

# Council

Meeting No 8

Monday 27 July 2020

Notice No 8/1619

Notice Date 23 July 2020

*minutes*

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## **Present**

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

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

At the commencement of business at 5.03pm, those present were:-

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

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

## **Remote Meeting**

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

## **Opening Prayer and Acknowledgement of Country**

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

## **Webcasting Statement**

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

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

## **Order of Business**

The Chair noted that the order of business would be altered, such that Item 11.4 be deferred and dealt with after Item 11.10.

**Item 1        Confirmation of Minutes**

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

That the Minutes of the meeting of Council of Monday, 29 June 2020, as circulated to Councillors, be confirmed.

Carried unanimously.

## **Item 2        Disclosures of Interest**

Councillor Linda Scott made the following disclosures:

- a less than significant, non-pecuniary interest in Item 3.1 on the agenda, in that she was a judge for the 2020 Ministers' Awards for Women in Local Government.
- a less than significant, non-pecuniary interest in Item 4.1 on the agenda, in that she is the President of Local Government New South Wales, and a Board Member.

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

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

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

**Item 3       Minutes by the Lord Mayor****Item 3.1       Ministers' Awards for Women in Local Government****Minute by the Lord Mayor**

To Council:

I wish to inform Council about the success of our Chief Executive Officer, Monica Barone, and the City of Sydney in the 2020 Ministers' Awards for Women in Local Government.

Monica is the winner of the Champion of Change Award and the City of Sydney is the winner of the Employment Diversity Award.

The Champion of Change Award recognises a General Manager or senior manager who has excelled in supporting and encouraging women's participation at their Council.

The Employment Diversity Award recognises a successful council program to increase female participation in senior leadership roles or at the elected representative level. This recognises the City's role as a leader in the Australian public and private sectors for gender equity.

Due to the impact of Covid-19 plans to present the 2020 Awards at ceremony at Parliament House will not proceed. A video awards ceremony will be held to formally recognise Award winners and nominees.

I am sure all Councillors will want to join with me in congratulating Monica Barone and City staff on receiving these awards.

**Recommendation**

It is resolved that Council congratulate the Chief Executive Officer and City of Sydney staff on their success at the 2020 Ministers' Awards for Women in Local Government.

**COUNCILLOR CLOVER MOORE**

Lord Mayor

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

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

The Minute was carried as follows –

Ayes (9) The Chair (the Lord Mayor), Councillors Chung, Forster, Kok, Phelps, Scott, Scully, Thalys and Vithoulkas.

Noes (1) Councillor Miller\*.

Minute carried.

\*Note – Councillor Miller did not indicate a vote and is taken to have abstained from voting on this matter. Pursuant to the provisions of clause 9.4 of the Code of Meeting Practice, Councillor Miller is taken to have voted against the Minute.

Note – Councillors and staff present at the meeting, held remotely, acknowledged Chief Executive Officer, Monica Barone, with a round of applause.

S051491

**Item 4 Memoranda by the Chief Executive Officer****Item 4.1 Local Government NSW Annual Conference 2020 - Nomination of Delegates****Memorandum by the Chief Executive Officer**

To Council:

This memorandum seeks Council's consideration of the nomination of Councillors as voting delegates to the Local Government New South Wales (LGNSW) Annual Conference, to be held from Sunday 22 November to Tuesday 24 November 2020 at the Crowne Plaza Hunter Valley.

The conference is the main policy-making event for the local government sector. Delegates will vote on motions which determine the policies and priorities for LGNSW and the sector.

The current status of the Covid-19 pandemic, including current indications of some community transmission in the Hunter region, means that there is some level of uncertainty over whether Councillors will be able to attend the event. It is important that Council has made the necessary resolutions so that Councillors are in a position to attend the event should they be able and willing to do so.

LGNSW has advised that the conference will be following government guidelines on safe events and social distancing, noting that this can change in the future. Hygiene practices will include cleaning surfaces, arranging seating, and overseeing food preparation and transport, as well as medical assistance as required. Any changes arising as a result of Covid-19, including to the format of the conference, will be conveyed to Councillors as information becomes available.

**Registration to Attend the Conference**

Conference attendees are invited to register from 17 July 2020 to take advantage of early bird rates. Early bird rates are available until 25 September 2020.

Voting delegates must be registered to attend the conference, and also be registered as a voting delegate on motions.

**Registration as a Voting Delegate**

The City of Sydney is entitled to register up to 10 voting delegates for motions. It is proposed that Council nominates the Lord Mayor and all Councillors to attend.

The deadline to provide LGNSW with the names of voting delegates is Tuesday 3 November 2020. Additional nominations received after the closing date cannot be accepted. However, the names of voting delegates may be substituted at any time, in line with Rule 34 of the LGNSW Rules.

Voting delegates may not appoint a proxy to attend or vote at formal business sessions on their behalf.

## Conference Program / Motions

The conference will include discussion and debate on a range of motions from councils relating to current and emerging policy issues facing local government in NSW.

All members can put forward motions to be considered at the conference, which should be strategic, affect members state-wide, and introduce new or emerging policy issues and actions.

Members submitting motions are encouraged to be familiar with the LGNSW Policy Platform, at: <https://www.lgnsw.org.au/policy/policy-platform>. The purpose of this Policy Platform is to consolidate the numerous policies and positions of LGNSW – as determined by members – into a single document for ease of reference for members and stakeholders.

The Motions Submissions Guide is available at: <https://lgnsw.org.au/events-training/local-government-nsw-annual-conference-2020/motions>. The guide provides information on the criteria for motion submission, examples of motions, and what happens to motions after the conference.

Members are asked to submit motions by **Monday 28 September** for inclusion in the conference business paper. The latest date for submission of motions is 12 midnight Sunday 25 October 2020 (28 days prior to the conference).

The full conference business paper is expected to be available one week prior to the conference.

## Councillors' Expenses and Facilities Policy

Councillors Chung, Forster, Miller, Phelps, Scott, Thalys and Vithoulkas were the City of Sydney delegates at the 2019 LGNSW Conference held at Warwick Farm. Expenditure incurred for the 2019 conference totalled \$8,691.05.

The Councillors' Expenses and Facilities Policy 2017 provides for Councillors to attend the LGNSW Annual Conference at the City's expense. Funds are available in the 2020/21 operating budget to cover registration fees, travel and other reasonable expenses incurred by Councillors.

## Travel

The conference venue, Crowne Plaza Hunter Valley, is a two-hour drive from Sydney via the M1. Alternative methods of travel include shuttle bus and Cityrail, with all travel details available at: <https://www.lgnsw.org.au/events-training/local-government-nsw-annual-conference-2020/2020-annual-conference-accommodation>.

Accommodation has been pre-booked for Councillors at the Leisure Inn at Pokolbin, with delegate transfers from the hotel to the conference venue available.

**Recommendation**

It is resolved that:

- (A) Council appoint the Lord Mayor and all Councillors as its voting delegates at the Local Government NSW (LGNSW) Annual Conference to be held in the Hunter Valley from 22 to 24 November 2020;
- (B) all registration fees, travel and other reasonable expenses associated with the attendance of Councillors at the conference be met by the City in accordance with the Councillors' Expenses and Facilities Policy 2017; and
- (C) Council note that a spouse, partner or other person may accompany a Councillor at the conference, and the City will meet the cost of their registration fees and official conference dinners.

**MONICA BARONE**

Chief Executive Officer

**Attachments**

**Attachment A.** Local Government NSW Conference Draft Program

**Attachment B.** Local Government NSW Conference Registration Brochure

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

It is resolved that –

- (A) Council appoint the Lord Mayor and all Councillors as its voting delegates at the Local Government NSW (LGNSW) Annual Conference to be held in the Hunter Valley from 22 to 24 November 2020;
- (B) all registration fees, travel and other reasonable expenses associated with the attendance of Councillors at the conference be met by the City in accordance with the Councillors' Expenses and Facilities Policy 2017; and
- (C) Council note that a spouse, partner or other person may accompany a Councillor at the conference, and the City will meet the cost of their registration fees and official conference dinners.

The motion was carried as follows –

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

Noes (1) Councillor Miller\*.

Motion carried.

\*Note – Councillor Miller did not indicate a vote and is taken to have abstained from voting on this matter. Pursuant to the provisions of clause 9.4 of the Code of Meeting Practice, Councillor Miller is taken to have voted against the motion.

X030976

**Item 4.2      Rescinding of the Mobile Free Food Services Policy 2007****Memorandum by the Chief Executive Officer**

To Council:

After considerable research and consultation with mobile food providers and users of their services, followed by a 28-day public exhibition period, Council endorsed the Mobile Voluntary Services Policy and Guidelines at the Council Meeting of 29 June 2020.

Due to an administrative oversight the pre-existing Mobile Free Food Services Policy 2007 (Attachment A) was not rescinded at the 29 June 2020 Council Meeting.

This memorandum requests that Council rescind the Mobile Free Food Services Policy 2007. The Mobile Voluntary Services Policy endorsed on 29 June 2020 will then take the place of the 2007 Policy.

**Recommendation**

It is resolved that Council:

- (A) note that the Mobile Voluntary Services Policy and Guidelines were endorsed at the 29 June 2020 Council Meeting;
- (B) rescind the Mobile Free Food Services Policy 2007 as shown at Attachment A to the subject memorandum; and
- (C) note that the Mobile Voluntary Services Policy endorsed on 29 June 2020 will take the place of the Mobile Free Food Services Policy 2007.

**MONICA BARONE**  
Chief Executive Officer

**Attachments**

**Attachment A.**      Mobile Free Food Service Policy 2007

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

It is resolved that Council:

- (A) note that the Mobile Voluntary Services Policy and Guidelines were endorsed at the 29 June 2020 Council Meeting;
- (B) rescind the Mobile Free Food Services Policy 2007 as shown at Attachment A to the subject memorandum; and
- (C) note that the Mobile Voluntary Services Policy endorsed on 29 June 2020 will take the place of the Mobile Free Food Services Policy 2007.

