

# Council

Meeting No 10

Monday 21 September 2020

Notice No 10/1621

Notice Date 17 September 2020

*minutes*

## Index to Minutes

| ITEM   | PAGE NO    |
|--|------------|
| <b>1. Confirmation of Minutes .....</b>  | <b>521</b> |
| <b>2. Disclosures of Interest.....</b>   | <b>522</b> |
| <b>3. Minutes by the Lord Mayor.....</b>   | <b>523</b> |
| <b>4. Memoranda by the Chief Executive Officer .....</b>   | <b>524</b> |
| 4.1 Election of Deputy Lord Mayor .....  | 524        |
| 4.2 Council Committees - Functions, Membership, Election of Deputy Chairpersons ...  | 527        |
| 4.3 Central Sydney Planning Committee - Election of Councillors.....   | 542        |
| 4.4 Local Pedestrian, Cycling and Traffic Calming Committee - Policies and Procedures,<br>Membership and Appointment of Chairperson and Alternate Chairperson..... | 546        |
| 4.5 Determination of Number of Councillors.....  | 552        |
| <b>5. Matters for Tabling .....</b>  | <b>554</b> |
| 5.1 Disclosures of Interest.....   | 554        |
| 5.2 Petitions.....   | 554        |
| <b>6. Report of the Corporate, Finance, Properties and Tenders Committee.....</b>  | <b>555</b> |
| 6.1 Disclosures of Interest.....   | 555        |
| 6.2 Investments Held as at 31 August 2020.....   | 556        |
| 6.3 Community Recovery Plan – Financial Support.....   | 556        |
| 6.4 External Memberships.....  | 557        |
| 6.5 Amendments to the Code of Conduct and Procedures.....  | 557        |
| 6.6 Tender - Structures Maintenance Works.....   | 558        |
| <b>7. Report of the Environment Committee.....</b>   | <b>559</b> |
| 7.1 Disclosures of Interest.....   | 559        |
| 7.2 Project Scope - George Street South Pedestrianisation .....  | 559        |
| <b>8. Report of the Cultural and Community Committee.....</b>  | <b>560</b> |
| 8.1 Disclosures of Interest.....   | 560        |
| <b>Cultural and Creative Sub-Committee</b>   |            |
| 8.2 Ad Hoc Grants and Sponsorship - Festivals and Events - Eora NAIDOC.....  | 561        |
| <b>Healthy Communities Sub-Committee</b>   |            |
| 8.3 Draft Child Safety Policy.....   | 561        |

|            |  |            |
|------------|--|------------|
| <b>9.</b>  | <b>Report of the Transport, Heritage and Planning Committee.....</b>   | <b>563</b> |
| 9.1        | Disclosures of Interest.....   | 563        |
| 9.2        | Central Square - Structuring Principles .....  | 564        |
| 9.3        | Public Exhibition - Planning Proposal - 187 Thomas Street, Haymarket - Sydney<br>Local Environmental Plan 2012 and Sydney Development Control Plan 2012<br>Amendment ..... | 564        |
| 9.4        | Post Exhibition - Amendment to Community Participation Plan - Newspaper<br>Advertisements.....   | 565        |
| 9.5        | Fire Safety Reports.....   | 565        |
| <b>10.</b> | <b>Questions on Notice.....</b>  | <b>567</b> |
| <b>11.</b> | <b>Supplementary Answers to Previous Questions .....</b>   | <b>572</b> |
| <b>12.</b> | <b>Notices of Motion .....</b>   | <b>573</b> |
| 12.1       | Saving Moore Park.....   | 573        |
| 12.2       | Seabin Project .....   | 576        |
| 12.3       | Bridge Road Cycleway Safety Audit.....   | 580        |
| 12.4       | Removal of the Bridge Road Pop-Up Cycleway.....  | 585        |
| 12.5       | Go Native.....   | 586        |
| 12.6       | Redfern Waterloo Aboriginal Affordable Housing Campaign .....  | 589        |
| 12.7       | Climate Change and City Electric Vehicle Fleet Outcomes.....   | 591        |
| 12.8       | City Community Engagement for State Significant Precincts.....   | 594        |

## **Present**

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

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

At the commencement of business at 5.05pm, 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, Director City Services, 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.

