. In the same period, the arts, screen and culture sector contributed \$16.4 billion to the NSW economy, and employed the equivalent of approximately 118,000 full time workers. Every dollar spent on arts, screen and culture generated a return of \$1.88 to the NSW economy.

This economic impact is only possible because of the money we are willing to spend. We spend money on the arts, culture and creative output because they delight us, provoke us and help us make sense of our lives. We cannot do without them. The arts advocate Robyn Archer challenges us to imagine spending a day without encountering the work of artists, designers or other creative people. On such a day you would not hear any music or see any visual image. You couldn't use any appliance, wear any clothes, eat from a plate or drink from a cup, because these are also the products of someone's creativity.

Despite this, the Commonwealth Government has all but ignored the impacts of Covid-19 on Australia's cultural and creative sector, and not only in the design of the JobKeeper program. Despite the sector presenting a strong case for significant targeted support, the Federal Government has provided only \$27 million.

This failure may be variously explained by callous indifference, wilful ignorance or a continuation of the unseemly ideological culture wars prosecuted by the Coalition Government since its election in 2013. Its first budget in 2014 slashed arts funding by \$87.1 million over four years. Australia Council funding has since declined by nearly 20 per cent with three-fifths of this funding quarantined for the major flagship companies leaving little for individual artists and the small to medium sector, the seed-beds of our culture.

These seed-beds ensure a strong, vital creative sector, by enabling artists and performers to experiment and take risks, nurture their talent and eventually renew our major cultural institutions. They are the future sources of our national pride. We all like to applaud the band that started out in a provincial city that went to win an international recording contract and play Radio City Music in New York, the performer who started out performing in a tiny hotel cellar and went on to an international career and a Tony Award nomination or the actor who was first noticed by audiences in a small Darlinghurst theatre and went on to win two Oscars. If we let our creatives slip through the cracks and we fail to support our iconic institutions we may have little to celebrate in the future.

The Government must not only repair the significant damage already done, it must publicly acknowledge the need for doing so. The Australian arts community is calling on the Prime Minister to publicly recognise the value of the cultural and creative sector to all Australians, and affirm his commitment to the people and organisations that inspire us.

I support this call and hope it would have the strong support of the business community, civic and community leaders and state and local governments. I hope the challenges facing the cultural and creative community pre-Covid-19 and post-Covid-19 would also be acknowledged: the critical shortage of accessible and affordable creative space and cultural infrastructure; ensuring opportunities for young and emerging artists, and maintaining support for our flagship cultural institutions. The current crisis facing Carriageworks should sound a warning.

Reopening live performance venues will present immediate challenges. Audiences may not return quickly, or economic reasons or because of a fear of being infected. South Korea, where large theatres are now open, may provide a way forward with rigorous prevention measures. Cast members are regularly tested and audience members are temperature checked and required to wear face masks.

Our cultural and creative sectors will need our support if is to confidently survive, recover and renew. Not only targeted financial support, but the recognition and acknowledgement that their survival, recovery and renewal is vital for all of us.

## Recommendation

It is resolved that:

(A) Council note that:

- (i) while essential to protect public health and prevent transmission of the SARS-CoV-2 virus, the Covid-19 physical distancing measures have had a devastating impact on our national cultural life and the livelihoods and wellbeing of Australians working in the creative sectors;
- (ii) the cultural and creative sectors make a significant contribution to the Australian economy, our national wellbeing and our daily lives; and
- (iii) the cultural and creative sectors will face significant challenges post-Covid-19, many of which existed pre-Covid-19, including addressing the critical shortage of accessible and affordable creative space and cultural infrastructure, ensuring opportunities continue for young and emerging artists, maintaining support for our flagship cultural institutions; and the immediate challenges when live performance venues reopen;

(B) the Lord Mayor be requested to write to the Prime Minister to request:

- (i) the Commonwealth Government:
  - (a) provides a substantial targeted package to enable the creative and cultural sectors to survive and recover from the impacts of Covid-19;
  - (b) expands the JobKeeper program to include workers currently excluded from the program, including casuals, visa holders and creative and cultural workers;
- (ii) the Prime Minister publicly recognise and acknowledge the value of the cultural and creative sector to all Australians, and affirm his commitment to the people and organisations that inspire us.

**COUNCILLOR CLOVER MOORE**

Lord Mayor

**Item 3.3**

**Creating More Space for People – the Urgent Vision for a Post-Covid-19 City**

**Minute by the Lord Mayor**

Document to Follow

**Item 4**

**Memoranda by the Chief Executive Officer**

There are no Memoranda by the Chief Executive Officer for this meeting of Council.

## **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 that Disclosures of Interest returns will be received and noted following the resumption of in person meetings.

**Item 6****Report of the Corporate, Finance, Properties and Tenders Committee - 11 May 2020****Item 6.1****Disclosures of Interest**

Councillor Jess Scully disclosed a less than significant, non-pecuniary interest in Item 6.15 on the agenda, in relation to one of the recommended grant recipients, who sent her communication on 25 February 2020 with details of their grant application. Councillor Scully stated that her staff removed the communication from her inbox and notified the organisation that this contact was not appropriate. This course of action was reported to the Office of the CEO and Director City Life. Councillor Scully does not have any active or formal ongoing relationship with the group.

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

The Committee recommends the following:-

## **Item 6.2**

### **Revised 2019/20 Operational Plan - Adoption**

It is resolved that:

- (A) Council note the submissions received from the community on the exhibited draft Revised Operational Plan 2019/20 as included in Attachment A to the subject report;
- (B) Council adopt the draft Revised Operational Plan 2019/20 and budget, incorporating:
  - (i) the revised grants program for 2019/20; and
  - (ii) the revised Budget for 2019/20;
- (C) Council adopt a new category under which fees and charges can be waived or reduced, referred to as "COVID-19", that enables the waiving or reducing fees or charges for the remainder of 2019/20 in response to the COVID-19 situation as it evolves;
- (D) Council note that the revised 2019/20 budgets include a reduction in the 2019/20 budgeted Operating Result from \$112.9M to \$77.9M and the Net Surplus from \$36.5M to \$1.5M, resulting from the increase to the CEO's Operating Expenditure budget by \$35.0M; and
- (E) authority be delegated to the Chief Executive Officer to approve any minor editorial corrections prior to publication and authorise the relevant staff to implement any such corrections.

(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.)