The motion was carried as follows–

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

Noes (1) Councillor Miller\*.

Motion carried.

\*Note – Councillor Miller did not indicate a vote and is taken to have abstained from voting on this matter. Pursuant to the provisions of clause 9.4 of the Code of Meeting Practice, Councillor Miller is taken to have voted against the motion.

S111435

**Item 5        Matters for Tabling****5.1 Disclosures of Interest**

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

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

Carried unanimously.

## **5.2 Petitions**

### **Urgent Changes to the Railway Parade Closure and Henderson Road Bike Path**

The following Petition (containing 268 signatures) was tabled by Councillor Chung.

This Change.Org petition demands immediate consultation from Lord Mayor Clover Moore and the Council, Minister Constance and the State Government and speedy removal or amendment to the Railway Parade road closure and bike lane configuration.

This badly configured bike path has diverted a major traffic flow past our 2 primary schools, down a suburban street with an off-leash park in the middle and onto a dangerously reconfigured Henderson Road.

It has also removed far more parking spaces from Henderson Road than the Lord Mayor's letter promised, significantly affecting the amenity of our area.

This petition seeks an urgent consultation, and a commitment to a speedy review and amendment of the current situation, and a commitment from the Council and State Government to remove the bike path as soon as possible. It also seeks an immediate solution to the traffic on Park Street and the configuration issues on Henderson Road.

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

It is resolved that the Petition be received and noted.

Carried unanimously.

S044250

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

The Lord Mayor Councillor Clover Moore

(Chair)

Deputy Lord Mayor Councillor Jess Scully

(Deputy Chair)

Councillors Craig Chung, Robert Kok, Jess Miller, Prof Kerry Phelps AM, Linda Scott, Prof Philip Thalys and Angela Vithoulkas.

At the commencement of business at 2.12pm those present were -

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

**Apologies**

Councillor Forster extended her apologies for her inability to attend the meeting of the Corporate, Finance, Properties and Tenders Committee.

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

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

Carried unanimously.

The meeting of the Corporate, Finance, Properties and Tenders Committee concluded at 2.17pm.

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

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

That the report of the Corporate, Finance, Properties and Tenders Committee of its meeting of 20 July 2020 be received, with Item 6.1 being noted, and the recommendation set out below for Item 6.2 being adopted.

Carried unanimously.

## **Item 6.1**

### **Disclosures of Interest**

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

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

## **Item 6.2**

### **Investments Held as at 30 June 2020**

It is resolved that the Investment Report as at 30 June 2020 be received and noted.

Carried unanimously.

X020701

**Item 7      Report of the Cultural and Community Committee****PRESENT**

The Lord Mayor Councillor Clover Moore

(Chair)

Councillor Robert Kok / Councillor Linda Scott

(Deputy Chair)

Deputy Lord Mayor Councillor Jess Scully, Councillors Craig Chung, Jess Miller, Prof Kerry Phelps AM, Prof Philip Thalys and Angela Vithoulkas.

At the commencement of business at 2.17pm those present were -

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

**Apologies**

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

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

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

Carried unanimously.

**Sub-Committees**

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

The Cultural and Creative Sub-Committee, with Councillor Kok as Deputy Chair, commenced at 2.17pm.

The Healthy Communities Sub-Committee, with Councillor Scott as Deputy Chair, commenced at 2.22pm.

The meeting of the Cultural and Community Committee and all its Sub-Committees concluded at 2.25pm.

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

Moved by Councillor Kok, seconded by Councillor Scully –

That the report of the Cultural and Creative Sub-Committee of its meeting of 20 July 2020 be received, with Item 7.1 being noted, and the recommendation set out below for Item 7.2 being adopted.

Carried unanimously.

### **Item 7.1**

#### **Disclosures of Interest**

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

The Cultural and Creative Sub-Committee recommended the following:

### **Item 7.2**

#### **Post Exhibition - Archives Collection Management Policy**

It is resolved that:

- (A) Council note the submissions and feedback received through the public exhibition process as shown at Attachment B to the subject report;
- (B) Council adopt the Archives Collection Management Policy, as amended, as shown at Attachment A to the subject report;
- (C) Council note that people and organisations who made submissions will be notified of the adoption of the Archives Collection Management Policy; and
- (D) authority be delegated to the Chief Executive Officer to make and approve minor housekeeping changes and editorial amendments to the adopted Archives Collection Management Policy, as may be required from time to time.

Carried unanimously.

X002609.002

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

Moved by Councillor Scott, seconded by Councillor Thalís -

That the report of the Healthy Communities Sub-Committee of its meeting of 20 July 2020 be received, with the recommendations set out below for Items 7.3 and 7.4 being adopted in globo.

Carried unanimously.

The Healthy Communities Sub-Committee recommended the following:-

### Item 7.3

#### **Accommodation Grant Program – Annual Performance Review and Lease Renewals 2020**

It is resolved that:

- (A) Council note the continuation of the current Accommodation Grant leases and licences for the 76 tenants that have met the performance criteria of their Accommodation Grants and are continuing in the Program;
- (B) Council approve an Accommodation Grant for Sydney School of Arts and Humanities Pty Ltd for Abraham Mott Activity Centre, Space 1 and 2, 15a Argyle Street, Millers Point, for a period of 1 year from 1 July 2020 to 30 June 2021 as outlined below, noting that all amounts are per annum:

	<b>Market Rental Value</b>	<b>Grant Subsidy</b>	<b>Grant Amount</b>	<b>Rent to be paid</b>
Year 1	\$12,566	55%	\$6,911.30	\$5,654.70

and

- (C) authority be delegated to the Chief Executive Officer to negotiate, execute and administer agreements with any organisation approved for an Accommodation Grant on terms consistent with this resolution and in accordance with the Grants and Sponsorship Policy.

Carried unanimously.

S117676

### Item 7.4

#### **Community Services Grant - Glebe Youth Services 2021**

It is resolved that:

- (A) Council approve a grant of \$245,000 cash (excluding GST) and venue hire fee waiver to the value of \$1,728 (excluding GST) to Glebe Youth Service Incorporated for the 2021 After Dark Program; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer an agreement with Glebe Youth Service Incorporated.

Carried unanimously.

S116523

**Item 8      Report of the Transport, Heritage and Planning Committee**

**PRESENT**

The Lord Mayor Councillor Clover Moore

(Chair)

Councillor Prof Philip Thalís

(Deputy Chair)

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

At the commencement of business at 2:26pm those present were -

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

**Apologies**

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

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

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

Carried unanimously.

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

Moved by Councillor Thalís, seconded by Councillor Scully –

That the report of the Transport, Heritage and Planning Committee of its meeting of 20 July 2020 be received, with Item 8.1 being noted, the recommendations set out below for Items 8.3 to 8.6 inclusive being adopted in globo, and Item 8.2 being dealt with as shown immediately following that item.

Carried unanimously.

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

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

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

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

**Item 8.2****Low Rise Housing Diversity Code - Consultation Outcomes**

Note - The Transport, Heritage and Planning Committee decided that consideration of this matter shall be deferred to the meeting of Council on 27 July 2020.

At the meeting of Council, it was moved by Councillor Thalys, seconded by the Chair (the Lord Mayor) –

It is resolved that:

- (A) Council note the Low Rise Housing Diversity Code came into effect on 1 July 2020; and
- (B) Council note the Lord Mayor raised the issue in relation to Rosebery in a meeting with the Minister for Planning and Public Spaces on 21 July 2020 and made the following points:
  - (i) the majority of submissions from the community consultation opposed the introduction of the Code, citing concerns that it would impact on the special character of the area and breaches a covenant imposed by the original land owners of the Rosebery Estate;
  - (ii) the City's established local planning framework is the best mechanism to deliver housing diversity, provide certainty and protect local character;
  - (iii) the City has consistently done its part in delivering on state government housing targets and objectives for housing diversity; and
  - (iv) the Council's strong preference is to list the Rosebery Special Character Area identified in Sydney Local Environmental Plan 2012, as land excluded from the Code.

Variation. At the request of Councillor Scott, and by consent, the motion was varied, to include an additional clause (C) as follows –

- (C) to support the City's request to list the Rosebery Special Character Area identified in the Sydney Local Environmental Plan 2012, as land excluded from the Code, the Chief Executive Officer be requested to forward a copy of the legal advice obtained by Rosebery residents to the Department of Planning Industry and Environment, which states:
  - (i) Clause 1.20(1) of the Code's SEPP provides that the development able to be carried out in accordance with the Codes SEPP in effect overrides a covenant restricting the carrying out of that development. However, sub-clause (2)(c) states that the subclause (1) does not apply "to a covenant imposed by an owner or former owner of the land concerned, other than a covenant that has been required by a council to be imposed";
  - (ii) accordingly, clause 1.20(1) of the Codes SEPP cannot be relied upon to overcome the operation and effect of the Covenant (if it is a valid restrictive covenant);
  - (iii) the Covenant restricts the carrying out of development on the Land and its operation and effect is not suspended by a complying developer certificate (CDC) issued under the Codes SEPP (including under the Low Rise Housing Diversity Code); and
  - (iv) if a CDC is issued under the Codes SEPP that permits the carrying out of development contrary to the terms of the Covenant, the CDC could not be relied upon to provide protection from a breach of the Covenant (and the legal ramifications that could flow from that breach).

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

X030568

### **Speakers**

Mr Wayne Moody, Mr James Lidis and Mr John Sciberras addressed the meeting of the Transport, Heritage and Planning Committee on Item 8.2.

