

26 October 2020

At 5.00 pm

Council

Agenda

1. **Confirmation of Minutes**
2. **Disclosures of Interest**
3. **Minutes by the Lord Mayor**
 - 3.1 Moore Park Golf Course Proposal
4. **Memoranda by the Chief Executive Officer**
 - 4.1 Proposed Schedule of Meetings and Briefings for 2021
5. **Matters for Tabling**
6. **Report of the Corporate, Finance, Properties and Tenders Committee**
 - 6.1 Disclosures of Interest
 - 6.2 Presentation of the 2019/20 Financial Statements and Audit Reports to Council
 - 6.3 Audit Risk and Compliance Committee Annual Report to Council 2019/20
 - 6.4 Investments Held as at 30 September 2020
 - 6.5 Review of the Investment Policy and Strategy for the Management of Councils Surplus Funds
 - 6.6 Proposed Land Classification - 506-518 Gardeners Rd Alexandria
 - 6.7 Exemption from Tender - George Street South Pedestrianisation
 - 6.8 Exemption from Tender and Contract Variation - Head Design Consultant – Perry Park Stage 2
 - 6.9 Exemption from Tender - Variation to Existing Construction Services Contract for Joynton Avenue and Zetland Avenue
 - 6.10 Contract Variation - Major Properties Efficiency Improvements (MPEP) - Energy Efficient Lighting Upgrades

Agenda

- 6.11 Cancellation of Tender - Event Infrastructure, Structures and Equipment for 2020/21 Major Events and Festivals - Part 7

7. Report of the Environment Committee

- 7.1 Disclosures of Interest
- 7.2 Project Scope - Woolloomooloo Playground Upgrade
- 7.3 Project Scope - Minogue Crescent Reserve Upgrade, Forest Lodge
- 7.4 Project Scope - Park on Lyons Road, Camperdown (Western Block) Upgrade
- 7.5 Project Scope - Tote Park Playground Upgrade, Zetland

8. Report of the Cultural and Community Committee

- 8.1 Disclosures of Interest

Healthy Communities Sub-Committee

- 8.2 Grants and Sponsorship - Accommodation Grants Program - Beaconsfield Community Centre
- 8.3 Public Exhibition - Markets Policy

9. Report of the Transport, Heritage and Planning Committee

- 9.1 Disclosures of Interest
- 9.2 Public Exhibition - Planning Proposal - 92-98 Brougham Street, Potts Point - Sydney Local Environmental Plan 2012 Amendment
- 9.3 Amendment to Award of Heritage Floor Space - Corporation Building, Haymarket
- 9.4 Fire Safety Reports

10. Al Fresco City

11. Questions on Notice

12. Supplementary Answers to Previous Questions

Agenda

13. Notices of Motion

- 13.1 Advocacy for a Public Ballot for NYE Fireworks 2020
- 13.2 Solar Our Schools
- 13.3 Removing Barriers to Solar Our Schools
- 13.4 Sustainable and Energy Efficient Infrastructure in Heritage Conservation Areas
- 13.5 Fair Access to Our Pools
- 13.6 Privacy Protection for Councillors and other Politicians
- 13.7 Protecting Cyclists
- 13.8 Fitzroy Gardens Playground Safety Audit
- 13.9 Online Meeting Live Stream
- 13.10 Kings Cross Car Park Usage
- 13.11 Macleay Street Upgrade Enhanced Notifications
- 13.12 Martin Place Cleaning
- 13.13 Fast Track for Street Dining
- 13.14 Opening of all Libraries and Community Facilities
- 13.15 Street Cleaning and Maintenance
- 13.16 Anti-Vaccination-Risks Network Bus Tour Ban

Item 1

Confirmation of Minutes

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

Meeting of 21 September 2020

Item 2

Disclosures of Interest

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

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

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

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

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

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

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

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

Item 3.1

Moore Park Golf Course Proposal

File No: S051491

Minute by the Lord Mayor

To Council:

Moore Park is public land that is part of the original Governor Macquarie 1811 Sydney Common bequest for the benefit of the people of Sydney.

Moore Park Golf Course could be reconfigured to provide a publicly accessible park as well as a 9-hole Golf Course for the increasing inner-city community.

The need for increased publicly accessible parkland in Moore Park is a result of the change in land use over the last century.

The area adjacent to Moore Park was primarily industrial when the Moore Park Golf Course was established in 1913, but the area of Redfern, Waterloo and Green Square is undergoing a process of urban renewal and is becoming the densest residential area in Australia - with an expected residential population of up to 70,000 people and 22,000 workers by 2031.

As well, the NSW Government's Land and Housing Corporation is undertaking a program of redevelopment of its property in Redfern and Waterloo. The proposed Waterloo Estate alone will see an additional 15 to 20,000 people. By 2040 up to 90,000 additional people could be living within a catchment less than 2km from Moore Park.

Projects such as the Eastern Distributor, the light rail and the Tibby Cotter Bridge have also eroded Moore Park, as has event parking, which has taken over more than five hectares of parkland.

City planners are working with Green Square developers to create forty urban parks and playgrounds as part of urban renewal. However, small parks do not provide the opportunity to stride out, de-stress and recharge or renew and commune with nature for people living in high density apartments. They need this opportunity for their mental and physical wellbeing.

Today, 31 million people visit Centennial Parklands while just 60,000 rounds of golf are played on the Moore Park Golf Course each year.

Ausplay sport and recreation participation data reveals that walking is consistently popular across a broad spectrum of park user groups, which highlights the importance of large parks for recreation. The data also shows a declining participation in golf.

The City's Open Space, Sport and Recreational Needs Study 2016 recommended the Centennial Parklands Trust review the layout of the golf course to improve community access. It suggested reducing the course from 18-holes to 9 or 12-holes, to make available an area of parkland to provide for a range of uses rather than for the exclusive use of one sport.

Golf is well catered for in the Sydney metropolitan area. Within a 10km radius of Moore Park there are twelve 18-hole golf courses of which six are accessible to the general public.

The pandemic has also highlighted how valuable parkland is for people to gain respite, exercise and connect with nature.

Moore Park Golf Course should no longer be fenced off for the benefit of just one group.

The City's progress on a proposal

In May 2020, Council resolved to support my Minute about creating more space for people in a post Covid-19 city.

As part of that work, we asked the Chief Executive Officer to develop a proposal to create public parkland through reconfiguring part of Moore Park Golf Course from an 18-hole course to a 9-hole course, for a submission to the Minister for Planning and Public Spaces.

The City developed two potential options involving reconfiguration of the existing golf course from an 18-hole to a 9-hole facility. Both options retain the popular driving range facility, club house, and maintenance depot and require only minimal reconfiguration of the fairway and greens.

Option One proposes public parkland along the western side of the park, north of Dacey Avenue. Option Two proposes public parkland south of Dacey Avenue. Both these options would create a public parkland area of between 18 to 20 hectares.

On 14 September 2020, I briefed the Minister for Planning and Public Spaces on the City's options. The Minister has asked the Greater Sydney Parklands Trust to consider the proposal.

It is now time for Council to undertake community consultation on these options.

Recommendation

It is resolved that:

(A) Council note that:

- (i) in May 2020, in response to a Lord Mayoral Minute about creating more space for people in a post-Covid-19 city, Council resolved to request the Chief Executive Officer to develop a proposal to convert part of Moore Park Golf Course into a public park by reducing the golf course from an 18-hole course to a 9-hole course for a submission to the Minister for Planning and Public Spaces;
- (ii) the City has developed two potential options for reconfiguring the existing golf course from an 18-hole to a 9-hole facility;
- (iii) the proposal is supported by compelling reasons for a reconfiguration of the Moore Park Golf Course because:
 - (a) a changing land use context – the residential area of Redfern, Waterloo and Green Square adjacent to Moore Park has evolved from a predominantly industrial area in the 1900s to an area with an expected population of up to 70,000/90,000 people by 2031;

- (b) increasing residential population - By 2040, there will be up to 90,000 additional people living in Green Square, Redfern and Waterloo within 2km of Moore Park;
 - (c) existing golf course provision – within a 10km radius of Moore Park there are twelve existing 18-hole golf courses of which six are accessible to the public;
 - (d) consistency with State Government Directions - the appointment of a Minister for Public Spaces exemplifies the Government’s recognition and importance of parks and open space;
 - (e) City Strategic Directions - the City’s Open Space, Sport and Recreational Needs Study 2016 suggests the course is reduced from 18 holes to 9 or 12 holes to free up a larger area of green open space to provide for a range of uses, rather than for the exclusive use of one sport; and
 - (f) recreation trends - Ausplay sport and recreation participation data reveals a national decline in golf club membership and participation compared to walking which is consistently popular among park users.
- (iv) Moore Park is public land that is part of the original Governor Macquarie 1811 Sydney Common bequest for the benefit of the people of Sydney. The NSW Government has stewardship over this gift; and
 - (v) the Minister for Planning and Public Spaces has requested the Greater Sydney Parklands Trust consider the proposal;
- (B) the Chief Executive Officer be requested to develop and implement a community consultation plan for the options identified in Attachment A to the subject Minute; and
 - (C) Council approve up to \$50,000 to undertake community consultation on the two options to be funded from 2020/21 General Contingency.