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

Councillor Linda Scott left the meeting of Council at 5.59pm, prior to discussion and voting on Item 6.4, and returned to the meeting at 6.00pm, after the vote on Item 6.4. Councillor Scott was not present at the meeting of Council, which was held remotely, during discussion or voting on Item 6.4.

**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, 24 August 2020, as circulated to Councillors, be confirmed.

Carried unanimously.

## **Item 2        Disclosures of Interest**

Councillor Linda Scott disclosed a pecuniary interest in Item 6.4 on the agenda, in that she is President of Local Government NSW. Councillor Scott stated that she would leave the meeting for that item.

Councillor Philip Thalys disclosed a less than significant, non-pecuniary interest in Item 9.3 on the agenda, in that one of the consultants associated with this project has been engaged by Councillor Thalys' practice on an unrelated matter outside of the City of Sydney local government area.

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

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

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

## **Adjournment**

At this stage of the meeting, at 5.09pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Thalys –

That the meeting be adjourned for approximately five minutes to allow for technical issues with the livestream of the meeting to be resolved.

Carried unanimously.

All Councillors were present at the resumption of the meeting at 5.21pm.

**Item 3       Minutes by the Lord Mayor**

There were no Minutes by the Lord Mayor for this meeting of Council.

**Item 4 Memoranda by the Chief Executive Officer****Item 4.1 Election of Deputy Lord Mayor****Memorandum by the Chief Executive Officer**

To Council:

Sections 231(1) and (2) of the Local Government Act 1993 (the Act) provide:

- (1) the councillors may elect a person from among their number to be the deputy mayor; and
- (2) the person may be elected for the mayoral term or a shorter term.

At the Council meeting of 9 September 2019, Councillor Jess Scully was elected Deputy Lord Mayor in accordance with the provisions of section 231 of the Local Government Act 1993 for a term commencing immediately and ending on the day appointed for the next ordinary election of Council.

**Postponement of Local Government Elections**

In March 2020, the Minister for Local Government announced that the September 2020 local government elections would be postponed to address the risks posed by the Covid-19 pandemic. The Local Government Act 1993 has been amended to confer on the Minister, a time-limited power to postpone council elections.

The official Order under the Local Government Act 1993 deferring the local government election from 12 September 2020 for twelve months was made on 12 June 2020. The NSW Government has announced that the local government elections will be held on 4 September 2021.

Accordingly, given the postponement of the local government election, it is appropriate that Council declare the office of Deputy Lord Mayor vacant to enable it to elect a Deputy Lord Mayor for a new term of office commencing immediately and ending on the day appointed for the next ordinary election of Council, currently scheduled to be held in September 2021.

**Payment of Fees**

Section 249(5) of the Act provides:

- (5) a council may pay the deputy mayor (if there is one) a fee determined by the council for such time as the deputy mayor acts in the office of the mayor. The amount of the fee so paid must be deducted from the mayor's annual fee.

On 5 June 2000, Council resolved to:

"Pay Councillors the maximum of the range (as determined annually by the Local Government Remuneration Tribunal) as a matter of standing policy.

Pay the Lord Mayor the maximum of the range (in addition to the fee as a Councillor) - as a matter of standing policy (less the Deputy Lord Mayor's fee).

Pay the Deputy Lord Mayor, in addition to the fee as a Councillor, an amount equal to 10 per cent of the mayoral fee actually paid to the Lord Mayor as a matter of standing policy."



### **Call for Nominations**

Nominations for the office of Deputy Lord Mayor are now invited. Nominations must be made in writing by two or more Councillors (one of whom may be the nominee). Nomination forms will be provided to Councillors.

### **Conduct of Election**

Schedule 7 of the Local Government (General) Regulation 2005 provides the method of conducting an election for Deputy Lord Mayor (further details on election procedures will be provided to Councillors). The last time the Deputy Lord Mayor's position was contested the method of voting selected by the Council was open, exhaustive voting.

### **Recommendation**

It is resolved that:

- (A) Council declare the office of Deputy Lord Mayor vacant effective immediately;
- (B) Council elect a Deputy Lord Mayor for a term commencing immediately following the election and ending on the day appointed for the next ordinary election of Council;
- (C) the method of voting be by open, exhaustive voting; and
- (D) the Chief Executive Officer conduct the election forthwith.

