

# Council

Meeting No 13

Monday 14 December 2020

Notice No 13/1624

Notice Date 10 December 2020

*minutes*

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**Present**

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

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

At the commencement of business at 5.07 pm, those present were:-

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

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

**Remote Meeting**

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

**Opening Prayer and Acknowledgement of Country**

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

**Webcasting Statement**

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

Councillor Forster left the meeting of Council at 5.38pm, prior to discussion of Item 6.12, and returned at 5.39pm, after the vote on Item 6.12. Councillor Forster was not present at the meeting of Council, which was held remotely, during discussion or voting on Item 6.12.

Councillor Scott left the meeting of Council at 5.38pm, prior to discussion of Item 6.12, and returned at 5.39pm, after the vote on Item 6.12. Councillor Scott was not present at the meeting of Council, which was held remotely, during discussion or voting on Item 6.12.

**Order of Business**

Note – the order of business was altered such that Item 12.13 was dealt with after Item 12.15, as Item 12.13 had been inadvertently missed.

**Adjournment**

In accordance with the provisions of clause 16.3(b) of the Code of Meeting Practice, at 10.02pm Monday 14 December 2020, the Chair (the Lord Mayor), adjourned the meeting of Council to reconvene at 8.00am Wednesday 16 December 2020.

## **Reconvening**

At the reconvening of Council at 8.09am, Wednesday 16 December 2020, those present were:

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

Councillor Vithoukás extended her apologies for her inability to attend the reconvened meeting of Council.

Councillor Phelps left the reconvened meeting of Council at 9.13am, after the vote on Item 12.19, and did not return.

Councillor Miller left the reconvened meeting of Council at 9.36am, after the vote on Item 12.25, and did not return.

Councillor Forster left the reconvened meeting of Council at 9.38am, after the vote on 12.25, and did not return.

**Item 1        Confirmation of Minutes**

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

That the Minutes of the meeting of Council of Monday, 16 November 2020, as circulated to Councillors, be confirmed.

Carried unanimously.

## **Item 2        Disclosures of Interest**

Councillor Linda Scott disclosed a pecuniary interest in Item 6.12 on the agenda, in that one of the tenderers (Mardens Law Group) recently sponsored a Local Government NSW conference. Councillor Scott stated that she would leave the meeting for this item.

Councillor Christine Forster disclosed a significant non-pecuniary interest in Item 6.12 on the agenda, in that one of her immediate family members is employed by law firm, Ashurst, in its Construction Litigation Division. Councillor Forster noted that she did not make this disclosure at the Corporate, Finance, Properties and Tenders Committee as she was not present at the start of the meeting and acknowledged the oversight. She stated that she would leave the meeting for this item.

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

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

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



**Item 3 Minutes by the Lord Mayor****Item 3.1 Activating Oxford Street for a Safe 2021 Mardi Gras****Minute by the Lord Mayor**

To Council:

For the first time in its 42-year history, the Sydney Gay and Lesbian Mardi Gras Parade will not take place on Oxford Street due to the continuing impact of the Covid-19 pandemic.

Sydney Gay and Lesbian Mardi Gras Ltd, the community organisation responsible for the annual Mardi Gras Parade and Festival has instead successfully reimaged Mardi Gras events for 2021 so they can occur in line with NSW Public Health orders.

On 9 November 2020, I joined Mardi Gras for the announcement that the 2021 Mardi Gras Parade will relocate to Sydney Cricket Ground. After a difficult year, it filled me with joy to see the Sydney Cricket Ground come alive with rainbow banners and colourful costumes. I commend the Mardi Gras for their hard work finding a way for the LGBTIQ community, its friends and supporters to celebrate.

While Mardi Gras will be different, it will still be a great opportunity for our LGBTIQ communities to get together both in person and online. With the easing of restrictions the Sydney Cricket Ground should be able to operate at full capacity, enabling 46,000 people to enjoy the Parade. Mardi Gras has expanded its free ticket offering for community members who are feeling the financial impact of Covid-19 and will give away 2,000 free tickets randomly allocated via a ballot system.

As a long-term supporter of Mardi Gras, the City welcomes these developments.

In June, Council approved \$289,700 worth of financial support for Mardi Gras in 2021 and 2022, comprising \$240,000 cash and \$49,700 value-in-kind for the use of street banners and venue hire. This is consistent with our funding for 2019 and 2020.

While the reimagining of Mardi Gras is essential to ensure it can continue as a safe event, Oxford Street businesses fear a loss of social and retail activity on the night of the Mardi Gras Parade, and in particular during the Mardi Gras Festival. The Mardi Gras usually plays a major role in attracting international visitors to Sydney, linking interstate visitors and local residents on Oxford Street.

City staff are already in discussions with Mardi Gras and the Darlinghurst Business Partnership about activating Oxford Street in the lead up to Mardi Gras.

In June, Council approved a grant of \$25,000 to the Darlinghurst Business Partnership for Oxtravaganza; a street festival with live music and street art in the lead up to Mardi Gras. The City's grants and sponsorships programs will support other cultural and creative initiatives including live music and theatre, art installations, talks, workshops and markets.

The City will work closely with grant recipients to potentially deliver these activations during Mardi Gras and promote them via the City's digital channels, as well as through our current \$100,000 media partnerships with Concrete Playground, Broadsheet and Time Out Sydney.

Mardi Gras banners will be flown on Oxford and South Dowling Streets and at Taylor Square and staff are exploring with Woollahra Council the opportunity to extend banners across the other side of Oxford Street.

Mardi Gras has long been a hallmark event. This status should continue even though the Parade itself has been moved to the Sydney Cricket Ground. Oxford Street can still be at the centre of Mardi Gras festivities with many people attending the Parade making their way there after the event.

To cater for this, we need to ensure pedestrian and patron safety once the event at the Sydney Cricket Ground has finished. Closing Oxford Street will help with this by ensuring people can practice physical distancing without crowding the footpaths close to traffic lanes.

To ensure a safe and enjoyable experience for everyone, the City will work with Mardi Gras organisers and the NSW Government to explore this and other options to ensure public safety and address the flow of patrons leaving the stadium towards the Oxford Street area.

It is essential Mardi Gras in 2021 is a safe and successful event for our LGBTIQ communities and for Oxford Street, internationally recognised as the major Australian home for the LGBTIQ community.

## **Recommendation**

It is resolved that:

- (A) the Chief Executive Officer be requested to:
  - (i) work with Sydney Gay and Lesbian Mardi Gras Ltd and the Darlinghurst Business Partnership to activate Oxford Street and surrounds during Mardi Gras 2021;
  - (ii) promote local businesses who are participating in Mardi Gras and Oxtravaganza through What's On, e-newsletters and the Sydney Local marketing campaign; and
  - (iii) work with the NSW Government, Sydney Gay and Lesbian Mardi Gras Ltd and the Darlinghurst Business Partnership Incorporated to ensure pedestrian and public safety on Oxford Street during and after the Mardi Gras Parade and any other activations;
- (B) the Lord Mayor be requested to write to the Premier requesting:
  - (i) the Mardi Gras event at Sydney Cricket Ground be recognised as a hallmark event; and
  - (ii) Oxford Street be closed during the evening to assist with public and pedestrian safety and enable it to be a centre of Mardi Gras festivities;
- (C) Council approve funding of up to \$200,000 from 2020/21 General Contingency to support clause (A) above; and
- (D) the Chief Executive Officer be requested to report back to Council regarding the proposal and final funding allocation via a CEO Update.

## **COUNCILLOR CLOVER MOORE**

Lord Mayor

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

That the Minute be endorsed and adopted.

Amendment. Moved by Councillor Phelps –

That the motion be amended as follows:

It is resolved that:

- (A) the Chief Executive Officer be requested to:
  - (i) work with Sydney Gay and Lesbian Mardi Gras Ltd and the Darlinghurst Business Partnership to activate Oxford Street and surrounds during Mardi Gras 2021;
  - (ii) promote local businesses who are participating in Mardi Gras and Oxtravaganza through What's On, e-newsletters and the Sydney Local marketing campaign;
  - (iii) work with the NSW Government, Sydney Gay and Lesbian Mardi Gras Ltd and the Darlinghurst Business Partnership Incorporated to ensure pedestrian and public safety on Oxford Street during and after the Mardi Gras Parade and any other activations; and
  - (iv) refer the matter of closing Oxford Street during the evening of the Mardi Gras Parade to NSW Health for an opinion about the potential public health implications of this road closure in light of the continuing Covid-19 health precautions;
- (B) the Lord Mayor be requested to write to the Premier requesting the Mardi Gras event at Sydney Cricket Ground be recognised as a hallmark event;
- (C) Council approve funding of up to \$200,000 from 2020/21 General Contingency to support clause (A) above; and
- (D) the Chief Executive Officer be requested to report back to Council regarding the proposal and final funding allocation via a CEO Update.

The amendment lapsed for want of a seconder.

Variation. At the request of Councillor Scott and by consent, clause (A)(ii) was amended such that it read as follows:

- (ii) promote local businesses who are participating in Mardi Gras and Oxtravaganza through What's On, e-newsletters, the Sydney Local marketing campaign and the LGBTIQ media;

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

S051491

**Item 4       Memoranda by the Chief Executive Officer**

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

## **Item 5        Matters for Tabling**

### **5.1 Disclosures of Interest**

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

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

Carried unanimously.

### **5.2 Petitions**

#### **(a) Rosebery Traffic Congestion**

The following Petition, of which notice was given by Councillor Scott, was tabled.

To the Right Honourable Councillor Clover Moore, the Lord Mayor of the City of Sydney,

The Petition of the Residents of the City of Sydney, Rosebery, 83-93 Dalmery Avenue,

Brings to the attention of the Lord Mayor traffic congestion at two intersections, Epsom Road and Rosebery Avenue, and Epsom Road and Rothschild Avenue.

The undersigned petitioners therefore ask the Lord Mayor to install traffic lights or a roundabout at the intersection of Epsom Road and Rosebery Avenue; and to upgrade the existing traffic light to a right turn on green arrow at Epsom Road and Rothschild Avenue.

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

It is resolved that the Petition be received and noted.

Carried unanimously.

#### **(b) William Bland Centre – Petition – 14 December 2020**

The following Petition was tabled by Councillor Chung.

We, the undersigned, are requesting Lord Mayor Clover Moore and the Councillors to reconsider the heritage listing of the William Bland Centre (WBC) at the Council meeting on 14 December 2020.

Firstly, we thank those Councillors who voted to defer the heritage listing of the WBC on 29 June 2020, and to further investigate the impacts that the Council imposed fire order is having on owners' costs and planning challenges, as well as the unique financial and public safety risks, that 1960s style curtain wall façade poses to repair or replace in the future. Please note a hoarding has been constructed to mitigate the façade public safety risk, a risk the Council has accepted as real and imminent.

The Lord Mayor and 7 of the Councillors were sympathetic to the small business owners of the WBC when they voted at the June meeting. The 8 elected Councillors recognised that the WBC was the only strata owned building in the group. It is disappointing that unnamed influences have drawn into the latest report to the Councillors that there are 295 other strata buildings under heritage listing in the LGA. This has nothing to do with the unique challenges faced by WBC owners.

The introduction of large numbers of strata buildings into what was proposed to be a technical, engineering, and financial evaluation to look at all the challenges including the degree of financial hardship a listing could impose, has been politicised in a way that trivialises our owners' unique risks and challenges. We are disappointed that someone within the Council reporting chain of command would depart from the public perception to expect impartiality and politicise this report to Councillors.

Our management staff put questions to the Council staff to refine the characteristics of the 295 strata buildings as follows –

1. How many of the 295 properties are subject to a fire order or have been since before they were heritage listed?
2. How many of these properties are classed as high rise buildings?
3. How many of these properties have facades that require either complete replacement of at the minimum major restoration work?
4. How many of the properties mentioned in either 1, 2 or 3 above are contained in the CBD zone of Sydney that qualify for a heritage space award?
5. How many properties have all 4 of the above characteristics and can you please identify those buildings and the locations?

We received the following response from the Council staff –

"I made further enquiries with other City staff to find out if we can provide this information. Unfortunately, we are unable to provide this information. City of Sydney cannot share confidential building management information about other properties.

The individual circumstances of other sites and how they are similar or differ to William Bland Centre does not affect the merits of listing this building. Other strata heritage items all operate in the same environment of strata, legal, fire safety and planning requirements."

The City of Sydney is unwilling and unable to provide the information that would support its argument that all strata buildings, 295 in this case, have relevance to the WBC unique financial, safety and engineering challenges. We would ask Councillors to draw an inference that any reliance on other strata properties and numbers, has no relevance at all to the criteria to be considered by Councillors.

The most pressing argument that Councillors should consider is the economic hardship that will be imposed on WBC owners if this building is heritage listed on 14 December 2020.

On Saturday, 12 December 2020, the Lord Mayor proudly proclaimed in her ENews 959 edition in respect to promoting more open space over the 100 years+ golf club at Moore Park, as follows –

"It's our job to interrogate the status quo and ensure we're providing for the community as best and equitably as we can.

We need to ensure our local community is also heard, to ensure our local needs are met.”

We are a local community at the William Bland Centre, and we need to be heard.

We hear the message of some Councillors and the Bureaucrats promoting the heritage listing that there will be \$4M+ spread over 25 years to finance heritage infrastructure. We reject this figure as a pittance compared to the true finance cost required to maintain a 1960s building that was not built to last beyond its economic life.

Our building community knows what is sustainable and we know that this heritage proposal is not sustainable. We fear a loss of property value, this will lead to less money being available for capital works and with less money available to maintain and improve the WBC, the very heritage characteristics that the theorists are promoting will be lost. The Council's heritage proposal does not pass the sustainability test.

Our community has spoken. Please listen to us and take on board that we know much better how the big picture should be read. The narrow view being promoted, mainly by a few architects, that the WBC has some heritage characteristics that they consider worthy of preservation, ignores the sustainability test.

Lord Mayor and Councillors, what the Lord Mayor stated in respect of the debate over Moore Park is all we at the WBC want. If Council is genuinely committed to the statements attributed to the Lord Mayor, you will see that we, the owners of the WBC, need to be heard and we say it is too soon to have completed the interrogation of the facts to deliver an equitable outcome for all the community.