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

### **Item 8.3**

#### **Post Exhibition - Planning Proposal and Local Approvals Policy - Display of Goods on the Footway**

It is resolved that:

- (A) Council considers the post exhibition amendments made to the Local Approvals Policy: Display of Goods on the Footway to not be substantial and that further public exhibition is not required;
- (B) Council adopt the Local Approvals Policy: Display of Goods on the Footway, shown at Attachment A to the subject report;
- (C) Council approve the Planning Proposal: Display of Goods on the Footway, shown at Attachment B to the subject report, to be made as a local environmental plan under S3.36 of the Environmental Planning and Assessment Act 1979;
- (D) Council approve the General Consent under S138 of the Roads Act 1993, shown at Attachment C to the subject report;
- (E) Council note the concurrent approval of the Local Approvals Policy issued by the Office of Local Government under S162 of the Local Government Act 1993, shown at Attachment D to the subject report;
- (F) Council note the approval and the general terms of concurrence of the General Consent under S138 of the Roads Act 1993 issued by Transport for NSW, shown at Attachment E to the subject report; and
- (G) Authority be delegated to the Chief Executive Officer to make minor amendments to the Planning Proposal: Display of Goods on the Footway and Local Approvals Policy to correct any minor errors or omissions prior to finalisation.

Carried unanimously.

S060627-02.011

#### **Item 8.4**

#### **Public Exhibition - Planning Proposal - 1-3 Burrows Road, St Peters - Sydney Local Environmental Plan 2012 Amendment and Draft Sydney Development Control Plan 2012**

It is resolved that:

- (A) Council approve Planning Proposal - 1-3 Burrows Road, St Peters, 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 - 1-3 Burrows Road, St Peters, 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 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 - 1-3 Burrows Road, St Peters;
- (D) Council approve the draft Sydney Development Control Plan 2012 - 1-3 Burrows Road, shown at Attachment B to the subject report for public authority consultation and public exhibition concurrent with the Planning Proposal;
- (E) authority be delegated to the Chief Executive Officer to make any minor variations to Planning Proposal - 1-3 Burrows Road, St Peters, following receipt of the Gateway Determination, and;
- (F) authority be delegated to the Chief Executive Officer to make any minor variations to Draft Sydney Development Control Plan 2012 - 1-3 Burrows Road, St Peters to correct any drafting errors or ensure it is consistent with the Planning Proposal following the Gateway Determination.

Carried unanimously.

X019338

**Item 8.5****Public Exhibition - Planning Proposal - 17-31 Cowper Street and 2A-2D Wentworth Park Road, Glebe - Sydney Local Environmental Plan 2012 Amendment and Draft Sydney Development Control Plan 2012**

It is resolved that:

- (A) Council approve the Planning Proposal – 17-31 Cowper Street and 2A-2D Wentworth Park Road, Glebe, shown at Attachment A to the subject report, for submission to the Department of Planning, Industry and Environment with a request for a Gateway Determination;
- (B) Council approve the Planning Proposal – 17-31 Cowper Street and 2A-2D Wentworth Park Road, Glebe, 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 Department of Planning, Industry and Environment to exercise the delegation of all functions of the relevant local plan making authority under Section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan to put into effect the Planning Proposal – 17-31 Cowper Street and 2A-2D Wentworth Park Road, Glebe;
- (D) Council approve the draft Sydney Development Control Plan 2012 – 17-31 Cowper Street and 2A-2D Wentworth Park Road, Glebe shown at Attachment B to the subject report for public authority consultation and public exhibition together with the Planning Proposal;
- (E) authority be delegated to the Chief Executive Officer to make any minor variations to Planning Proposal – 17-31 Cowper Street and 2A-2D Wentworth Park Road, Glebe, following receipt of the Gateway Determination; and
- (F) authority be delegated to the Chief Executive Officer to make any minor variations to Draft Sydney Development Control Plan 2012 – 17-31 Cowper Street and 2A-2D Wentworth Park Road, Glebe to correct any drafting errors or ensure it is consistent with the Planning Proposal following the Gateway Determination.

Carried unanimously.

X031277

**Speakers**

Mr Denis Doherty addressed the meeting of the Transport, Heritage and Planning Committee on Item 8.5.

**Item 8.6****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 K of the subject report;
- (C) exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order as recommended by the City's Investigation Officer to address the identified fire safety deficiencies in 197-199 Castlereagh Street, Sydney 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 as recommended by the City's Investigation Officer at 5 Defries Avenue and 5 Hutchinson Walk, Zetland 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 as recommended by the City's Investigation Officer in 715-723 George Street, Haymarket 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 as recommended by the City's Investigation Officer in 169-179 Thomas Street, Haymarket as detailed in Attachment E;
- (G) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action as recommended by the City's Investigation Officer in 161 Sussex Street, Sydney as detailed in Attachment F;
- (H) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action as recommended by the City's Investigation Officer in 100 Murray Street, Sydney as detailed in Attachment G;
- (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 as recommended by the City's Investigation Officer in 488 George Street, Sydney as detailed in Attachment H;
- (J) exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order as recommended by the City's Investigation Officer in 803-813 George Street, Haymarket as detailed in Attachment I;
- (K) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action as recommended by the City's Investigation Officer in 93-105 Quay Street, Haymarket as detailed in Attachment J;
- (L) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action as recommended by the City's Investigation Officer in 49-51 Market Street, Sydney as detailed in Attachment K.

Carried unanimously.

S105001.002

**Item 9        Questions on Notice****Construction Timeline for Multi-Purpose Synthetic Field at Crescent Park, Annandale**

1.     By Councillor Phelps

**Question**

At the 28 October 2019 Council meeting, Council approved the commencement of concept designs for a multi-purpose synthetic field at Crescent Park, Annandale, and to investigate the feasibility of modifying the proposed pitch to meet the International Hockey Federation's (FIH) requirements of a Hockey5s pitch in consultation with Glebe Hockey Club.

On 18 November 2019, Council was provided with a draft timeline for delivery of this field.

Council was recently notified that the City has recently applied for the Federal Government stimulus funding for this project, should this be successful a revised program will be developed for this project with a view to complete it sooner than that proposed in the above Council reports.

Can the Chief Executive Officer advise on:

1.     When is the stimulus funding expected to be decided on by the Federal Government?
2.     If the federal funding is approved, when is the Crescent Park synthetic turf project likely to go ahead?
3.     Given the Council is bringing forward \$23 million in capital works, will the Crescent Park synthetic turf project be one of the projects that will be fast tracked?

S129272

**Answer by the Chief Executive Officer**

The list of projects submitted by the Council of Capital City Lord Mayors (CCCLM) has been considered by the Federal Government. The Federal Government has not specifically advised the timeline for making a decision.

The Multi-Purpose Synthetic Field at Crescent Park is not part of the suite of capital works brought forward by Council as a stimulatory measure. This project is scheduled for delivery in 2022.

## **Central Sydney Planning Framework – Heritage Floor Space**

2. By Councillor Phelps

### **Question**

On Monday 9 December 2019, a Lord Mayoral Minute was endorsed by Council, which outlined a way forward between Lord Mayor Clover Moore and the NSW Minister for Planning and Public Spaces to ensure future growth occurs where it respects special places, spaces and parkland, and is highly sustainable, resilient and responsive to climate change. With the significant investment in transport infrastructure, Central Sydney must support more jobs, while maintaining quality of life.

On 17 February 2020, Council endorsed a draft Central Sydney planning framework of documents.

Further changes were made to the draft Central Sydney Development Contributions Plan 2020 on 30 March 2020. The new Central Sydney planning documents were put on exhibition from 1 May to 10 July 2020.

Could the Chief Executive Officer please advise:

1. If the Heritage Floor Space Scheme is being abandoned in the proposed changes to Central Sydney Planning Controls?
2. If there can be an extension to the deadline for feedback from the community about the changes to the Central Sydney Planning Controls?

S129272

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

1. There is no proposed change to Heritage Floor Space scheme as part of the Central Sydney Planning Framework. It will continue to apply to accommodation floor space under the local environmental plan.
2. The City has carried out an extended 13-week consultation period, which concluded on 10 July 2020. Extensions have been provided where requested.

## **Moore Park Road Cycleway**

3. By Councillor Phelps

### **Question**

Following a Lord Mayoral Minute of 15 May 2020, pop-up cycleways were identified by Transport for NSW (TfNSW) and the City as part of a solution to ease demand for public transport as the NSW Government eases restrictions on business activity following the Covid-19 lockdown.

There has been significant community opposition to the City of Sydney and Transport for NSW proposal for a temporary cycleway along Moore Park Road and Fitzroy Street between Lang Road, Paddington and Bourke Street, Surry Hills due to the adverse impact the pop-up cycleway will have on the local community, including a mass loss of parking spaces and a lack of consultation before construction began on the temporary cycleway.

In June 2017, Council unanimously resolved to endorse the concept design and scope of works for the Bondi Junction to City Walking and Cycling Improvements project that included a separated cycleway along Moore Park Road. This proposal, which involved no loss of parking, was widely supported by local residents. The final design for this proposal is still in development and its construction is dependent on funding by the NSW Government.

In the 17 July 2020 CEO Update, Councillors were informed that, while no decision has been made on this scheme, Transport for NSW are reviewing the viability of the 2017 cycleway proposal. This is due to the consulted version of the cycleway carrying a high level of risk as it will require deep excavation near critical Sydney water and power services and would require several years of nightworks. This means the cost estimates significantly exceed the upper limit of the Transport for NSW unding business case.

There is currently an open consultation on the Council website on the pop-up cycleways which closes at 5pm on Monday 31 August 2020.