COUNCILLOR CLOVER MOORE

Lord Mayor

Attachments

Attachment A. Moore Park Golf Course Options

Attachment A

Moore Park Golf Course Options

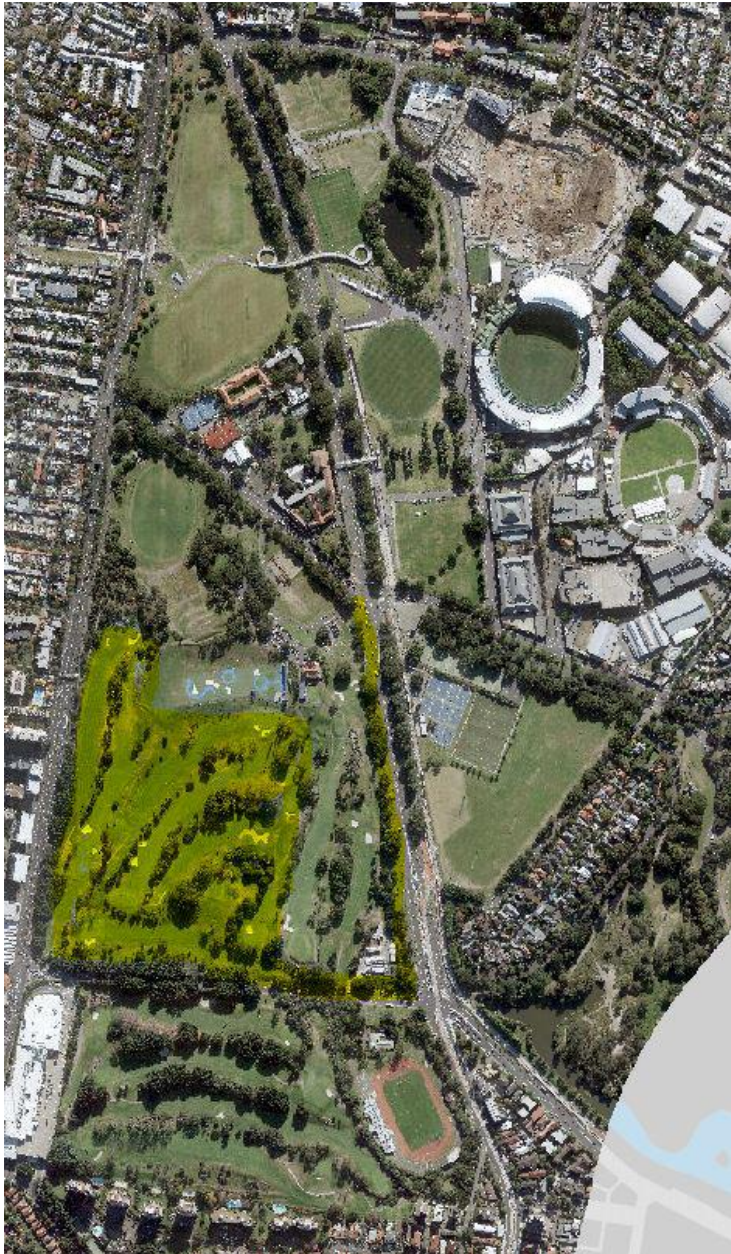
Moore Park Golf Course Proposal

Option 1

Area north of Dacey Avenue on the western side of the park

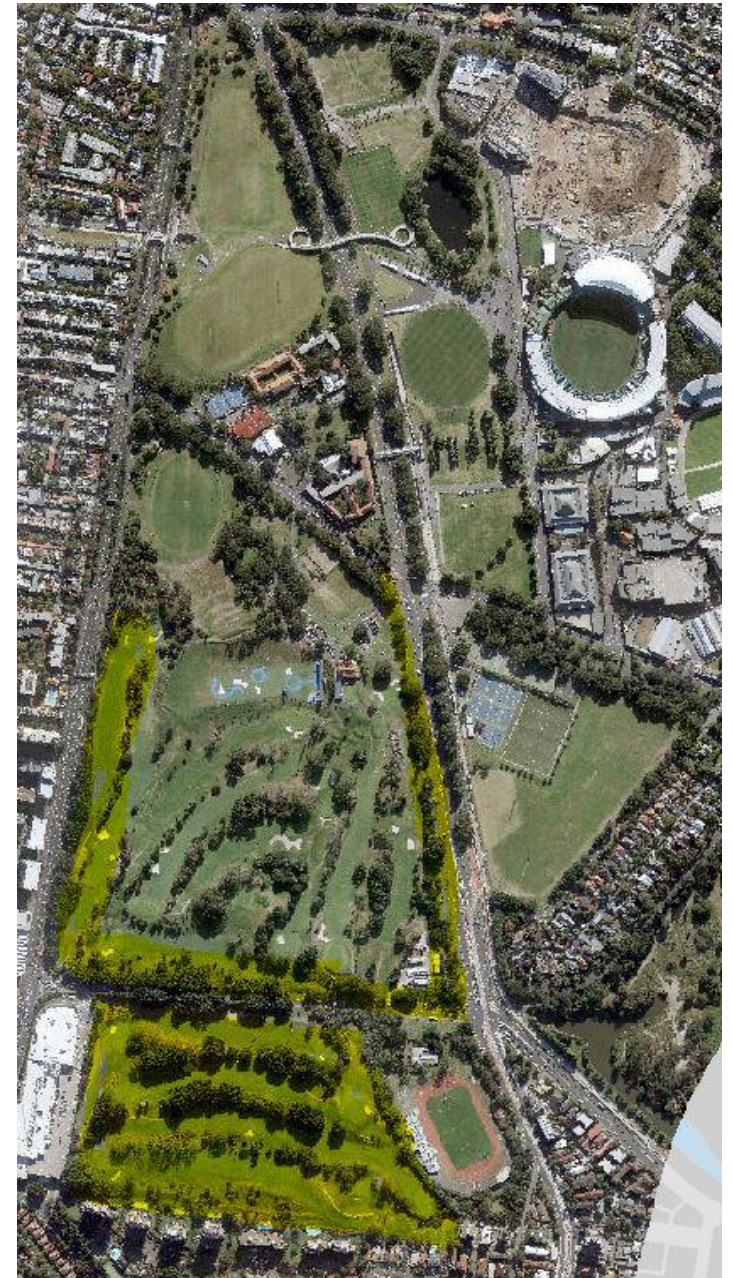


Parkland conversion



Option 2

New parkland to the south of Dacey Avenue



Item 4.1**Proposed Schedule of Meetings and Briefings for 2021****File No: S063444****Memorandum by the Chief Executive Officer**

To Council:

This memorandum requests that Council approve the draft schedule of meetings and briefings for 2021.

The draft Schedule of Meetings and Briefings for 2021 (Attachment A) has been prepared on the basis of a three-week meeting cycle (Councillor Briefings, Committees and Council), consistent with the meeting arrangements adopted by Council in previous years. The draft schedule proposes nine meeting cycles for 2021.

Section 365 of the Local Government Act 1993 states that "the council is required to meet at least 10 times each year, each time in a different month", with "year" meaning the period from 1 July to the following 30 June (the financial year).

To ensure compliance with the provisions of section 365, the draft Schedule of Meetings and Briefings for the calendar year 2020 provides for:

- (a) four meetings in the first half of 2021 (making a total of 10 meetings for the 2020/21 financial year, inclusive of the six meetings of Council which will have been held in the second half of 2020); and
- (b) five meetings of Council held in the second half of 2021 (making a total of 10 meetings for the 2021/22 financial year, on the basis that a further five meetings of Council will be scheduled for the first half of 2022).

It is noted that:

- (a) in drafting the schedule, the Local Government Elections scheduled for 4 September 2021 have been taken into account (with an extraordinary meeting of Council to take place following the Elections);
- (b) the 2021 Annual Conference of Local Government NSW will be held from 16 to 18 November 2021;
- (c) briefings will be on the Tuesday in June and October 2021 due to public holidays falling on the relevant Monday; and
- (d) if considered necessary, additional "tentative" briefings dates, intended to accommodate such matters as external presentations, workshops and other non-meeting agenda items, will be separately distributed to Councillors, following approval of the draft schedule.

It would be appropriate for Council to now determine a program of meetings for next year to enable all interested parties to plan their commitments.

Recommendation

It is resolved that Council adopt the draft schedule of meetings and briefings for 2021, as shown at Attachment A to the subject memorandum.

MONICA BARONE

Chief Executive Officer

Attachments

Attachment A. Draft Schedule of Meetings and Briefings for 2021

Attachment A

**Draft Schedule of Meetings and Briefings
for 2021**

DRAFT

<u>DRAFT</u> SCHEDULE OF MEETINGS AND BRIEFINGS FOR 2021	
DATE	MEETING
SCHOOL HOLIDAYS – Monday 23 December 2020 to Tuesday 26 January 2021, inclusive	
MONDAY 1 FEBRUARY	<ul style="list-style-type: none"> • RECESS
MONDAY 8 FEBRUARY	<ul style="list-style-type: none"> • BRIEFINGS
MONDAY 15 FEBRUARY	<ul style="list-style-type: none"> • COMMITTEES
MONDAY 22 FEBRUARY	<ul style="list-style-type: none"> • COUNCIL
MONDAY 1 MARCH	<ul style="list-style-type: none"> • RECESS
MONDAY 8 MARCH	<ul style="list-style-type: none"> • RECESS
MONDAY 15 MARCH	<ul style="list-style-type: none"> • BRIEFINGS
MONDAY 22 MARCH	<ul style="list-style-type: none"> • COMMITTEES
MONDAY 29 MARCH	<ul style="list-style-type: none"> • COUNCIL
SCHOOL HOLIDAYS – Friday 2 April to Friday 16 April 2021, inclusive	
FRIDAY 2 APRIL	<ul style="list-style-type: none"> • (Good Friday Public Holiday)
MONDAY 5 APRIL	<ul style="list-style-type: none"> • RECESS (Easter Monday Public Holiday)
MONDAY 12 APRIL	<ul style="list-style-type: none"> • RECESS
MONDAY 19 APRIL	<ul style="list-style-type: none"> • RECESS
MONDAY 26 APRIL	<ul style="list-style-type: none"> • RECESS
MONDAY 3 MAY	<ul style="list-style-type: none"> • BRIEFINGS
MONDAY 10 MAY	<ul style="list-style-type: none"> • COMMITTEES
MONDAY 17 MAY	<ul style="list-style-type: none"> • COUNCIL
MONDAY 24 MAY	<ul style="list-style-type: none"> • RECESS