We appeal to you Lord Mayor, and all Councillors, to reject the proposal for heritage listing of the WBC or, at the very least, defer the proposal until such time as all the designs, costings and the flexibility parameters from the Council department have been received to inform Councillors and the WBC owners of the full financial impact that any heritage listing will impose and whether this is affordable to a building community of 65 owners.

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

It is resolved that the Petition be received and noted.

Carried unanimously.

S044250

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

### **PRESENT**

The Lord Mayor Councillor Clover Moore  
(Chair)

Deputy Lord Mayor Councillor Jess Scully  
(Deputy Chair)

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

At the commencement of business at 2.09pm those present were -

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

Councillor Forster arrived at the meeting of the Corporate, Finance, Properties and Tenders Committee at 2.39pm during discussion and before the vote on Item 6.10.

Councillor Scott left the meeting of the Corporate, Finance, Properties and Tenders Committee at 2.47pm prior to discussion on Item 6.12, and returned at 2.50pm, after the vote on Item 6.12. Councillor Scott was not present at the meeting of the Corporate, Finance, Properties and Tenders Committee, which was held remotely, during discussion or voting on Item 6.12.

The meeting of the Corporate, Finance, Properties and Tenders Committee concluded at 3.04pm.

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

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

That the report of the Corporate, Finance, Properties and Tenders Committee of its meeting of 7 December 2020 be received, with Item 6.1 being noted, the recommendations set out below for Items 6.2, 6.3, 6.5 to 6.11 inclusive, and 6.14 being adopted in globo, and Items 6.4, 6.12, and 6.13 being dealt with as shown immediately following those items.

Carried unanimously.

## **Item 6.1**

### **Disclosures of Interest**

Councillor Linda Scott disclosed a pecuniary interest in Item 6.12 on the agenda, in that one of the tenderers (Marsdens Law Group) recently sponsored a Local Government NSW Conference. Councillor Scott stated that she would leave the meeting, which was held remotely, for this item.

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



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

## **Item 6.2**

### **Revised 2020/21 Operational Plan - Adoption**

It is resolved that:

- (A) Council adopt the draft Operational Plan 2020/21 Addendum incorporating the revised grants program for 2020/21, included as Attachment A to the subject report; and
- (B) authority be delegated to the Chief Executive Officer to approve any minor editorial corrections prior to publication and authorise the relevant staff to implement any such corrections.

Carried unanimously.

X025796

## **Item 6.3**

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

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

Carried unanimously.

X020701

## **Item 6.4**

### **Al Fresco City - Acceleration of Covid-19 Recovery - Implementation Update and Delegations**

Note – Item 6.4 was withdrawn from the agenda of the Corporate, Finance, Properties and Tenders Committee and dealt with at Item 9 at Council.

## **Item 6.5**

### **Land Reclassification - Harold Park, Forest Lodge**

It is resolved that Council:

- (A) endorse the proposed resolution: "It is resolved to reclassify Lot 104 of Deposited Plan 1179442 being known as Harold Park, as community land with a park categorisation in accordance with sections 31, 36(1) and (4)(c) of the Local Government Act 1993" for public notification;
- (B) endorse the inclusion of Harold Park into the proposed Johnstons Creek Parklands Plan of Management; and
- (C) note that a further report to inform the outcomes of public notification and a recommendation on the reclassification to Council will follow a public notification period of 28 days.

Carried unanimously.

X030693.001

## **Item 6.6**

### **Land Classification - Lot 2, 506-518 Gardeners Road, Alexandria**

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 506-518 Gardeners Road, Alexandria, as operational land, in accordance with section 31 of the Local Government Act 1993.

Carried unanimously.

X038472

## **Item 6.7**

### **Lease Variation - Pedestrian Link Stratum, Wynyard Lane - Brookfield**

It is resolved that:

- (A) pursuant to Section 149 of the Roads Act 1993, Council approve the granting of a variation to the stratum lease to BSREP Wynyard Place Retail Landowner Pty Ltd as trustee for BSREP Wynyard Place Retail Landowning Trust Pty Ltd ABN 91 865 529 217 for proposed stratum over Wynyard Lane as part the proposed office development known as One Carrington Street Sydney; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the variation to the stratum lease referred to in clause (A) above consistently with the Essential Lease Terms and Conditions in Confidential Attachment B to the subject report.

Carried unanimously.

S094584.062

## **Item 6.8**

### **Head Contractor - The Crescent Lands at Johnstons Creek, Annandale - Additional Contingency**

It is resolved that Council:

- (A) approve an increased contract contingency to the existing Head Contractor for the construction of the Crescent Lands at Johnstons Creek, Annandale, project to cover works associated with remediation and works to assets owned by third parties; and
- (B) approve the additional funds sought as outlined in Confidential Attachment A to the subject report to be sourced from the 2020/21 Capital Works Contingency.

Carried unanimously.

S123802

**Item 6.9****Contract Variation - Tree Maintenance**

It is resolved that:

- (A) Council approve a variation (lump sum and schedule of rates) to the Tree Maintenance Contract (Contract 1743 - North) to provide for an increase to the overall contract price for Active Tree Services Pty Ltd for the additional scope of services for park tree maintenance as detailed in Confidential Attachment B to the subject report; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contract variation with Active Tree Services Pty Ltd as detailed in Confidential Attachment B to the subject report.

Carried unanimously.

X007081

**Item 6.10****Contract Variation and Exemption from Tender - Head Design Consultant - 119 Redfern Street, Redfern**

It is resolved that:

- (A) Council approve an exemption from tender for 119 Redfern Street, Redfern, for head design consultancy services;
- (B) Council note that a satisfactory result would not be achieved by inviting tenders for this work because:
  - (i) the current head design consultant has in-depth knowledge of the project and the concept design to be documented;
  - (ii) the fee variation proposal from the current head design consultant has been assessed by the project Quantity Surveyor as fair and reasonable for the work involved; and
  - (iii) the lengthy time periods required for a tender process would delay access to the building for members of the community; and
- (C) authority be delegated to the Chief Executive Officer to negotiate, execute, administer and vary the head design consultant contract relating to 119 Redfern Street, Redfern.

Carried unanimously.

X025821

## **Item 6.11**

### **Tender - Integrated Workplace Management System - TRIRIGA**

It is resolved that:

- (A) Council accept the tender offer of Tenderer A for the delivery of Parts A, B and C of the Integrated Workplace Management System TRIRIGA project for the amounts outlined in Confidential Attachment A to the subject report, for a period of three years, with the option of two extensions of two years each if appropriate;
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender; and
- (C) authority be delegated to the Chief Executive Officer to exercise the options referred to in clause (A), if appropriate, and negotiate the price to extend the contract accordingly.

Carried unanimously.

X039337

## **Item 6.12**

### **Tender - Legal Services Panel**

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

It is resolved that:

- (A) Council accept the tender offers of Tenderers A, B, E, F, G, H, K, M, Q, S, T, Y, BB and CC for appointment to the legal services panel in the areas of law noted in Confidential Attachment A to the subject report, and at the rates set out in Confidential Attachment B to the subject report, for a period of four years, with the option of two further extensions, each of one year if appropriate;
- (B) authority be delegated to the Chief Executive Officer to:
  - (i) negotiate, execute and administer all contracts relating to the tender; and
  - (ii) enter into individual contracts with law firms on the legal services panel with a value of over \$250,000 without following the process set out in Delegation 5 of the Instrument of Delegations from Council to the Chief Executive Officer with any use of this delegation to be reported to Councillors by way of a CEO Update; and
- (B) authority be delegated to the Chief Executive Officer to exercise the option referred to in clause (A), if appropriate, and negotiate the price to extend the contract accordingly.

X034622

**Item 6.13****Tender - Provision of Graffiti Removal Service**

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

It is resolved that:

- (A) Council accept the tender offer of Tenderer 'A' for the provision of Graffiti Removal Services for a period of three years, with the option of two extensions, each of two years, if appropriate;
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender; and
- (C) authority be delegated to the Chief Executive Officer to exercise the options referred to in clause (A), if appropriate, and negotiate the price to extend the contract accordingly.

Carried unanimously.

X027344.001

**Item 6.14****Property Matter (Confidential)**

It is resolved that Council approve the recommendations contained in Confidential Attachment A to the subject report.

Carried unanimously.

X026460.003

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

### **PRESENT**

The Lord Mayor Councillor Clover Moore  
(Chair)

Councillor Linda Scott  
(Deputy Chair)

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

At the commencement of business at 3.03pm those present were -

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

### **Sub-Committee**

The Healthy Communities Sub-Committee, with Councillor Scott as Deputy Chair, commenced at 3.04pm.

The meeting of the Cultural and Community Committee and its Sub-Committee concluded at 3.16pm.

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

Moved by Councillor Scott, seconded by Councillor Scully -

That the report of the Healthy Communities Sub-Committee of its meeting of 7 December 2020 be received, with Item 7.1 being noted, and the recommendation set out below for Item 7.2 being adopted.

Carried unanimously.

## **Report of the Cultural and Community Committee - 7 December 2020**

### **Item 7.1**

#### **Disclosures of Interest**

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

The Healthy Communities Sub-Committee recommended the following:

## **Item 7.2**

### **Affordable and Diverse Housing Fund - Wesley Mission RJ Williams Redevelopment**

It is resolved that:

- (A) Council approve a \$3,000,000 (excluding GST) cash grant to Wesley Community Services Limited to support the redevelopment of the RJ Williams building located at 274-276 Glebe Point Road, Glebe for the purposes of affordable housing as outlined in Attachment A to the subject report subject to the following conditions:
  - (i) Council reserves the right to withdraw the grant offer:
    - (a) if the project changes from the current proposal for subsidised accommodation and supporting facilities consistent with the development outlined in Attachment A to the subject report; or
    - (b) if Wesley Community Services Limited are not able to demonstrate that funding is available to the agreed value of the project within 18 months of Council approval of this grant;
  - (ii) the grant funds are only to be paid when all of the following are satisfied:
    - (a) no sooner than 1 July 2021; and
    - (b) when a Construction Certificate for the project has been issued; and
    - (c) when Wesley Community Services Limited have demonstrated that funding is available to the agreed value of the project, either in the form of other grants or partnerships, or through Wesley Mission Services Limited cash reserves; and
    - (d) when the applicant has provided a suitable Plan of Management for the purposes of providing best practice affordable rental housing for the types of tenants proposed in the application as well as engaging local Aboriginal and Torres Strait Islander communities to ensure equitable access to the affordable housing to be provided;
  - (iii) the City reserves the right to require the \$3,000,000 grant to be repaid in full indexed annually by CPI if:
    - (a) Wesley Community Services Limited does not complete the development by 31 December 2025; or
    - (b) the project changes from the current proposal for subsidised accommodation and supporting facilities as outlined in Attachment A to the subject report;
  - (iv) the property supported though this grant will remain as subsidised accommodation and supporting facilities as outlined in Attachment A to the subject report in perpetuity to fulfil the aims of the Affordable and Diverse Housing Fund, unless Council exercises a right under paragraph (i) or (iii) above; and
  - (v) the City will require a covenant to be registered on the land title to protect the land use referred to in paragraph (iv) unless the grant funds are repaid in accordance with paragraph (iii); and

- (B) authority be delegated to the Chief Executive Officer to finalise negotiations, execute and administer a grant agreement with Wesley Community Services Limited relating to the project described and on the terms described in clause (A).

Carried unanimously.

S117676

**Speaker**

Reverend Keith Garner AM addressed the meeting of the Healthy Communities Sub-Committee on Item 7.2.



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

The Lord Mayor Councillor Clover Moore

(Chair)

Councillor Prof Philip Thalís

(Deputy Chair)

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

At the commencement of business at 3.34pm those present were -

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

**Adjournment**

At 5.17pm, it was moved by the Chair (the Lord Mayor) seconded by Councillor Thalís –

That the meeting of the Transport, Heritage and Planning Committee be adjourned for approximately 10 minutes.

Carried unanimously.

At the resumption of the meeting of the Transport, Heritage and Planning Committee at 5.31pm, all Councillors were present.

The meeting of the Transport, Heritage and Planning Committee concluded at 5.54pm.

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

Moved by Councillor Thalís, seconded by Councillor Scully –

That the report of the Transport, Heritage and Planning Committee of its meeting of 7 December 2020 be received, with Item 8.1 being noted, the recommendations set out below for Items 8.4, 8.5, 8.6, 8.8 and 8.9 being adopted in globo, and Items 8.2, 8.3, and 8.7 being dealt with as shown immediately following those items.

Carried unanimously.

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

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

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

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

The Transport, Heritage and Planning Committee recommended the following:

**Item 8.2****Post Exhibition - Planning Proposal - Modern Movement Heritage Items - William Bland Centre - Sydney Local Environmental Plan 2012 Amendment**

Moved by Councillor Thalys, seconded by Councillor Scully –

It is resolved that:

- (A) Council note the submissions received to the public exhibition of the planning proposal for the William Bland Centre, shown at Attachment D to the subject report;
- (B) Council note the information in the subject report describing further discussions with the landowners and Design Advisory Panel on the proposed heritage listing of the William Bland Centre since Council deferred its decision on listing this building on 29 June 2020;
- (C) Council approve the planning proposal as it relates to the William Bland Centre at 229-231 Macquarie Street, Sydney, as shown at Attachment C to the subject report for finalisation and making as a local environmental plan under Section 3.36 of the Environmental Planning and Assessment Act 1979; and
- (D) authority be delegated to the Chief Executive Officer to make any minor amendments to the planning proposal, to correct any minor drafting errors prior to finalisation and making of the Local Environmental Plan.

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

It is resolved that:

- (A) Council note the submissions received to the public exhibition of the planning proposal for the William Bland Centre, shown at Attachment D to the subject report;
- (B) Council note the information in the subject report describing further discussions with the landowners and Design Advisory Panel on the proposed heritage listing of the William Bland Centre since Council deferred its decision on listing this building on 29 June 2020;

- (C) Council approve the planning proposal as it relates to the William Bland Centre at 229-231 Macquarie Street, Sydney, as shown at Attachment C to the subject report for finalisation and making as a local environmental plan under Section 3.36 of the Environmental Planning and Assessment Act 1979, with the following amendments:
- (i) the listing of the William Bland Centre building including façade wall and fixtures only and delete any references to all other building elements such as foyers, lightwells and internal structure;
- (D) authority be delegated to the Chief Executive Officer to make any minor amendments to the planning proposal, to correct any minor drafting errors prior to finalisation and making of the Local Environmental Plan; and
- (E) Council note that the supporting heritage inventory sheet is to be amended to reflect (C) above.