X020943

The Committee recommends the following:-

### **Item 6.3**

#### **2019/20 Quarter 3 Review - Delivery Program 2017-2021**

It is resolved that:

- (A) Council note the financial performance of Council for the third quarter, ending 31 March 2020, including the Quarter 3 Net Surplus of \$77.0M and the full year Net Surplus forecast of \$23.1M, as outlined in the subject report and summarised in Attachment A to the subject report;
- (B) the City provide casual employees who have no or limited useful work to do and have had their City of Sydney earnings impacted by the pandemic with the same access to the Job Retention Allowance provisions provided to permanent part-time employees as outlined in the Local Government (COVID-19) Splinter (Interim) Award 2020, with the Job Retention Allowance to be paid from the week commencing 1 June 2020;
- (C) Council note the Quarter 3 Capital Works expenditure of \$115.2M and a revised full year forecast of \$207.8M, and approve the proposed adjustments to the adopted budget, including bringing forward \$4.5M of funds into 2019/20 capital budget, as detailed in Attachment B to the subject report;
- (D) Council note the Information Services capital expenditure of \$9.6M, net of disposals, and a full year forecast of \$14.7M;
- (E) Council note the Quarter 3 Plant and Equipment expenditure of \$9.1M, net of disposals, and the full year forecast of \$15.5M; and approve a transfer of \$1.2M of unspent motor vehicle funds to be repurposed to various equipment purchases;
- (F) Council note the Quarter 3 Property Divestment proceeds of \$25.5M, and the full year forecast net Divestment of \$23.6M; and
- (G) Council note the supplementary reports, including contracts issued over \$50,000, major legal issues and the Quick Response, Banner Pole and Reduced Rate Grant Programs in Quarter 3, as detailed in Attachment C 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.)

S096187

The Committee recommends the following:-

#### **Item 6.4**

#### **Integrated Planning and Reporting Program and Budget 2020/21 - Public Exhibition**

It is resolved that Council:

- (A) endorse the suite of Integrated Planning and Reporting documents for public exhibition for a period of 28 days, including:
  - (i) the draft Operational Plan 2020/21 as shown at Attachment A to the subject report; and
  - (ii) the draft Resourcing Strategy 2020 as shown as Attachment B to the subject report;
- (B) endorse the draft Operating and Capital Budget, and future years' forward estimates, as reflected in the draft Operational Plan 2020/21 and draft Resourcing Strategy 2020 including:
  - (i) operating income of \$592.0M, operating expenditure before depreciation of \$514.3M for an Operating Surplus of \$77.7M, and a Net Surplus of \$2.6M after allowing for interest, depreciation and capital contributions;
  - (ii) Capital Works expenditure of \$234.2M;
  - (iii) a capital contingency of \$5.0M;
  - (iv) Plant and Assets net expenditure of \$11.5M;
  - (v) Information Technology Capital Works of \$14.6M; and
  - (vi) Net Property Acquisitions of \$121.4M; and
- (C) endorse the proposed Rating Structure and Domestic Waste Management Charges, Stormwater Charges and User Fees and Charges discussed within the subject report and included within the draft Operational Plan 2020/21.

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

X025796

The Committee recommends the following:-

**Item 6.5**

**Investments Held as at 31 March 2020**

It is resolved that the Investment Report as at 31 March 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 Councillor Thalís, and carried unanimously.)

X020701

The Committee recommends the following:-

**Item 6.6**

**Investments Held as at 30 April 2020**

It is resolved that the Investment Report as at 30 April 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 Councillor Phelps, and carried unanimously.)

X020701

The Committee recommends the following:-

## Item 6.7

### Proposed Land Transfers from the Department of Planning, Industry and Environment - Various Sites

It is resolved that:

- (A) subject to clause (B), Council endorse the transfer of land listed below from the Minister for Planning and Infrastructure to the City of Sydney for nil or nominal consideration:
  - (i) Blackwattle Bay Park, Glebe being Lot 4 in Deposited Plan 260204 (Map reference "A" on Attachment B);
  - (ii) Blackwattle Playground, Glebe being Lot 2 Deposited Plan 597314 (Map reference "B" on Attachment B);
  - (iii) Wilson Street Reserve #2, Newtown being Lot 5 in Deposited Plan 718234 (Map reference "C" on Attachment B);
  - (iv) Fanny Place Playground, Surry Hills being Lot 2 in Deposited Plan 82 (Map reference "D" on Attachment B); and
  - (v) Southern Cross Drive Reserve, Rosebery being Lot 3 in Deposited Plan 240490 and Lot 24 in Deposited Plan 248025 (Map reference "E" on Attachment B);
- (B) the proposed land transfers described in clause (A) be subject to:
  - (i) completion of technical and legal due diligence to the satisfaction of the Chief Executive Officer;
  - (ii) confirmation from the Department of Planning, on behalf of the Minister, that all conditions of consent in relation to the relevant sites have been met; and
  - (iii) as part of the transfers, unencumbered freehold title, subject only to existing easements and tenancies, being transferred to the City;
- (C) Council endorse public notification of a proposed resolution: "It is resolved to classify the following land parcels to be transferred to Council for public recreation purposes including:
  - (i) Blackwattle Bay Park, Glebe being Lot 4 in Deposited Plan 260204;
  - (ii) Blackwattle Playground, Glebe being Lot 2 in Deposited Plan 597314,
  - (iii) Wilson Street Reserve #2, Newtown being Lot 5 in Deposited Plan 718234,
  - (iv) Fanny Place Playground, Surry Hills being Lot 2 in Deposited Plan 82; and
  - (v) Southern Cross Drive Reserve, Rosebery being Lot 3 in Deposited Plan 240490 and Lot 24 in Deposited Plan 248025 as community land with a park categorisation in accordance with sections 31 and 36(1) and (4)(c) of the Local Government Act 1993";
- (D) Council note that a further report to inform the outcomes of public notification and a recommendation on the classification to Council will follow a public notification period of 28 days; and

- (E) authority be delegated to the Chief Executive Officer to finalise the due diligence and negotiate and finalise the terms of and enter into all documents necessary to give effect to the terms of this resolution in relation to the proposed transfers of land described in clause (A).