### **MONICA BARONE**

Chief Executive Officer

S062388

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

- (A) Council declare the office of Deputy Lord Mayor vacant effective immediately;
- (B) Council elect a Deputy Lord Mayor for a term commencing immediately following the election and ending on the day appointed for the next ordinary election of Council;
- (C) the method of voting be by open, exhaustive voting; and
- (D) the Chief Executive Officer conduct the election forthwith.

Carried unanimously.

At this stage of the meeting, the Chief Executive Officer, as Returning Officer, called on the Council Business Coordinator to assist with the conduct of the ballot.

The Council Business Coordinator announced that two duly completed, written nominations had been received, namely –

Councillor Jess Scully (nominated by the Lord Mayor, seconded by Councillor Thalís)

Councillor Angela Vithoulkas (nominated by Councillor Chung, seconded by Councillor Scott)

Councillors Scully and Vithoulkas in turn indicated acceptance of their nominations.

An election for the office of Deputy Lord Mayor was then conducted, in alphabetical order, and resulted as follows –

Councillor Scully – 5 votes

Councillor Vithoukas – 5 votes

The Council Business Coordinator then explained the procedures to be followed where an equality of voting has occurred.

The names of Councillor Scully and Vithoukas were subsequently deposited in the ballot box.

Upon one name being drawn from the ballot box, the Council Business Coordinator announced that Councillor Scully had been duly elected to the office of Deputy Lord Mayor in accordance with the provisions of section 231 of the Local Government Act 1993 for a term commencing immediately and ending on the day appointed for the next ordinary election of Council.

## **Item 4.2 Council Committees - Functions, Membership, Election of Deputy Chairpersons**

### **Memorandum by the Chief Executive Officer**

To Council:

In accordance with the provisions of section 360 of the Local Government Act 1993, the Local Government (General) Regulation 2005 and clause 18.2 of the City of Sydney Code of Meeting Practice (the Code), the council may establish such committees as it considers necessary.

In 2019, Council resolved to adopt meeting times, functions, policies and procedures of the following Committees and Sub-Committees:

- Corporate, Finance, Properties and Tenders Committee, inclusive of the Economic Development and Business Sub-Committee, commencing at 2.00pm.
- Environment Committee, commencing at the conclusion of the Corporate, Finance, Properties and Tenders Committee.
- Cultural and Community Committee, comprising two Sub-Committees: the Cultural and Creative Sub-Committee and the Healthy Communities Sub-Committee, meeting consecutively at the conclusion of the Environment Committee.
- Transport, Heritage and Planning Committee, commencing at the conclusion of the Cultural and Community Committee.

The administrative arrangements associated with Council's Committees and Sub-Committees are detailed in the 'Functions, Delegations, Policies and Procedures of Council Committees' (refer Attachment A). No amendments are proposed to these documents.

### **Election of Deputy Chairpersons**

Council may elect a Deputy Chairperson of each Committee and Sub-Committee and, if the Lord Mayor does not wish to be the Chairperson of any Committee, elect the Chairperson of each such Committee and Sub-Committee (clauses 18.15 and 18.16 of the Code).

Previously, the Council has chosen to hold a separate election for each of the Deputy Chairperson positions. Elections were conducted by open, exhaustive voting (that is, by a show of hands or similar means for candidates duly nominated).

At the Council meeting of 9 September 2019, Council elected Deputy Chairpersons for each of Council's Committees and Sub-Committees for a term commencing immediately and ending on the day appointed for the next ordinary election of Council, with the Lord Mayor chairing all Committees.

### **Postponement of Local Government Elections**

In March 2020, the Minister for Local Government announced that the September 2020 local government elections would be postponed to address the risks posed by the Covid-19 pandemic. The Local Government Act 1993 has been amended to confer on the Minister, a time-limited power to postpone council elections.

The official Order under the Local Government Act 1993 deferring the local government election from 12 September 2020 for twelve months was made on 12 June 2020. The NSW Government has announced that the local government elections will be held on 4 September 2021.