The amendment was lost on the following show of hands –

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

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

Amendment lost.

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

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

Noes (4) Councillors Chung, Forster, Phelps and Vithoulkas.

Motion carried.

X017182.004

### **Speakers**

Dr Anthony Pistolese, Mrs Jane Pistolese, and Mr Angelo Candalepas addressed the meeting of the Transport, Heritage and Planning Committee on Item 8.2.

### **Item 8.3**

#### **Post Exhibition - Planning Proposal - Central Sydney 2020 - Draft Sydney Development Control Plan 2012 - Central Sydney - Draft Central Sydney Development Contributions Plan**

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

It is resolved that:

- (A) Council note the matters raised in submissions to the public exhibition of Planning Proposal: Central Sydney 2020, Draft Development Control Plan: Central Sydney, Draft Central Sydney Development Contributions Plan 2020 and draft amendments to the Competitive Design Policy as shown at Attachment A to the subject report;
- (B) Council request the Minister for Planning and Public Spaces amend Clause 25K of the Environmental Planning and Assessment Regulation 2000 to allow for a contributions levy of up to three per cent to apply to new development;

- (C) Council approve the Planning Proposal: Central Sydney 2020 as shown at Attachment B to the subject report, to be made as a local environmental plan under s3.36 of the Environmental Planning and Assessment Act 1979 subject to Clause 25K of the Environmental Planning and Assessment Regulation 2000 being amended as requested in resolution (B), with the following amendment:
- (i) the residential and serviced apartment use bonus in the accommodation floor space provisions are reduced by 50 per cent after 1 year of, and 100 per cent after 2 years from the making of the local environmental plan, except for the City Core (Area 1) which is to be reduced by 100 percent on the making of the local environmental plan;
- (D) Council approve the Draft Development Control Plan: Central Sydney, shown at Attachment D to the subject report, noting that it will come into effect on the date of publication of the subject local environmental plan, in accordance with Clause 21 of the Environmental Planning and Assessment Regulation 2000 with the following amendment:
- (i) Show 93-97 Macquarie Street, Sydney with a maximum building height of 55 metres and street frontage height setbacks of 8 metres along Albert Street and 10 metres along Macquarie Street in Figure 5.9;
- (E) Council approve the Draft Central Sydney Development Contributions Plan 2020 at Attachment E to the subject report, noting it will commence only following the amendment of Clause 25K of the Environmental Planning and Assessment Regulation 2000 and the making of the amendment to the local environmental plan;
- (F) Council approve the draft amendments to the Competitive Design Policy, as shown at Attachment F to the subject report, noting that it will come into effect on the date of publication of the subject local environmental plan;
- (G) Council note the Guideline for Site Specific Planning Proposals in Central Sydney, as shown at Attachment G to the subject report, will be used guide the preparation of planning proposals in Central Sydney;
- (H) Council approve the draft Central Sydney Planning Strategy as shown at Attachment C to the subject report;
- (I) authority be delegated to the Chief Executive Officer to make minor amendments to the Planning Proposal: Central Sydney 2020, Draft Development Control Plan: Central Sydney, Draft Central Sydney Development Contributions Plan 2020, draft amendments to the Competitive Design Policy and draft Guideline for Site Specific Planning Proposals in Central Sydney, including to correct drafting errors;
- (J) the Chief Executive Officer be requested to investigate:
- (i) the inclusion of additional non-residential uses in the uses that may be eligible for accommodation floor space including Public Administration building, Indoor recreation facilities, Registered clubs, Place of public worship and Local distribution premises;
  - (ii) additional floor space for employment uses in Tower Cluster Areas; and
  - (iii) incentives for the retention of existing buildings in development for the purposes of reducing waste and embodied energy; and
- (K) the Chief Executive Officer be requested to carry out workshops with industry stakeholders on the Guideline for Site Specific Planning Proposals in Central Sydney, and Schedule 11 of the Development Control Plan.

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

It is resolved that this matter be deferred:

- (A) to enable Councillors to be fully briefed and consider the changes which have been recommended following the recent Central Sydney Planning Committee meeting;
- (B) to enable the Chief Executive Officer to investigate:
  - (i) the inclusion of additional non-residential uses in the uses that may be eligible for accommodation floor space including Public Administration building, Indoor recreation facilities, Registered clubs, Place of public worship and Local distribution premises;
  - (ii) additional floor space for employment uses in Tower Cluster Areas; and
  - (iii) incentives for the retention of existing buildings in development for the purposes of reducing waste and embodied energy;
- (C) to allow the Chief Executive Officer to carry out workshops with industry stakeholders on the proposed changes, Guideline for Site Specific Planning Proposals in Central Sydney, and Schedule 11 of the Development Control Plan.

### Adjournment

At this stage of the meeting, at 6.40pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Scully –

That the meeting be adjourned for approximately 15 minutes.

Carried unanimously.

All Councillors were present at the resumption of the meeting of Council at 7.00pm.

The amendment was lost on the following show of hands –

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

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

Amendment lost.

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

That an additional clause (F) and clause (G) be added, with subsequent clauses to be renumbered accordingly, with the additional clauses (F) and (G) to read as follows:

- (F) subject to agreement from the Minister and amendment of Clause 25K of the Environmental Planning and Assessment Regulation 2000, the Central Sydney Contributions Plan 2020 be amended to provide for contributions to be charged on a progressive scale as follows:

Development cost	Levy
Less than \$250,000	NIL
\$250,000 or more, but less than \$500,000	1% of cost over \$250,000

<b>Development cost</b>	<b>Levy</b>
\$500,000 or more, but less than \$1,000,000	\$2,500 plus 2% of cost over \$500,000
\$1,000,000 or more	\$12,500 plus 3% of cost over \$1,000,000

- (G) if the Minister does not support the imposition of a progressive scale as set out above, contributions to be charged on an increasing flat rate scale in accordance with the current drafting of the Central Sydney Contributions Plan 2020 as follows:

<b>Development cost</b>	<b>Levy rate</b>
Less than \$250,000	NIL
\$250,000 or more, but less than \$500,000	1%
\$500,000 or more, but less than \$1,000,000	2%
\$1,000,000 or more	3%

The amendment was lost on the following show of hands –

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

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

Amendment lost.

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

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

Noes (2) Councillors Chung and Forster.

Motion carried.

S064204

**Item 8.4****Post Exhibition - Planning Proposal - Heritage Floor Space Amendment**

It is resolved that:

- (A) Council note the submissions made in response to the public exhibition of Planning Proposal: Heritage Floor Space Amendment, as shown at Attachment E to the subject report;
- (B) Council approve Planning Proposal: Heritage Floor Space Amendment, as shown at Attachment A to the subject report, and request the relevant local plan making authority make as a local environmental plan under Section 3.36 of the Environmental Planning and Assessment Act 1979;
- (C) authority be delegated to the Chief Executive Officer to make minor amendments to the Planning Proposal: Heritage Floor Space amendment to correct any minor errors or omissions prior to publication; and
- (D) Council approve the amendment to the Alternative Heritage Floor Space Allocation Scheme, shown at Attachment B to the subject report.

Carried unanimously.

X037815

**Item 8.5****Policy – Adoption – Asbestos Policy and Guidelines**

It is resolved that:

- (A) Council endorse the revised Managing Asbestos Policy, as shown in Attachment A to the subject report;
- (B) Council rescind the current Managing Asbestos Guidelines, noting that the guidelines have been revised and will be approved administratively to enable them to be updated and changed quickly as needs arise; and
- (C) authority be delegated to the Chief Executive Officer to make minor amendments to the Managing Asbestos Policy, as required from time to time, subject to Councillors being informed of any such changes.

Carried unanimously.

S111706

**Item 8.6****Policy – Adoption – Compliance Policy and Prosecution and Civil Enforcement Policy**

It is resolved that:

- (A) Council endorse the revised Compliance Policy, as shown at Attachment A to the subject report;
- (B) Council endorse the revised Prosecution and Civil Enforcement Policy, as shown at Attachment B to the subject report; and
- (C) authority be delegated to the Chief Executive Officer to make minor amendments to the Compliance Policy and Prosecution and Civil Enforcement Policy, as required from time to time, subject to Councillors being informed of any such changes.

Carried unanimously.

X026218.018

**Item 8.7****Traffic Treatment - Pedestrian Boulevard - George Street South, Sydney**

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

It is resolved that Council, subject to the concurrence of the Central Sydney Traffic and Transport Committee, approve the following in Sydney and Haymarket:

- (A) installation of traffic treatments to close the southbound traffic lanes of George Street, between Bathurst Street and Rawson Place to general traffic;
- (B) installation of traffic treatments to close the northbound traffic lanes of George Street, between Ultimo Road and Bathurst Street to general traffic;
- (C) formalise the installation of traffic treatments to close Wilmot, Central and Barlow Streets at George Street to general traffic;
- (D) installation of traffic treatments to close Campbell Street, at George Street to general traffic, and make Campbell Street two-way between George and Pitt Streets;
- (E) installation of traffic treatments to close Hay Street, between George and Sussex Streets to general traffic;
- (F) installation of traffic treatments to close Thomas Street, at Hay Street to general traffic, and making Thomas Street two-way between Hay Street and Ultimo Road;
- (G) restricting Ultimo Road to one-way westbound from George to Quay Streets; and
- (H) removal of the “No Right Turn” restriction in Valentine Street at George Street.



The motion was carried on the following show of hands –

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

Noes (1)        Councillor Forster

Motion carried.

X027274

## **Item 8.8**

### **Traffic Treatment - Pedestrian Boulevard - Devonshire Street, Surry Hills**

It is resolved that Council, subject to the concurrence of the Central Sydney Traffic and Transport Committee, approve the installation of traffic treatments to close the following roads in Surry Hills to general traffic:

- (A) Devonshire Street, between Randle and Elizabeth Streets; and
- (B) Buckingham Street and Chalmers Lane at Devonshire Street.

Carried unanimously.

X027274

## **Item 8.9**

### **Fire Safety Reports**

It is resolved that Council:

- (A) note the contents of the Fire Safety Reports Summary Sheet, as shown at Attachment A to the subject report;
- (B) note the inspection reports by Fire and Rescue NSW, as shown at Attachments B to C to the subject report;
- (C) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action as recommended by the City's Investigation Officer at 412 Pitt Street, Haymarket as detailed in Attachment B to the subject report;
- (D) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action as recommended by the City's Investigation Officer at 330 Wattle Street, Ultimo as detailed in Attachment C to the subject report;

Carried unanimously.

S105001.002

**Item 9      Al Fresco City - Acceleration of Covid-19 Recovery - Implementation Update and Delegations**

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

It is resolved that:

- (A) Council temporarily amend the Instrument of Delegations to the Chief Executive Officer dated 21 September 2020 to enable the Chief Executive Officer to approve the occupation and use of public land (as defined in the Local Government Act 1993), crown land or any other land managed by Council in respect of approvals relating to a temporary use of public land or crown land (including parks and open spaces) for a period not exceeding 75 days between 1 January and 1 April 2021, where it is consistent with a Council resolution to activate public spaces;
- (B) authority be delegated to the Chief Executive Officer to exercise the functions under Section 356 of the Local Government Act 1993 to grant financial assistance to persons as part of the Covid-19 Recovery Grants Program (CBD Activation Grant, Cultural Sector Innovation Grant and Community Services Grant), up to 22 February 2021 in accordance with the Operational Plan, as amended from time to time, noting that:
  - (i) all grant approvals must be made in accordance with the assessment criteria and guidelines; and
  - (ii) all grants approved and not approved for funding must be reported back to Council by CEO Update;
- (C) authority be delegated to the Chief Executive Officer to negotiate, execute and administer agreements with any organisation approved for a grant or sponsorship under terms consistent with this resolution and the Grants and Sponsorship Policy;
- (D) Council temporarily waive outdoor and event activation fees, including application, venue hire, and power and road closure fees (where applicable) for the use of City land for the Covid-19 Recovery Grants Program recipients, and any contractors engaged by the City to deliver any part of the City's Al Fresco City program until 31 October 2021;
- (E) Council adopt the revised temporary City of Sydney Outdoor Dining Guidelines, November 2020, at Attachment A to the subject report, applicable until 31 October 2021, noting public consultation has not been possible given the circumstances;
- (F) Council temporarily amend the Instrument of Delegations to the Chief Executive Officer dated 21 September 2020 to insert a new delegation to enable the Chief Executive Officer to, by notice on the City's website, approve the use of roads, footways and public open spaces for outdoor dining, extension of foyer space and performance space under Part 12 of the Liquor Act 2007 in accordance with the requirements of that Act, with such delegation to apply until 31 October 2021 unless revoked earlier; and
- (G) authority be delegated to the Chief Executive Officer to make any necessary temporary changes to the City of Sydney Outdoor Dining Guidelines and develop any necessary further guidelines to enable the implementation of Al Fresco City objectives as outlined in this report, with such changes to be reported by way of the CEO Update and to apply only until 31 October 2021 unless revoked earlier.

Carried unanimously.

X034972.014

**Item 10      Questions on Notice****Green Square Community Hall**

1. By Councillor Scott

**Question**

I note the Green Square Community Hall was opened in May 2018, by the Lord Mayor.

Please detail, broken down by month since the facility was opened:

1. How many hours, on average, the Community Hall was open to the public?
2. How much, on average, outsourced providers were paid for duties relating to this Community Hall?
3. The number of events, classes or other community activities that occurred?
4. The number of people (residents or other members of the public) that engaged with Hall activities?

Please detail all outsourced providers who are associated with the Hall, the beginning and end periods of their contracts, the total value of the contracts and their associated duties. Please also detail if any duties have not been met, or penalties applied, under the contracts, or if satisfactory performance has been signed off in accordance with contract milestones.

S129275

**Answer by the Chief Executive Officer**

Green Square Community Hall has not been used since 30 September as the City is preparing to hand over the facility as part of the Green Square redevelopment

When open, the Community Hall was open to the public and available for hire between 7am and 11pm, seven days per week

The contracted maintenance costs through Ventia average \$1,000 per month for the year to date.

No staffed programming took place at this venue, but between 2018 and 2020 it was hired by the community for events, classes or other community activities an average of 31 times per month. We do not ask for the number of attendees per booking when hiring community venues.