DRAFT SCHEDULE OF MEETINGS AND BRIEFINGS FOR 2021

DATE	MEETING
MONDAY 31 MAY	<ul style="list-style-type: none">• RECESS
MONDAY 7 JUNE	<ul style="list-style-type: none">• RECESS
MONDAY 14 JUNE	<ul style="list-style-type: none">• Queen's Birthday Public Holiday
TUESDAY 15 JUNE	<ul style="list-style-type: none">• BRIEFINGS
MONDAY 21 JUNE	<ul style="list-style-type: none">• COMMITTEES
MONDAY 28 JUNE	<ul style="list-style-type: none">• COUNCIL
SCHOOL HOLIDAYS - Monday 28 June to Friday 9 July 2020, inclusive	
MONDAY 5 JULY	<ul style="list-style-type: none">• RECESS
MONDAY 12 JULY	<ul style="list-style-type: none">• BRIEFINGS
MONDAY 19 JULY	<ul style="list-style-type: none">• COMMITTEES
MONDAY 26 JULY	<ul style="list-style-type: none">• COUNCIL
MONDAY 2 AUGUST	<ul style="list-style-type: none">• BRIEFINGS
MONDAY 9 AUGUST	<ul style="list-style-type: none">• Start of Caretaker Period (commences 4 weeks prior to the date of an ordinary election - Reg 393B)
MONDAY 9 AUGUST	<ul style="list-style-type: none">• COMMITTEES
MONDAY 16 AUGUST	<ul style="list-style-type: none">• COUNCIL
MONDAY 23 AUGUST	<ul style="list-style-type: none">• RECESS
MONDAY 30 AUGUST	<ul style="list-style-type: none">• RECESS
SATURDAY 4 SEPTEMBER	<ul style="list-style-type: none">• LOCAL GOVERNMENT ELECTIONS
MONDAY 6 SEPTEMBER	<ul style="list-style-type: none">• RECESS
MONDAY 13 SEPTEMBER	<ul style="list-style-type: none">• RECESS
MONDAY 20 SEPTEMBER	<ul style="list-style-type: none">• RECESS

DRAFT SCHEDULE OF MEETINGS AND BRIEFINGS FOR 2021

DATE	MEETING
MONDAY 20 SEPTEMBER – FRIDAY 30 SEPTEMBER	<ul style="list-style-type: none"> • TENTATIVE EXTRAORDINARY COUNCIL (Post Election) / Councillor Induction
MONDAY 27 SEPTEMBER	<ul style="list-style-type: none"> • RECESS
SCHOOL HOLIDAYS - Monday 20 September to Monday 4 October 2021, inclusive	
MONDAY 4 OCTOBER	<ul style="list-style-type: none"> • Labour Day Public Holiday
TUESDAY 5 OCTOBER	<ul style="list-style-type: none"> • BRIEFINGS
MONDAY 11 OCTOBER	<ul style="list-style-type: none"> • COMMITTEES
MONDAY 18 OCTOBER	<ul style="list-style-type: none"> • COUNCIL
MONDAY 25 OCTOBER	<ul style="list-style-type: none"> • RECESS
MONDAY 1 NOVEMBER	<ul style="list-style-type: none"> • BRIEFINGS
MONDAY 8 NOVEMBER	<ul style="list-style-type: none"> • COMMITTEES
MONDAY 15 NOVEMBER	<ul style="list-style-type: none"> • COUNCIL
TUESDAY 16 NOVEMBER	<ul style="list-style-type: none"> • LGNSW CONFERENCE
WEDNESDAY 17 NOVEMBER	<ul style="list-style-type: none"> • LGNSW CONFERENCE
THURSDAY 18 NOVEMBER	<ul style="list-style-type: none"> • LGNSW CONFERENCE
MONDAY 22 NOVEMBER	<ul style="list-style-type: none"> • RECESS
MONDAY 29 NOVEMBER	<ul style="list-style-type: none"> • BRIEFINGS
MONDAY 6 DECEMBER	<ul style="list-style-type: none"> • COMMITTEES
MONDAY 13 DECEMBER	<ul style="list-style-type: none"> • COUNCIL
MONDAY 20 DECEMBER	<ul style="list-style-type: none"> • RECESS
SCHOOL HOLIDAYS – Monday 20 December 2021 to Wednesday 27 January 2022, inclusive	

The recess continues until the first Committee meetings of 2022.

Item 5

Matters for Tabling

5.1 Disclosures of Interest

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

Recommendation

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

Item 6

Report of the Corporate, Finance, Properties and Tenders Committee - 19 October 2020

Item 6.1

Disclosures of Interest

Councillor Christine Forster disclosed a significant, non-pecuniary interest in Item 6.5 on the agenda, as she is employed as the Senior Media Advisor in the Corporate Affairs department of Woodside Energy, the largest Australian natural gas production company.

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

The Committee recommends the following:-

Item 6.2

Presentation of the 2019/20 Financial Statements and Audit Reports to Council

It is resolved that Council:

- (A) receive the Financial Statements for City of Sydney for the year ended 30 June 2020, as shown at Attachment A to the subject report;
- (B) authorise the Lord Mayor, Councillor Jess Scully (member – Audit, Risk and Compliance Committee), Chief Executive Officer, and the Chief Financial Officer to sign the General Purpose Financial Statements;
- (C) authorise the Lord Mayor, Councillor Jess Scully (member – Audit, Risk and Compliance Committee), Chief Executive Officer, and the Chief Financial Officer to sign the Special Purpose Financial Statements;
- (D) receive the auditor's reports on the 2019/20 Annual Financial Statements; and
- (E) authorise that notice be given, through Sydney Your Say, of public presentation of the audited 2019/20 Financial Statements for the City of Sydney at the Council meeting on 16 November 2020.

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

X025180

Speakers

Ms Margaret Crawford (Auditor General) and Ms Caroline Karakatsanis (Audit Office of NSW), addressed the meeting of the Corporate, Finance, Properties and Tenders Committee on Item 6.2.

The Committee recommends the following:-

Item 6.3

Audit Risk and Compliance Committee Annual Report to Council 2019/20

It is resolved that Council note the Audit Risk and Compliance Committee's 2019/20 Annual Report, as shown as Attachment A to the subject report.

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

S083523

Speaker

Ms Elizabeth Crouch (Chair of the Audit Risk and Compliance Committee) addressed the meeting of the Corporate, Finance, Properties and Tenders Committee on Item 6.3.

The Committee recommends the following:-

Item 6.4

Investments Held as at 30 September 2020

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

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

X020701

The Committee recommends the following:-

Item 6.5

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

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

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

X020701

The Committee recommends the following:-

Item 6.6

Proposed Land Classification - 506-518 Gardeners Road, Alexandria

It is resolved that Council:

- (A) endorse public notification of the proposed resolution: “It is resolved to classify proposed Lot 2 in Deposited Plan 1231238 being land proposed to be transferred to Council for future public purposes as road at 506-528 Gardeners Road Alexandria, as operational land in accordance with section 31 of the Local Government Act 1993”; and
- (B) note that a further report to Council, to inform of the outcomes of public notification and recommendation of land classification, will follow the notification period.

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

X038472

The Committee recommends the following:-

Item 6.7

Exemption from Tender - George Street South Pedestrianisation

It is resolved that:

- (A) Council approve an exemption from tender for the detailed design and construction of the 'George Street South Pedestrianisation' project, noting that because of extenuating circumstances, a satisfactory result would not be achieved by inviting new tenders;
- (B) Council note that a satisfactory result would not be achieved by inviting new tenders for the subject project because:
 - (i) the works involved for the 'George Street South Pedestrianisation' project are the same types of streetscape works envisaged under existing schedule of rates Contract 1840-A;
 - (ii) there is insufficient time to undertake a new tender without impacting on the time sensitive response to the Covid-19 pandemic through the provision of more space for pedestrians;
 - (iii) value for money is achieved by using the existing schedule of rates contract, as per the assessment and evaluation report in Confidential Attachment C to the subject report. To the extent that existing rates cannot be used, an independent quantity surveyor has confirmed that the rates quoted by the existing contractor represent market rates and provide value for money for Council;
 - (iv) going to tender would not deliver a better outcome as the market has already been tested for the same types of streetscape works through a previous tender and a schedule of rates contract exists; and
 - (v) the existing schedule of rates contract will assist the City to better manage costs and other contract risks;
- (C) authority be delegated to the Chief Executive Officer to finalise negotiations and enter into any documentation required to give effect to this exemption from tender in order to deliver the 'George Street South Pedestrianisation' project; and
- (D) Council approve the contingency and additional project budget as outlined in Confidential Attachment A to the subject report.

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

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

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

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

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

The Committee recommends the following:-

Item 6.8

Exemption from Tender and Contract Variation - Head Design Consultant – Perry Park Stage 2

It is resolved that:

- (A) Council approve an exemption from tender for Perry Park Stage 2 for additional contract contingency to allow for extended construction and post construction stage services;
- (B) Council note that a satisfactory result would not be achieved by inviting tenders for this work because the consultant is already engaged, and work is well underway; and
- (C) authority be delegated to the Chief Executive Officer to negotiate, execute and administer/vary the contracts relating to Perry Park Stage 2.

(Note – at the meeting of the Corporate, Finance, Properties and Tenders Committee, this recommendation was moved by Councillor Scully, seconded by Councillor Thalís, and carried on the following show of hands –

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

Noes (1) Councillor Phelps.

Motion carried.)

X021328

The Committee recommends the following:-

Item 6.9

Exemption from Tender and Contract Variation - Construction Services - Joynton Avenue and Zetland Avenue

It is resolved that:

- (A) Council approve an exemption from tender for the provision of construction services and approve the increase of contract contingency for the Joynton Avenue and Zetland Avenue, Zetland project due to extenuating circumstances;
- (B) Council note the reasons a satisfactory outcome would not be achieved by inviting tenders are:
 - (i) a contractor for the construction works has already been appointed in accordance with the City's procurement processes; and
 - (ii) the additional cost required to establish another contractor on site is not considered value for money;
- (C) Council approve a transfer of surplus funds from the Zetland East budget to cover a shortfall in the Joynton Avenue budget, noting these two projects have been combined into a single construction contract; and
- (D) authority be delegated to the Chief Executive Officer to negotiate, execute and administer any documentation required for the purpose of effecting the increase to the contract contingency referred to in (A) above.

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

X009530

Item 6.10**Contract Variation - Major Properties Efficiency Improvements (MPEP) - Energy Efficient Lighting Upgrades**

The Corporate, Finance, Properties and Tenders Committee decided that consideration of this matter shall be deferred to the meeting of Council on 26 October 2020.

Officer's Recommendation

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

It is resolved that:

- (A) Council note that Stage 1 energy efficient lighting upgrades, including stimulus works, at five Major Properties Efficiency Project sites have been completed satisfactorily by Kerfoot Pty Ltd;
- (B) Council endorse the award of the tender for Energy Efficient Lighting Upgrades to Kerfoot Pty Limited;
- (C) Council approve a variation to the contract with Kerfoot Pty Ltd to deliver the remaining energy efficient lighting upgrades to achieve the environmental targets under the Schedule of Rates contract up to the approved budget for each year, as detailed at Confidential Attachment A to the subject report; and
- (D) authority be delegated to the Chief Executive Officer to negotiate, execute and administer/vary the contracts relating to Major Properties Efficiency Project - Energy Efficient Lighting Upgrades.