Could the Chief Executive Officer please advise:

1. When did the City become aware that the NSW Government had no intention with proceeding with the consulted design for a permanent cycleway on Moore Park Road?
2. What briefings have been provided to Council on the technical feasibility of the consulted cycleway?
3. What plans will be made public on the technical feasibility of the consulted cycleway?
4. How is the City planning to provide notice for a consultation on making the temporary pop-up cycleways permanent?
5. Will the City be conducting an addressed mail out to residents and ratepayers in the areas impacted by the temporary pop-up cycleways, notifying them of the public exhibition and consultation in relation to any proposal to make the temporary pop-up cycleway permanent?
6. Given that the Moore Park Road temporary pop-up cycleway has been implemented within the Furber Road Conservation Area and the Paddington South Heritage Conservation Area, will the City be conducting a heritage impact study and provide a Statement of Heritage Impact in relation to any proposal to make the temporary pop-up cycleway permanent?
7. Will previously provided feedback on the pop-up cycleway be considered?

S129272

**Answer by the Chief Executive Officer**

1. The NSW Government has not made a decision whether or not to proceed – they are still assessing the business case.
2. There have been no briefings to Council on technical aspects of the detailed design.
3. The City has detailed designs for the 2017 concept. These designs are technically feasible.
4. All residents will be notified of the consultation process by the City's standard consultation process which includes letterbox drop to all residents.
5. Yes.
6. Yes.
7. Yes.

## City Apprentices Employment

4. By Councillor Scott

### Question

The City is an incredibly large employer; how many apprentices or trainees does the City currently employ broken down by:

1. How many apprentices or trainees does the City currently employ overall?
2. How many are in their 1st year, 2nd year, 3rd year, etc?
3. How many people have completed their vocational trade studies with the City?
4. How many apprentices are employed in which trade sectors?
5. What percentage of the above-mentioned cohorts are female?

S129275

### Answer by the Chief Executive Officer

1. The City currently employs three apprentices in City Greening and Leisure and two trainees via the ArtsReady program.

The City has 23 young people participating the City's entry-level employment program (which includes apprenticeships, traineeships, interns, graduates and cadets).

2. Of the 23 young people participating the City's entry-level employment program, three are first year apprentices.
3. Between 2013 and 2020, seven apprentices completed their vocational trade qualifications with the City. In addition, since 2013, 17 young people have completed their Certificate III vocational qualifications with the City via the AFL SportsReady traineeship program.
4. There are three apprentice gardeners. One position is an identified position for Aboriginal and Torres Strait Islander people.
5. The three current apprentices are male.

In the current cohort of 23 young people participating the City's entry-level employment program, 47 per cent are female (11).

## **Affordable Housing Supported by City Funding**

5. By Councillor Scott

### **Question**

Please update the council on the number of affordable housing dwellings supported by City funding, broken down by.

1. Suburb.
2. Which dwellings are completed and currently inhabited?
3. Which dwellings are completed and empty?
4. Provide an update on the City's plan to house people in these empty dwellings.
5. Which dwellings are in development?
6. Please provide a timeline for when the dwellings in development will be completed.

S129275

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

The City does not directly provide affordable housing, however, does facilitate it through the collection of affordable housing contributions that are passed to City West Housing who build, own and manage the housing over the long term. In addition to contribution schemes applied through the planning framework, the City uses other mechanisms to increase the amount of affordable housing in the local government area, including:

- preferential zoning for affordable rental housing on land zoned B7 – Business Park, where residential development is not otherwise permitted. This keeps land affordable for community housing providers and government who are seeking to purchase land in these areas to develop affordable rental housing;
- planning agreements for affordable rental housing outcomes when changes are being made to planning controls, for example, in Harold Park when it was rezoned in 2009 and for Bay Street, Glebe in 2014; and
- material support for the provision of affordable rental housing, including a contribution of approximately \$24 million over the last 10 years. This has included grants to nongovernment organisations, as well as granting or selling land below cost to community housing providers.

Of the affordable housing that the City has provided material support for there is:

- 182 affordable dwellings built on land sold below cost to community housing providers. These dwellings are in Zetland and Forrest Lodge (Harold Park);
- 240 affordable dwellings in the development pipeline on land below cost to community housing providers. These dwellings are in Redfern and Alexandria;
- 42 affordable dwellings built with funds allocated through the City's Affordable and Diverse Fund. These dwellings are in Darlinghurst; and
- 53 affordable dwellings in the development pipeline with funds allocated through the City's Affordable and Diverse Fund. These dwellings are in Chippendale.

It is estimated that housing in the development pipeline could be completed within two years, noting the City has no direct control over the progress of individual development projects.

The City is not the owner or manager of any affordable housing in the local government area and therefore does not have access to information in relation to vacancy rates.

## **Budget for Climate Change**

6. By Councillor Scott

### **Question**

Please update the Council on the 2020/21 budget allocations for action on dangerous climate change.

1. What plans are currently in action?
2. What plans haven't started yet?
3. What is the timeline for these plans, started or not, to be completed?

S129275

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

The City continues to implement climate change related actions as per the City's:

- Environmental Strategy and Action Plan 2016-2021 (<https://bit.ly/2ZP75cT>);
- Climate Emergency Response <https://bit.ly/2Bq9HVM>
- Community Recovery Plan <https://bit.ly/2CrwZL3>
- 2017-2021 Delivery Program (Section 6 A Leading Environmental Performer) and 2020/21 Operational Plan (Section 5, Strategic Direction 2 A Environmental Leadership).

The status of these action is reported in the bi-annual Green Report (<https://www.cityofsydney.nsw.gov.au/council/publications-updates/environmental-plans-reports>).

In addition environmentally related action in the 2020/21 Operational Plan will be reported bi-annually to Council.

**Local Procurement**

7. By Councillor Scott

**Question**

Please update the Council on the City's procurement spending broken down by:

1. City of Sydney.
2. States.
3. Australian.
4. International.
5. Financial year: 2018, 2019, 2020.

S129275

**Answer by the Chief Executive Officer**

This information will take some time to compile and will be provided to Councillors via the CEO Update.

**Public Access to City Facilities**

8. By Councillor Scott

**Question**

Please update the Council on how many days each City facility is open to the public broken down by:

1. Those with a City community grant. Please advise how much the City has granted them.
2. Financial year: 2018/19 and 2019/20.
3. Suburb.

S129275

**Answer by the Chief Executive Officer**

The City's Operational Plan and the City of Sydney website summarise the programs and activities that take place within City run facilities, including libraries, community centres, recreational centres, aquatic centres and venues for hire. A summary of some of our Accommodation Grant recipients is also included in the Operational Plan. The 2019/20 Operational Plan will be provided to Council for the August Council meeting (as part of the 2019/20 Quarter 4 Review).

Our standard opening hours for each City run facility is usually found on the City's website, however, currently the website only lists the City's Covid-19 opening hours.

**Item 10      Supplementary Answers to Previous Questions**

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

## **Item 11      Notices of Motion**

### **Item 11.1    Purchase of The Metro Kings Cross**

Moved by Councillor Forster, seconded by Councillor Phelps –

It is resolved that:

(A) Council note:

- (i) there has been longstanding community support for the iconic Metro Theatre - Kings Cross at 28-30 Orwell Street, Potts Point, to be acquired by City of Sydney Council for use as a community cultural facility;
- (ii) the luxurious Art Deco style theatre and offices were originally built in 1939 as a live entertainment complex called the Minerva;
- (iii) the building was bought and renamed The Metro Kings Cross in 1948 by Metro-Goldwyn-Mayer (MGM) and converted into a cinema in 1952;
- (iv) after MGM was bought out by Greater Union Organisation in 1969, Harry M. Miller staged the musical Hair at the theatre and it returned to live theatre use until 1976;
- (v) it was converted into a short-lived shopping centre in 1981 before being acquired in 1982 for use as a film studio by Kennedy Miller Mitchell;
- (vi) The Metro is a building with unique architectural heritage, cultural and historic significance to both the local community and Sydney as a whole; and
- (vii) in March 2019 Abacus Property Group purchased the building for \$19.8 million, but may now be seeking to sell it; and

(B) the Chief Executive Officer be requested to:

- (i) investigate whether The Metro Theatre – Kings Cross is available for sale, begin negotiations with the vendors and/or their agents over the possible acquisition by Council of the site for adaptive re-use as a theatre, film or cultural facility; and
- (ii) report back to Council as soon as practicable on the results of these negotiations.

Variation. At the request of Councillor Phelps, and by consent, the motion was varied by the addition of clause (B) (ii) as follows –

(B) the Chief Executive Officer be requested to:

- (i) investigate whether The Metro Theatre – Kings Cross is available for sale, begin negotiations with the vendors and/or their agents over the possible acquisition by Council of the site for adaptive re-use as a theatre, film or cultural facility;
- (ii) begin discussions with the NSW Government and relevant private interests regarding the purchase of the Metro Theatre by the NSW Government and/or City of Sydney and the option of a public private partnership; and

- (iii) report back to Council as soon as practicable on the results of these negotiations.

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

It is resolved that:

(A) Council note:

- (i) there has been longstanding community support for the iconic Metro Theatre - Kings Cross at 28-30 Orwell Street, Potts Point, to be restored as a live theatre or cultural facility;
- (ii) the luxurious Art Deco style theatre and offices were originally built in 1939 as a live entertainment complex called the Minerva;
- (iii) the building was bought and renamed The Metro Kings Cross in 1948 by Metro-Goldwyn-Mayer (MGM) and converted into a cinema in 1952;
- (iv) after MGM was bought out by Greater Union Organisation in 1969, Harry M. Miller staged the musical Hair at the theatre and it returned to live theatre use until 1976;
- (v) it was converted into a short-lived shopping centre in 1981 before being acquired in 1982 for use as a film studio by Kennedy Miller Mitchell;
- (vi) The Metro is a building with unique architectural heritage, cultural and historic significance to both the local community and Sydney as a whole; and
- (vii) in March 2019 Abacus Property Group purchased the building for \$19.8 million; and

(B) Council reaffirm its commitment to exploring and assisting with any viable proposal for the restoration, use and ongoing operations of the Metro as a live theatre or other cultural facility.