The maintenance costs for the Hall form part of the Ventia contract, which commenced in May 2018. This contract is valued at \$346.5M over 10 years. The purpose of the contract is to provide facility maintenance services to all City buildings. In relation to this site, this contract has not had any duties not being met, or penalties applied.

**Extension of Moore Park Golf Course Consultation**

2. By Councillor Forster

**Question**

Was the Moore Park Golf Course public consultation extended because, on balance, the responses garnered were not in favour of the proposal?

If not, why was the consultation period extended?

S129269

**Answer by the Chief Executive Officer**

Consultation was extended from 9 December to 22 December 2020. There has been considerable interest in this project and we are still receiving a high volume of responses.

The closing date was extended to allow for all people with interest in this issue the time to make a submission.

**Pop-Up Cycleways Surveys of Residents and Businesses**

3. By Councillor Forster

**Question**

At the City's November 2020 Council Meeting, the Chief Executive Officer advised that surveys to assess the usage and operation of the pop-up cycleway program were limited to intercept surveys of cyclists using the pop-up cycleways and broadly focused telephone surveys of households in and out of the City of Sydney area. Similarly, at the October 2020 Council Meeting, the Chief Executive Officer pointed out that there had been shortfalls in the Independent Safety Audit of at least one of the pop-up cycleways.

Could the Chief Executive Officer please advise:

1. Are there plans to conduct comprehensive surveys of potentially affected residents and businesses in the vicinity of all temporary pop-up cycleways?
2. If so, how will these be conducted?
3. If no plans exist for these surveys of residents and businesses, why not?
4. With reference to the Independent Safety Audit, what were the outcomes of the Chief Executive Officer's endeavour to strongly encourage that corrective actions have been or will be put in place to mitigate safety risks at the Bridge Road pop-up cycleway?
5. Are there plans for Safety Audits of all pop-up cycleways?

S129269

### Answer by the Chief Executive Officer

The Monitoring and Evaluation Plan was circulated to Councillors in the CEO Update on 20 November 2020. It explained that intercept surveys are used to get feedback from people using the cycleways; a telephone survey is used to get population level sentiment; and resident and business feedback is via Sydney Your Say. Over 1500 responses have been received for the pop-up cycleway projects on Sydney Your Say. In addition, if there is a proposal to make any pop-up permanent then there is also a full community consultation process to get more resident and business input, as per the CEO Update.

Bridge Road is a NSW Government controlled road and the pop-up cycleway has been delivered by Transport for NSW. Transport for NSW has confirmed that all corrective actions from both Road Safety Audits on the Bridge Road pop-up cycleway have been implemented.

All Road Safety Audits and Design Safety Assessments for the pop-up cycleway projects delivered by the City of Sydney were provided in the CEO Update distributed to Councillors on 13 November 2020.

### Budget for the Office of the Lord Mayor

#### 4. By Councillor Phelps

Could the Chief Executive Officer please provide an annual budget by financial year of the Office of the Lord Mayor budget from 2000/01 to 2020/21?

S129272

### Answer by the Chief Executive Officer

2000/01 to 2003/04 are pre-amalgamation years. Those figures are not readily available, nor are they comparable. Before 2004 what is now known as the City of Sydney was two separate, smaller Councils.

The reported expenditure for the Office of the Lord Mayor for 2004/05 to 2020/21 is provided below.

Year	Actual (\$M)
2004/05	2.48
2005/06	2.26
2006/07	2.10
2007/08	2.18
2008/09	2.71
2009/10	2.78
2010/11	3.08

Year	Actual (\$M)
2011/12	3.00
2012/13	3.11
2013/14	3.25
2014/15	3.27
2015/16	3.44
2016/17	3.70
2017/18	3.21
2018/19	3.55
2019/20	3.49
2020/21	3.16

The figure for 2020/21 is a forecast only as the 2020/21 Financial Year is ongoing.

Between 2004/05 and 2019/20 the Office of the Lord Mayor's actual expenditure has increased by an average of 1.7 per cent per year. This is below CPI increases.

The resident population in the City of Sydney has grown from 152,892 in 2004 to 246,343 in 2019. An increase of 93,451 since 2004 (61.1 per cent increase). Source: ABS Estimated Resident Population 2004-2019

The workforce in the City of Sydney grew from 385,421 in 2007 to 501,786 in 2017. An increase of 116,365 (over the ten-year period). (30.2 per cent increase). Source: City of Sydney Floor Space and Employment Survey, 2007 and 2017.

## City Recycling Procurement

5. By Councillor Scott

### Question

In November 2019, the City was one of 11 member councils to sign a memorandum of understanding as part of Southern Sydney Regional Organisation of Councils (SSROC). This sets out how each will work together to develop a framework for regional procurement of recycled material in infrastructure.

Sustainable procurement aims to reduce the adverse impacts of purchased products and services throughout their life.

1. Please advise, in relation to the City's total procurement spend, how much the City spends on procurement of products that contain recycled materials in total (and, if possible, broken down by categories below) across all areas of business including:

- (a) City Operations;
- (b) Development;
- (c) Transport;
- (d) Purchase of goods and services and the cost of maintaining them;
- (e) Energy and water;
- (f) Office supplies, furniture and fittings;
- (g) Cleaning, waste disposal and disposal of goods; and
- (h) Any other categories where recycled materials are purchased.

Please include some examples of products with recycled materials purchased by the City of Sydney.

2. Please advise how much the City spends on materials made from recycled versus non-recycled content (and, if possible, broken down by categories below) including:

- (a) Road base materials;
- (b) Waste containers and cleansing materials;
- (c) Gardening materials including mulch;
- (d) Office supplies, furniture and fittings;
- (e) Construction and building materials; and
- (f) Any other categories where recycled materials are purchased.

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**Answer by the Chief Executive Officer**

The City's Procurement team has been working closely with Southern Sydney Regional Organisation of Councils (SSROC) and relevant suppliers to come up with meaningful and accurate reports that are not time consuming to compile. Advice will be provided to Council on progress in the new year. The new suite of social and sustainable tender forms will aid in the collation of this data. For example, the City has made environmental reporting a key performance measure in new contracts. Of course, additional reporting needs to be balanced against the time taken for both staff and suppliers. Extracting the dollar value in some circumstances will be difficult e.g. recycled content in construction is a small component of the total construction costs or waste bins where the manufacture contains recycled content and virgin plastic.

The City has also undertaken the following efforts to enhance the sustainability of our operations and projects:

- (a) City Services have purchased Electric Vehicles and are using recycled content in asphalt and concrete.
- (b) 100 per cent of the City's energy is being purchased from renewable sources as of 1 July 2020.
- (c) All paper is recycled and carbon neutral and we have eliminated single use plastics.
- (d) The City's new constructions are to the Sustainable Design Technical Guideline
- (e) 474 Tonnes of Gross Pollutant Trap waste materials did not go to landfill (SSROC).
- (f) SSROC Sustainable Pavements Road Construction Material and Related Services contracts will be executed soon and this will have a higher recycled content and reporting visibility.

The City's Procurement staff have also been taking a leading role working with SSROC to improve embedding sustainable procurement criteria and reporting in Request For Tender templates for all councils, training of procurement staff in sustainability and improved reporting.



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

Supplementary Answers to Questions on Notice are as follows:

### **Question on Notice – Council 26 October 2020**

#### **Controls over Outsourced Providers**

**14.**    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, the Local Government Act, 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 appropriate 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

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

A broad range of legislative obligations apply to the City's external service providers depending on the nature of the service provided.

Our contracts impose obligations on service providers to comply with all laws relevant to the service they are providing, together with particular obligations if there are specific requirements we need a service provider to comply with, but it depends on the nature of the service provided as to what obligations are imposed.

Generally, the City has rights to investigate potential breaches of legal obligations by service providers, including having an independent audit undertaken, and to terminate contracts for non-compliances or for convenience. Again, the type of rights depends on the nature of the service being provided. There is not a specific process or mechanism for reporting, but rather if the City becomes aware of a breach that is reportable to a particular agency, the City will make that report.

A CEO Update will be provided in relation to numbers of reports to external regulators.

**Supplementary Answer**

For the information of the Lord Mayor and Councillors.

**Background**

On 26 October 2020, in response to a Question on Notice it was advised that further information in relation to the number of reports to external regulators relating to outsourced providers would be provided by CEO update once staff had had an opportunity to review the relevant documentation.

Following a review of available information, reports to external regulators have only been identified by staff as being made in 2016 with two matters being reported, one to Safe Work and one to the Fair Work Ombudsman.

Generally, reporting obligations sit with the service provider under the terms of the contract. For example, where there is a notifiable incident involving a third party contractor, they are responsible for reporting the matter to Safe Work under the legislation. The City does not maintain registers of these reports.

**Question on Notice – Council 26 October 2020****Cleanaway Negative Leave**

**15.** 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?

**Answer by the Chief Executive Officer**

The allegations in relation to Cleanaway's management of employee leave conditions is an industrial matter for Cleanaway.

Cleanaway continues to meet its contractual obligations for the collection of the City's domestic waste. Reports of daily missed services are decreasing, while the number of booked services and overall tonnages collected has significantly increased. Further detailed information will be provided via a CEO Update.

The Chief Executive Officer and Director City Services have had and continue to have discussions with Cleanaway in relation to the City's contract.

The City does not have an obligation to report allegations raised in the media to regulators.

**Supplementary Answer**

For the information of the Lord Mayor and Councillors in response to the Question on Notice Item 11.15, on 26 October 2020 from Councillor Scott.

**Background**

The Question on Notice sought advice on Cleanaway's work practices in response to an article published by the Australian Financial Review on 30 September 2020.

The article raised concerns that access to overtime was restricted for employees. However, it is important to note that overtime is discretionary and not an employment entitlement.

The allegations in relation to Cleanaway's management of employee leave conditions is an industrial matter for Cleanaway.

Cleanaway continues to meet its contractual obligations for the collection of the City's domestic waste. Reports of daily missed services are decreasing, while the number of booked services and overall tonnages collected has significantly increased due the pandemic.

The CEO, Director, City Services and Manager of Cleansing and Waste have discussed the allegation raised by the media with Cleanaway Executive on multiple occasions. The Director, City Services facilitated a meeting on 3 November 2020 with members of the Cleanaway Executive and representatives of the City's Executive to further discuss the allegations.

During this meeting the City was able to confirm that in response to the pandemic, Cleanaway took action to reduce annual leave balances and overtime expenditure to mitigate any potential job losses. This included asking staff in management positions to take leave to reduce their leave balances, so operational positions could continue as normal. Cleanaway also reviewed and reduced its overtime expenditure.

Both measures are similar to those put in place by the City to reduce annual leave balances and overtime across all divisions in the City.

**Question on Notice – Council 26 October 2020**

**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

**Answer by the Chief Executive Officer**

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

**Supplementary Answer**

A confidential CEO Update was provided to Councillors on 11 December 2020.

**Item 12      Notices of Motion****Item 12.1      Sydney Lunar Festival 2021**

Moved by Councillor Kok, seconded by Councillor Scully -

It is resolved that:

(A) Council note:

- (i) Lunar New Year is the most significant festival for our multicultural communities to celebrate, recognise, and to be proud of their cultures;
- (ii) the Sydney Lunar Festival has become the largest outside of Asia, with vibrant and colourful programs to celebrate multiculturalism and to bring opportunities to local businesses;
- (iii) small businesses, especially those in Thai Town, Korean Town, and China Town, benefited from the Sydney Lunar Festival 2020, due to the City's lunar lantern instalments and street activations in the area;
- (iv) during the pandemic, our multicultural communities and businesses in the area have shown exceptional courage and resilience to counter the difficulties experienced. The communities have banded together, and their support reached many, especially the vulnerable in the community;
- (v) post pandemic the Sydney Lunar Festival 2021 will be an important occasion to provide cultural and moral support and recognition to our multicultural communities;
- (vi) in alignment with the Al Fresco Summer, the Sydney Lunar Festival 2021 will bring significant and much needed opportunities to businesses in CBD South as well as on George Street; and
- (vii) that planning for the Sydney Lunar Festival 2021 is underway, with a focus on City recovery;

(B) Council acknowledge multicultural communities for their contributions during the pandemic; and

(C) the Chief Executive Officer be requested to investigate:

- (i) plans to focus on the CBD South to help to leverage small businesses in Korea Town, Thai Town, and China Town; and
- (ii) installing lunar lanterns in City of Sydney spaces including in the CBD South as part of the Sydney Lunar Festival 2021.

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

- (C) the Chief Executive Officer be requested to investigate the following and report back to Councillors via the CEO Update:
  - (i) plans to focus on the CBD South to help to leverage small businesses in Korea Town, Thai Town, and China Town; and
  - (ii) installing lunar lanterns in City of Sydney spaces including in the CBD South as part of the Sydney Lunar Festival 2021.

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

S129261

**Item 12.2 Erskineville Community Garden**

By Councillor Phelps

It is resolved that:

(A) Council note:

- (i) the Erskineville Community Garden has been created and successfully run by the local Erskineville community for over 11 years, without any financial support from the City;
- (ii) the Community Garden group met with representatives from Council, including Councillor Miller and the Chief Operating Officer on 22 October 2020 where they were informed about the Council's agenda for looking at sites to be repurposed for affordable housing;
- (iii) in this meeting it was disclosed that the community garden is one of four sites that is being considered and is the Council's preferred site. Of other three sites being considered, two already have existing buildings and one is a car park;
- (iv) the permanent loss of the Erskineville Community Garden would be the result of any kind of development built on the existing community garden site. Relocating the garden will not guarantee the relocation of the environment and community the local residents have spent the last 11 years cultivating at the current community garden;
- (v) open green community spaces are in high demand in the City of Sydney. This has been exemplified by the Covid-19 lockdown and the City's proposal to halve the Moore Park Golf Course; and
- (vi) the City should not be removing any open community spaces that currently exist for public access and use, and should instead be looking at already developed sites to adapt into affordable housing; and

(B) the Chief Executive Officer be requested to:

- (i) ensure the current site of the Erskineville Community Garden is retained as a community garden and not developed into affordable housing;
- (ii) investigate and rectify any potential issues with the current community garden site to ensure it is suitable for community gardening; and
- (iii) report back to Councillors via the CEO update.