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

X022185.007

The Committee recommends the following:-

### **Item 6.8**

#### **Land Classification - Various Lots, Macdonald Street Erskineville**

It is resolved that Council:

- (A) classify four land parcels within Macdonald Street, Erskineville (Ashmore Precinct), to be transferred to Council for future public purposes as road and pedestrian link, being Lots 9, 10, 12 and 13 in Deposited Plan 1251243, as operational land in accordance with section 31 of the Local Government Act 1993; and
- (B) note that upon completion of the public works over Lots 9, 10 and 13, a further report will follow to reclassify these lots as community with the categorisation of park.

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

X025360

**Item 6.9****Lease Approval - Part 540 George Street, Sydney and Stratum Stair Access Town Hall - Woolworths Group Limited**

The Corporate, Finance, Properties and Tenders Committee decided that consideration of this matter shall be deferred to the meeting of Council on 18 May 2020.

**Officer's Recommendation**

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

It is resolved that:

- (A) Council approve the surrender of the leases to Woolworths Group Limited for:
  - (i) the basement, lower ground, ground, first, second and third floors at 540 George Street, Sydney; and
  - (ii) the Stratum Stairs at Town Hall Station;
- (B) both of which are due to expire on 31 December 2021, subject to the leases referred to in clause (C) being executed;
- (C) authority be delegated to the Chief Executive Officer to negotiate the surrenders and enter into all documentation in relation to the surrender of the leases to Woolworths Group Limited contemplated by clause (A);
- (D) Council approve the granting of leases to Woolworths Group Limited for:
  - (i) the basement, lower ground, ground, first, second and third floors at 540 George Street, Sydney; and
  - (ii) the Stratum Stairs at Town Hall Station;
- (E) both for ten-year initial terms to 31 December 2030, with four five-year options, which allow the City at its sole discretion to give 12 months early termination notice during the option terms, in accordance with the terms in Attachment A to the subject report; and
- (F) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the terms of the leases in clause (C) in accordance with the terms of the leases in Attachment A to the subject report.

**Officer's Report**

The officer's report on this matter can be found at Item 9 on the agenda of the meeting of the Corporate, Finance, Properties and Tenders Committee on 11 May 2020.

S098632

The Committee recommends the following:-

### **Item 6.10**

#### **Lease Approval - Kings Cross Police Station**

It is resolved that:

- (A) Council approve the granting of a lease to The Crown in the right of the State of NSW represented by the NSW Police Force for 1-7 Elizabeth Bay Road, Elizabeth Bay, premises known as Kings Cross Police Station. The proposed new lease is for an eight year term, with two additional options of three years each which would extend NSW Police Force tenure until 30 June 2033; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the terms of the lease, including in relation to exercise of the option term, in accordance with 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 Councillor Kok, and carried unanimously.)

S090986

The Committee recommends the following:-

### **Item 6.11**

#### **Exemption from Tender - Head Contractor - The Crescent Lands at Johnstons Creek**

It is resolved that:

- (A) Council approve an exemption from tender for the provision of construction services for the Crescent Lands at Johnstons Creek, Annandale, due to extenuating circumstances and accept the contract sum and contingency as stated in Confidential Attachment B to the subject report;
- (B) Council note the reasons a satisfactory result would not be achieved by inviting tenders below:
  - (i) the integrity of the 2018 competitive tender process is still intact to allow negotiation with the next preferred tenderer;
  - (ii) this allows for immediate discussion to begin and avoidance of a lengthy re-tender preparation, period and evaluation process;
  - (iii) these negotiations can serve to discuss and confirm the balance of works to complete and reduce the final offer in a collaborative manner to achieve value for money; and
  - (iv) there is a need for urgent action to recommence works following the liquidation of the previous contractor to reduce the cost of maintaining a dormant construction site and deliver a completed project for our community;
- (C) Council approve the increase in the overall project budget as outlined in Confidential Attachment B to the subject report;
- (D) Council approve the increase of the existing head design consultant contract contingency as outlined in Confidential Attachment B to the subject report; and
- (E) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contract with Tender A for the provision of construction services for the Crescent lands at Johnstons Creek, Annandale.

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

S123802

The Committee recommends the following:-

### **Item 6.12**

#### **Tender - Design and Construction of Drying Green Park Above Ground Works, Green Square Town Centre**

It is resolved that:

- (A) Council accept the tender offer of Tenderer B for the Design and Construction of Drying Green Park Above Ground Works, Green Square Town Centre for the price and contingency set out in Confidential Attachment A to the subject report;
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender; and
- (C) Council approve the additional funds sought from the Future Open Space New Parks Capital Works Budget as outlined in Confidential Attachment A to the subject report.

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

S118370

The Committee recommends the following:-

### **Item 6.13**

#### **Contract Variation - Operation of the City's Aquatic Leisure Centres - Belgravia Health and Leisure Group Pty Limited - Covid-19 Pandemic**

It is resolved that:

- (A) Council approve a payment to Belgravia Health and Leisure Group Pty Limited for the amount detailed in Confidential Attachment A to the subject report for the salaries and wages of permanent and casual staff employed to work at the City's aquatic leisure centres for a period of two weeks commencing from Saturday 21 March to Friday 3 April 2020, inclusive;
- (B) Council approve a payment to Belgravia Health and Leisure Group Pty Limited for the amount detailed in Confidential Attachment A to the subject report for the operating costs for the period 21 March to 17 April 2020;
- (C) Council approve a contract variation with Belgravia Health and Leisure Group Pty Limited to provide essential asset maintenance and recovery planning services at a weekly cost as detailed in Confidential Attachment A to the subject report, effective from 18 April 2020 for the duration of the Covid-19 pandemic closure; and
- (D) authority be delegated to the Chief Executive Officer to negotiate and enter into any contract documentation to give effect to the clauses above.

(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 on the following show of hands:

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

Noes (1)            Councillor Phelps.

Carried.)

S100640.038

The Sub-Committee recommends the following:-

### **Item 6.14**

#### **Knowledge Exchange Grant - Committee for Sydney - Precinct Vision for Kings Cross**

It is resolved that:

- (A) Council approve a cash sponsorship of \$40,000 (excluding GST) to The Committee for Sydney Incorporated for the Night-Time Precinct Vision for Kings Cross Project; and
- (B) authority be delegated to the Chief Executive Officer to negotiate and enter into the sponsorship agreement with Committee for Sydney for the project described in clause (A).

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

#### **Speaker**

Mr James Hulme addressed the meeting of the Corporate, Finance, Properties and Tenders Committee (Economic Development and Business Sub-Committee) on Item 6.14.