Accordingly, given the postponement of the local government election, it is appropriate that Council declare the offices of Deputy Chairperson vacant to enable it to elect a Deputy Chairperson for each of the following Committees and Sub-Committees for the new term of office commencing immediately and ending on the day appointed for the next ordinary election of Council, currently scheduled to be held in September 2021.

- (1) Corporate, Finance, Properties and Tenders Committee;
- (2) Economic Development and Business Sub-Committee;
- (3) Environment Committee;
- (4) Cultural and Creative Sub-Committee;
- (5) Healthy Communities Sub-Committee; and
- (6) Transport, Heritage and Planning Committee.

### **Recommendation**

It is resolved that:

- (A) the Functions, Delegations, Policies and Procedures of Council Committees, as shown at Attachment A to the subject Memorandum, be endorsed and adopted;
- (B) Council declare the offices of Deputy Chairperson of the Corporate, Finance, Properties and Tenders Committee, Environment Committee and Transport, Heritage and Planning Committee vacant effective immediately;
- (C) Council elect the Deputy Chairpersons of the Corporate, Finance, Properties and Tenders Committee, Environment Committee and Transport, Heritage and Planning Committee for a term commencing immediately following the election and ending on the day appointed for the next ordinary election of Council;
- (D) Council declare the offices of Deputy Chairperson of the Sub-Committees of the Corporate, Finance, Properties and Tenders Committee and Cultural and Community Committee vacant effective immediately;
- (E) Council elect the Deputy Chairpersons of the Sub-Committees of the Corporate, Finance, Properties and Tenders Committee and Cultural and Community Committee for a term commencing immediately following the election and ending on the day appointed for the next ordinary election of Council;
- (F) if the Lord Mayor does not wish to be the Chairperson of any Committee, Council elect the Chairperson of each such Committee for a term effective immediately and ending on the day appointed for the next ordinary election of Council;

- (G) the method of voting be open, exhaustive voting; and
- (H) the Chief Executive Officer conduct the election forthwith.

**MONICA BARONE**

Chief Executive Officer

**Attachments**

**Attachment A.** Functions, Delegations, Policies and Procedures of Council Committees

S062388

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

It is resolved that:

- (A) the Functions, Delegations, Policies and Procedures of Council Committees, as shown at Attachment A to the subject Memorandum, be endorsed and adopted;
- (B) Council declare the offices of Deputy Chairperson of the Corporate, Finance, Properties and Tenders Committee, Environment Committee and Transport, Heritage and Planning Committee vacant effective immediately;
- (C) Council elect the Deputy Chairpersons of the Corporate, Finance, Properties and Tenders Committee, Environment Committee and Transport, Heritage and Planning Committee for a term commencing immediately following the election and ending on the day appointed for the next ordinary election of Council;
- (D) Council declare the offices of Deputy Chairperson of the Sub-Committees of the Corporate, Finance, Properties and Tenders Committee and Cultural and Community Committee vacant effective immediately;
- (E) Council elect the Deputy Chairpersons of the Sub-Committees of the Corporate, Finance, Properties and Tenders Committee and Cultural and Community Committee for a term commencing immediately following the election and ending on the day appointed for the next ordinary election of Council;
- (F) if the Lord Mayor does not wish to be the Chairperson of any Committee, Council elect the Chairperson of each such Committee for a term effective immediately and ending on the day appointed for the next ordinary election of Council;
- (G) the method of voting be open, exhaustive voting; and
- (H) the Chief Executive Officer conduct the election forthwith.

Carried unanimously.

The Chair (the Lord Mayor), in accordance with clause (F) of the resolution, confirmed that she wished to be the Chair of all Committees.

At this stage of the meeting, the Chief Executive Officer, as Returning Officer, called upon the Council Business Coordinator to assist with the conduct of the ballot.

The Council Business Coordinator invited nominations from Councillors for the positions of Deputy Chairs of Committees and Sub-Committees.

Nominations were made and accepted as follows. Elections were conducted with the results as follows –

(1) Corporate, Finance, Properties and Tenders Committee

Two nominations for the Deputy Chairperson were received, as follows –

Councillor Kerry Phelp (nominated by Councillor Forster, seconded by Councillor Vithoulkas)

Councillor Jess Scully (nominated by Councillor Kok, seconded by Councillor Miller)

Councillors Phelp and Scully in turn indicated acceptance of their nominations.