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

Moved by Councillor Phelps, seconded by Councillor Vithoulkas –

It is resolved that:

(A) Council note:

- (i) the Erskineville Community Garden has been created and successfully by the local Erskineville community for over 11 years, without any financial support from the City;
- (ii) the Community Garden group met with representatives from Council, including Councillor Miller and Mr Kim Woodbury on 22 October 2020 where they were informed about the Council's agenda for looking at sites to be repurposed for affordable housing;
- (iii) in this meeting it was disclosed that the community garden is one of four sites that is being considered and is the Council's preferred site. Of other three sites being considered, two already have existing buildings and one is a car park;
- (iv) the permanent loss of the Erskineville Community Garden would be the result of any kind of development built on the existing community garden site. Relocating the garden will not guarantee the relocation of the environment and community the local residents have spent the last 11 years cultivating at the current community garden;
- (v) open green community spaces are in high demand in the City of Sydney. This has been exemplified by the Covid-19 lockdown and the City's proposal to halve the Moore Park Golf Course; and
- (vi) the City should not be removing any open community spaces that currently exist for public access and use, and should instead be looking at already developed sites to adapt into affordable housing; and
- (vii) on 16 November 2020, a motion requesting that the decision regarding Erskineville Community Garden be delayed until a toxicity report can be conducted was lost; and

(B) the Chief Executive Officer be requested to:

- (i) investigate and rectify any potential issues with the current community garden site to ensure it is retained and suitable for community gardening;
- (ii) commit to increasing community garden space within the City of Sydney Local Government Area;
- (iii) investigate where the City of Sydney can create new open green community spaces; and
- (iv) report back to Councillors via the CEO update.



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

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

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

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

The motion was declared lost.

S129263

### **Procedural Motion**

Moved by Councillor Phelps, seconded by Councillor Forster –

That the Order of Business be altered such that Item 12.20 be brought forward and dealt with before Item 12.3.

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

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

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

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

The motion was declared lost.

**Item 12.3 Juanita Nielsen Childcare Centre, Woolloomooloo**

Moved by Councillor Phelps, seconded by Councillor Scott –

It is resolved that:

(A) Council note:

- (i) the Juanita Nielsen Childcare Centre currently operates as an after-school care centre;
- (ii) the Juanita Nielsen Centre is operated by the City of Sydney Council;
- (iii) families with high needs children are provided with free after school care subsidised by the City of Sydney Council;
- (iv) other families pay the full amount for after school care at the Juanita Nielsen Centre;
- (v) the Federal Government's Child Care Subsidy (CCS) offers eligible families access to fee reduction using Occasional Care services, Before School Care, After School Care and Vacation Care (Outside School Hours Care Services). The Child Care Subsidy is paid directly to the service provider. Families pay the amount owed after the Child Care Subsidy has been applied to the service fee – this is often referred to as the “out of pocket” or “gap” fee;
- (vi) to receive the Child Care Subsidy (CCS) payment on behalf of families, childcare providers must be registered with the Department of Education, Skills and Employment; and
- (vii) the Juanita Nielsen Childcare Centre is not registered to provide the Childcare Subsidy (CCS) to families; and

(B) the Chief Executive Officer be requested to:

- (i) register the Juanita Nielsen Childcare Centre with the Department of Education, Skills and Employment so that eligible families can benefit from the Child Care Subsidy (CCS); and
- (ii) expand childcare services at the Juanita Nielsen Centre to include not only afterschool care, but also before and vacation care.

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

It is resolved that:

(A) Council note:

- (i) the City of Sydney offers six after school and vacation care programs for primary school aged children in the local area, as part of the City's Outside School Hours Care services, supported by the NSW Government's Before and After School Care commitment;
- (ii) the City of Sydney currently offers an after school and vacation care program for primary school aged children at Juanita Nielsen Community Centre in Woolloomooloo, primarily for nearby Plunkett Street Public School, which does not currently have on-site facilities for an external before/after school care;

- (iii) prior to 2017, the City of Sydney's program in Woolloomooloo was a free service for vulnerable families who met income and vulnerability thresholds;
- (iv) in 2017, the City of Sydney expanded its contribution to include a fee-based service for families who did not meet the criterion. However, this fee is not supported by any childcare subsidies and as a result is more expensive than other similar services in our local government area;
- (v) the Federal Government's Child Care Subsidy (CCS) offers eligible families access to fee reduction using Occasional Care services, Before School Care, After School Care and Vacation Care (Outside School Hours Care Services). The Child Care Subsidy is paid directly to the service provider. Families pay the amount owed after the Child Care Subsidy has been applied to the service fee – this is often referred to as the “out of pocket” or “gap” fee;
- (vi) to receive the Child Care Subsidy (CCS) payment on behalf of families, childcare providers must be registered with the Department of Education, Skills and Employment; and
- (vii) the Juanita Nielsen Childcare Centre is not registered to provide the Childcare Subsidy (CCS) to families;
- (viii) the City does not currently offer before school care as part of Woolloomooloo's Children's Program at Juanita Nielsen Community Centre;
- (ix) the Juanita Nielsen Community Centre offers 45 places in it's after school service. It is currently under capacity with 15 to 20 children per day. Over 90 per cent of the attendees receive free care;
- (x) all other schools in the surrounding City of Sydney area have access to before/after school care that is eligible for childcare subsidies. Working families in the Woolloomooloo community are financially disadvantaged as the cost difference that they incur over the year is considerable;
- (xi) the NSW Government has previously committed to spending \$120 million to expand access to before and after school care (BASC) for all parents with children at NSW public primary schools; and
- (xii) parents of Plunkett Street are requesting that the City of Sydney utilise the NSW Government before and after school care commitment so that the centre can be better supported, and that this is enabled by ensuring that the centre is first approved as a child care subsidy eligible provider. It is currently limited as the government states that a centre cannot offer both a free service and a subsidised service for low income families; and

(B) the Chief Executive Officer be requested to:

- (i) register the Juanita Nielsen Childcare Centre with the Department of Education, Skills and Employment so that eligible families can benefit from the Child Care Subsidy (CCS);
- (ii) investigate obstacles that may be preventing Woolloomooloo Children's Program, and other services like this, from receiving subsidies through the Child Care Subsidy Scheme while offering a fully subsidised care service, with the goal of offering both services;
- (iii) investigate how the City of Sydney might offer before school care as part of Woolloomooloo Children's Program at Juanita Nielsen Community Centre as soon as possible; and

- (iv) approach the NSW Government Before and After School Care Reform Team to discuss options for grant support for a before/after school service for Plunkett St Primary School families run through the Juanita Nielson Centre.

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

(C) the Lord Mayor be requested to:

- (i) write to the NSW Minister for Education and Early Childhood Learning requesting advocacy to the Department of Education to support appropriate before and after school care (BASC) at Plunkett Street and advocate to the Federal Government to undertake a review of Family Assistance Law to allow the City of Sydney to offer the Child Care Subsidy Scheme while also offering a fully subsidised care service; and
- (ii) write to the Federal Minister for Education requesting a review of the Family Assistance Law and make any necessary changes to enable services, such as Woolloomooloo Children's Program, to offer the Child Care Subsidy Scheme while also offering a fully subsidised care service.

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

S129263

### **Adjournment**

At this stage of the meeting, at 8.41pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Thalys –

That the meeting be adjourned for approximately 10 minutes.

Carried unanimously.

All Councillors were present at the resumption of the meeting of Council at 8.53pm.

### **Procedural Motion**

Following the adjournment, it was moved by the Chair (the Lord Mayor), seconded by Councillor Scott –

That Items 12.4 and 12.5 be withdrawn, the matters having been dealt with at Items 12.3 and 3.1 respectively.

Carried unanimously.

### **Item 12.4 Before and After School Care for Woolloomooloo**

Motion withdrawn.

### **Item 12.5 Oxford Street during Sydney Mardi Gras Festival 2021**

Motion withdrawn.

**Item 12.6    Activating Oxford Street for Mardi Gras 2021****Procedural Motion**

Moved by Councillor Phelps, seconded by Councillor Scully –

That the motion be withdrawn.

Carried unanimously.

**Item 12.7 Return to Council Chambers**

By Councillor Chung

It is resolved that:

(A) Council note:

- (i) that Council has held meetings via Zoom in line with the Covid-19 rules since 30 March 2020;
- (ii) on 30 June 2020, a change to the Public Health (COVID-19 Restrictions on Gathering and Movement) Order (No 4) 2020 allowed Councillors and Council staff to attend Council and Committee meetings in person;
- (iii) although the use of Zoom has been an appropriate temporary alternative, face to face meetings are more effective for communication between Councillors and for the public to witness;
- (iv) there has been feedback that Council and Committee meetings held via Zoom have been difficult for the public to follow due to audio only being provided;
- (v) from October 2020, the NSW Government has encouraged public servants to physically return to work in their offices in a Covid safe way. City staff have also been encouraged to do this;
- (vi) local businesses have been strongly encouraged by the City to explore ways to re-activate the CBD after a long and difficult period; and
- (vii) Sydney should lead by example and demonstrate to the community that it is safe to return to the office; and

(B) the Chief Executive Officer be requested to:

- (i) arrange for Council and Executive staff to return to the Council Chambers for Council and Committee meetings as of 15 February 2021 in accordance with the Public Health Order in place at the time; and
- (ii) continue to facilitate attendance at Committee and Council meetings by Zoom, by leave of Council, for Councillors and Executive staff who are impacted by Covid-19.

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

Moved by Councillor Chung, seconded by Councillor Forster –

It is resolved that:

(A) Council note:

- (i) Council has held meetings via Zoom in line with the Covid rules since 30 March 2020;
- (ii) on 30 June 2020, a change to the Public Health (COVID-19 Restrictions on Gathering and Movement) Order (No 4) 2020 allowed Councillors and council staff to attend council and committee meetings in person;
- (iii) although the use of Zoom has been an appropriate temporary alternative, face to face meetings are more effective for communication between Councillors and for the public to witness;
- (iv) there has been feedback that Council and Committee meetings held via Zoom have been difficult for the public to follow due to audio only being provided;
- (v) from October 2020, the NSW Government has encouraged public servants to physically return to work in their offices in a Covid safe way. City staff have also been encouraged to do this;
- (vi) local businesses have been strongly encouraged by the City to explore ways to re-activate the CBD after a long and difficult period; and
- (vii) Sydney should lead by example and demonstrate to the community that it is safe to return to the office; and

(B) the Chief Executive Officer be requested to consult with the Lord Mayor and Councillors about returning to the Council Chambers in the week beginning 25 January 2021.

Variation. At the request of the Chair (the Lord Mayor), and by consent, clause (B) was varied such that it read as follows:

(B) the Chief Executive Officer be requested to consult with the Lord Mayor and Councillors in the week beginning 25 January 2021, about returning to the Council Chambers in the week beginning 15 February 2021.

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

S129259

**Item 12.8 Reopen Waterloo Library**

**Procedural Motion**

Moved by Councillor Phelps, seconded by Councillor Scully –

That the motion be withdrawn.

Carried unanimously.



**Procedural Motion**

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

That Notices of Motion 12.9, 12.11, 12.21, 12.23 (varied by consent at the request of Councillor Thalys) and 12.24 be adopted in globo.

Carried unanimously.

**Item 12.9 Providing Access to Open Space Bookings for Community Events and Organised Activities**

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

It is resolved that:

(A) Council note:

- (i) that Council has been committed to ensuring a Covid-safe City since the pandemic began in early 2020;
- (ii) City community venues have reopened from 12 October 2020 to existing hirers that are community groups, not-for-profit organisations and churches. This is in addition to the self-help groups, weddings, funerals and wakes that were able to have bookings prior to this;
- (iii) City public spaces remain available for use by the public, subject to gathering limits and other restrictions imposed by NSW Health Orders and other pre-existing limitations (for example, in Alcohol Free Zones);
- (iv) bookings have been, and remain reduced for City venues to comply with NSW Health Orders; and
- (v) the City's community venues currently enable a range of outdoor activities in courtyards or open spaces, including at King George V, Ultimo, Pyrmont and Junita Neilson Community Centres, and the outdoor space outside Redfern Community Centre; and

(B) the Chief Executive Officer be requested to:

- (i) investigate options to support community groups and other organisations who wish to transfer their indoor activities run at City venues to open spaces to, where possible, enable regular activities to recommence in Covid-safe environments;
- (ii) investigate options to proactively work with community groups and others on a case by case basis to offer options to transition activities outdoors where possible;
- (iii) investigate how all services supported via the City's community centres prior to Covid-19 can be reinstated in a Covid-safe manner, noting resourcing implications will need to return to Council; and
- (iv) report back to Council via the CEO Update on actions taken.

Carried unanimously, as part of an in globo motion.

**Item 12.10 Upgrading Maureen Oliver Park, Erskineville**

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

It is resolved that:

(A) Council note:

- (i) the 286 small pocket parks and nearly 100 playgrounds across the local government area;
- (ii) the existing small parks renewal program which is a rolling annual asset renewal program aimed at renewal of parks to ensure they are safe, in good condition, are well presented and meet the needs of the community;
- (iii) parks are prioritised for renewal based on:
  - (a) asset condition;
  - (b) remaining useful life;
  - (c) wear;
  - (d) defects; and
  - (e) risk;
- (iv) budgets for small park upgrades are developed based on benchmark rates with small park renewals usually delivered over a two- to three-year period covering design, consultation and construction;
- (v) Maureen Oliver Reserve located at 112 Erskineville Road Erskineville is named after the first woman Labor Alderman on the Council of the City of Sydney first elected in 1982; and
- (vi) due to an increase in anti-social behaviour and drug paraphernalia, including used needles, increasing being left in the small park, the space has become problematic for local residents, who are requesting by way of petition, an upgrade of the Maureen Oliver Reserve into a useable play space for young children;

(B) Council note the conditions and usage of Maureen Oliver Reserve has changed, particularly with shifting demographics in Erskineville as a result of the Covid-19 pandemic;

(C) Council also note the petition lodged with 43 signatures from local residents and business owners calling for upgrades and safety measures due to resident reports of safety concerns; and

(D) the Chief Executive Officer be requested, in light of changed circumstances and community concern about Maureen Oliver Reserve, to order an updated assessment be undertaken to effectively consider the need for an amendment to the small parks playgrounds renewal timeframe to include an upgrade for the Reserve.

Carried unanimously.