Officer's Report

The officer's report on this matter can be found at Item 10 on the agenda of the meeting of the Corporate, Finance, Properties and Tenders Committee on 19 October 2020.

X026529.010

The Committee recommends the following:-

Item 6.11

Cancellation of Tender - Event Infrastructure, Structures and Equipment for 2020/21 Major Events and Festivals - Part 7

It is resolved that:

- (A) Council decline to accept the tender offers for Event Infrastructure, Structures and Equipment for 2020/21 Major Events and Festivals – Part 7 – Site Vehicles;
- (B) Council cancel the tender for Event Infrastructure, Structures and Equipment for 2020/21 Major Events and Festivals – Part 7 – Site Vehicles; and
- (C) Council note that additional market research will be conducted to identify suitable suppliers, followed by a new procurement process with a revised scope of work.

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

X031267.004

Item 7

Report of the Environment Committee - 19 October 2020

Item 7.1

Disclosures of Interest

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

The Committee recommends the following:-

Item 7.2

Project Scope - Woolloomooloo Playground Upgrade

It is resolved that Council:

- (A) endorse the scope of work for improvements to Woolloomooloo Playground as described in the subject report and shown in the concept design as Attachment B to the subject report, for progression to relevant approvals, preparation of construction documentation, tender and construction; and
- (B) note the estimated project forecast as outlined in Confidential Attachment D to the subject report.

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

X025400

The Committee recommends the following:-

Item 7.3

Project Scope - Minogue Crescent Reserve Upgrade, Forest Lodge

It is resolved that:

- (A) Council endorse the scope of work improvements to the park and playground at Minogue Crescent Reserve, Forest Lodge, as described in the subject report and shown in the Revised Concept Plan as Attachment B to the subject report, for progression to relevant approvals, preparation of construction documentation, noting tender and construction pending favourable resolution of a signed agreement with the Land and Housing Corporation;
- (B) authority be delegated to the Chief Executive Officer to liaise with the Land and Housing Corporation and Sydney Water to reach agreement on the use of land before any works commence; and
- (C) Council note the estimated project forecast as outlined in Confidential Attachment D to the subject report.

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

X025396

The Committee recommends the following:-

Item 7.4

Project Scope - Park on Lyons Road, Camperdown (Western Block) Upgrade

It is resolved that Council:

- (A) endorse the scope of work improvements to the Park on Lyons Road, Camperdown, as described in the subject report and shown in the Revised Concept Plan as Attachment B to the subject report, for progression to relevant approvals, preparation of construction documentation, tender and construction; and
- (B) note the estimated project forecast as outlined in Confidential Attachment D to the subject report.

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

X025409

The Committee recommends the following:-

Item 7.5

Project Scope - Tote Park Playground Upgrade, Zetland

It is resolved that Council:

- (A) endorse the scope of work improvements to the playground at Tote Park, Zetland, as described in the subject report and shown in the Revised Concept Plan at Attachment B to the subject report, for progression to relevant approvals, preparation of construction documentation, tender and construction; and
- (B) note the estimated project forecast as outlined in Confidential Attachment D to the subject report.

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

X025418

Item 8

Report of the Cultural and Community Committee - 19 October 2020

Item 8.1

Disclosures of Interest

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

The Healthy Communities Sub-Committee recommends the following:-

Item 8.2

Grants and Sponsorship - Accommodation Grants Program - Beaconsfield Community Centre

It is resolved that:

- (A) Council approve an Accommodation Grant for Bicycle Garden Incorporated pertaining to Beaconsfield Community Centre, 169 Victoria Street, Beaconsfield for five years on the following rental subsidy:

	Market Rental Value	Grant Subsidy	Grant Amount	Rent to be paid	Conditions
Year 1	\$26,500	100%	\$26,500	\$0	DA approval for operating day, times and activity
Year 2	\$27,295	100%	\$27,295	\$0	
Year 3	\$28,114	85%	\$23,897	\$4,217	
Year 4	\$28,957	85%	\$24,614	\$4,344	
Year 5	\$29,826	85%	\$25,352	\$4,474	

- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the lease to Bicycle Garden Incorporated on terms consistent with this resolution and in accordance with the Grants and Sponsorship Policy.

(Note – at the meeting of the Healthy Communities Sub-Committee, this recommendation was moved by Councillor Scott, seconded by Councillor Thalís, and carried unanimously.)

S117676

The Healthy Communities Sub-Committee recommends the following:-

Item 8.3

Public Exhibition - Markets Policy

It is resolved that Council endorse the public exhibition of the draft Markets Policy as shown at Attachment A to the subject report for a period of 28 days.

(Note – at the meeting of the Healthy Communities Sub-Committee, this recommendation was moved by Councillor Scott, seconded by the Chair (the Lord Mayor), and carried on the following show of hands:

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

Noes (1) Councillor Forster.

Motion carried.)

S121629.056

Speaker

Ms Louise Ward addressed the meeting of the Cultural and Community Committee (Healthy Communities Sub-Committee) on Item 8.3.

Item 9

Report of the Transport, Heritage and Planning Committee - 19 October 2020

Item 9.1

Disclosures of Interest

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

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

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

The Committee recommends the following:-

Item 9.2

Public Exhibition - Planning Proposal - 92-98 Brougham Street, Potts Point - Sydney Local Environmental Plan 2012 Amendment

It is resolved that:

- (A) Council approve Planning Proposal – 92-98 Brougham Street, Potts Point shown at Attachments A1 to A12 to the subject report, for submission to the Department of Planning, Infrastructure and Environment with a request for a Gateway Determination;
- (B) Council approve the Planning Proposal – 92-98 Brougham Street, Potts Point shown at Attachments A1 to A12 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, Infrastructure and Environment to exercise the delegation of functions under Section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan and put into effect Planning Proposal – 92-98 Brougham Street, Potts Point; and
- (D) authority be delegated to the Chief Executive Officer to make any minor variations to Planning Proposal – 92-98 Brougham Street, Potts Point following receipt of the Gateway Determination.

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

X037821

Speakers

Mr Stephen Gouge and Mr Philip George addressed the meeting of the Transport, Heritage and Planning Committee on Item 9.2.

The Committee recommends the following:-

Item 9.3

Amendment to Award of Heritage Floor Space - Corporation Building, Haymarket

It is resolved that:

- (A) Council approve the Corporation Building Conservation Management Plan, prepared by Urbis Pty Ltd, dated 13 August 2019, as required by the Sydney Local Environmental Plan 2012 and provided at Attachment D to the subject report;
- (B) Council approve the award of 744.75 square metres of heritage floor space (60 per cent of the total heritage floor space that could be awarded), subject to:
 - (i) placing covenants on title, as required by the Sydney Local Environmental Plan 2012, to ensure that no development can occur on the site that either:
 - (a) increases the gross floor area of the heritage building, or
 - (b) increases the height of the heritage building;
 - (ii) placing covenants on title that ensure the continued maintenance and conservation of the building in line with the Corporation Building Conservation Management Plan, prepared by Urbis Pty Ltd, dated 13 August 2019. This covenant must include a requirement for ongoing provision of adequate insurance and a maintenance fund, as required by the Sydney Development Control Plan 2012;
- (C) Council approve the award of the balance of the total heritage floor space being 496.5 square metres (40 per cent of the total heritage floor space that could be awarded) upon the completion of the conservation works set out in Attachment C (as amended) to the subject report. These works must be completed and verified by a suitably qualified person prior to registration of the heritage floor space in the Heritage Floor Space Register, and within 18 months of the registration of the initial award; and
- (D) authority be delegated to the Chief Executive Officer to confirm the calculation of the final award and finalise the deed and required covenants in accordance with clauses (B) and (C) above.

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

X023843

The Committee recommends the following:-

Item 9.4

Fire Safety Reports

- (A) It is resolved that Council:
- (B) note the contents of the Fire Safety Report Summary Sheet, as shown at Attachment A to the subject report;
- (C) note the inspection report by Fire and Rescue NSW, as shown at Attachment B of the subject report;
- (D) exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order as recommended by the City's Officer to address the identified fire safety deficiencies at 327-329 Pitt Street, Sydney as detailed in Attachment B to the subject report.

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

S105001.002

Item 10

Al Fresco City

Document to Follow

Item 11

Questions on Notice

Reopening Waterloo Library

1. By Councillor Phelps

Question

On 27 September 2020, the Sydney Morning Herald published an article detailing Sydney public libraries that have not yet reopened following the Covid-19 lockdown earlier this year.

The Waterloo Library was listed as one of these libraries.

Could the Chief Executive Officer please advise when the Waterloo Library will resume services?

S129272

Patyegarang Statue

2. By Councillor Phelps

Question

On 2 July 2020, City of Sydney Council voted 6 to 3 to amend and defer Councillor Dr Kerryn Phelps' motion to commission a statue of Gadigal language teacher Patyegarang.

The motion was submitted in response to the Metropolitan Local Aboriginal Land Council's desire to see a First Nations' statue in the City of Sydney.

There are more than two dozen statues in Sydney commemorating colonial figures such as Cook, Governor Arthur Phillip, Lachlan Macquarie, Queen Victoria, explorer Matthew Flinders and even his cat Trim but not one commemorating our First Nations' people.

This would have been the first publicly funded statue in central Sydney to feature an Indigenous person.

Ultimately, Deputy Lord Mayor Scully asked that Metropolitan Local Aboriginal Land Council Chief Executive Officer Nathan Moran forward his request for a Patyegarang statue to the Aboriginal and Torres Strait Islander Advisory Panel and report back to the Council on their discussions.

Could the Chief Executive Officer please advise:

1. What was the outcome of the request to the Aboriginal and Torres Strait Islander Advisory Panel?
2. Have Citizens' Juries ever been used by the City of Sydney when investing in public art, such as Eora Journey projects?
3. When will Council be updated on the progress of Metropolitan Local Aboriginal Land Council Chief Executive Officer Nathan Moran's request for a Patyegarang statue in the City of Sydney?