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

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

Noes (5) Councillors Chung, Forster, Phelps, Scott and Vithoulkas.

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

The substantive motion was carried on the following show of hands –

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

Noes (2) Councillors Forster and Phelps.

Motion carried.

S129260

## Item 11.2 Community Wealth Building

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

It is resolved that:

(A) Council note:

- (i) the importance of ensuring Council makes every effort to support local businesses in a time of recession and economic lockdown;
- (ii) one of the goals identified in the City's Covid-19 Recovery Plan is to "support a resilient economy and community wealth building ... by encouraging recovery actions to be developed in partnership between government, business and communities ... supporting local procurement, promoting local businesses and working together with our communities to catalyse the changes needed to build a stronger future";
- (iii) at the Council meeting of 8 April 2019, Council endorsed a motion requesting the Chief Executive Officer "to investigate the possibility of developing a local preference policy for the City of Sydney";
- (iv) only 12 per cent of small-to-medium enterprises in the City are registered on Tenderlink, the online tender advertising platform used by the City, and that increasing this figure would help the City source more of its requirements from local businesses;
- (v) fifty-five to 65 per cent of the City's procurement already runs through businesses registered in the City of Sydney Local Government Area, and staff are actively considering actions we can implement to increase this;
- (vi) the rapid growth of the Community Wealth Building (CWB) movement in North America, the United Kingdom and Europe, which aims to establish fairer, more inclusive economic principles using the strengths and skills of local government as 'anchor institutions' using their resources, spend and influence to create a fairer society, serve as employment multipliers, and build more self-sufficient and thriving local communities;
- (vii) the success of Community Wealth Building initiatives around the world – including the Preston Model, Spain's Mondragon Corporation, and the work of the Democracy Collaborative in Cleveland, Ohio – in supporting local economies to be more resilient in the face of crises, nurturing diverse models of enterprises which deliver secure and fair conditions for workers and partners, and enabling socially, financially and environmentally sustainable outcomes;
- (viii) the increasing uptake of Community Wealth Building-related programs across Australia, from earlier projects such as Renew Newcastle, to the City of Gold Coast's 'buy local' procurement policy and the GROW program in regional Victoria;
- (ix) the challenges experienced by community and creative organisations in particular in retaining secure and affordable space, exacerbated by the impacts of the pandemic and lockdown;

- (x) in 2018, the Mayor of London established the Creative Land Trust, which supports the community and industry in the acquisition or long term lease of creative workspace in order to provide a network of sustainable, permanent spaces that will remain affordable for artists and creative producers in perpetuity. The success of international programs like London's Creative Land Trust could serve as a model for ensuring greater resilience for important social and cultural infrastructure in our City;
- (xi) the first principle proposed by the City's Citizens' Jury in its Sydney 2050 concepts report was that of participatory governance, consistent with the principles of Community Wealth Building; and
- (xii) the Community Recovery Plan endorsed by Council on 29 June 2020 sets out four Recovery Goals, including support for a "resilient economy and community wealth building". The Plan states that "as part of our work to build capacity in groups and organisations, we will support local procurement, promote local businesses and work together with our communities to catalyse the changes needed to build a stronger future"; and

(B) the Chief Executive Officer be requested to:

- (i) investigate developing a City policy integrating the principles of Community Wealth Building into City operations to make the City of Sydney an 'anchor institution' for building and retaining wealth in our area, including through procurement, the use of City land and assets, and increased support for diverse models of ownership and operation that empower communities and share economic benefit more broadly;
- (ii) investigate how the City might develop and enter into Memorandum of Understanding with major partner organisations – such as universities, hospitals, airports, and the members of the Camperdown Ultimo Innovation Precinct, and to raise it with some of our important networks such as the Better Building Partnership and Sustainable Destination Partnership – to build a network of anchor institutions which increase local and socially responsible procurement across the City;
- (iii) investigate creative land trust models and how they might be applied in our local context; and
- (iv) embed the principles of Community Wealth Building into the City's Sustainable Sydney 2050 plan, in line with the goals of the City's Covid-19 Recovery Plan and the recommendations of the Citizens' Jury.

Variation. At the request of Councillor Chung, and by consent, the motion was varied such that (B) read as follows –

(B) the Chief Executive Officer be requested to:

- (i) investigate developing a City policy integrating the principles of Community Wealth Building into City operations to make the City of Sydney an ‘anchor institution’ for building and retaining wealth in our area, including through procurement, the use of City land and assets, and increased support for diverse models of ownership and operation that empower communities and share economic benefit more broadly;
- (ii) investigate how the City might develop and enter into Memorandum of Understanding with major partner organisations – such as universities, hospitals, airports, and the members of the Camperdown Ultimo Innovation Precinct, and to raise it with some of our important networks such as the Better Building Partnership and Sustainable Destination Partnership – to build a network of anchor institutions which increase local and socially responsible procurement across the City;
- (iii) investigate creative land trust models and how they might be applied in our local context;
- (iv) investigate embedding the principles of Community Wealth Building into the City’s Sustainable Sydney 2050 plan, in line with the goals of the City’s Covid-19 Recovery Plan and the recommendations of the Citizens’ Jury; and
- (v) report back to Councillors via the CEO Update on the outcomes of these investigations.

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

S129264

### Item 11.3 Temporary Cycleway Clearway Restrictions

Moved by Councillor Phelps, seconded by Councillor Forster –

It is resolved that:

(A) Council note:

- (i) following a Lord Mayoral Minute of 15 May 2020, pop-up cycleways were identified by Transport for NSW (TfNSW) and the City as part of a solution to ease demand for public transport as the NSW Government eases restrictions on business activity following the Covid-19 lockdown;
- (ii) there has been significant community opposition to the City of Sydney and Transport for NSW proposal for a temporary cycleway along Moore Park Road and Fitzroy Street between Lang Road, Paddington and Bourke Street, Surry Hills due to the adverse impact the pop-up cycleway will have on the local community, including:
  - (a) the imposition of a 24/7 clearway outside of residences on the South side of Moore Park Road, where houses already have no stopping along the laneway to the rear;
  - (b) the associated loss of 118 on street parking spaces in a community which already has limited on street parking; and
  - (c) a complete lack of community consultation about the temporary cycleway;
- (iii) on 2 July 2020, Council endorsed keeping clearway hours on neighbouring Fitzroy Street, Surry Hills to accommodate both the pop-up cycleway and the needs of residents and businesses on Fitzroy Street;
- (iv) residents on the South side of Moore Park Road are already experiencing the adverse effects of having no vehicle access to their properties from Moore Park Road. This has included:
  - (a) elderly residents, at least three of whom rely on mobility aids, being required to navigate across Moore Park Road to gain level access to vehicles;
  - (b) deliveries:
    - from supermarkets being refused or limited to drop off on the North side of Moore Park Road at which point they need to be carried across the road to residences (assuming that the resident is physically capable of doing so); and
    - being returned to the depot for collection when general delivery vehicles have been unable to stop or park on Moore Park Road;
- (v) this will have particular impacts during any heightened Covid-19 restrictions where contactless delivery options will be necessary for food as well as medications and other essentials for elderly and vulnerable residents;
- (vi) the new 15 minute parking on Cook Road, which has been implemented to provide access for Gumnut Gardens Childcare service, being occupied for long periods making them unavailable for Gumnut Gardens or delivery drivers;

- (vii) residents on Bridge Road, Forest Lodge are reporting similar concerns and issues with their current clearway to be removed completely to make way for the pop-up cycleway on both sides of the street; and

(B) the Chief Executive Officer be requested to:

- (i) liaise with Transport for NSW to strongly advocate:
  - (a) that the pop-up cycleway on Moore Park Road be changed to be only during peak hour times, so that parking for residents, tradies, visitors and deliveries can continue outside of 6am-10am and 3pm-7pm Mondays to Fridays for the duration of the pop-up cycleway; and
  - (b) to amend the 15 minute parking on Cook Road to make it 15 minute parking at all times;
- (ii) liaise with Transport for NSW to strongly advocate for keeping existing clearway hours along Bridge Road, Forest Lodge, so that parking be allowed to continue outside of 6am-10am and 3pm-7pm Mondays to Fridays; and
- (iii) report back to Council via the CEO Update.

Variation. At the request of Councillor Forster, and by consent, the motion was varied to include the words "and Fitzroy Street" in clause (B) (i) (a), as follows –

- (a) that the pop-up cycleways on Moore Park Road and Fitzroy Street be changed to be only during peak hour times, so that parking for residents, tradies, visitors and deliveries can continue outside of 6am-10am and 3pm-7pm Mondays to Fridays for the duration of the pop-up cycleways;

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

(B) the Chief Executive Officer be requested to:

- (i) liaise with Transport for NSW to strongly advocate:
  - (a) that the pop-up cycleways on Moore Park Road and Fitzroy Street be changed to be only during peak hour times, so that parking for residents, tradies, visitors and deliveries can continue outside of 6am-10am and 3pm-7pm Mondays to Fridays for the duration of the pop-up cycleways; and
  - (b) to amend the 15 minute parking on Cook Road to make it 15 minute parking at all times;
- (ii) liaise with Transport for NSW to strongly advocate for keeping existing clearway hours along Bridge Road, Forest Lodge, so that parking be allowed to continue outside of 6am-10am and 3pm-7pm Mondays to Fridays;
- (iii) report back to Council via the CEO Update;
- (iv) commission an independent cycling, pedestrian and traffic monitoring study to monitor the changes in cycling, pedestrian and traffic uses as a result of the introduction of the new pop up cycleways; and
- (v) progressively update the findings on the City's website.