S129266

**Item 12.11 Council Pet Days**

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

It is resolved that:

(A) Council note:

- (i) the importance of pets in the lives of many local residents, in particular the elderly, those living in social housing and with disability;
- (ii) the importance of the City's local pet days providing, among other things, free registration for companion animals and advice from vets;
- (iii) due to Public Health Orders issued in response to Covid-19, outdoor events including Redfern Waterloo Pet Day 2020 have been cancelled;
- (iv) to support the health of pets and encourage responsible pet ownership, the City is offering free de-sexing and microchipping services for dogs and cats to eligible pet owners in the Redfern Waterloo social housing community;
- (v) these services are available to pension or healthcare card holders residing in Redfern or Waterloo;
- (vi) providing free de-sexing and microchipping services supports residents in complying with the NSW Companion Animals Act 1998 and improves health and safety outcomes for pets in the City of Sydney;
- (vii) letters are being sent to all social housing residents in the Redfern Waterloo social housing community inviting them to book services through the City's Companion Animals Liaison Officer; and
- (viii) alternative services will also be coordinated in place of Northcott Pet Day which was scheduled for September 2020 for pension or healthcare card holders residing in Surry Hills;

(B) subject to NSW Health Orders, Council support the recommencement of local community pet days under Covid-safe plans in City open spaces, with the first event to occur in the Waterloo open space area; and

(C) the Chief Executive Officer be requested to advise the rescheduled dates via the CEO Update when possible.

Carried unanimously, as part of an in globo motion.

S129266

**Item 12.12 Removing Barriers to Enable More Electric Vehicles in the City of Sydney**

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

It is resolved that:

(A) Council note:

- (i) transport is Australia's third largest source of greenhouse gas emissions, accounting for 17 per cent of total emissions, with the highest rate of growth;
- (ii) cars are a major source of greenhouse gas pollution in Australian cities and are responsible for roughly half of Australia's total transport emissions;
- (iii) as a leading global city on climate change, some of the key outcomes of the City of Sydney's Environmental Strategy and Action Plan 2016-2021 are to:
  - (a) develop policies that promote the uptake of electric vehicles in the City;
  - (b) improve air quality across the local government area; and
  - (c) create demand for renewable energy and new technology through the procurement and support for vehicles that do not burn fossil fuels;
- (iv) already, the City of Sydney has embraced electric vehicles, with 19 Nissan Leaf vehicles in its fleet, as well as 40 hybrid cars and 70 hybrid trucks. By using electric and hybrid trucks and vehicles, the City reduced its fleet emissions by 26 per cent between 2010 and 2014. Earlier this year, the City also trialled its first electric garbage truck, with the hope that soon its garbage truck fleet can also be emissions free;
- (v) Transport for NSW has recently announced the State Government's intention to transition its entire 8,000 bus fleet to a zero emissions electric fleet;
- (vi) the City of Sydney is currently investigating planning changes to breathe new life into Oxford Street and secure the area's cultural and creative future. The NSW Government's electric bus fleet, with its reduced air and noise pollution, would greatly contribute to the area's revitalisation making it a more desirable location to visit;
- (vii) electric vehicles are already gaining popularity as a mainstream mode of transport and are projected to account for 55 per cent of all new car sales by 2040, however almost two thirds of motorists point to charging infrastructure as the single greatest barrier to electric vehicle adoption;

(B) the Chief Executive Officer be requested to:

- (i) investigate ways in which the City can overcome the barrier of accessibility to electric vehicle charging infrastructure and enable a more rapid transition to electric vehicles through:
  - (a) the identification of opportunities that integrate electric vehicle charging infrastructure within the City's existing infrastructure e.g. council depots and public car parks;
  - (b) changes to planning controls that incentivise and enable electric vehicle charging infrastructure within all new developments; and

- (c) identify and streamline planning approval processes to enable electric vehicle charging infrastructure to be retrofitted into existing buildings;
  - (ii) work with car share companies and other major fleet owners to investigate ways in which to transition large scale vehicle fleets to electric vehicles as well as identify incentives for city businesses and residents to forgo car ownership in favour of electric vehicle usage; and
  - (iii) identify what NSW Government opportunities are available to local councils to support electric vehicle public charging infrastructure; and
- (C) the Lord Mayor be requested to write to the NSW Minister for Transport and Roads, Andrew Constance:
  - (i) asking him to prioritise initial deployment of their electric bus fleet to high density areas within the City of Sydney, where their advantages (a reduction in noise and air pollution) would benefit the greatest numbers of people; and
  - (ii) highlighting the following high-density areas as priority for electric bus roll out;
    - (a) Oxford Street - including Routes 333 (Sydney's busiest bus route), 305, 308, 309, X09, 310, X10, 311, 324, 325, 333, X40, 338, 339, X39, 343, 372, 373, 374, X74, 376, 377, 380, 389, 391, 392, X92, 393, 394, L94, X94, 395, 396, X96, 397, X97, 399, X99 and 440; and
    - (b) Green Square - Routes 301, 302, 303, 304, 305, 307, 308, 309, 309X, 310, 310X, 343, 355, 370, X93.

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

- (C) the Lord Mayor be requested to write to the NSW Minister for Transport and Roads, Andrew Constance seeking prioritisation of the initial electric bus fleet deployment for all bus routes entering the City of Sydney Local Government Area.

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

S129262

### **Item 12.13 Commitment to Aboriginal Social and Affordable Housing Targets for the Waterloo Redevelopment**

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

It is resolved that:

(A) Council note:

- (i) that the Redfern and Waterloo areas have been home to Aboriginal people for more than 60,000 years;
- (ii) it is where the Aboriginal civil rights movement began and where many actions for self-determination took place such as the 1938 Day of Mourning, the 1965 Freedom Ride, and the ongoing struggle for Land Rights;
- (iii) many Aboriginal community members still live in social housing in Redfern and Waterloo and the Aboriginal services they access are still there;
- (iv) the gentrification of inner Sydney suburbs has meant that historically working-class suburbs such as Redfern and Waterloo have become highly desirable suburbs in the 'property market', with rent hikes pushing out the Aboriginal people who were living in these suburbs. Aboriginal people working in Aboriginal services cannot afford to live in the community where they work. Aboriginal people who are starting in employment and training on modest incomes are forced to leave the community due to the increasing cost of living in the area;
- (v) the City has secured a 25 per cent target for Aboriginal housing with St George Community Housing for the Marion St Redfern housing complex currently under construction, equating to 40 units;
- (vi) the new Stretch Reconciliation Action Plan at 16.2 and 16.3 supports investigating and advocating for the inclusion of culturally appropriate social and affordable housing for Aboriginal and Torres Strait Islander households as part of the development of the Waterloo estate; and
- (vii) at the 21 September 2020 Council meeting, it was agreed unanimously to support the motion to support the Redfern Waterloo Aboriginal Affordable Housing Campaign seeking:
  - (a) 10 per cent of all redevelopment on government land in Redfern/Waterloo to be Aboriginal affordable housing; and
  - (b) an increase in Aboriginal social housing in partnership with an Aboriginal community-controlled organisation;

(B) Council recognise the January 2019 State Government proposal in their preferred Master Plan for Waterloo for 30 per cent social, 65 per cent market and five per cent affordable housing;

(C) further to this, Council recognise that access to affordable housing is essential for a diverse, inclusive, cohesive, and economically successful city. The City of Sydney's City Plan 2036 - City of Sydney Local Strategic Planning Statement and Housing for All - City of Sydney Local Housing Strategy both identify the need for Aboriginal housing in Redfern/Waterloo in particular;

(D) Council commits:

- (i) to strongly advocate for public housing tenants living in the Redfern/Waterloo area that is due for urban renewal to be offered affordable or social housing within the City of Sydney local government area for the duration of the redevelopment;
- (ii) to work to ensure any new or renewed partnerships with community housing providers to manage City-owned affordable housing, or affordable housing developed from City-owned land or land provided to affordable housing providers with in-kind support from the City of Sydney, delivers ten per cent Aboriginal Affordable Housing;
- (iii) to increasing Aboriginal employment in the provision of ongoing Council services, both contracted or in-house, in the Redfern/Waterloo area; and
- (iv) to culturally appropriate design and community consultation being built into any City tenders and contracts that are part of the overall area redevelopment projects; and

(E) the Lord Mayor and Chief Executive Officer be requested to formally advise the NSW Government of these decisions.

Carried unanimously.

S129266

### **Item 12.14 Yurong Lane Revitalisation**

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

It is resolved that:

(A) Council note:

- (i) at its meeting of 26 October 2020, Council resolved to move quickly to deliver the 'Al Fresco City' Program, with both the City and NSW Government acknowledging the need to expedite decisions and processes where possible while prioritising safely managed communal spaces to support community life and businesses;
- (ii) in a letter dated 4 November 2020, The Hon. Shelley Hancock MP, Minister for Local Government stated that she is "encouraging all councils in consultation with their communities, to identify areas within their towns, where outdoor dining is appropriate";
- (iii) Yurong Lane, located off Crown Street in Darlinghurst, runs parallel to Stanley Lane, 200 meters to the south, which has been pedestrianised; and
- (iv) a similar treatment in Yurong Lane would provide an area suitable for use for outdoor dining or recreational seating, without impacting vehicular access to the laneway from Crown Lane, Riley Street or Stanley Street; and

(B) the Chief Executive Officer be requested to investigate options to pedestrianise the section of Yurong Lane which runs between Crown Lane and Crown Street.

Carried unanimously.

S129260



**Item 12.15 Traffic Calming for Park Street, Erskineville**

By Councillor Chung

It is resolved that:

(A) Council note:

- (i) Park Street is predominantly a residential street containing low density housing and which has a maximum weight limit of three tonnes for vehicles entering the street to pass through;
- (ii) due to the installation of the Henderson Road pop-up cycleway, left hand turn access has been removed from Railway Parade, causing traffic to be diverted down Park Street from Swanson Street;
- (iii) prior to the cycleway installation, Park Street was a quiet residential road and immediately after the installation, residents expressed concern for the frequency and speed of vehicles rat running through Park Street and the increase in heavy vehicle usage, including large industrial appliances accessing the rail yards nearby; and
- (iv) in September 2020, in response to residents' concerns about the volume and speed of traffic, the City installed speed cushions in Park Street. Residents have since reported that these speed cushions have had little to no impact in traffic calming, have increased noise in the street and are dangerous, encouraging motorists to swerve to avoid the cushions; and

(B) the Chief Executive Officer be requested to:

- (i) take immediate steps to implement effective traffic calming measures to prevent heavy vehicles and cars rat-running down Park Street from Swanson Street; and
- (ii) report back to Council via a Council report within two months on what traffic calming measures are proposed to be implemented.

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

Moved by Councillor Chung, seconded by Councillor Scully –

It is resolved that:

(A) Council note:

- (i) Park Street is predominantly a residential street containing low density housing and which has a maximum weight limit of three tonnes for vehicles entering the street to pass through;
- (ii) due to the installation of the Henderson Road pop-up cycleway, left hand turn access has been removed from Railway parade, causing traffic to be diverted down Park Street from Swanson Street;
- (iii) prior to the cycleway installation, Park Street was a quiet residential road and immediately after the installation, residents expressed concern for the frequency and speed of vehicles rat running through Park Street and the increase in heavy vehicle usage, including large industrial appliances accessing the rail yards nearby; and

- (iv) in September 2020, in response to residents' concerns about the volume and speed of traffic, the City installed speed cushions in Park Street. Residents have since reported that these speed cushions have had little to no impact in traffic calming, have increased noise in the street and are dangerous, encouraging motorists to swerve to avoid the cushions; and

(B) the Chief Executive Officer be requested to:

- (i) investigate concerns and take immediate steps to reduce some of the impacts that residents are experiencing, including removing speed cushions which are having unintended impacts, making speed and weight limit signage more visible and more frequent patrolling for heavy vehicle usage;
- (ii) ask staff to consult with state authorities including Transport for NSW, to train their drivers and contractors who are working in the area to refrain from using Park Street and remind them that this is a local residential road with a maximum weight limit of three tonnes;
- (iii) reinstate Park Street back to its condition as a quiet residential street prior to the traffic changes by implementing traffic calming measures. Residents have a number of suggestions, including limiting turns into and out of Park Street, creating raised pedestrian crossings and extended garden beds, and as a last resort, creating a cul-de-sac. City staff are requested to respond to community suggestions and to provide options to the community for input and feedback; and
- (iv) report back to Council via a Council report within two months on the process for community consultation and feedback into those longer-term traffic calming measures for Park Street.

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

That a sub-clause be added to (B) as follows –

- (i) undertake a traffic management study of the impact of the Henderson Road pop-up cycleway on Henderson Road, Alexandria and surrounding streets, including Park Street, Erskineville;

The amendment was lost on the following show of hands –

Ayes (3) Councillors Forster, Phelps and Vithoulkas

Noes (7) The Chair (the Lord Mayor), Councillors Chung, Kok, Miller, Scott, Scully and Thalís.

Amendment lost.

The substantive motion was carried unanimously.

S129259

**Item 12.16 Free WiFi in the City of Sydney**

Moved by Councillor Chung, seconded by Councillor Kok –

It is resolved that:

(A) Council note:

- (i) WiFi and the flexible access it enables to the internet has become an integral part of the way people conduct business, connect with each other and stay informed;
- (ii) major cities around the world such as Hong Kong, New York, Moscow and Tel Aviv offer free WiFi for visitors, residents and businesses to use;
- (iii) Inner West, Waverley and Woollahra councils have all introduced free WiFi in key precincts; and
- (iv) the City of Sydney has not yet implemented free WiFi across the CBD despite commitments in the past to do so; and

(B) the Chief Executive Officer be requested to immediately implement a plan to install free WiFi in the City of Sydney.

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

It is resolved that:

(A) Council note:

- (i) WiFi and the flexible access it enables to the internet has become an integral part of the way people conduct business, connect with each other and stay informed;
- (ii) major cities around the world such as Hong Kong, New York, Moscow and Tel Aviv offer free WiFi for visitors, residents and businesses to use;
- (iii) Inner West, Waverley and Woollahra councils have all introduced free WiFi in key precincts;
- (iv) the City of Sydney has not yet implemented free WiFi across the CBD despite commitments in the past to do so; and
- (v) Councillors were informed via CEO Update of 11 December 2020 that:
  - (a) the City recommenced negotiations for the supply of free public WiFi within the Local Government Area in mid-2020;
  - (b) this follows a decision to consider provision of WiFi services after finalising the Street Furniture and Out-Of-Home Media services contract;
  - (c) the street furniture, Out-of-Home Media contract was awarded in June 2020;
  - (d) the City is currently in negotiations with two shortlisted companies for the supply of free public WiFi within the Local Government Area;

- (e) since mid-2020 the City has held further meetings and received updated information on previous proposals from both companies;
- (f) a Best and Final Offer is expected to take place in early 2021; and
- (g) the outcome of the negotiations is expected to be submitted in mid-2021 for Council's consideration after final assessment of the offers and negotiations are concluded.