X034280

The Sub-Committee recommends the following:-

### **Item 6.15**

#### **Knowledge Exchange Sponsorship - City Business Initiatives**

It is resolved that:

- (A) Council approve a cash sponsorship of \$12,000 (excluding GST) to InCollaboration Pty Ltd to produce the Community Wealth Building forum;
- (B) Council approve a cash sponsorship of \$10,000 (excluding GST) to Prismatic Pty Ltd to produce the Local Innovators Event Series;
- (C) Council approve a cash sponsorship of \$30,000 (excluding GST) to Intersective Pty Ltd to produce the industry project program; and
- (D) authority be delegated to the Chief Executive Officer to negotiate, execute and administer sponsorship agreements with each organisation described in clauses (A) to (C).

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

#### **Speakers**

Mr Beau Leese, Ms Shi Shi Truong and Ms Tirrania Suhood addressed the meeting of the Corporate, Finance, Properties and Tenders Committee (Economic Development and Business Sub-Committee) on Item 6.15.

X030866

**Item 7**

**Report of the Cultural and Community Committee - 11 May 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 Cultural and Community Committee.

The Sub-Committee recommends the following:-

## **Item 7.2**

### **Community Services Grant - Funding to Address Homelessness in the Inner City**

It is resolved that:

- (A) Council approve a cash grant to NSW Department of Communities and Justice of \$1.2 million (excluding GST) for the delivery of specialist homelessness services in the inner city during the 2020/21 financial year; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer an agreement with NSW Department of Communities and Justice in respect of the cash grant outlined in(A) above and roll over any funds yet to be expended and allocate to specialist homelessness services delivering positive outcomes.

(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.)

S116523

The Sub-Committee recommends the following:-

### **Item 7.3**

#### **Change to Meals on Wheels Service Area**

It is resolved that:

- (A) the City of Sydney's Meals on Wheels service area is expanded to include the suburbs of Balmain, Birchgrove, Annandale, Leichhardt, Lilyfield, Camperdown, Rozelle and Tempe, currently serviced by Inner West Council from 1 July 2020; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer a revised agreement with the Commonwealth Department of Social Services in respect of the recommendation outlined in clause (A) above.

(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.)

S100814.001

**Item 8****Report of the Transport, Heritage and Planning Committee - 11 May 2020****Item 8.1****Disclosures of Interest**

Councillor Jess Scully declared a less than significant, non-pecuniary interest in Item 8.6 on the agenda, as she worked on this project in its early stages but has not had any involvement with the project for a long time.

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

**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 8.2

### **Public Exhibition – Planning Proposal – 55 Pitt Street, Sydney - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment**

It is resolved that:

- (A) Council approve Planning Proposal - 55 Pitt Street, Sydney, shown at Attachment A to the subject report, to be submitted to the Minister for Planning and Public Spaces with a request for gateway determination;
- (B) Council approve Planning Proposal - 55 Pitt Street, Sydney shown at Attachment A to the subject report for public authority consultation and public exhibition in accordance with any conditions imposed under the gateway determination;
- (C) Council seek authority from the Minister for Planning and Public Spaces to exercise the delegation of all of the functions under section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan and to put into effect Planning Proposal - 55 Pitt Street, Sydney;
- (D) Council approve the draft Sydney Development Control Plan 2012 - 55 Pitt Street, Sydney, shown at Attachment B to the subject report for public authority consultation and public exhibition concurrent with the Planning Proposal;
- (E) authority be delegated to the Chief Executive Officer to make any minor variations to Planning Proposal - 55 Pitt Street, Sydney, following receipt of the gateway determination;
- (F) authority be delegated to the Chief Executive Officer to make any minor variations to Draft Sydney Development Control Plan 2012 - 55 Pitt Street, Sydney to correct any drafting errors or ensure it is consistent with the Planning Proposal following the gateway determination; and
- (G) authority be delegated to the Chief Executive Officer to prepare a draft planning agreement in accordance with the letter of offer dated 2 April 2020 at Attachment C to the subject report, and the requirements of the Environmental Planning and Assessment Act 1979, to be exhibited concurrently with the Planning Proposal and draft Development Control Plan for the site.

(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.)

X027614

The Committee recommends the following:-

### Item 8.3

#### **Un-Deferral of Planning Controls - 6-12 O'Riordan Street, 320-322 Botany Road and 324 Botany Road Alexandria (Green Square Town Centre) and Public Exhibition of Draft Planning Agreement**

It is resolved that:

- (A) Council note that Toga, the landowner of 6-12 O'Riordan Street and 324 Botany Road, Alexandria, and the future landowner of 320-322 Botany Road, has made an offer to enter into a planning agreement to deliver the following public benefits:
- (i) monetary contribution of \$6,165,059 as at December 2019 (value to be indexed to CPI) towards essential infrastructure, less the cost of public domain works delivered by the developer;
  - (ii) dedication of approximately 583 square metres of land for the future Transport Place around the Green Square train station;
  - (iii) dedication of approximately 24 square metres of land to facilitate a 1.4 metre setback to Botany Road;
  - (iv) dedication of approximately 126 square metres of land to facilitate a 2.4 metre setback to O'Riordan Street;
  - (v) developer's works to construct future footpaths and embellishment of land for Transport Place; and
  - (vi) design and construction of any proposed building to meet the City's Green Infrastructure requirements for recycled water, energy efficiency and air conditioning refrigerant;
- (B) Council note the final terms of the planning agreement are currently being negotiated and, once terms are finalised, the Chief Executive Officer will prepare, publicly exhibit, enter into and register on the title of land a planning agreement in accordance with the relevant provisions of the Environmental Planning and Assessment Act 1979; and
- (C) Council request the Minister for Planning and Public Spaces un-defer the land at 6-12 O'Riordan Street, 320-322 Botany Road and 324 Botany Road, Alexandria, from *Sydney Local Environmental Plan (Green Square Town Centre - Stage 2) 2013* and give effect to *Planning Proposal: Sydney Local Environmental Plan 2010 (Green Square Town Centre) - Sites 301 Botany Road, 501 Botany Road, 509 Botany Road, 3 Joynton Avenue, 511-515 Botany Road, 97-115 Portman Street, 811 Elizabeth Street, Zetland; 312-318 Botany Road, 320-322 Botany Road, 324 Botany Road, 318A Botany Road, 6-12 O'Riordan Street and 2A Bourke Road, Alexandria*, to the extent that it applies to the subject land, subject to execution of a planning agreement consistent with the terms detailed in (A), and following the registration of the planning agreement on the title of the land.