S129272

Cycling in the City Budget

3. By Councillor Phelps

Question

Could the Chief Executive Officer please advise:

1. How much do the City of Sydney's guided bike tours and courses, including the Free 1-on-1 Bike Buddies guided rides, Free 1-on-1 cycling skills courses, Rusty Riders course and all the Cycling Confidence Courses in the City's various villages, cost the City of Sydney? Please provide costs broken down by year and usage, i.e. how many people have enrolled.
2. How much the City of Sydney's Bike Tune Ups and Bike Care and Maintenance courses have cost the City of Sydney? Please provide costs broken down by year and usage, i.e. how many people have enrolled.
3. How much does the City of Sydney's The Big Bike Film Night 2020 cost the City of Sydney?
4. How much does the City of Sydney's Sydney Rides festival cost the City of Sydney? Please provide costs broken down by year and participation, i.e. how many people have signed up for an event.
5. How much have the self-guided rides cost the City of Sydney? Please provide costs broken down by year, type (sporting sights, parks and gardens, Inner-East, markets, quirky Sydney) and usage, i.e. how many people have enrolled.
6. How much has the City of Sydney spent to create, publish, review and distribute the Sydney Cycling Map?
7. How much has been spent by the City of Sydney to create, publish and distribute the Business Bicycle Fleet Toolkit?
8. How much has been spent by the City of Sydney to create, publish and distribute the Bike Hire, Shops and Sumps Map?

9. Are there any other activities included in the City of Sydney's Cycling budget that haven't been identified in the previous questions? What are these activities? How much have they cost the City of Sydney?

S129272

EI Alamein Fountain Works

4. By Councillor Forster

Question

The EI Alamein Fountain located in Kings Cross is currently empty and surrounded by cyclone fencing.

1. What works are being undertaken to the fountain?
2. What is the total cost of these works?
3. When will these works be complete?

S129269

City of Sydney Covid-19 Relief Grants

5. By Councillor Forster

Question

1. How many of the recent City of Sydney Covid-19 Relief Grants were awarded to tourism accommodation operators?
2. Which tourism accommodation operators were awarded these grants?
3. Where are these operators located?

S129269

Macleay Street Detailed Plans

6. By Councillor Forster

Question

Can the Chief Executive Officer please provide updated detailed design plans for the Macleay Street Upgrade?

S129269

Legal Matters Costs and Progress Update

7. By Councillor Chung

Question

Could the Chief Executive Officer please provide:

1. An update of all court proceedings that Council is currently engaged in broken down by Court and type of matter (eg but not limited to class 1-5 appeals, local court prosecutions, NCAT proceedings, supreme court proceedings, IRC proceedings).
2. In table form, a summary of each court matter, costs to date, proceedings number and parties to the matter and status of each matter.
3. Year to date costs for each type of matter broken down by costs for consultants, external lawyers and other costs.
4. 2019/20 and year to date summary of matters finalised by matter, including outcome and costs for each matter.

S129268

Bridge Road Safety Audit Advice

8. By Councillor Phelps

Question

On 18 May 2020, the Lord Mayor moved a Minute announcing that the NSW Government would be providing \$3,680,000 to deliver six new temporary cycleways in partnership with the City of Sydney, in a number of locations throughout the local government area, including Bridge Road and Pymont Bridge Road (between Lyons Road and Wattle Street).

An independent safety audit of the pop-up cycleway on Bridge Road commissioned and paid for by residents in the Glebe/Forest Lodge area identified 26 safety issues, including several dangers that were so serious that the risk to road users was "intolerable."

This report was tabled before the City of Sydney's council meeting on 21 September 2020 with the resulting resolution that the Chief Executive Officer liaise with Transport for NSW about the audit and urgently seek to resolve the risks identified.

Could the Chief Executive Officer please advise:

1. What advice has the City of Sydney sought since the independent safety audit of the pop-up cycleway on Bridge Road was tabled?
2. What advice was given about the 26 safety issues, including several dangers that were so serious that the risk to road users was “intolerable,” identified in the independent safety audit of the pop-up cycleway on Bridge Road in Glebe?

S129272

Library Funding

9. By Councillor Scott

Question

Noting that the NSW Public Libraries Association cite a diminished State Government funding contribution to public libraries from 25 per cent in 1980 to 7 per cent in 2019, and that local governments are left to fund the gap, I ask the following:

1. What has the City’s total budget, broken down by financial year, from 2003/04 to 2022/21, been for libraries? Please detail the City’s contribution separately from the NSW Government contribution.
2. Please detail the actual spend that occurred over the same period, broken down by financial year? Please detail the City’s contribution separately from the NSW Government contribution.
3. What is the budget breakdown of this total spend on libraries over the same period, broken down by year, on staffing, infrastructure/maintenance, and new library resources (e.g. books, e-books, subscriptions, etc)?
4. With the announcement of additional public library funding totalling \$60M from the State Government over the forward estimates to 2022/23, what, if any, readjustment of the City’s library spend will result from this additional spend? Please detail the City’s contribution separately from the NSW Government contribution.
5. Broken down by year, what public benefits has the additional State Government budget spend on libraries delivered for City communities? What will it deliver until 2022/23? For example, please detail the additional numbers of books, services, subscriptions, etc.
6. Does the City of Sydney plan to charge library fines in 2020/21?

S129275

Small Parks Upgrades

10. By Councillor Scott

Question

1. Since 2012, broken down by year, how many of the City's small parks have now been upgraded?
2. Since 2012, broken down by year, which of the City's small parks have been upgraded and at what cost for each?
3. Broken down by year, how many of the City's small parks are projected to be upgraded over the forthcoming four years?
4. Broken down by year, which of the City's small parks are projected to be upgraded over the forthcoming four years?
5. Broken down by year, what is the projected cost for upgrading each of the City's small parks over the forthcoming four years?
6. In 2020, please detail which City parks are rated 1, 2, 3, 4 or 5 under the City's annual park assessment process?
7. Which City parks were proposed to be ungraded since 2015, but will now not be ungraded?
8. Which of the remaining City small parks will remain to be upgraded, outside the list of those covered in the responses to the above questions?
9. What is the proposed timeframe for budgeting and carrying up these remaining small park upgrades?

S129275

Shop #9, The Rex Centre, Potts Point

11. By Councillor Phelps

Question

On 16 September 2020, the Kings Cross Community Centre (KXCC) opened a "pop-up shop" in Shop 9 in The Rex Centre, which has not been in use for considerable time.

The Kings Cross Community Centre submitted an offer but were not provided a chance to counter-offer before the lease was agreed with a commercial entity.

Could the Chief Executive Officer please advise:

1. What was the classification of the space when it was first built?
2. Has there been a change in classification from community to commercial space? If so, when did this change happen?

3. Why the Community Centre was not given the opportunity to counteroffer?
4. Why the Community Centre was not given the requested feedback on the offer when notified of being unsuccessful?
5. Why were the Kings Cross Community Centre informed that there were several interested parties when the letting agent informed them there was only one other offer and then suggested they submit an offer?
6. Can the City confirm the premises have been leased to a developer?

S129272

Gunyama Park and Aquatic Centre

12. By Councillor Scott

Question

In 2005, the City of Sydney announced plans to build a public swimming pool in Green Square.

In 2014, architects were selected, and a budget of \$50 million was allocated, with construction to begin in 2017 and the pool due to open in 2019. Construction began in 2018, with the pool reportedly due to open in 2020.

1. What is the status of the development of the Gunyama Park and Aquatic Centre in Green Square?
2. How much of the estimated \$50 million budget cited in 2014 when Andrew Burges Architects in association with Grimshaw and TCL won the international design competition has been expended to reach the current stage? Please detail expenditure, broken down by year.
3. When will the Gunyama Park and Aquatic Centre open to the public?
4. Will the creche and its outdoor and indoor play areas open at the same time? If not, when will the creche be open?
5. Will the hydrotherapy pool, and the gym open at the same time as the Centre? If not, when will they be open to the public?
6. What is the status of Bangala, the public artwork by Aunty Julie Freeman and Jonathan Jones?

S129275

Controls over Outsourced Providers

13. By Councillor Scott

Question

The City of Sydney has a range of external providers who provide services to our communities and our council, including operating our pools, gyms, waste and recycling services.

1. Please detail the City's legal obligations to ensure compliance with the activities of our external providers, including but not limited to Working with Children checks, compliance with the Fair Work Act 2009, the Local Government Act 1993, and a range of other legal requirements.
2. Please detail the controls the City of Sydney council has in place to ensure that those external providers undertake activities that comply with the City's legal, industrial and policy obligations.
3. Please detail the reporting mechanisms the City of Sydney has in place so that when noncompliance in external providers is established, via the City of Sydney's monitoring, the Council and regulators are appropriately notified.
4. Broken down by year since 2004, and by regulator, please detail the number of reports to external regulators the City of Sydney has made, as a result of the activities of our external providers.

S129275

Cleanaway Negative Leave

14. By Councillor Scott

Question

In an article in the Australian Financial Review published on 30 September 2020, it was revealed that Cleanaway Waste Management changed its IT systems in March this year to allow employees to be pushed into 'negative' accrued annual leave.

The publication reported that front-line drivers would be restricted from overtime by Cleanaway, ensuring drivers only work eight-hour shifts as well as putting drivers on Rostered Days Off (RDOs) to reduce accruals.

In addition, Cleanaway purportedly reduced driver invoices by 5 per cent from April to June 2020, meaning that truck drivers would lose 5 per cent of any revenue earned during that time. Drivers were asked to sign a contract variation to allow for this deduction.

The AFR reported that some Cleanaway employees have had to work during their instructed annual leave to meet the demands of the company, and that many were pushed into negative leave balances.

1. Is the City aware of whether Cleanaway's negative leave strategy is in breach of the Fair Work Act 2009?

2. Has the reported restriction in access to overtime affected in any way the waste removal service Cleanaway is contracted to deliver to the City?
3. Has anyone from the City entered into discussions with, or asked questions of Cleanaway on the issues raised above? If so, please detail how many meetings and on what dates.
4. What action Sydney City has taken since the various reports in the Financial Review?
5. Does the City have an obligation to report to regulators as a result of the information revealed in the AFR? If so, has this been done?