Variation. At the request of Councillor Scully, and by consent, clause (A)(iv) was varied such that it read as follows:

- (iv) the City of Sydney is in the process of negotiating free WiFi across the CBD;

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

S129259

### **Point of Order**

During discussion of this item, Councillor Scully raised a point of order, stating that Councillor Chung had made personal reflections that impugned the motives of Councillors.

The Chair (the Lord Mayor) upheld the point of order.

**Procedural Motion**

At this stage of the meeting, pursuant to clause 16.2 of the Code of Meeting Practice, it was moved by Councillor Chung, seconded by Councillor Forster –

That the meeting of Council be extended until all business had been dealt with.

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

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

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

The Lord Mayor exercised her casting vote against the motion.

The motion was declared lost.

**Item 12.17 Save the Moore Park Golf Course**

Moved by Councillor Phelps, seconded by Councillor Forster -

It is resolved that:

(A) Council note:

- (i) on 26 October, 2020, Council considered the Lord Mayoral Minute "Moore Park Golf Course Proposal" which resolved to approve up to \$50,000 to undertake community consultation on two plans developed by the City to reconfigure the Moore Park Golf Course from an 18-hole to a nine-hole course, to be funded from 2020/21 General Contingency;
- (ii) in 2017, the NSW Government undertook extensive community consultation on the Moore Park Masterplan. The future of the Moore Park Golf Course was included as part of this consultation;
- (iii) this consultation resulted in the decision to retain the 18-hole golf course instead of reducing it to nine-holes;
- (iv) Moore Park Golf Course is the only public golf course within the City of Sydney Local Government Area, and the City does not have jurisdiction over the course. The Moore Park Golf Course is under the jurisdiction of the Greater Sydney Parklands and NSW Government;
- (v) that the issue of the Moore Park Golf Course can be referred to the NSW Government if further consultation on the future of the Moore Park Golf Course is required; and

(B) the Chief Executive Officer be requested to:

- (i) abandon any proposed City of Sydney plans to reduce the Moore Park Golf Course from an 18-hole course to a nine-hole course; and
- (ii) investigate opportunities to create open green space elsewhere in the City.

Note - During discussion of Item 12.17, at 10.02pm, the Chair (the Lord Mayor) declared that, as it was now after 10.00pm, and in accordance with clause 16.3(a) of the Code of Meeting Practice, the meeting of Council be adjourned, to be reconvened at 8.00am, Wednesday 16 December, to consider the remaining Notices of Motion (Items 12.17 to 12.20 inclusive, 12.22, 12.25 and 12.26).

At 10.02pm the meeting was adjourned.

At the resumption of Council at 8.09am, Wednesday 16 December 2020 –

The motion was lost on the following show of hands –

Ayes (3)        Councillors Chung, Forster and Phelps

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

Motion lost.

S129263

**Item 12.18 Saving Moore Park**

By Councillor Phelps

It is resolved that:

(A) Council note:

- (i) on 21 September 2020, Council unanimously passed a motion which resolved for the Lord Mayor to write to the Premier, the Hon. Gladys Berejiklian MP and the Minister for Planning and Public Spaces, the Hon. Rob Stokes MP, requesting that the NSW Government agree to the permanent removal of event on-grass car parking at Moore Park, effective immediately;
- (ii) following the motion's adoption and a meeting between the members of Saving Moore Park Inc. and the Minister for Planning and Public Spaces on 8 October 2020, car parking on Moore Park North was ceased. This cessation applied to all Rugby League and Rugby Union games held at the Sydney Cricket Ground this year;
- (iii) this cessation to car parking on Moore Park North seemed to be overturned as cars were allowed to park on this grassed area for the cricket games held at the SCG on 28 and 29 November 2020;
- (iv) Moore Park is seriously degraded after decades of on-grass car parking in connection with sporting events at the SCG and SFS and under-investment by the NSW State Government; and
- (v) especially during the Covid-19 pandemic this open space is vitally important for the physical and mental wellbeing of the community; and

(B) the Chief Executive Officer be requested to:

- (i) liaise with Greater Sydney Parklands to request that event on-grass car parking is permanently removed at Moore Park;
- (ii) liaise with the Greater Sydney Parklands Board and Management to respond to the needs identified by the community to develop and implement the proposal in Moore Park Master Plan 2040 for the remediation and revitalisation of Moore Park East;
- (iii) liaise with the private sporting codes operating at Moore Park to request the permanent removal of event on-grass parking, and the implementation of integrated ticketing for all events at Moore Park;
- (iv) investigate other incentives that encourage public transport and reduce private vehicle use for people going to events at Moore Park; and
- (v) report back to Councillors via the CEO update.

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

Moved by Councillors Phelps, seconded by Councillor Forster –

It is resolved that:

(A) Council note:

- (i) on 21 September 2020, Council unanimously passed a motion which resolved for the Lord Mayor to write to the Premier, the Hon. Gladys Berejiklian MP and the Minister for Planning and Public Spaces, the Hon. Rob Stokes MP, requesting that the NSW Government agree to the permanent removal of event on-grass car parking at Moore Park, effective immediately;
- (ii) parking on Moore Park North was suspended by the Centennial Park and Moore Park Trust for regular rugby union and rugby league games earlier in 2020 due to the limited size of crowds attending these games;
- (iii) this cessation to car parking on Moore Park North was reversed as cars were allowed to park on this grassed area for the Rugby League semi-final held at the SFS on 9 October 2020, and for the Cricket games held at the SCG on 27 and 29 November, and 6 and 8 December 2020 despite the still limited attendance to these games;
- (iv) the NSW Government adopted the Moore Park Masterplan, which proposes the cessation of on-grass car parking, in 2016. However, the NSW Government is still yet to allocate any funding towards its implementation;
- (v) Moore Park is seriously degraded after decades of on-grass car parking in connection with sporting events at the SCG and SFS and under-investment by the NSW Government; and
- (vi) especially during the Covid-19 pandemic this open space is vitally important for the physical and mental wellbeing of the community;

(B) the Lord Mayor be requested to write to the Minister for Planning and Public Spaces, the Hon. Rob Stokes MP, seeking advice as to when and what level of funding will be made available for the Moore Park Master Plan, and specifically for the remediation and revitalisation of those areas of Moore Park where there has been on-grass car parking; and

(C) the Chief Executive Officer be requested to:

- (i) liaise with Greater Sydney Parklands to request that event on-grass car parking is permanently removed at Moore Park;
- (ii) liaise with the Greater Sydney Parklands Board and Management to respond to the needs identified by the community to develop and implement the proposal in Moore Park Master Plan 2040 for the remediation and revitalisation of Moore Park East;
- (iii) liaise with the private sporting codes operating at Moore Park to request the permanent removal of event on-grass parking, and the implementation of integrated ticketing for all events at Moore Park;
- (iv) investigate other incentives that encourage public transport and reduce private vehicle use for people going to events at Moore Park; and
- (v) report back to Councillors via the CEO update.



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

It is resolved that:

(A) Council note:

- (i) for years, the Lord Mayor and the community have successfully advocated against the continued alienation of Moore Park by successive NSW Governments;
- (ii) in 1992, when the Lord Mayor's private members bill, the Centennial Park and Moore Park Trust (Macquarie Sydney Common) Amendment Bill stopped plans to rezone the Showground site for sale and development when the Royal Agricultural Society moved to Homebush, the Lord Mayor has advocated to NSW Governments to protect Moore Park and stop prioritising commercial interests over the public interest;
- (iii) in 2010, the Lord Mayor chaired a packed Paddington Town Hall meeting with speakers; Neville Wran, Malcolm Turnbull, and David Shoebridge and representatives of local community groups that stopped the transfer of Moore Park East to The Sydney Cricket and Sports Ground Trust;
- (iv) at that meeting, the Lord Mayor advocated strongly for Light Rail to Moore Park precinct to reduce the reliance on private vehicle use and the necessity for on-grass car parking, and promote more sustainable transport modes to the area;
- (v) following a resolution of Council on 21 September 2020, the Lord Mayor wrote to the NSW Government requesting the immediate and permanent removal of on-grass car parking at Moore Park and seeking a commitment that the Government work with the sporting codes operating at Moore Park on integrated ticketing to encourage more sustainable modes of transport to the precinct;
- (vi) the NSW Premier, the Hon. Gladys Berejiklian MP, confirmed in her response to the Lord Mayor's letter that she has referred the matter to the Minister for Planning and Public Spaces, the Hon. Rob Stokes MP who has yet to respond;
- (vii) despite a meeting between the members of Saving Moore Park Inc. and the Minister for Planning and Public Spaces on 8 October 2020, on-grass car parking has continued;
- (viii) Moore Park is seriously degraded after decades of on-grass car parking in connection with sporting events at the SCG and SFS and under-investment by the NSW State Government;
- (ix) especially during the Covid-19 pandemic this open space is vitally important for the physical and mental wellbeing of the community;
- (x) following a recent meeting between the Hon. Alex Greenwich MP and the Alliance of Moore Park Sports, which is made up of the main sporting codes operating at Moore Park, an agreement was reached to work with the community towards a pathway out of on-grass parking at Moore Park; and
- (xi) the Lord Mayor has been invited by the Hon. Alex Greenwich MP to attend any future discussions between him, the Alliance of Moore Park Sports and the community early next year; and

(B) the Chief Executive Officer be requested to:

- (i) liaise with Greater Sydney Parklands to request that event on-grass car parking is permanently removed at Moore Park;
- (ii) liaise with the Greater Sydney Parklands Board and Management to respond to the needs identified by the community to develop and implement the proposal in Moore Park Master Plan 2040 for the remediation and revitalisation of Moore Park East, specifically the Kippax Lake area;
- (iii) approach the NSW Government and the sporting codes that operate at Moore Park about developing and implementing a program with the City to encourage public transport use and reduce reliance on private vehicles use for people going to events at Moore Park; and
- (iv) report back to Councillors via the CEO Update.

The amendment was carried on the following show of hands –

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

Noes (3) Councillor Chung, Forster and Phelps.

Amendment carried.

The amended motion was carried unanimously.

S129263

**Item 12.19 Safeguarding Pubs and Significant Community Assets**

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

It is resolved that:

(A) Council note:

- (i) pubs are significant community and cultural assets and are highly valued by our community members as village social centres;
- (ii) hospitality venues including pubs have suffered under the lock out laws and the lockdown in response to Covid-19. The city's economic output fell approximately 15.8 per cent and jobs in our local area fell by about 12.4 per cent in Q2 2020;
- (iii) Action Area 3 of the City of Sydney's Covid Recovery Plan is to "strengthen community cohesion to build the resilience of local communities" in the wake of loss of social connection through isolation, distancing closure of community facilities, cancellation of events, and community forums;
- (iv) the historic 127-year-old Green Park Hotel in Darlinghurst, a well-known and loved institution for the LGBTQI community in particular, has recently been sold by Solotel to neighbouring St Vincent's Hospital to make way for a mental health facility. St Vincent's Hospital are an important stakeholder in the Darlinghurst area, and they have been a long-term supporter of the LGBTQI community;
- (v) the community was not given the opportunity to have input into the pub's future and there is now an active campaign to save the pub;
- (vi) recently, the City resolved that it would protect the site of the Empire Hotel (excluding buildings and other structures) based on the social and historic significance associated with its former use as Les Girls. Although this site has been altered and its use subsequently discontinued, the significance of the role of this site in the community has been recognised in the Darlinghurst Road Development Control Plan. These planning controls were embedded so that the historical use be interpreted, through a new food and drink premises or entertainment premises on the ground floor, as well as in architectural forms that echo the historically significant site. Therefore, any redevelopment would need to reflect the historical and social significance of the Les Girls site to ensure that the social significance of the site and its place in the community is preserved. This could be interpreted as setting an important precedent for the protection of the social use of certain premises that might have a unique significance;

- (vii) the United Kingdom's Localism Act 2011 states that councils are required to maintain a list of 'community assets' nominated by community groups or parish councils, with the community groups given the opportunity and time to bid for the community asset if it is to be sold. This has led to community groups forming entities that have successfully nominated pubs, meeting rooms, community halls, parks, sporting fields and the leading London LGBTIQ nightclub Heaven being listed as assets of community value. This is an approach which supports grassroots organising and community control of important assets, such as pubs, empowering communities to nominate, own and manage community assets directly. Buildings or land are considered to be of community value if:
    - (a) an actual current use of the building or other land that is not an ancillary use furthers the social wellbeing or social interests of the local community; and
    - (b) it is realistic to think that there can continue to be non-ancillary use of the building or other land which will further (whether or not in the same way) the social wellbeing or social interests of the local community; and
  - (viii) the historic 127-year-old Green Park Hotel in Darlington, a known institution for the LGBTQI community, has recently been sold by Solotel to neighbouring St Vincent's Hospital to make way for a mental health facility. The community was not given the chance to have input into the pub's future and there is now an active campaign to save the pub; and
- (B) the Chief Executive Officer be requested to:
- (i) report on the heritage status of pubs in our Local Government Area via the CEO Update, so Councillors and the community can have more information for further discussions;
  - (ii) investigate the impact of adopting the UK model of community assets to identify and protect the use of significant community assets, and to report back via CEO Update on the feasibility of adopting this approach in Sydney; and
  - (iii) investigate tools which might be applied to the protection of significant community assets, including their use, taking the Green Park Hotel into consideration for the protection of use.

Carried unanimously.