An election for the position of Deputy Chairperson of the Corporate, Finance, Properties and Tenders Committee was then conducted and resulted as follows –

Councillor Phelp – 4 votes

Councillor Scully – 6 votes

The Council Business Coordinator then declared Councillor Scully duly elected to the position of Deputy Chairperson of the Corporate, Finance, Properties and Tenders Committee for a term commencing immediately and ending on the day appointed for the next ordinary election of Council;

(2) Economic Development and Business Sub-Committee.

Two nominations for the Deputy Chairperson were received, as follows –

Councillor Christine Forster (nominated by Councillor Chung, seconded by Councillor Phelp)

Councillor Robert Kok (nominated by Councillor Miller, seconded by Councillor Scully)

Councillors Forster and Kok in turn indicated acceptance of their nominations.

An election for the position of Deputy Chairperson of the Economic Development and Business Sub-Committee was then conducted and resulted as follows –

Councillor Kok – 6 votes

Councillor Vithoulkas – 4 votes

The Council Business Coordinator then declared Councillor Kok duly elected to the position of Deputy Chairperson of the Economic Development and Business Sub-Committee for a term commencing immediately and ending on the day appointed for the next ordinary election of Council.

(3) Environment Committee

Two nominations for the Deputy Chairperson were received, as follows -

Councillor Angela Vithoukas (nominated by Councillor Forster, seconded by Councillor Chung)

Councillor Jess Miller (nominated by Councillor Scully, seconded by Councillor Kok)

Councillors Vithoukas and Miller in turn indicated acceptance of their nominations.

An election for the position of Deputy Chairperson of the Environment Committee was then conducted and resulted as follows –

Councillor Miller – 6 votes

Councillor Vithoukas – 4 votes

The Council Business Coordinator then declared Councillor Miller duly elected to the position of Deputy Chairperson of the Environment Committee for a term commencing immediately and ending on the day appointed for the next ordinary election of Council.

(4) Cultural and Creative Sub-Committee

Two nominations for the Deputy Chairperson were received, as follows –

Councillor Craig Chung (nominated by Councillor Forster, seconded by Councillor Vithoukas)

Councillor Robert Kok (nominated by Councillor Scully, seconded by Councillor Thalís)

Councillors Chung and Kok in turn indicated acceptance of their nominations.

An election for the position of Deputy Chairperson of the Cultural and Creative Sub-Committee was then conducted and resulted as follows –

Councillor Chung – 4 votes

Councillor Kok – 6 votes

The Council Business Coordinator then declared Councillor Kok duly elected to the position of Deputy Chairperson of the Cultural and Creative Sub-Committee for a term commencing immediately and ending on the day appointed for the next ordinary election of Council.

(5) Healthy Communities Sub-Committee

Two nominations for the Deputy Chairperson were received, as follows -

Councillor Kerry Phelps (nominated by Councillor Vithoukas, seconded by Councillor Forster)

Councillor Linda Scott (nominated by Councillor Scott, seconded by Councillor Scully)

Councillors Phelps and Scott in turn indicated their acceptance of their nominations.

An election for the position of Deputy Chairperson of the Healthy Communities Sub-Committee was then conducted and resulted as follows –

Councillor Phelps – 4 votes

Councillor Scott – 6 votes

The Council Business Coordinator then declared Councillor Scott duly elected to the position of Deputy Chairperson of the Healthy Communities Sub-Committee for a term commencing immediately and ending on the day appointed for the next ordinary election of Council.

(6) Transport, Heritage and Planning Committee

Two nominations for the Deputy Chairperson were received, as follows –

Councillor Christine Forster (nominated by Councillor Chung, seconded by Councillor Phelps)

Councillor Philip Thalís (nominated by Councillor Kok, seconded by Councillor Miller)

Councillors Forster and Thalís in turn indicated their acceptance of their nominations.

An election for the position of Deputy Chairperson of the Transport, Heritage and Planning Committee was then conducted and resulted as follows -

Councillor Forster – 4 votes

Councillor Thalís – 6 votes

The Council Business Coordinator then declared Councillor Thalís duly elected to the position of Deputy Chairperson of the Transport, Heritage and Planning Committee for a term commencing immediately and ending on the day appointed for the next ordinary election of Council.