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

### Speakers

Mr Paul Shaw addressed the meeting of the Transport, Heritage and Planning Committee on Item 8.3.

X025625

The Committee recommends the following:-

#### **Item 8.4**

#### **Post Exhibition - Planning Proposal – 1-11 Oxford Street, Paddington – Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment**

It is resolved that:

- (A) Council note matters raised in response to the public exhibition of the Planning Proposal: 1-11 Oxford Street, Paddington and draft Sydney Development Control Plan 2012: 1-11 Oxford Street, Paddington, as detailed in this report and as shown in Attachment E to the subject report;
- (B) Council approve the Planning Proposal: 1-11 Oxford Street, Paddington, as shown at Attachment A, to be made as a local environmental plan under S3.36 of the Environmental Planning and Assessment Act 1979;
- (C) Council approve the draft Sydney Development Control Plan 2012: 1-11 Oxford Street, Paddington, as shown at Attachment B, noting that it will come into effect on the date of publication of the subject local environmental plan, in accordance with Clause 21 of the Environmental Planning and Assessment Regulation 2000; and
- (D) authority be delegated to the Chief Executive Officer to make any minor amendments to Planning Proposal: 1-11 Oxford Street, Paddington and draft Sydney Development Control Plan 2012: 1-11 Oxford Street, Paddington to correct any minor errors or omissions prior to finalisation.

(Note – At the meeting of the Transport, Heritage and Planning Committee, this recommendation was moved by Councillor Thalís, seconded by Councillor Scully, and carried on the following show of hands –

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

Noes (1) Councillor Phelps.

Note – Councillor Phelps abstained from voting on this matter. Pursuant to the provisions of clause 9.4 of the Code of Meeting Practice, Councillor Phelps is taken to have voted against the recommendation.

Carried.)

#### **Speakers**

Mr Tim Greer and Mr Giovanni Cirillo addressed the meeting of the Transport, Heritage and Planning Committee on Item 8.4.

X021737

The Committee recommends the following:-

## **Item 8.5**

### **Award of Heritage Floor Space - Queen Victoria Building**

It is resolved that:

- (A) Council approve the Queen Victoria Building Conservation Management Plan, prepared by Urbis Pty Ltd, dated 8 August 2019, as required by the Sydney Local Environmental Plan 2012 and provided at Attachment C to the subject report;
- (B) Council approve the award of 21,238.80 square metres of heritage floor space subject to:
  - (i) placing covenants on the title, as required Clause 6.10 of the Sydney Local Environmental Plan 2012, to ensure that no development will occur on the site that either:
    - (a) increases the total floor area of the building; or
    - (b) increases the height of the building;
  - (ii) placing covenants on title that ensure the continued maintenance and conservation of the building in accordance with the policies of the Queen Victoria Building Conservation Management Plan, prepared by Urbis Pty Ltd, dated 8 August 2019. This covenant must include a requirement for the ongoing provision of adequate insurance and funding for ongoing maintenance 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 Thalys, seconded by the Chair (the Lord Mayor), and carried unanimously.)

X025781

The Committee recommends the following:-

### **Item 8.6**

#### **Traffic Treatment - Proposed Permanent Road Closure - Loftus Lane, Sydney**

It is resolved that Council approve the permanent road closure of Loftus Lane, Sydney, between Custom House Lane and Loftus Lane (South), to vehicular traffic.

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

S120932

The Committee recommends the following:-

## Item 8.7

### 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 H of the subject report;
- (C) exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order as recommended by the City's Investigation Officer to address the identified fire safety deficiencies in 13-19 Glebe Street, Glebe, as detailed in Attachment B;
- (D) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 165 Pitt Street, Sydney, as detailed in Attachment C;
- (E) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action taken and as recommended by the City's Investigation Officer in 123-129 Clarence Street, Sydney, as detailed in Attachment D;
- (F) 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 55 Pirrama Road, Pyrmont, as detailed in Attachment E;
- (G) 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 12 Darling Drive, Sydney, as detailed in Attachment F;
- (H) exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order as recommended by the City's Investigation Officer to address the identified fire safety deficiencies in 61-63 Market Street, Sydney, as detailed in Attachment G; and
- (I) 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 122-124 Flinders Street, Darlinghurst, as detailed in Attachment H;

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

S105001.002

## **Covid-19 Relief Grants Program**

Document to Follow

**Item 10****Questions on Notice****Council Owned Properties**

1. By Councillor Forster

**Question**

Can the Chief Executive Officer please provide an updated list of all Council-owned properties including their occupancy status?

S129269

**Solar Panel Changes**

2. By Councillor Scott

**Question**

Noting the Planning Minister's announcement regarding solar panel amendments to the State Environment Planning Policy (Infrastructure) 2007 please advise:

1. What is the revised process for City residents and businesses to install solar panels?
2. Broken down by suburb, which City of Sydney suburbs will have areas that were previously prevented from having solar panels that are now permitted to install solar panels?
3. Within each suburb, please advise how many square metres of space will be newly eligible for solar panel installation?
4. Which City-owned properties will be able to seek approval for the installation of solar panels, which were previously prevented from installing them?
5. What adjustments or other changes the City will need to make in response to the implementation of this regulation?

S129275

### **Off Leash Dog Parks**

3. By Councillor Scott

#### **Question**

Broken down by year since 2004, please detail how many City parks have been changed to dog off leash, and list them. Please also detail which City parks are designated to be converted to dog off leash parks, and when they are due to be implemented.

S129275

### **2019 City of Sydney Christmas Party Budget**

4. By Councillor Phelps

#### **Question**

In November and December 2019, the City hosted a number of Christmas events to celebrate the holiday.

Could the Chief Executive Officer please:

1. Provide an itemised list of the date, purpose, location and cost of each event, including but not limited to community Christmas events, Lord Mayoral receptions and cocktail events, hosted in November and December 2019.
2. From what budget was the funding of these events allocated?

S129272

**Item 11****Supplementary Answers to Previous Questions**

Supplementary Answers to Questions on Notice are as follows:

**Question on Notice – Council 9 March 2020****City Advertising**

5. By Councillor Scott

**Question**

1. Detail the City of Sydney's total advertising spend on print media, separated by publication for the following years
  - (a) 2019
  - (b) 2018
  - (c) 2017
  - (d) 2016
2. Detail the City of Sydney's total advertising spend on online media, separated by publication for the following years
  - (a) 2019
  - (b) 2018
  - (c) 2017
  - (d) 2016
3. Who is delegated to approve expenditure on advertising?