S129264

**Item 12.20 Misinformation on the Moore Park Golf Course**

Moved by Councillor Chung –

It is resolved that:

(A) Council note:

- (i) on 26 October 2020, Council considered the Lord Mayoral Minute "Moore Park Golf Course Proposal". This Minute stated that "Golf is well catered for in the Sydney metropolitan area. Within a 10-kilometre radius of Moore Park there are twelve 18-hole golf courses of which six are accessible to the general public.";
- (ii) the statement also appears in the City of Sydney's public consultation documentation, testing two potential options to "create new parkland" by reconfiguring the golf course from an 18-hole to a nine-hole course;
- (iii) inquiries, including conversations with senior members of the Moore Park Golf Club have revealed that the above statement is incorrect. The correct information is as follows:
  - (a) Bondi and Woollahra Golf Clubs are only nine-hole golf courses;
  - (b) Bonnie Doon and The Lakes Golf Clubs are private clubs and do not permit the public to play;
  - (c) NSW Golf Club, St Michaels Golf Club and The Coast Golf Club are all more than 10 kilometres away from Moore Park Golf Club;
  - (d) Randwick Golf Club does permit public play, but it is a short 18-hole course with a par of 59;
  - (e) Marrickville Golf Club is a short 18-hole course with a par of 63;
  - (f) Eastlakes Golf Club is a reasonable 18-hole course that allows public play, however they are not taking any new seven-day members at the moment as they are at capacity; and
  - (g) St. Michael's Golf Club permits public players during restricted times, but Green Fees begin at \$100 per person and the course is at least a 30-minute drive from the CBD;
- (iv) the statistics on usage of Centennial Parklands, with the Lord Mayor claiming that 31 million people visit the Parklands annually, have been questioned and reported as grossly overinflated; and

(B) the Chief Executive Officer be requested to:

- (i) immediately discontinue the City of Sydney's community consultation on the Moore Park Golf Course Proposal;
- (ii) halt any further spending of the \$50,000 of Council funds allocated to the community consultation;

- (iii) immediately correct and retract the misinformation that was distributed by mail, newsletter, consultation documentation, mainstream media, social media, and online media by publishing a correction in a manner and distribution comparable to that of the original publication and ensure the correction is disseminated to the same audience; noting that any expenditure on this correction and retraction is to be funded from the remainder of the \$50,000 from the 2020/21 General Contingency; and
- (iv) discard any community consultation to date based on this misinformation.

The motion lapsed for want of a seconder.

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### **Points of Order**

Following the lapse of the motion for want of a seconder, Councillor Chung raised a point of order, stating the Chair (the Lord Mayor) was not permitted, as per the Code of Meeting Practice, to request comment from the Chief Executive Officer on this matter which was no longer before Council.

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

Councillor Forster raised a point of order, stating that as there was no motion on the table, no further discussion was permitted.

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

Councillor Chung raised a point of order, stating that the Code of Meeting Practice stipulates that notice of business must be given and that matters must not be discussed without notice, or without being before Council.

The Chair (the Lord Mayor) then proposed to recommit the Item for discussion.

Councillor Forster raised a point of order, stating that the item had lapsed due to want of a seconder and could not be recommitted.

The Chair (the Lord Mayor) then called for a seconder, and Councillor Chung stated that he was withdrawing the motion.

**Item 12.21 City Cleaning Accountability Framework Accreditation**

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

It is resolved that:

(A) Council note:

- (i) that the City of Sydney communities have always highly valued the work of the City of Sydney's cleansing and waste workforce;
- (ii) during the Covid-19 pandemic of 2020, cleaners have become recognised as essential frontline workers, undertaking work that has been essential to keeping public spaces clean and hygienic, which has been a critical factor in Australia's comparatively low Covid infection rates;
- (iii) the Cleaning Accountability Framework (CAF) is a certification body which aims to tackle subcontracting and wage theft in the supply chain;
- (iv) the Cleaning Accountability Framework works with cleaners, tenants, contractors, property owners, facility managers, and investors across the cleaning supply chain to ensure ethical labour practices, bringing sustainable, transparent and accountable procurement processes to clearing supply chains;
- (v) the Cleaning Accountability Framework building certification is recognised in the Green Star Performance rating tool, which assesses the operational performance of existing buildings;
- (vi) wage theft is a widespread problem across many industries in Australia, and some groups are particularly vulnerable to wage theft including:
  - (a) migrant workers on insecure visa arrangements;
  - (b) young workers; and
  - (c) workers in industries where subcontracting is common practice; and
- (vii) the Cleaning Accountability Framework certification scheme is a tangible measure that local governments can take to ensure that workers are not being exploited; and

(B) the Chief Executive Officer be requested to:

- (i) investigate any necessary steps to apply for and gain Cleaning Accountability Framework accreditation including:
  - (a) audit and worker engagement;
  - (b) assessment;
  - (c) certification; and
  - (d) ongoing compliance;

- (ii) investigate the application of Cleaning Accountability Framework accreditation for Town Hall House; and
- (iii) report back to Councillors via the CEO Update.

Carried unanimously, as part of an in globo motion.

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**Item 12.22 Vale Millicent Anne Chalmers OAM**

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

It is resolved that:

(A) Council note:

- (i) Millicent (Mill) Anne Chalmers OAM, Chair of the Millers Point Resident Action Group (RAG) from 2005 to 2013 sadly passed away last week;
- (ii) Millicent was born and raised in Sydney and went on to become one of only five women law students enrolled at Sydney University in the 1950s;
- (iii) she dedicated herself to the residents of Millers Point and was instrumental in the set-up of the Darling House Aged Care Hostel;
- (iv) in recognition of her extraordinary work, she was awarded an Order of Australia Medal for services to the community and aged care in the 2010 Australia Day Honours;
- (v) she will be remembered for her outstanding service to her community and will be missed enormously by the residents of Millers Point, Dawes Point, The Rocks and Walsh Bay; and
- (vi) Millicent is survived by her two children, Margaret and James; two grandchildren Christian and Thalia; and her sister Marcia;

(B) all Councillors present observe one minute's silence to honour Millicent Chalmers; and

(C) the Lord Mayor be requested to write to Millicent Chalmers' family expressing the Council's sincere condolences on her passing, and the City's thanks for her dedication and hard work for the local community over many years.

Carried unanimously.

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Note – all Councillors and staff were silent for one minute as a mark of respect to Millicent Chalmers.

**Item 12.23 Australia Post Office at Green Square**

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

It is resolved that:

(A) Council note:

- (i) Green Square is one of Australia's fastest growing neighbourhoods with over 30,000 new residential dwellings expected by 2030;
- (ii) the City of Sydney has committed \$540 million to community facilities including a new library, plaza, aquatic centre, parks, a childcare centre and a creative hub;
- (iii) residents of Green Square are reporting increasingly long queues and long wait times at their closest post office, located in Alexandria, which services multiple highly densely populated City of Sydney suburbs;
- (iv) residents have made enquiries with Australia Post about the possibility of attracting a Post Office to Green Square, only to be told this was not possible under the current franchise model;
- (v) a number of Green Square strata committees have investigated placing parcel lockers and storage facilities within residential building foyers, however these options are expensive and not able to service the broader Green Square communities; and
- (vi) given the growing population, the City of Sydney Council strongly supports the residents of Green Square in their efforts to secure a Post Office for their local area;

(B) the Chief Executive Officer be requested to write to the Acting Chief Executive Officer of Australia Post to note the City's strong support for a Post Office to be located in Green Square and requesting support for this community request; and

(C) the Lord Mayor be requested to write to the Federal Minister for Communications, the Hon. Paul Fletcher MP, to note the City's strong support for a Post Office to be located in Green Square and requesting support for this community request.

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

It is resolved that:

(A) Council note:

- (i) Green Square is one of Australia's fastest growing neighbourhoods with over 30,000 new residential dwellings expected by 2030;
- (ii) the City of Sydney has committed \$540 million to community facilities including a new library, plaza, aquatic centre, parks, a childcare centre and a creative hub;
- (iii) residents of Green Square are reporting increasingly long queues and long wait times at their closest post office, located in Alexandria, which services multiple highly densely populated City of Sydney suburbs;

- (iv) residents have made enquiries with Australia Post about the possibility of attracting a Post Office to Green Square, only to be told this was not possible under the current franchise model;
- (v) a number of Green Square strata committees have investigated placing parcel lockers and storage facilities within residential building foyers, however these options are expensive and not able to service the broader Green Square communities;
- (vi) given the growing population, the City of Sydney Council strongly supports the residents of Green Square in their efforts to secure a Post Office for their local area;
- (vii) that the Waterloo Metro development will significantly increase demand for postal infrastructure in the Redfern / Waterloo area; and
- (viii) the Lord Mayor has written to the Acting Chief Executive Officer of Australia Post and the Federal Minister for Communications, the Hon. Paul Fletcher MP, advocating for Post Offices to be opened in Green Square and Waterloo; and

(B) the Chief Executive Officer be requested to:

- (i) work with landowners in Green Square and Redfern/Waterloo and executives at Australia Post to investigate options for spaces suitable to locate a future Post Office at Green Square; and
- (ii) report back to Councillors via the CEO Update.

Carried unanimously, as varied by consent, as part of an in globo motion.

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**Item 12.24 Speed Cushions Bulwarra Road**

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

It is resolved that:

(A) Council note:

- (i) Bulwara Road, Ultimo, is a local street predominantly used for local residential access and as a walking route for school children;
- (ii) Bulwara Road, between William Henry and Fig Streets, is one-way northbound and has a posted speed limit of 40km/h with a mid-block 10km/h shared zone at Quarry Street;
- (iii) the community requested that the City investigate the installation of further traffic calming treatments in Bulwara Road;
- (iv) in February 2020, the City consulted on a proposal to either extend the shared zone or install additional speed cushions in Bulwara Road. The City received 22 responses supporting extending the shared zone, 19 responses to introduce additional speed cushions, 16 responses to do both and three responses to do nothing;
- (v) in response to a request from Councillors for an update on the speed cushion installation on 20 November 2020, City staff advised that they are working on an updated speed cushion plan, that the City will consult with the local community in February 2021 after the school holiday period, and following this review of community feedback, will table a report at the March 2021 Local Pedestrian, Cycling and Traffic Calming Committee meeting; and
- (vi) it is expected that the City will install the new speed cushions on Bulwara Road during the second half of next year if it is endorsed by the Local Pedestrian, Cycling and Traffic Calming Committee. City staff will work with Transport for NSW to monitor and evaluate their impact on traffic speed and safety for a two-year trial period. Depending on these results, the City may make a recommendation to Transport for NSW for further traffic calming measures; and

(B) the Chief Executive Officer be requested to:

- (i) explore options to fast track the speed cushion installation on Bulwara Road given the pre-existing community consultation; and
- (ii) report back to Councillors via the CEO Update.

Carried unanimously, as part of an in globo motion.

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**Item 12.25 From Little Things, Big Things Grow: Rethinking the Community Garden Model**

**Procedural Motion**

Moved by Councillor Miller, seconded by Councillor Scott –

That the motion be withdrawn.

Carried unanimously.

**Item 12.26 Affordable and Diverse Housing Fund**

Moved by Councillor Scott, seconded by Councillor Scully –

It is resolved that:

(A) Council note:

- (i) the Affordable and Diverse Housing Fund was established by the City of Sydney in 2015, with a total of \$10,350,000 allocated for the provision of affordable housing projects in the City of Sydney;
- (ii) to date, seven grants have been provided from the Fund, allocating \$10,010,000 and leaving \$340,000 remaining unallocated;
- (iii) to date the Fund has contributed to the creation of 483 new and refurbished affordable and diverse dwellings, which could house approximately 500 people to live and work in our city; and
- (iv) the Fund's objectives have been successfully met, and have made a significant contribution to the delivery of the City's Social Sustainability Policy and our City For All Strategy; and

- (B) the Chief Executive Officer be requested to consider the inclusion of a further \$10 million allocation to the Affordable and Diverse Housing Fund in the City's 2021/22 Budget, Operational Plan and Long Term Financial Plan, 2021-2024.

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

It is resolved that:

(A) Council note:

- (i) the Affordable and Diverse Housing Fund was established by the City of Sydney in 2015, with a total of \$10,350,000 allocated for the provision of affordable housing projects in the City of Sydney;
- (ii) to date, seven grants and one tranche of operational expenditure have been provided from the Fund, allocating \$10,010,000 and leaving \$340,000 remaining unallocated;
- (iii) to date the Fund has contributed to the creation of 483 new and refurbished affordable and diverse dwellings, which could house approximately 500 people to live and work in our city through the following grants and tranche of operational expenditure;
  - (a) \$1,500,000 grant to HammondCare for an affordable housing aged care facility at 118A Darlinghurst Road, Darlinghurst;
  - (b) \$3,000,000 grant to St George Community Housing for the development of Youth Foyer units and affordable housing dwellings in Chippendale;
  - (c) \$1,000,000 cash grant awarded to redevelop the Wesley Edward Eagar Centre to provide accommodation and support for homeless;
  - (d) \$1,000,000 cash grant awarded to the University of Technology Sydney to support the creation of Australia's first Indigenous Residential College;

- (e) \$3,000,000 has been recommended to Wesley Community Services for affordable housing;
  - (f) \$10,000 cash grant was awarded to Housing All Australians Limited to support an economic study into the long-term costs of not building sufficient affordable, social and public housing;
  - (g) a \$150,000 grant was awarded to St George Community Housing to improve Affordable Housing opportunities for Aboriginal and Torres Strait Islander people; and
  - (h) the City also conducted the Affordable Housing Ideas Challenge with a \$350,000 operational expenditure budget;
- (iv) the Fund's objectives have been successfully met, and have made a significant contribution to the delivery of the City's Social Sustainability Policy and our City For All Strategy;
- (v) on 9 March 2020, Council considered the report on Sustainable Sydney 2050 Update: Affordable and Equitable (Strategic Directions 4 and 6- An Equitable, Affordable and Inclusive City and Housing for All) and noted the proposal to contribute an extra \$10M to the Affordable and Diverse Housing Fund through the discounted sale or leasing of surplus City land, and/or cash; and
- (vi) this additional contribution listed in (v) will be considered when Sustainable Sydney 2050 is adopted, and the revised Long Term Financial Plan is finalised; and
- (B) the Chief Executive Officer be requested to consider the inclusion of a further \$10 million allocation to the Affordable and Diverse Housing Fund in the City's 2021/22 Budget, Operational Plan and Long Term Financial Plan, 2021-2024.

Amendment. Moved by Councillor Thalís, seconded by Councillor Scully –

That the motion be amended by the deletion of clause (B).

The amendment was carried on the following show of hands –

Ayes (4)        The Chair (the Lord Mayor), Councillors Kok, Scully and Thalís

Noes (2)        Councillors Chung and Scott.

Amendment carried.

The amended motion was carried unanimously.

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At 9.50am on Wednesday, 16 December 2020 the reconvened meeting concluded.

Chair of a meeting of the Council of the City  
of Sydney held on Monday, 22 February 2021 at which  
meeting the signature herein was subscribed.