S129275

NSW EPA Inspections on Cleanaway Waste Facilities

15. By Councillor Scott

Question

Recently the Australian Financial Review reported that as a result of NSW Environment Protection Authority (EPA) inspections of Cleanaway facilities across 27 locations on 29 June this year following two chemical spills at the company's Queanbeyan site, a number of issues were identified including inappropriate chemical storage, and poor maintenance of stormwater controls.

1. Does any of the City's waste end up in this Queanbeyan site? If not, which of the 27 sites does the City's waste go to?
2. Does the City have an obligation to report to the EPA or any other environmental regulator as a result of this information?
3. Has the City discussed Cleanaway with the NSW EPA since the AFR reports of this matter? If so, please detail dates.
4. Has the City discussed with Cleanaway the issues arising from the June EPA inspections? If so, please detail dates.
5. How does the City independently monitor whether Cleanaway's disposal of its waste complies with City sustainability policies and waste targets, and our own legal and environmental obligations?
6. Since 2004, broken down by year, please detail the City funding provided to Cleanaway.
7. What other firms were involved in a tender process when the contract was extended?
8. Has the City has engaged with Comcare or NSW WorkSafe in relation to Cleanaway? If so, please detail dates.

S129275

Disclosure of Faulty Cleanaway Facility Weight Scales

16. By Councillor Scott

The Australian Financial Review reported on 23 September 2020 that Cleanaway Waste Management stopped charging excess weight fees to clients after a federal government investigation found they were using faulty weight scales on their trucks but had failed to inform some of their largest customers that Cleanaway had potentially wrongly charged them.

1. How does the City independently audit waste weights, which drives pricing of payments from the City to Cleanaway? Please detail how often this occurs.
2. Has the City established any evidence for faulty weigh scales on Cleanaway trucks and any weight-based fees the council may have been wrongly charged?
3. When the City became aware of the issues with faulty scales on Cleanaway vehicles, what actions were undertaken?
4. Has the City made enquiries into faulty weigh scales on Cleanaway trucks and any weight-based fees the council may have been wrongly charged? If so, please detail dates.
5. Has the City been reimbursed, or advised of a forthcoming reimbursement as a result of faulty weight scales used on Cleanaway vehicles for the City contract with them?
6. If so, what is the total dollar amount of the reimbursement either paid to date, or due to be paid?
7. If no contact has been made with Cleanaway to date, when is this planned to take place?

S129275

Appointment of New Audit, Risk and Compliance Committee Chair

17. By Councillor Phelps

Question

In the 16 October 2020 CEO Update, Councillors were informed that at 30 June 2021, the appointed independent Chair for the Audit Risk and Compliance Committee's appointment will end. Upon consultation with the current independent Chair and the Lord Mayor, an offer was made to a current independent member of the Audit Risk and Compliance Committee to take on the role of Chair.

Councillors were also informed that this member has accepted the offer of appointment as the new independent Chair and will commence from 1 July 2021 and will continue to 30 June 2025.

Could the Chief Executive Officer please advise:

1. What was the process involved in the selection of the new Chair of the Audit, Risk and Compliance Committee?
2. What is the remuneration for the position of Chair of the Audit, Risk and Compliance Committee?
3. Why was there no external selection process?

S129272

Metro Minerva Theatre Feasibility Study

18. By Councillor Phelps

Question

On 24 August 2020, after a proposal from the Minister for the Arts, the Hon. Don Harwin MP, Council endorsed the contribution of up to \$10,000 towards the cost of a feasibility study into restoring the Metro/Minerva Theatre for live performance and entertainment as discussed in the relevant Lord Mayoral Minute.

The Metro/Minerva Theatre has recently been listed for sale via expressions of interest.

Given the Metro/Minerva has been listed for sale, could the Chief Executive Officer please provide an update on the progress of the aforementioned feasibility study?

S129272

Exemptions from Tender

19. By Councillor Phelps

Question

Could the Chief Executive Officer please advise which City of Sydney projects over the value of over \$150,000 have been exempted from tender, year by year since 2016? Please list by date, the name of the project, its value, and the contractor.

S129272

Gunyama Park Aquatic and Recreation Centre

20. By Councillor Phelps

Question

Could the Chief Executive Officer please advise:

1. What were the estimated costs associated for the construction of the Gunyama Park Aquatic and Recreation Centre in 2007 when it was first presented to Council?
2. How much was budgeted for the construction of the Gunyama Park Aquatic and Recreation Centre from present to its inception, broken down year by year?
3. What has actually been spent on the construction of the Gunyama Park Aquatic and Recreation Centre from the present to its inception, broken down year by year?
4. If there has been a difference in predicting costs, what was the cause of this shortfall?

S129272

Hazardous Waste Disposal

21. By Councillor Scott

I note the Australian Financial Review report from 18 October this year on the City's waste removal contractor, Cleanaway Waste Management, allowing Victorian workers to transfer medical waste from bins into larger tubs without protective wear, despite OH&S policy which is counter to the practice of decanting bins due to the regular presence of sharps in soft clinical waste bins.

In August, the NSW EPA was critical of Cleanaway's nominated "zero harm" safety philosophy and the approach and knowledge of employees about environmental safety, following inspections of 26 sites that revealed issues in all but one location.

1. Is removal of hazardous waste matter part of the City's contract with Cleanaway?
2. Has the City approached Cleanaway to confirm that the company's standards and policies on safety for their staff / contractors meets the City's standards? If so, please detail the dates of meetings.
3. Have any breaches or questionable practices been uncovered in relation to the City's contracted work undertaken by Cleanaway?
4. If so, what obligations does the City have to act?
5. If so, has any action been taken by the City to rectify the situation with Cleanaway?
6. If so, what reports have been made to regulators?

S129275

Item 12

Supplementary Answers to Previous Questions

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

Item 13.1**Notices of Motion****Advocacy for a Public Ballot for NYE Fireworks 2020**

By Councillor Scott

It is resolved that:

- (A) Council note:
- (i) the NSW Government has assumed control of and responsibility for the New Year's Eve fireworks display for 31 December 2020 from the City of Sydney;
 - (ii) the Premier and Treasurer have announced a 10-minute display at midnight only, with no 9pm fireworks for families; and
 - (iii) private venues such as restaurants and office buildings will be allowed to hold ticketed events;
- (B) Council recognise that in the past, including in 2019, the NSW Government approved private, sectioned off areas of the Royal Botanic Gardens available only to those who could pay \$350 or more plus booking fee per person. This is in contradiction of the gardens being designated public space since 1816;
- (C) further to this, Council recognise other public spaces used in the same manner for New Year's Eve, including Barangaroo Reserve at \$41.80 per head to enter for the fireworks display, Goat Island, Shark Island and Cockatoo Island;
- (D) Council strongly advocate to the NSW Government that any public access to the 2020 NYE fireworks display be by way of a public ballot and free of cost to those entering or successfully in receipt of a ticket for the event; and
- (E) the Lord Mayor be requested to write to the Premier to seek her support for reinstating 9pm fireworks for families, and to the Prime Minister and the Premier seeking their support for a free public ballot to allow free access for the public to Federal or NSW Government, or City of Sydney public spaces, on NYE 2020.

S129266

Item 13.2

Notices of Motion

Solar Our Schools

By Councillor Phelps

It is resolved that:

- (A) Council note:
- (i) the World Economic Forum describes climate change as the number-one threat to the world economy, and the World Health Organization warns of the many health threats that climate change poses to humans;
 - (ii) the past five years were the hottest five years since the National Oceanic and Atmospheric Administration (NOAA) began keeping records 139 years ago. Higher temperatures are causing more frequent and extreme weather events, including bushfires, storms, droughts, floods and cyclones;
 - (iii) the Australian Parents for Climate Action (AP4CA), which has over 6,000 members across every state and territory, is calling on Prime Minister Scott Morrison to Solar Our Schools by funding solar and batteries for every school and early childhood centre in Australia (with means-tested grants for privately-owned schools and for-profit early learning centres); and
 - (iv) Solar Our Schools is the perfect way to stimulate our economy. It will:
 - (a) create at least 6,870 renewable energy jobs in all regions of Australia;
 - (b) slash school energy bills which frees up more funds for learning resources, saving large schools \$114,000 in energy bills per year and small schools \$12,700 per year (Beyond Zero Emissions); and
 - (c) save millions of tonnes of carbon emissions per year; and
- (B) the Chief Executive Officer be requested to liaise and collaborate with Australian Parents for Climate Action to identify and investigate ways the City of Sydney can support the Solar Our Schools campaign.

S129263

Item 13.3

Notices of Motion

Removing Barriers to Solar Our Schools

By Councillor Scully

It is resolved that:

(A) Council note:

- (i) Australian Parents for Climate Action (AP4CA) are a network of 14,000 parents across the country working to reduce the carbon footprints and power bills of Australian schools and early childhood centres through the 'Solar Our Schools' campaign ("the campaign");
- (ii) the campaign calls on the Federal Government to provide economic-stimulus, infrastructure investment and batteries for all schools and early childhood centres that do not yet have them. The campaign is also requesting that state governments come to an agreed position in allowing all schools and early childhood centres to take part in a "virtual power plant" (VPP) so they can trade their excess solar power with the community. In order for schools to become VPPs, they first need the financial and capacity support to get solar and battery systems installed, and often they need administrative and practical barriers removed;
- (iii) research conducted by Beyond Zero Emissions and provided by the Australian Parents for Climate Action suggests that these initiatives would deliver significant energy and cost savings, as well as new employment opportunities. The research indicates that large schools and centres would save over \$100,000 in annual energy bills and the initiative would create more than 7,000 jobs in the solar and battery industries plus an estimated 4,000 jobs would be created in schools;
- (iv) current state and territory grant programs only fund some state schools to get solar and batteries and preclude these schools from getting solar on lease or finance model. Furthermore, these grant programs don't provide funding for non-government schools;
- (v) the City of Sydney is a participating member of Solar My School, a program founded by Randwick, Waverley and Woollahra Council which supports schools in accessing solar to schools in Sydney on behalf of Ausgrid. A number of schools in our local government area have received assistance through the Solar My School program, however none have progressed to completion. Access to finance is only one of the several barriers that schools in the local government area are experiencing when it comes to implementing solar;

- (vi) these barriers prevent our schools from being able to decarbonise and reduce their costs and undermine the realisation of the Australian Parents for Climate Action campaign. Some of the barriers that have been identified by schools in the local government area include:
 - (a) heritage buildings with electrical or building issues which require Department of Education support to be resolved prior to solar being installed;
 - (b) renewables not being prioritised in budgets for school redevelopments led by the Department of Education and School Infrastructure NSW, or where provision has not been made for solar by way of roofing design and materials; and
 - (c) school communities experiencing challenges in fundraising to cover costs or in navigating the installation of solar;
- (vii) in June 2019, the City of Sydney declared a Climate Emergency. The Climate Emergency response, endorsed in February 2020, sets out a series of principles, goals and priorities to reduce the impacts and increase the resilience of our communities to climate change. These include:
 - (a) Goal 7: Support the community to take further action to address the climate emergency;
 - (b) Goal 8: Help the community access onsite and offsite renewables, including 100 per cent Green Power; and
 - (c) Goal 11: Collaborate with allies to drive change to state and federal policies and regulations to transition to a zero-carbon economy, and ensure sustainable waste and water policies;
- (B) the Lord Mayor be requested to invite the NSW Minister for the Environment and the Minister for Education and Early Childhood Learning to meet with the representatives of the City of Sydney Parents and Citizens Associations and representatives from the Australian Parents for Climate Action, to discuss the barriers which prevent schools from implementing renewable energy initiatives and to identify potential solutions for overcoming these barriers;
- (C) the Chief Executive Officer be requested to contact eligible schools in the City of Sydney Local Government Area, to provide information on accessing grant opportunities and navigating pathways to implement renewables, such as Solar My Schools; and
- (D) Council endorse the objectives of the Solar Our Schools campaign, and promote the campaign through the relevant channels.