S129275

**Answer by the Chief Executive Officer**

This information will take some time to compile. A CEO Update will be provided to Councillors when the information is available.

**Supplementary Answer**

Advertising is purchased across a range of business units at the City, mostly for statutory advertising obligations. These include items such as development applications, recruitment of senior positions and regulatory requirements for advertising such as the annual publication of Council meeting dates.

Advertising expenditure is approved across the relevant business units, according to the register of delegations.

The City's total advertising spend on print media, by publication for the years 2019, 2018, 2017 and 2016 is below.

Publication	Calendar Year			
	2016	2017	2018	2019
AdNews	\$2,971.82	\$2,975.00	\$2,997.00	\$3,720.00
AFR	\$23,913.67	\$50,326.48	\$54,529.09	\$7,493.22
Australian Chinese Daily	\$870.00			
Brisbane Courier Mail	\$3,588.18			
Central Courier	\$208,235.92	\$192,141.70	\$160,854.56	\$61,115.85
Chieu Duong-Sunrise Daily	\$1,372.73	\$1,375.45	\$1,375.50	
City Hub	\$20,765.43	\$16,541.44	\$9,900.19	\$4,206.36
Daily Telegraph	\$88,698.78	\$72,502.78	\$79,946.85	\$102,045.89
Epoch Times	\$913.00	\$913.00	\$913.00	\$915.00
Government Gazette	\$152.73		\$112.00	
Hanho Korean Daily	\$1,681.00	\$1,563.00	\$1,563.00	\$3,126.36
Inner West Courier	\$112,796.55	\$105,422.12	\$79,821.03	\$58,185.77
Koori Mail	\$4,147.20	\$1,357.00	\$3,034.71	
LOTL	\$2,612.73	\$873.00		
Melbourne Age	\$2,486.75			\$1,092.89
NSW Government Gazette		\$315.84	\$811.82	
Ruam Thai	\$1,000.00	\$1,003.00	\$1,003.00	\$2,006.36
Sing Tao		\$1,499.09	\$2,998.18	\$1,499.09
Southern Courier	\$49,139.91	\$54,597.85	\$36,135.28	\$6,978.18
Sunrise Daily				\$2,750.91
Star Observer	\$5,683.00	\$2,563.00		
SX Magazine	\$5,363.00	\$1,926.00		
Sun Herald			\$18,232.03	
Sunday Telegraph			\$27,932.16	

Sydney Morning Herald	\$710,775.81	\$553,135.28	\$524,309.38	\$637,261.33
The Australian	\$60,714.75	\$6,766.56	\$6,805.24	\$11,248.00
The Grafton Examiner	\$1,198.50			
The Senior	\$550.00			
The South Sydney Herald	\$1,320.00	\$463.00	\$963.00	
Wentworth Courier	\$185,037.40	\$149,032.43	\$117,591.15	\$96,224.35

**TOTAL per year**

**(ex gst)                                    \$1,495,988.84    \$1,217,293.02    \$1,131,828.18    \$999,869.56**

The City's online media is purchased using programmatic targeting. Using a variety of methods including contextual targeting, keyword targeting, audience targeting, geo-targeting and retargeting, ads are served across a wide range of channels.

The City's on online media expenditure is outlined for the years 2019, 2018, 2017 and 2016 below.

<b>ONLINE</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
Google	\$82,671	\$81,845	\$96,252	\$63,798
Facebook	\$170,180	\$201,762	\$167,171	\$137,172
Display advertising	\$158,927	\$10,825	\$12,942	\$47,260
Niche publications	\$0	\$0	\$10,045	\$21,818
Online job boards	\$96,783	\$96,444	\$137,893	\$102,283

**Item 12.1****Notices of Motion****Redirection of Council Notices**

By Councillor Chung

It is resolved that:

- (A) Council note:
- (i) the NSW Government recently made a series of regulatory changes to ensure council resources continue to be focused on frontline Covid-19 response efforts and allow councils to provide financial relief to businesses and residents;
  - (ii) the changes acknowledge that councils are redirecting resources to ensure the delivery of essential services to their communities. Amendments to local government regulations include removing the requirement for council notices to be advertised in newspapers and instead allow the relevant notice to be published on the council's website; and
  - (iii) the 17 April 2020 CEO Update advised that the City's total advertising spend on print media for 2019 was \$999,869.56;
- (B) the Chief Executive Officer be requested to redirect council notices (with the exception of statutorily required notices) to the City of Sydney's website and use the City of Sydney's social media channels to promote this change; and
- (C) Council note that from time to time some newspaper advertising may be required for event related activity including directions on where to look for travel planning advice for major events (and any other appropriate activities) and that the City is not precluded from undertaking this advertising if considered appropriate.

S129259

**Item 12.2****Notices of Motion****State Government Arts and Cultural Institutions Support**

By Councillor Forster

It is resolved that:

- (A) Council note:
- (i) Eveleigh's Carriageworks, Australia's largest multi-arts centre, has recently gone into voluntary administration after Covid-19 related shutdowns resulted in an "irreparable loss of income";
  - (ii) the Sydney Symphony Orchestra has recently implemented significant pay cuts for staff and musicians in response to an expected \$25 million revenue hit as a result of Covid-19 related shutdowns;
  - (iii) there are many other arts and cultural institutions being severely impacted by the ongoing Covid-19 pandemic, with the Grattan Institute estimating that employment across the arts and recreation sector is expected to drop by 75 per cent, and that up to 25,000 arts and entertainment workers are now unemployed;
  - (iv) the State Government, through Create NSW, has announced the implementation of a number of measures to support independent artists and small to medium arts, screen and cultural organisations impacted by Covid-19, including grants of up to \$10,000; and
  - (v) Create NSW is currently looking at assistance for several troubled arts companies on a case-by-case basis;
- (B) the Lord Mayor be requested to write to the NSW Premier and Acting Minister for the Arts Gladys Berejiklian requesting an urgent review of current funding arrangements for the state's arts and cultural sector with a view to providing appropriate support to ensure the long-term sustainability of organisations severely affected by Covid-19 related shutdowns.