Note – the Functions, Delegations, Policies and Procedures of Council Committees are as follows:

|   |
|---|
| <b>CORPORATE, FINANCE, PROPERTIES AND TENDERS<br/>COMMITTEE</b> |
|---|

Meeting Time: Monday 2.00pm

Venue: Council Chamber

Chairperson: The Lord Mayor, Councillor Clover Moore

Deputy Chairperson: Councillor Jess Scully

Members: Councillor Craig Chung  
Councillor Christine Forster  
Councillor Robert Kok  
Councillor Jess Miller  
Councillor Prof Kerry Phelps AM  
Councillor Linda Scott  
Councillor Prof Philip Thalys  
Councillor Angela Vithoulkas

Quorum: A majority of the members of the Committee

Functions:

- (1) To deal with all matters relating to:
- (a) Finance
  - (b) Consideration of budgets and quarterly budget performance
  - (c) Information Technology Policy
  - (d) Asset management
  - (e) Internal and external audit
  - (f) Fees and charges
  - (g) Rating matters
  - (h) Council vehicles and fleet management
  - (i) Industrial relations
  - (j) Organisational policy issues, eg, industrial agreements
  - (k) Council property management, including management, maintenance, leasing, licensing and sale of Council property (excluding footways but including the use, leasing and purchase of other non-Council property)

- (l) Tenders valued at over \$5 million
- (m) Grants and sponsorships
- (n) Economic development and strategy
- (o) Global city relationships, trade and marketing
- (p) Innovation
- (q) Village economies
- (r) Small business
- (s) City retailing
- (t) Operational and promotional issues relating to restaurants and hotels
- (u) Tourism

(2) To form the following sub-committee, and to exercise the functions listed above through this sub-committee:

**(a) Economic Development and Business Sub-Committee -**

Chairperson: The Lord Mayor, Councillor Clover Moore

Deputy Chairperson: Councillor Robert Kok

Members:

- Councillor Craig Chung
- Councillor Christine Forster
- Councillor Jess Miller
- Councillor Prof Kerryn Phelps AM
- Councillor Linda Scott
- Councillor Jess Scully
- Councillor Prof Philip Thalís
- Councillor Angela Vithoulkas

Quorum: A majority of the members of the Sub-Committee

Functions: To exercise all of the functions of the Corporate, Finance, Properties and Tenders Committee in respect of economic development and business related matters.

|                              |
|------------------------------|
| <b>ENVIRONMENT COMMITTEE</b> |
|------------------------------|

Meeting Time: At the conclusion of the meeting of the Corporate, Finance, Properties and Tenders Committee

Venue: Council Chamber

Chairperson: The Lord Mayor, Councillor Clover Moore

Deputy Chairperson: Councillor Jess Miller

Members: Councillor Craig Chung  
Councillor Christine Forster  
Councillor Robert Kok  
Councillor Prof Kerry Phelps AM  
Councillor Linda Scott  
Councillor Jess Scully  
Councillor Prof Philip Thalys  
Councillor Angela Vithoulkas

Quorum: A majority of the members of the Committee

Functions: To deal with all matters relating to:

- (a) Environmental management and sustainability
- (b) Design of City of Sydney projects, eg, public spaces, parks, city buildings and community facilities
- (c) Urban infrastructure, particularly roads, stormwater, drainage and footpaths
- (d) Parks and open spaces
- (e) Street trees
- (f) Street and footpath maintenance and cleaning
- (g) Graffiti removal
- (h) Waste and recycling

- (i) Street furniture
- (j) Street lighting
- (k) Grants and sponsorships

|   |
|---|
| <b>CULTURAL AND COMMUNITY COMMITTEE</b> |
|---|

Meeting Time: At the conclusion of the Environment Committee

Venue: Council Chamber

Chairperson: The Lord Mayor, Councillor Clover Moore

Members: Councillor Craig Chung  
Councillor Christine Forster  
Councillor Robert Kok  
Councillor Jess Miller  
Councillor Prof Kerry Phelps AM  
Councillor Linda Scott  
Councillor Jess Scully  
Councillor Prof Philip Thalys  
Councillor Angela Vithoulkas