Item 13.4

Notices of Motion

Sustainable and Energy Efficient Infrastructure in Heritage Conservation Areas

By Councillor Scully

It is resolved that:

(A) Council note:

- (i) the City of Sydney is home to 75 Heritage Conservation Areas, which cover 38 per cent of our local area. They house approximately 84,000 people and provide workplaces for almost 60,000 people. Places like Potts Point, Woolloomooloo, Darlinghurst, Surry Hills, Redfern, Chippendale, Glebe and Forest Lodge are among the 10 most populous areas in Greater Sydney and consist predominantly of conservation areas;
- (ii) Heritage Conservation Areas are valued for their special character, drawing on their history and built form. This character is supported through our planning controls, which have protections in place for certain development in these areas. These controls sometimes affect how easy it is to install renewable energy infrastructure in heritage dwellings, impacting the capacity of individual households to reduce their carbon footprint, increase their efficiency or capture water;
- (iii) when developing the City of Sydney's community strategic plan, Sustainable Sydney 2030, 97 per cent of the community told us they wanted action on climate change. One of the key recommendations of the 2019 Citizens Jury, a key element of our 2050 consultation process, was for a Regenerative Economy, and that the City of Sydney should be a "a leader in reversing climate change and restoring the natural environment by giving back more than what the city takes";
- (iv) in February 2020, Council endorsed the Local Strategic Planning Statement which sets out the 20-year vision for land use planning in the city. The planning statement sets 13 priorities and a series of actions to achieve the vision and guide future changes to our planning controls, including "To develop buildings and places that will be net zero energy by 2050" by "using less energy and increasing the use of renewable energy" and "reviewing solar panel and battery storage controls, to increase implementation opportunities";

- (v) in June 2019, the City of Sydney declared a Climate Emergency. The Climate Emergency response, endorsed in February 2020, sets out a series of principles, goals and priorities to reduce the impacts and increase the resilience of our communities to climate change. These include:
 - (a) Goal 5: Use the planning system to deliver on climate emergency priorities;
 - (b) Goal 7: Support the community to take further action to address the climate emergency;
 - (c) Goal 8: Help the community access onsite and offsite renewables, including 100% Green Power; and
 - (d) Goal 11: Advocate for legislative and regulatory change (e.g. building codes and planning controls, energy regulations, rating tools, and disclosure and compliance regimes) at all levels of government to achieve net zero carbon buildings; and
- (vi) by shifting the City's operations to 100 per cent renewable energy, we are now on track to meet our 2030 emissions target in 2024 - six years early; and
- (B) the Chief Executive Officer be requested to investigate planning policy changes which encourage greater uptake of sustainable and energy efficient infrastructure for dwellings, by giving due consideration to the principles of the Climate Emergency Response balanced with the City's heritage protection measures.

S129264

Item 13.5

Notices of Motion

Fair Access to Our Pools

By Councillor Phelps

It is resolved that:

- (A) Council note:
- (i) the Covid-19 pandemic has required a review of how many City-owned public facilities such as libraries, community centres and pools are operated;
 - (ii) as the weather begins to warm, more and more constituents will be looking to use City-owned pools to cool off;
 - (iii) currently, there does not exist a universal online booking system for all City-owned public pools, nor does there exist a time limit for patrons using the pool, enabling some to spend an entire day using the facilities, while others only stay for an hour or less; and
 - (iv) it is important that the City is able to provide everyone with fair and equal access to City-owned facilities, particularly when the demand for them increases; and
- (B) the Chief Executive Officer be requested to:
- (i) investigate the possibility of implementing an online booking system for patrons looking to access City-owned pools;
 - (ii) investigate possible options for enforcing a time limit for patrons using the pool facilities so that there can be fair and equitable access to our pools for all; and
 - (iii) report back to Councillors via the CEO Update.

S129263

Item 13.6**Notices of Motion****Privacy Protection for Councillors and Other Politicians**

By Councillor Phelps

It is resolved that:

- (A) Council note:
- (i) no legislation prohibiting the publication of federal, state or local politicians' addresses currently exists;
 - (ii) there have been a number of high-profile politicians, both at local and state level, whose addresses of their private residence have been published; and
 - (iii) this poses a safety and privacy risk to politicians and has the potential to be weaponised; and
- (B) the Lord Mayor be requested to:
- (i) write a letter to the Prime Minister, the Hon. Scott Morrison MP, and the Attorney-General, the Hon. Christian Porter MP, requesting the introduction of legislation banning the publication of the private addresses of politicians at all levels of government; and
 - (ii) provide Councillors with a copy of this letter and its reply via the CEO update.

S129263

Item 13.7

Notices of Motion

Protecting Cyclists

By Councillor Phelps

It is resolved that:

(A) Council note:

- (i) the implementation of a safe cycling network throughout the City of Sydney has significant public benefits in terms of exercise, public health and transport;
- (ii) it is a public duty of the City of Sydney to ensure that any cycleway (including a pop-up cycleway) is safe before it is opened, encouraging cyclists to use it in the reasonable expectation that all safety issues have been fully assessed;
- (iii) during Covid-19 restrictions six pop-up cycleways have been installed for use in the City of Sydney local government area;
- (iv) a Report of the Safety Audit undertaken on 6 September 2020 by Traffic Engineering Centre Pty Ltd, commissioned and paid for by residents, established that the Bridge Road Glebe/Forest Lodge cycleway was critically unsafe for cyclists to use;
- (v) a number of cyclists have been injured in accidents on the Bridge Road pop up cycleway since it officially opened on 21 September 2020 and the safety audit undertaken by Traffic Engineering Centre Pty Ltd identified that there is a high risk of more accidents with potentially catastrophic consequences including death and serious injury;
- (vi) at the Council meeting on 21 September 2020, Council was informed that safety assessments will not be conducted until after a pop up cycleway is installed;
- (vii) the Bridge Road Cycleway was designed and installed without adequate planning or safety assessment;
- (viii) no response has been provided by Council or Transport for NSW to the findings in the Report of the Safety Audit on Bridge Road commissioned by the residents which was tabled at the Council meeting on 21 September 2020;
- (ix) due to a lack of proper planning and consultation, the Bridge Road pop up cycleway created many adverse consequences for residents including:
 - (a) residents, their friends and family and service providers experience difficulties accessing residences, especially those with no rear lane access;
 - (b) profound anxiety and upset for residents from accidents that have occurred on the cycleway and may be expected to occur in the future;

- (c) profound anxiety for residents arising from concern about accidents happening due to lack of appropriate traffic management during garbage collection;
 - (d) significantly increased costs of delivery/removal of goods imposed by Council due to permits required for delivery vehicles; and
 - (e) removal of disabled parking space then relocation of the space to Jarocin Avenue, a dangerous and inconvenient location for people who live on Bridge Road and use the disabled parking space; and
 - (x) that Council has a responsibility to ensure that all cycleways, both pop-up and permanent, meet a minimum safety standard as required by s10.2.1 of the Cycling Aspects of Austroads Guides (2017); and
- (B) the Chief Executive Officer be requested to:
- (i) undertake a complete review (including obtaining all documents) relating to the design, planning and safety assessment conducted for each pop up cycleway installed in 2020;
 - (ii) provide a report of the findings of this review (which includes copies of all documents) to Councillors;
 - (iii) ensure that every proposed cycleway in the City of Sydney Local Government Area - temporary or permanent - must have a safety assessment conducted during the design phase and prior to opening;
 - (iv) ensure that every cycleway under construction in the City of Sydney Local Government Area - temporary or permanent - is clearly identified as not in operation until construction is complete;
 - (v) provide recommendations to ensure that no temporary cycleway is made permanent and that no cycleway is ever again considered or installed without proper planning and safety processes being adopted and followed; and
 - (vi) provide an update to Councillors via the CEO update.

S129263

Item 13.8**Notices of Motion****Fitzroy Gardens Playground Safety Audit**

By Councillor Phelps

It is resolved that:

(A) Council note:

- (i) Fitzroy Gardens is a heritage park, essential to the character of Kings Cross and Potts Point and a vital open space for the local community. The Council website states that "this enclosed playground is suitable for children of all ages";
- (ii) however, the design of the playground and the surrounding fence have areas where the safety of the children is a concern. These include:
 - (a) gaps between the bars in the fence being wide enough for a child to fit through;
 - (b) high drops with no fencing or safety measure to prevent falls; and
 - (c) a large pothole in the middle of the playground where a tree was removed, which provides a risk of injury and fall; and
- (iii) it is the Council's responsibility to ensure all council-owned facilities are safe; and

(B) the Chief Executive Officer be requested to:

- (i) conduct an urgent safety audit of the Fitzroy Gardens Playground;
- (ii) rectify any safety issues; and
- (iii) provide a report on the results to Councillors.