S129260

## Item 12.3

### Notices of Motion

#### Safer Cladding for City Buildings

By Councillor Scott

It is resolved that:

- (A) Council note:
- (i) the NSW Government has delayed the Design and Building Practitioner's Bill and the Residential Apartments (Compliance and Enforcement Powers) Bill legislation, both which seek to provide safer building standards;
  - (ii) in light of the NSW Government's decision to fast track developments to take advantage of the unique circumstances of the Covid-19 pandemic, there is the potential for an increased number of developments to be constructed;
  - (iii) these fast tracked projects will be constructed under the same legislative and regulatory controls as those in place during the construction of the Opal Tower; and
  - (iv) Local Government NSW has advocated for the Design and Building Practitioner's Bill and the Residential Apartments (Compliance and Enforcement Powers) Bill to be considered and passed by the NSW Parliament as soon as possible, to ensure tighter regulations that will reduce the risk of unsafe buildings so that the effects of dangerously made buildings are not felt by future owners and residents for years to come;
- (B) the Chief Executive Officer be requested to provide Council with an update on all buildings in the City of Sydney with flammable cladding or significant building safety concerns known to the City, and whether any known plans of management are required or in place to ensure the building meets relevant safety standards, via the CEO Update; and
- (C) the Lord Mayor be requested to write to the NSW Premier and the NSW Leader of the Opposition to request the Design and Building Practitioner's Bill and the Residential Apartments (Compliance and Enforcement Powers) Bill are considered by Parliament during May and not delayed until later in 2020.

S129266

**Item 12.4****Notices of Motion****Investigation of Alternative Financing Options**

By Councillor Forster

It is resolved that:

- (A) Council note:
- (i) the World Health Organisation has declared Coronavirus (Covid-19) a global pandemic, and its impacts on the health of the Australian community and economy have become acute;
  - (ii) to date, the City has made a significant financial commitment to support the local community during the ongoing pandemic, totalling \$72.5 million; and
  - (iii) the final quarter of the City's 2019/20 budget and the 2020/21 budget will be significantly impacted by the ongoing Covid-19 pandemic; and
- (B) the Chief Executive Officer be requested to investigate a range of financing options available to the City, which would be in addition to cost savings, to ensure Council's long-term financial sustainability including, but not limited to, flexible TCorp loans and other arrangements such as the sale of City property.

S129260

## Item 12.5

### Notices of Motion

#### Increasing the City's Covid-19 Response Grant Amounts

By Councillor Forster

It is resolved that:

- (A) Council note:
- (i) on 30 March 2020, the City proposed an amended grants program at an Extraordinary Meeting in response to the Covid-19 pandemic;
  - (ii) in the 2019/20 financial year, the City budgeted \$10.4 million for existing grants programs to support cultural, creative, business and community organisations. These existing grants will be honoured, regardless of whether the organisation is able to deliver its program due to the effects of Covid-19, to support the viability of the various sectors supported;
  - (iii) the revised budget proposes to increase that figure by \$8.5 million including the establishment of new grant funding initiatives, as well as several donations to support vulnerable communities;
  - (iv) the new grant funding initiatives were open for applications in early April and closed on 27 April 2020 with each category in extreme demand;
  - (v) the Cultural Sector Resilience Grant Program had a budget of \$2.25 million and approximately \$3.1 million was requested by applicants;
  - (vi) the Creative Fellowships Fund had a budget of \$1 million and approximately \$6 million was requested by applicants;
  - (vii) the Small Business Grant Program had a budget of \$2 million and approximately \$28 million was requested by applicants;
  - (viii) the Community Service Grants had a budget of \$1.5 million and approximately \$8 million was requested by applicants;
  - (ix) the Quick Response Grants had a budget of \$500,000 and approximately \$1.4 million was requested by applicants; and
  - (x) the State Government has announced that the reopening of the economy will be a slow and phased process meaning that there will be a need for ongoing support for the city's small business and cultural sector for some time to come; and
- (B) Council approve an increase in the aforementioned grant categories from the City's future years' operational contingency budget to reflect the demand for financial support within the community.

S129260

## Item 12.6

### Notices of Motion

#### Public Libraries Adapting to Covid-19

By Councillor Scott

It is resolved that:

(A) Council note:

- (i) NSW Health Orders and physical distancing requirements have forced our City libraries to temporarily close, however the City has continued to offer library services and transfer some of our invaluable services online;
- (ii) the City has continued to provide key services such as the Home Library to our vulnerable community, however due to safety reasons some library services have been discontinued;
- (iii) online borrowing has increased by 74 per cent compared to this time last year, across all resources including movie streaming through Kanopy, initiatives in conjunction with the NSW State Library such as IndyReads, transferring rhyme time/storyline online and allowing for safe in-person book collection through 'Reserve & Collect';
- (iv) library staff have also answered thousands of emails responding to community members and assisting the elderly who have limited technological literacy;
- (v) a range of Sydney councils have expanded their previous services, continuing to allow homeless people, who cannot afford their own device, access to a PC and an internet connection. This has been done during restricted hours, with frequent cleansing of used areas and enforcing social distancing between terminals;
- (vi) councils have supported their libraries to transfer writer, illustrator and other creatives talks or content online through workshops and/or webinars; and
- (vii) libraries have undergone 'weed and seed' initiatives, to collect the older titles from the shelves, and make room for new collections providing much needed revenue for authors and publishers. This task is easier to undertake and manage when libraries are closed and teams can comprehensively review their collection; and

(B) the Chief Executive Officer be requested to:

- (i) reopen City libraries and other library services in line with NSW Government restrictions being lifted;
- (ii) investigate if City libraries are able to provide access to PCs and internet to vulnerable and homeless communities in line with NSW social distancing requirements;

- (iii) investigate the City's capacity to help create increased online workshop/webinar content, and undertake a 'weed and seed' initiative to support authors and publishers;
- (iv) investigate additional initiatives our libraries could be providing or support they need to adequately advise the elderly population and broader community;
- (v) update the City of Sydney Library Services website and other channels to reflect any service changes; and
- (vi) report back to the Council on actions taken via the CEO Update.