## Adjournment

At this stage of the meeting, at 6.47pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Thalís –

That the meeting be adjourned for approximately 15 minutes.

The motion was carried on the following show of hands –

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

Noes (2)        Councillors Chung and Forster.

Motion carried.

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

Foreshadowed motion. Councillors Thalís foreshadowed that, should the motion moved by Councillor Phelps be lost, he would move an alternative motion.

The motion was lost on the following show of hands –

Ayes (4)        Councillors Chung, Forster, Phelps and Vithoulkas

Noes (6)        The Chair (the Lord Mayor), Councillors Kok, Miller, Scott, Scully and Thalís.

Motion lost.

Moved by Councillor Thalís, seconded by Councillor Miller –

It is resolved that:

(A) Council note:

- (i) following a Lord Mayoral Minute of 15 May 2020, pop-up cycleways were identified by Transport for NSW (TfNSW) and the City as part of a solution to ease demand for public transport as the NSW Government eases restrictions on business activity following the Covid-19 lockdown;
- (ii) avoiding a second wave of Covid-19 breaking out and ensuring the safety of people commuting to the city are absolute priorities for the City of Sydney;
- (iii) the recent breakout of Covid-19 cases in Victoria highlights the continuing risks posed by this virus and we must ensure we continue to take responsible, often difficult, decisions that are in the interests of public health. These pop-up cycleways are critical infrastructure that have been fast-tracked by the NSW Government as part of its essential public health response to the pandemic;
- (iv) the Minister for Transport and Roads made it clear that these pop-up cycleways are about saving lives. We must maintain social distancing on public transport to minimise the spread of the virus, but this means that the capacity of services will be significantly reduced. The cycleways will play a critical role in reducing passenger loads, as well as private vehicle use;

- (v) there has been both opposition to and support for the City of Sydney and Transport for NSW proposal for a temporary cycleway along Moore Park Road and Fitzroy Street between Lang Road, Paddington and Bourke Street, Surry Hills. Opposition has focused on the adverse impact the pop-up cycleway will have on the local community, including:

- the imposition of a 24/7 clearway outside of residences on the South side of Moore Park Road, where houses already have no stopping along the laneway to the rear;
- the associated loss of 118 on street parking spaces in a community which already has limited on street parking; and
- that Transport for NSW did not undertake a comprehensive community consultation about the temporary cycleway as the City would have done, under normal circumstances;

while support has focused on:

- the public health benefits;
- the environmental benefits;
- the safety benefits for cyclists;
- the connection it provides to other parts of the cycleway network;
- the traffic congestion reduction benefits; and
- the reduction in noise;

- (vi) a survey by City staff in 2019 indicated that the majority of the houses on the Southern side of Moore Park Road that are affected by the cycleway, have off-street parking;
- (vii) 23 resident permit holder spaces were introduced on the Northern side of Moore Park Road, in the previously unrestricted parking zone, to compensate for those lost on the Southern side;
- (viii) on 2 July 2020, Council endorsed that the Lord Mayor advocate for keeping clearway hours on neighbouring Fitzroy Street, Surry Hills to accommodate both the pop-up cycleway and the needs of residents and businesses on Fitzroy Street;
- (ix) on 17 July 2020, the CEO received a response from Transport for NSW stating that maintaining inter-peak parking on Fitzroy street would not be possible due to the impact it would have on traffic congestion and bus services;
- (x) residents on the South side of Moore Park Road are already experiencing the adverse effects of having no vehicle access to their properties from Moore Park Road. This has included:
- (a) elderly residents, at least three of whom rely on mobility aids, being required to navigate across Moore Park Road to gain level access to vehicles;

## (b) deliveries:

- from supermarkets being refused or limited to drop off on the North side of Moore Park Road at which point they need to be carried across the road to residences (assuming that the resident is physically capable of doing so); and
- being returned to the depot for collection when general delivery vehicles have been unable to stop or park on Moore Park Road; and

## (c) this will have particular impacts during any heightened Covid-19 restrictions where contactless delivery options will be necessary for food as well as medications and other essentials for elderly and vulnerable residents;

- (xi) the City has already advocated to Transport for NSW to maintain inter-peak parking on Moore Park Road, and has been told that this would not be possible due to its impact on traffic congestion, City staff have and will continue to advocate for a compromise solution that will benefit residents;
- (xii) Transport for NSW advises that two loading zones have been installed in Poate Lane to support tradespeople and removalists;
- (xiii) the re-located disability space at Poate Road is now installed and being used;
- (xiv) Transport for NSW report that the pick-up and drop-off spaces are working well in Cook Road to support parents using the Day Care Centre;
- (xv) City staff have patrolled the area on multiple occasions and have found people were observing the parking limits;
- (xvi) there are similar issues along Bridge Road through Glebe and Forest Lodge which is predominantly a two lane road. The existing clearway restrictions already limit the pockets of existing parking. The clearway restrictions and parking may have to be altered for the proposed temporary cycleway; and

## (B) the Chief Executive Officer be requested to:

- (i) liaise with Transport for NSW to strongly advocate:
  - (a) to amend the 15 minute parking on Cook Road to make it 15 minute parking at all times; and
  - (b) to make other refinements to improve the design, the impacts on pedestrians and residents, and the operation of the streets.

Variation. At the request of Councillor Scott, and by consent, the motion was varied such that clause (A) (xii) read as follows –

- (xii) a loading zone has been installed in Poate Lane which residents do not support; the City will request that Transport for NSW explore other options for loading zones in that lane to support tradespeople and removalists;

Variation. At the further request of Councillor Scott, and by consent, the motion was varied to include additional clauses in (B) to read as follows –

- (ii) commission a cycling, pedestrian and traffic monitoring study to monitor the changes in cycling, pedestrian and traffic uses as a result of the introduction of the new pop up cycleways that is independently reviewed; and
- (iii) progressively update the findings on the City's website.

Variation. At the request of Councillor Thalys, and by consent, the motion was further varied to include an additional word in clause (B) (i) (b) such that it read as follows –

- (b) to make other refinements to improve the design, the impacts on pedestrians and residents, loading, and the operation of the streets.

Variation. At the request of Councillor Forster, and by consent, the motion was varied to include additional words in clause (A) (ix), such that it read as follows –

- (ix) on 17 July 2020, the CEO received a response from Transport for NSW stating that maintaining inter-peak parking on Fitzroy street would not be possible due to the impact it would have on traffic congestion and bus services, but City staff continue to advocate for a trial of parking on the northern side of Fitzroy Street between 10am and 3pm;

Amendment. Moved by Councillor Phelps, seconded by Councillor Forster –

That the motion be amended such that (B) read as follows –

(B) the Chief Executive Officer be requested to:

- (i) liaise with Transport for NSW to strongly advocate:
  - (a) that the clearway be suspended on Fitzroy Street between 10am and 3pm, that the clearway be suspended on Moore Park Road between 10am and 3pm, and that there be significant adjustments to the plan for Bridge Road, Glebe, before the cycleway goes in;
  - (b) to amend the 15 minute parking on Cook Road to make it 15 minute parking at all times; and
  - (c) to make other refinements to improve the design, the impacts on pedestrians and residents, loading, and the operation of the streets;
- (ii) commission a cycling, pedestrian and traffic monitoring study to monitor the changes in cycling, pedestrian and traffic uses as a result of the introduction of the new pop up cycleways that is independently reviewed; and
- (iii) progressively update the findings on the City's website.

The amendment was lost on the following show of hands –

Ayes (4) Councillors Chung, Forster, Phelps and Vithoulkas

Noes (6) The Chair (the Lord Mayor), Councillors Kok, Miller, Scott, Scully and Thalys.

Amendment lost.

Variation. At the request of the Chair (the Lord Mayor), and by consent, the motion was varied by the amendment of words in clause (B) (i) (b), such that the motion read as follows –

(B) the Chief Executive Officer be requested to:

- (i) liaise with Transport for NSW to strongly advocate:
  - (a) to amend the 15 minute parking on Cook Road to make it 15 minute parking at all times; and
  - (b) to make other refinements to improve the design, loading, and the operation of the streets, and reduce the impacts on pedestrians and residents;
- (ii) commission a cycling, pedestrian and traffic monitoring study to monitor the changes in cycling, pedestrian and traffic uses as a result of the introduction of the new pop up cycleways that is independently reviewed; and
- (iii) progressively update the findings on the City's website.

The motion was carried on the following show of hands –

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

Noes (1)        Councillor Forster.

The motion, as varied by consent, was carried.

S129263

### **Point of Order**

During discussion of this item, Councillor Phelps raised a point of order, stating that Councillor Thalís had made an imputation against her professional ethics.

The Lord Mayor did not uphold the point of order.

### **Extension of Time**

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

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

That Councillor Thalís be granted an extension of time to speak on this matter.

Carried unanimously.