S129263

Item 13.9

Notices of Motion

Online Meeting Live Stream

By Councillor Phelps

It is resolved that:

- (A) Council note:
- (i) changes to the legislation in the Model Code of Meeting Practice required all local governments in NSW to live stream all Council, Committee and other public meetings by 14 December 2019 so Council activities are readily accessible by constituents;
 - (ii) following the state-wide lockdown due to the Covid-19 pandemic, all Council meetings were moved to be held on an online platform;
 - (iii) the meetings are currently being held online, and there is proposed NSW legislation to continue allowing remote access for Council meetings to help increase the diversity of people who run for local council, and particularly to attract more women;
 - (iv) the Office of Local Government circular 20-09 dated 25 March 2020, on compliance with social distancing requirements to limit the spread of the Covid-19 virus at council and committee meetings, states that meetings may be held remotely using audio-visual links;
 - (v) other Councils are broadcasting the full online meetings, including current speaker videos;
 - (vi) currently, live streams of Council meetings feature only an image detailing which item is being discussed. Those watching the live stream are unable to see who is speaking, and are required to rely on their own knowledge of what Councillors voices sound like; and
 - (vii) this provides much room for error and misunderstanding, which can be mitigated through the broadcasting of the full online meeting, including videos of all Councillors; and
- (B) the Chief Executive Officer be requested to:
- (i) facilitate the visual and audio live streaming of online Committee and Council meetings, including videos of Councillors and other speakers; and
 - (ii) report back to Councillors via the CEO update.

S129263

Item 13.10

Notices of Motion

Kings Cross Car Park Usage

By Councillor Forster

It is resolved that:

(A) Council note:

- (i) the tourism accommodation sector has been one of the hardest hit sectors throughout 2020, initially as a result of the catastrophic 2019/20 bushfire season and followed by the ongoing global Covid-19 pandemic;
- (ii) even prior to 2020, it was reported that Sydney hotels were suffering their worst occupancy rates in a decade, with the rate falling below 80 per cent in September 2019;
- (iii) the Accommodation Association of Australia's September 2020 Sydney Market Performance report highlighted a dramatic decline in the sector within the Sydney CBD, with the average daily room rate (ADR) down 35.8 per cent, revenue per available room (RevPAR) down 74 per cent and occupancy down 59.5 per cent to 33.9 per cent;
- (iv) on 30 March 2020, the City proposed an amended grants program at an Extraordinary Council Meeting in response to the Covid-19 pandemic;
- (v) the new grant rounds opened for applications in early April and closed on 27 April with each category heavily oversubscribed: for instance, the Small Business Grant Program had a budget of \$2 million and approximately \$28 million was requested by applicants;
- (vi) the tourism accommodation sector was largely overlooked during the City's Covid-19 grant support process, with the vast majority of tourism accommodation businesses unsuccessful with their applications;
- (vii) there are approximately 10 midscale or boutique hotels located in the Potts Point area, none of which received City of Sydney Covid-19 grant relief funding and all of which are struggling to stay open and/or in business during these difficult times; and
- (viii) there are a number of measures the City of Sydney could undertake to support these businesses; and

- (B) the Chief Executive Officer be requested to:
- (i) investigate the waiver or at least a significant reduction in fees being charged by the Council-owned Kings Cross Carpark for customers of local tourism accommodation operators in the surrounding area; and
 - (ii) liaise with these operators to discuss other forms of support that the City of Sydney can provide during the ongoing global pandemic.

S129260

Item 13.11**Notices of Motion****Macleay Street Upgrade Enhanced Notifications**

By Councillor Forster

It is resolved that:

- (A) Council note:
- (i) in late 2019, the City of Sydney announced plans to upgrade sections of Macleay Street, Potts Point, including widening and resurfacing of footpaths, new lighting and street furniture, additional street planting and garden beds, and changes to bus stop locations;
 - (ii) initial community notification was provided in June 2019, followed by concept design notification beginning in November 2019, and a revised design being presented to the community in March 2020;
 - (iii) results of the community feedback survey identified only 38 per cent of people strongly supporting the upgrade with significant concerns raised regarding the impact these works would have on local businesses during the 18+ month construction process, scheduled to begin in October 2020;
 - (iv) a letter dated 4 September 2020 from the Lord Mayor was sent to Potts Point residents notifying them of the impending upgrade works, but outlined only general details about the location of the works, project timetable and working hours; and
 - (v) specific work details and associated timetables or plans have not been provided to the residents or local businesses; and
- (B) the Chief Executive Officer be requested to ensure that more detailed and regular upgrade works notifications are distributed to all residents and businesses in and around Macleay Street and surrounds, outlining which sections of the street/s will be impacted by work, the duration of work and construction times in those sections, and including correct City of Sydney contact information for residential and/or business feedback.

S129260

Item 13.12

Notices of Motion

Martin Place Cleaning

By Councillor Forster

It is resolved that:

- (A) Council note:
- (i) Martin Place is one of Sydney's premier civic open spaces, and is usually a gathering place for thousands of the City's nearly 1.1 million residents, workers and visitors each day;
 - (ii) on 2 October 2020, and in conjunction with the NSW Government, the City of Sydney announced a \$20 million funding injection to bring workers and visitors back to the CBD;
 - (iii) this announcement is among a cache of projects designed to bring the city out of its Covid-19 slump, including an al fresco taskforce to review outdoor drinking and dining regulations, as well as the NSW Government encouraging its own workers to return to their offices;
 - (iv) the NSW Government is also amending liquor regulations to allow hospitality venues to expand their licence boundaries in just three days, in a change to the approvals process that usually takes up to 51 days, from 16 October 2020;
 - (v) there are 16 hospitality businesses in The Rocks whose participation will aim to transform the streetscape of the ailing tourist hub into an area filled with outdoor drinking and dining options as part of a 12-month trial, with the rest of the CBD to be included on 1 November 2020; and
 - (vi) in order to meet the standard that returning workers and visitors will expect in a CBD which is striving to attract them back, Martin Place needs extensive cleaning and maintenance, including of the paving, the two entrances to Martin Place train station, the fountain at Pitt Street and the steps and amphitheatre; and
- (B) the Chief Executive Officer be requested to:
- (i) review the current cleansing schedule for Martin Place and adjust it accordingly to restore the area to an appropriate level of cleanliness and repair; and
 - (ii) liaise with Sydney Trains to ensure that any of their land located in and around Martin Place is appropriately cleaned and maintained.

S129260

Item 13.13**Notices of Motion****Fast Track for Street Dining**

By Councillor Chung

It is resolved that:

- (A) Council note:
- (i) small businesses in the Sydney CBD have suffered enormously due to the Covid-19 restrictions, resulting in businesses closing, operators liquidating and, in some cases, business owners losing personal assets;
 - (ii) the NSW Government has recently improved the application process to permit street dining and consumption of liquor in certain public places;
 - (iii) the City of Sydney is currently waiving street dining fees for venues in the Sydney local government area as a part of the Covid-19 support package; and
 - (iv) the City of Sydney requires premises to lodge a Development Application to permit street dining; and
- (B) the Chief Executive Officer be requested to develop a temporary fast track pathway for small businesses to occupy public footways without the need for a Development Application.

S129259

Item 13.14**Notices of Motion****Opening of all Libraries and Community Facilities**

By Councillor Chung

It is resolved that:

- (A) Council note:
- (i) Covid-19 restrictions have resulted in necessarily limiting access to places where people gather such as small business premises, transport, public spaces such as libraries and community centres and open space;
 - (ii) the NSW Government has gradually reduced the restrictions on gatherings to encourage people to safely return to their lives;
 - (iii) access to public spaces forms a critical part of the social connection for many people in the City of Sydney. During the Covid-19 lockdowns, the resulting lack of social connection has resulted in an increase in mental health issues, domestic violence, limited access to food and other necessities, poor social connections and a disconnection of community networks; and
 - (iv) the City of Sydney has many premises which can offer community support which are currently operating at limited capacity beyond the public health orders; and
- (B) the Chief Executive Officer be requested to open all Council owned public facilities to the fullest extent permitted under the public health orders.

S129259

Item 13.15**Notices of Motion****Street Cleaning and Maintenance**

By Councillor Chung

It is resolved that:

(A) Council note:

- (i) the City of Sydney is Australia's global gateway city;
- (ii) as Australia emerges from severe lockdowns, open public space is essential to reconnecting communities and people safely; and
- (iii) many visitors, small businesses and residents are concerned that public space in Sydney is not being maintained to a high enough standard befitting a global city and that basic services such as cleaning, footpath restoration, removal of dumped rubbish and general daily street maintenance are being ignored or forgotten as Sydney concentrates on grand projects; and

(B) the Chief Executive Officer be requested to:

- (i) provide Council with a current audit and condition report of public space cleaning conditions in the Sydney local government area;
- (ii) provide Council with a report of outstanding cleaning and public space maintenance requests and length of time that requests are outstanding; and
- (iii) update Council quarterly with public space condition of cleaning reports and outstanding requests.

S129259

Item 13.16**Notices of Motion****Anti-Vaccination-Risks Network Bus Tour Ban**

By Councillor Scott

It is resolved that:

- (A) Council note:
- (i) the bus tour currently underway around NSW by the Anti-Vaccination-Risks Network;
 - (ii) the stand taken by Newcastle City Council to ban any events at local shopping centres or other locations in the local government area;
 - (iii) the Mayor of Newcastle has written to the NSW Police Commissioner and the NSW Health Minister requesting they use the full force of their powers to ban any events from Newcastle and NSW;
 - (iv) the dissemination of dangerous misinformation about public health matters challenges the gains made over the twentieth century to eradicate diseases such as smallpox, measles and polio; and
 - (v) to achieve herd-immunity, 95 per cent of the population must be vaccinated to protect those vulnerable people who cannot – such as newborn babies. Anti-vaccination campaigns put at risk those vulnerable members of our community;
- (B) Council acknowledge that Covid-19 has provided a salient example of how dangerous a disease can be with a vaccine;
- (C) Council agree that science must be put first and misinformation about vaccines must be countered with balanced information that does not prey on parental fear, especially when so many people are anxious about the Covid-19 pandemic; and
- (D) the Lord Mayor be requested to write immediately to the Federal and NSW Attorney General, Federal and NSW Health Minister and the NSW Police Commissioner requesting they take all available steps to ban any such events from publicly owned facilities or land.

S129266