S129266

## Item 12.7

### Notices of Motion

#### Extending Outdoor Pool Season

By Councillor Scott

It is resolved that:

(A) Council note:

- (i) due to Covid-19 restrictions the City's pools have been closed for almost two months which has effected residents and constituents who use these pools for recreation and exercise;
- (ii) this is especially important for elderly City residents and those who use the pools for rehabilitation. People who are recovering from physical injuries, or have chronic health conditions that mean they cannot do weight bearing exercise, rely on pools and aqua aerobics to maintain and build strength. For the past two months, the only accessible exercise for these people has been walking which doesn't allow for muscle strength to be retained;
- (iii) while beaches may start to open, people who need aqua exercise need deep manageable water to actually do their exercises, even with their own water equipment;
- (iv) it would be extremely beneficial for these users to have access to heated, ramp and public transport accessible outdoor pools, such as Prince Alfred Park Pool and Victoria Park Pool. Resuming aqua aerobic classes that were available pre-Covid-19 on Saturday mornings, and weekday lunchtimes and evenings would be ideal. Class sizes of 10, as legally allowable, are the ideal size for these classes;
- (v) considering the two month closure of the outdoor facilities, residents would greatly benefit and appreciate extended access into winter; and

(B) the Chief Executive Officer be requested to:

- (i) explore extending the season of operation of the City's outdoor pools due to Covid-19 limiting the pool use, specifically for Andrew Boy Charlton Pool, Prince Alfred Park Pool and Victoria Park Pool;
- (ii) explore the ability to prioritise pool use for those needing access for rehabilitation and health concerns; and
- (iii) provide an update on access changes via the CEO Update.

S129266

**Item 12.8****Notices of Motion****Extending Oval Lights into Winter during Covid-19**

By Councillor Scott

It is resolved that:

(A) Council note:

- (i) the City has more than 400 small parks and open spaces in our local government area;
- (ii) the City's own Open Space, Sports and Recreation Needs Study (2016) notes that the projected rate of population growth will continue to place increasing pressure on existing open space resources and facilities to meet demand;
- (iii) due to Covid-19 there has been a significant increase in the use of existing green space in the City of Sydney, as residents need to exercise while maintaining physical distancing;
- (iv) Sydneysiders would benefit from extended usage of our City's green spaces and ovals throughout winter for exercise and other activities that allow for physical distancing; and
- (v) as City businesses are able to increase their use of outdoor exercise spaces to support our residents exercising, residents and businesses would benefit from increased access and visibility of City spaces for a longer period of time; and

(B) the Chief Executive Officer be requested to:

- (i) explore options to extend the operation hours of the City's oval lighting and other public lighting of our open spaces to allow our residents to access these spaces safely for longer periods of time during Covid-19;
- (ii) explore options to invest in additional lighting for the City's ovals and other public open spaces to allow our residents to access these spaces safely for longer periods of time; and
- (iii) report back to Council on any increased lighting hours of operations, or installations, via the CEO Update.

S126266

## Item 12.9

### Notices of Motion

#### Vale Jack Munday

By Councillor Scott

It is resolved that:

(A) Council note:

- (i) the passing of John Bernard (Jack) Munday, former City of Sydney Councillor, environmentalist and union giant, aged 90, on Sunday 10 May 2020;
- (ii) Jack's rich contribution to the trade union movement, environmentalism and political life over many decades. In urban Sydney, as leader of the NSW Builders' Labourers Federation (BLF) from 1968 to 1975, Jack protected Sydney's heritage and natural environment from developers by enacting the world leading green bans;
- (iii) Jack's activism was the first international trade union movement of its kind to champion environmental activism, and his staunch advocacy for public spaces, and the need for them to belong to the public, ensuring green spaces and parklands like Centennial Park weren't converted into shopping centres;
- (iv) Jack successfully fought for working-class residential areas, organising and helping to change the NSW Builders' Labourers Federation's position to accept social responsibility of labour to protect heritage buildings and support affordable housing. Alongside Tom Uren, this advocacy successfully led to the preservation of public housing that still stands today in The Rocks, Millers Point, Glebe and Woollahooloo;
- (v) Jack provided pivotal support for Indigenous activists to bring the first successful Aboriginal land rights claim in Australia;
- (vi) Jack's legacy, with the work of NSW Builders' Labourers Federation, led to 54 green bans across Sydney and held up \$5 billion worth of building activity, beginning in Hunters Hill when the Builders' Labourers Federation supported a women's campaign to save Kelly's Bush. Jack said it was "the first time the enlightening working class teamed with the enlightened middle class to fight for the environment anywhere in the world";
- (vii) the NSW Builders' Labourers Federation green bans in Sydney were echoed by unions around the world. Countries around the world followed Jack's leadership and he was invited to address the first United Nations Conference on the Built Environment in 1976; and

- (viii) Jack was known to be a trustworthy, genuine man. He believed in the power of rank and file union members, in solidarity and successfully leaves a legacy of campaigns for conservation as well as Indigenous rights, women's rights and queer rights;
- (B) all present in the meeting take one minute of silence to honour the memory of John Bernard (Jack) Munday;
- (C) the Chief Executive Officer, in Jack's honour, be requested to examine options for the City of Sydney to collaborate with State and Federal governments to fast track Town Hall Square, a project that would provide invaluable economic stimulus to Sydney during Covid-19, and grow Sydney's open and green spaces in the heart of our City's central business district; and
- (D) the Lord Mayor be requested to write to Jack Munday's family expressing the Council's sincere condolences on his passing.

S129266

**Item 12.10****Notices of Motion****Local Government Award**

By Councillor Chung

It is resolved that Council, following consideration of the financial impacts of the Covid-19 pandemic, and to ensure the long-term financial sustainability of the local government sector:

- (A) call upon the Local Government Remuneration Tribunal to determine that the annual increase payable to Mayors and Councillors in 2020 should be 0 per cent;
- (B) call upon the Statutory and Other Offices Remuneration Tribunal to determine that the annual increase payable to Local Government Chief and Senior Executives in 2020 should be 0 per cent;
- (C) call upon all local government sector unions and Local Government NSW to determine that the annual wage increase payable to local government employees in 2020 pursuant to the Local Government (State) Award should be 0 per cent and subsequent years should not exceed CPI; and
- (D) the Chief Executive Officer be requested to:
  - (i) write to each tribunal, LGNSW and relevant unions expressing this view;
  - (ii) not award any discretionary performance increases for City of Sydney staff for the coming 12 months and that there be no “catch up” performance increases in subsequent years; and
  - (iii) review the Councillors Expenses and Facility policy and report back to Council savings initiatives such as reduced travel, conference, education and training to support the financial sustainability of Council.

S129259