**Item 11.4 Metro Theatre Kings Cross**

By Councillor Phelps

It is resolved that:

(A) Council note:

- (i) the Metro Theatre (formerly the Minerva Theatre) remains an architectural and cultural icon of the Sydney Local Government Area and has been afforded heritage protection under Clause 5.10 (Heritage conservation) of the Sydney Local Environment Plan 2012. Its listing notes its social, historical and aesthetic significance and rarity values. Its interiors and design have high levels of intactness;
- (ii) the theatre is currently not for sale, following its purchase by the Abacus Property Group for \$19.8 million in March 2019;
- (iii) despite this purchase taking the theatre off the market, the local residential and cultural communities continue to advocate for the building being restored as a live theatre, community arts centre or community cultural facility due to:
  - (a) the shortage of theatres and other cultural facilities which meet the needs of independent, professional non-profit and commercial theatre producers;
  - (b) the organic growth of the eastern edge of the city as a theatre precinct comprising several small performance spaces; and
  - (c) its potential to drive economic growth and bring investment into the Kings Cross / Potts Point areas and help undo some of the economic damage done by the Lockout Laws and Covid-19;
- (iv) the City of Sydney has long played a major role in providing and increasing performance spaces and live theatre through:
  - (a) the restoration of the Capitol Theatre in the early 1990s;
  - (b) provision and ongoing support of the City Recital Hall in Angel Place;
  - (c) transformation of the former Baptist Tabernacle in Darlinghurst into the Eternity Playhouse, a 200-seat state of the art theatre;
  - (d) retention of the Reg Murphy Hall as the Hayes Theatre, now Australia's leading home of independent music theatre and cabaret;
  - (e) provision of the PACT Theatre for Emerging Artists in Erskineville; and

(B) the Chief Executive Officer be requested to:

- (i) thoroughly investigate the business case for future use of the Metro Theatre as an entertainment and/or cultural facility;
- (ii) begin discussions with the NSW Government and relevant private interests regarding the purchase of the Metro Theatre by the NSW Government and/or City of Sydney and the option of a public private partnership; and
- (iii) report findings back to Council.

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

Moved by Councillor Phelps, seconded by Councillor Forster -

It is resolved that:

(A) Council note:

- (i) the Metro Theatre (formerly the Minerva Theatre) remains an architectural and cultural icon of the Sydney LGA and has been afforded heritage protection under Clause 5.10 (Heritage conservation) of the Sydney Local Environment Plan 2012. Its listing notes its social, historical and aesthetic significance and rarity values. Its interiors and design have high levels of intactness;
- (ii) the theatre is currently not for sale, following its purchase by the Abacus Property Group for \$19.8 million in March 2019;
- (iii) despite this purchase taking the theatre off the market, the local residential and cultural communities continue to advocate for the building being restored as a live theatre, community arts centre or community cultural facility due to:
  - (a) the shortage of theatres and other cultural facilities which meet the needs of independent, professional non-profit and commercial theatre producers;
  - (b) the organic growth of the eastern edge of the city as a theatre precinct comprising several small performance spaces; and
  - (c) its potential to drive economic growth and bring investment into the Kings Cross / Potts Point areas and help undo some of the economic damage done by the Lockout Laws and COVID-19;
- (iv) the City of Sydney has long played a major role in providing and increasing performance spaces and live theatre through:
  - (a) the restoration of the Capitol Theatre in the early 1990s;
  - (b) provision and ongoing support of the City Recital Hall in Angel Place;
  - (c) transformation of the former Baptist Tabernacle in Darlinghurst into the Eternity Playhouse, a 200-seat state of the art theatre;
  - (d) retention of the Reg Murphy Hall as the Hayes Theatre, now Australia's leading home of independent music theatre and cabaret; and
  - (e) provision of the PACT Theatre for Emerging Artists in Erskineville; and

(B) the Chief Executive Officer be requested to:

- (i) conduct a thorough consultation with the key stakeholders on the future of the Metro Theatre, including the local residential and business community;
- (ii) thoroughly investigate the business case for future use of the Metro Theatre as an entertainment and/or cultural facility including discussions with the NSW Government and relevant private interests regarding the purchase of the Metro Theatre by the NSW Government and/or City of Sydney and the option of a public private partnership; and
- (iii) report findings back to Council.

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

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

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

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

The motion was declared lost.

S129263

### **Misrepresentation**

During discussion on Item 11.4, Councillor Scully stated that she had been misrepresented in respect to comments made by Councillor Forster and clarified her position accordingly.

**Item 11.5 No Greyhound Racing at Wentworth Park**

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

It is resolved that:

- (A) Council note the rich history of Wentworth Park:
  - (i) by 1885, the Colonial Government proclaimed Wentworth Park as an area for recreation;
  - (ii) in the early 1900s, Wentworth Park was used for Rugby Union, Cricket, Rugby League, movie screenings, local brass bands would play in the rotunda and a kindergarten was established;
  - (iii) Trustees leased Wentworth Park after the war to raise revenue and it became home to a speedway track between 1928 and 1936. The speedway was closed due to track damage and noise complaints; and
  - (iv) greyhound racing in Harold Park was extended to Wentworth Park when the government issued a second greyhound racing licence in 1939;
- (B) Council note the animal cruelty associated with greyhound racing:
  - (i) around 10,000 greyhound puppies are bred each year for racing;
  - (ii) the industry has admitted to killing up to 17,000 healthy greyhound dogs each year. Some are never deemed fast enough for the track, some sustain injuries on the track and some retire;
  - (iii) greyhounds who do make the race track are put at significant risk of injury and death. Up to 200 greyhounds are injured during races each week and around five greyhounds are killed as a result of racing;
  - (iv) animal cruelty extends to live baiting practices involving the use of live kittens, rabbits, piglets and possums during training; and
  - (v) some trainers have been found to dope dogs with cocaine, caffeine and anabolic steroids to enhance their performance;
- (C) Council note the impacts of the greyhound racing gambling industry:
  - (i) Australians gamble around \$4 billion each year on greyhound racing alone;
  - (ii) the greyhound racing industry is estimated to be worth around \$55 million in revenue to the NSW Government; and
  - (iii) the NSW Government provides millions of dollars to the greyhound racing industry in tax breaks and track upgrades;
- (D) Council note the work of the NSW Government:
  - (i) in 2016, the then NSW Premier banned greyhound racing from July 2017, however following media, public, industry and internal pressure, the Premier reversed this ban before it came into effect;

- (ii) in May 2020, the NSW Government released its Greyhound Welfare Code of Practice which will come into effect on 1 January 2021;
  - (iii) in June 2020, the NSW Legislative Council Select Committee on Animal Cruelty Laws in NSW released its report; and
  - (iv) the NSW Government is reviewing the Greyhound Racing Act 2017 and it is on public exhibition until 26 August 2020;
- (E) Council note:
- (i) in 2015, the Lord Mayor made a submission to the Special Commission of Inquiry into the Greyhound Racing Industry in NSW condemning surplus breeding and failure to comply with legal and community standards of animal welfare;
  - (ii) in 2018, the Lord Mayor wrote to the then Minister for Racing condemning the Million Dollar Chase at Wentworth Park and Goulburn greyhound racing club upgrade and opposing greyhound racing; and
  - (iii) the City of Sydney's Community Recovery Plan highlights the need for more open space for general wellbeing and to enable physical distancing;
- (F) this Council supports The Coalition for the Protection of Greyhounds' No Dog Racing at Wentworth Park campaign;
- (G) this Council remains opposed to Greyhound Racing in NSW;
- (H) the Lord Mayor be requested to write to the Minister for Better Regulation and Innovation informing him of this resolution; and
- (I) the Lord Mayor be requested to write to the Minister for Water, Property and Housing and the Minister for Planning and Public Spaces requesting the removal of greyhound racing from Wentworth Park and reinstatement of the land as crown reserve for public recreation uses.

The motion was carried on the following show of hands –

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

Noes (2)           Councillors Chung and Forster.

Motion carried.

S129265

### **Point of Order**

At this stage of the meeting, Councillor Phelps raised a point of order, stating that the Chair had missed agenda Item 11.4. On advice from the Chair that the matter had been dealt with at Item 11.1, Councillor Chung then raised a further point of order, stating that the wording and action in the two motions were substantially different.

The Chair then advised that Council would consider Item 11.4 at a later stage of the meeting.

**Item 11.6 Pop-Up Cycleways Consultation**

Moved by Councillor Chung, seconded by Councillor Forster -

It is resolved that:

(A) Council note:

- (i) the City of Sydney and Transport for NSW have jointly established pop-up cycleways in Sydney under the COVID-19 Legislation Amendment (Emergency Measures) Bill 2020;
- (ii) Transport for NSW has established a hotline and email to receive feedback on the pop-up cycleways;
- (iii) the City of Sydney has created a survey monkey form for people to register to participate in the ongoing consultation around the pop-up cycleways;
- (iv) on 15 July 2020, the Senior Community Engagement Coordinator held a cycleway information session at Erskineville Station and the residents were not informed of this; and
- (v) a comprehensive consultation plan has not been implemented to ensure that all stakeholders are able to give feedback on the pop-up cycleways; and

(B) the Chief Executive Officer be requested to:

- (i) develop a comprehensive consultation plan, which includes all stakeholders, to understand the impact of the pop-up cycleways on the community;
- (ii) implement the consultation plan within four weeks; and
- (iii) report to Councillors via the CEO Update on the consultation plan and its outcomes.

Amendment. Moved by Councillor Miller, seconded by Councillor Scully -

It is resolved that:

(A) Council note:

- (i) the City of Sydney and Transport for NSW have jointly established pop-up cycleways in Sydney under the COVID-19 Legislation Amendment (Emergency Measures) Bill 2020;
- (ii) Transport for NSW has established a hotline and email to receive feedback on the pop-up cycleways;
- (iii) the City of Sydney has created a survey monkey form for people to register to participate in the ongoing consultation around the pop-up cycleways;
- (iv) on 15 July 2020, the Senior Community Engagement Coordinator attended one of the City's regular 'share the path' sessions and answered questions about the Pop-Up cycleway projects;
- (v) the City created an engagement plan for the pop-up cycleways. As the infrastructure needed to be installed quickly to respond to the pandemic, the initial focus of the plan was on informing the community of the changes rather than seeking feedback, however the plan included actions for seeking feedback including opening the Sydney Your Say page;

- (vi) Transport for NSW also created their own engagement plans and the City collaborated with them on these; and
  - (vii) the Lord Mayor has been liaising with the Minister about issues raised by the community, and asking City staff to work with Transport for NSW to find solutions to them; and
- (B) the Chief Executive Officer be requested to circulate the pop-up cycleway engagement plan to Councillors via the CEO Update.

The amendment was carried on the following show of hands –

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

Noes (2)           Councillors Chung and Forster.

Amendment carried.

The substantive motion was carried unanimously.

S129259

### **Points of Order**

During discussion of the proposed amendment to Item 11.6, Councillor Chung raised a point of order stating that points raised by Councillor Scott were not relevant to the amendment.

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

During discussion of the proposed amendment to Item 11.6, Councillor Chung raised a point of order stating that all comments needed to go through the Chair.

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

### **Adjournment**

At this stage of the meeting, at 8.59pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Kok –

That the meeting be adjourned for approximately 10 minutes.

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

Noes (2)           Councillors Chung and Forster.

All Councillors were present at the resumption of the meeting of Council at 9.12pm.

## **Item 11.7 Enabling More Bicycle Parking in Existing Residential Developments**

Moved by Councillor Miller, seconded by Councillor Scully -

It is resolved that:

(A) Council note:

- (i) enabling more active transport is a key strategic priority for the City of Sydney under Sustainable Sydney 2030;
- (ii) cycling is a crucial part of protecting our residents, workers and visitors during the Covid-19 pandemic because it is a safe, physically-distant and environmentally friendly form of transport that reduces road congestion and reduces passenger loads on public transport;
- (iii) the City has worked with the NSW Government to implement six new pop-up cycleways to encourage more cycling across the Local Government Area;
- (iv) the Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 contain provisions for managing the transport and parking needs of the city to limit the environmental and economic impacts of private car use. The provisions also encourage walking, cycling, public transport and car sharing;
- (v) recent reports indicate that there has been a surge in bicycle sales and leases in Sydney since March 2020. While measures are being taken to accommodate more cyclists safely on the roads, there is often limited secure bicycle parking and storage spaces in some older residential buildings that were approved and constructed under previous planning controls when private vehicle use was prioritised over more sustainable transport modes;
- (vi) when vehicle parking spaces are approved as part of a development consent, the size, number and location of those spaces are set out under the approved plans. Conditions of consent are usually imposed that ensure parking spaces in a development are retained for their intended uses and not used for general storage, waste and the like; and
- (vii) if a resident wanted to convert their private parking space to a bike parking space, a modification consent would be required to amend the approved plans and/or condition of consent that relates to the space, which would be a time consuming and costly process for people who want to do the right thing and formalise the arrangement; and

- (B) the Chief Executive Officer be requested to investigate ways that the City can make it easier for owners of private residential parking spaces in existing developments to convert them to safe and secure bicycle parking spaces with consideration given to:
- (i) prioritising developments in areas that are well located in terms of proximity to public transport and cycling infrastructure;
  - (ii) retention of all non-private parking spaces associated with the development such as for service vehicles, car share, and visitor (and disabled visitor) spaces;
  - (iii) likely impacts on nearby on-street parking demand;
  - (iv) links to the City's broader environmental outcomes as part of the Smart Green Apartments program, promotion of NABERS for residential apartment buildings and available grants for energy and water assessments; and
  - (v) demonstrated engagement with/support from other local stakeholders.

Carried unanimously.

S129262

**Item 11.8 Centennial Park and Moore Park Trust**

Moved by Councillor Scott, seconded by Councillor Thalís -

It is resolved that:

(A) Council note:

- (i) the Berejiklian Government has created a super oversight agency to manage and potentially remove the Centennial Park and Moore Park Trust, and other trusts of famous Sydney parklands;
- (ii) this new government managed agency risks not providing the same protections that a public Trust does and will threaten the independence that local Trusts maintain by challenging government attempts to commercialise and develop these public spaces;
- (iii) the Centennial Park and Moore Park Trust which been active since 1983, is a powerful, local group committed to ensuring the parklands remain public, green spaces. In 2016, the Trust successfully stopped the Sydney Cricket and Sports Grounds Trust from building another stadium on its land;
- (iv) the Trust has been at the forefront of local initiatives. In 2016, they established the Cyclist Liaison Committee to provide a formal framework to consultation between the cycling community and the Trust to ensure that people were safe and satisfied. This was a thoughtful step towards making Sydney are more environmentally sustainable and safe city just as cycling was becoming more popular; and
- (v) the City has valued the Centennial Park and Moore Park Trust's consultation and advice over the decades regarding development proposals, environmental policies and local initiatives, and commend the Trust for their ongoing commitment to protecting the parklands so diligently; and

(B) the Lord Mayor be requested to write to the NSW Government Planning and Public Spaces Minister Rob Stokes urging him to:

- (i) ensure the independence of the Centennial Park and Moore Park Trust, and other local parklands Trusts, to preserve and protect the independent local governing authorities of the public parklands in NSW; and
- (ii) provide recurrent State funding for the parklands, to ensure they do not need to rely on commercialisation of the public parklands.

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

It is resolved that:

(A) Council note:

- (i) the Centennial and Moore Park Trust was established in 1983 and is responsible for the long-term strategic planning of the parklands, as well as the operational day-to-day management of the three parks - Centennial Park, Moore Park and Queens Park;
- (ii) on 17 July 2020, the NSW Government launched a new 50-year vision for Greater Sydney's network of parklands and green open spaces. The draft vision is open for public comment until 11 September 2020;

- (iii) the vision will be overseen by a new Greater Sydney Parklands government agency that brings together the Centennial Park and Moore Park Trust, Parramatta Park Trust, and Western Sydney Parklands Trusts, as well as the parklands of Callan Park and Fernhill Estate;
  - (iv) combined, the agency will oversee more than 6,000 hectares of parklands across Sydney, which host almost 40 million visits each year;
  - (v) the Minister for Planning and Public Spaces briefed the Lord Mayor on 21 July 2020 with an overview of the new government agency and its primary aims and responsibilities;
- (B) the Lord Mayor be requested to write to the NSW Government Planning and Public Spaces Minister Rob Stokes urging him to:
- (i) ensure the independence of the Centennial Park and Moore Park Trust, and other local parklands Trusts, to preserve and protect the independent local governing authorities of the public parklands in NSW; and
  - (ii) provide recurrent State funding for the parklands, to ensure they do not need to rely on commercialisation of the public parklands; and
- (C) the Chief Executive Officer be requested to review the NSW Government's draft vision for Greater Sydney's open space and parklands that is currently open for public consultation and the City make a submission with reference to priorities raised in part (B) above.

Amendment. Moved by Councillor Thalís, seconded by Councillor Miller, that (B) be amended to read as follows:

- (B) the Lord Mayor be requested to write to the Minister for Planning and Public Spaces about the new Greater Sydney Parklands government agency conveying Council's responsibility to represent the community's interests, and capacity to contribute to:
- (i) the governance model for the new agency especially the level of community and Council input now and in the future; and
  - (ii) models for local community involvement in the management of the Parklands that are enshrined in legislative changes to provide increased protection to the Parklands, and propose that:
  - (iii) the monetary savings resulting from the amalgamation of the Trusts be preserved for the parklands' upkeep; and
  - (iv) the funding models remove the need for commercialisation of valuable parklands, especially Moore Park.

The amendment was carried on the following show of hands –

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

Noes (1)           Councillor Scott.

Amendment carried.

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

## **Item 11.9 Supporting Youth Employment**

Moved by Councillor Scott, seconded by Councillor Scully -

It is resolved that:

(A) Council note:

- (i) prior to the Covid-19 pandemic, youth unemployment was double the national unemployment average;
- (ii) in recent weeks, youth unemployment has risen to 16.4 per cent, the highest rate in 23 years;
- (iii) the youth unemployment crisis is compounded by a shortfall in training and education opportunities;
- (iv) businesses forced to shut down disproportionately affected young people who rely on the casual employment system in sectors like hospitality and retail;
- (v) the City currently employs 30 young people through our development programs, paid internships, apprenticeships, cadetships and graduates;
- (vi) the City also provides traineeships through external trainee suppliers, a partnership with AFL SportsReady since 2013, and the ArtsReady program;
- (vii) the City has consistently supported young workers, however, the consequences of the pandemic require all avenues of employment to be investigated; and
- (viii) the Federal Government's recently announced \$2 billion JobTrainer package, \$1.5 billion of which is targeted towards keeping those already employed in apprenticeships and traineeships and the additional final \$500 million, which must be matched by the states and territories, aimed at school leavers and those currently looking for employment;

(B) the Chief Executive Officer be requested to investigate opportunities for the City to employ additional numbers of school leavers and unemployed young Australians in apprenticeships and traineeships; and

(C) the Lord Mayor be requested to write to NSW Premier, Gladys Berejiklian urging her to match the Federal governments funding to support young people and their employment.

Carried unanimously.

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**Item 11.10 Forest Lodge Creek Mural**

Moved by Councillor Scott, seconded by Councillor Scully -

It is resolved that:

(A) Council note:

- (i) leading up to Science Week, the Forest Lodge Public School have collaborated with artist and academic, Dr Leo Robba to propose a Painted River Project to understand how the urban environment interacts with the natural world; and
- (ii) the project is intended to contribute to a wall mural designed for a public space to recognise the importance of Johnston Creek in the neighbourhood and the community's interaction with it. The legacy of a public mural would represent the connection between the school community, and local community and environment; and

(B) the Chief Executive Officer be requested to explore the ability to incorporate the children's art into a public art installation in Glebe, and the City's ability to support the mural's launch through permitting park events and in-kind support.

Carried unanimously.

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At 10.02 pm the meeting concluded.

Chair of a meeting of the Council of the City  
of Sydney held on Monday 24 August 2020 at which  
meeting the signature herein was subscribed.