Quorum: A majority of the members of the Committee

Functions:

- (1) To deal with all matters relating to:
- (a) Arts (including visual and performing) and culture within the City of Sydney
  - (b) City of Sydney events, programs and activities
  - (c) Assistance to community and cultural organisations
  - (d) Community services
  - (e) Recreation services
  - (f) Child care services
  - (g) Library services
  - (h) Cultural and social diversity
  - (i) Cultural, social and economic disadvantage
  - (j) Innovation
  - (k) Liquor licensing
  - (l) Community housing

- (m) Cultural venue management
- (n) Tourism
- (o) the Film Industry
- (p) Grants and sponsorships

(2) To form the following sub-committees, and to exercise the functions listed above through these Sub-Committees:

**(a) Cultural and Creative Sub-Committee –**

Chairperson: The Lord Mayor, Councillor Clover Moore

Deputy Chairperson: Councillor Robert Kok

Members:

- Councillor Craig Chung
- Councillor Christine Forster
- Councillor Jess Miller
- Councillor Prof Kerry Phelp AM
- Councillor Linda Scott
- Councillor Jess Scully
- Councillor Prof Philip Thalys
- Councillor Angela Vithoulkas

Quorum: A majority of the members of the Committee

Functions: To exercise the functions listed above in respect of cultural and creative matters.

**(b) Healthy Communities Sub-Committee -**

Chairperson: The Lord Mayor, Councillor Clover Moore

Deputy Chairperson: Councillor Linda Scott

Members: Councillor Craig Chung  
Councillor Christine Forster  
Councillor Robert Kok  
Councillor Jess Miller  
Councillor Prof Kerry Phelps AM  
Councillor Jess Scully  
Councillor Prof Philip Thalys  
Councillor Angela Vithoulkas

Quorum: A majority of the members of the Committee

Functions: To exercise the functions listed above in respect of matters related to healthy communities.

## **TRANSPORT, HERITAGE AND PLANNING COMMITTEE**

- Meeting Times: At the conclusion of the Cultural and Community Committee
- Venue: Council Chamber
- Chairperson: The Lord Mayor, Councillor Clover Moore
- Deputy Chairperson: Councillor Prof Philip Thalís
- Members:
- Councillor Craig Chung
  - Councillor Christine Forster
  - Councillor Robert Kok
  - Councillor Jess Miller
  - Councillor Prof Kerryn Phelps AM
  - Councillor Linda Scott
  - Councillor Jess Scully
  - Councillor Angela Vithoulkas
- Quorum: A majority of the members of the Committee
- Functions: To deal with all matters relating to:
- (a) Planning instruments, ie, LEPs, DCPs, Policies
  - (b) Transport and access initiatives and issues
  - (c) Parking policy
  - (d) Traffic and the Local Pedestrian, Cycling and Traffic Calming Committee
  - (e) Referrals from other authorities for comment on any of the above matters
  - (f) Grants and sponsorships
  - (g) All applications for footway usage approvals



|  |
|--|
| <b>POLICIES AND PROCEDURES OF COMMITTEES</b> |
|--|

- (a) The structure and functions of Committees is standing policy of Council.
- (b) All correspondence from, or to, all Committees, and Sub-Committees, shall be handled through normal Council processes.
- (c) All Committees and Sub-Committees shall be advisory to Council and have no independent role, except where specific authorities are delegated to them by Council.
- (d) Matters dealt with in Committee shall be submitted to Council without recommendation only when the chairperson so determines.
- (e) The chairpersons of Standing Committees and Sub-Committees shall have a casting vote in the event of an equality of voting.

**Item 4.3 Central Sydney Planning Committee - Election of Councillors****Memorandum by the Chief Executive Officer**

To Council:

The Central Sydney Planning Committee (CSPC) is constituted by the City of Sydney Act 1988 (the Act).

Section 34(1) of the Act provides that the Committee shall consist of seven members:

- (a) the Lord Mayor of Sydney;
- (b) two councillors of the City of Sydney elected by the City Council; and
- (c) four persons (two of whom are senior State government employees and two of whom are not State or local government employees) appointed by the Minister administering Part 4 of the Planning Act, each having expertise in at least one of architecture, building, civic design, construction, engineering, transport, tourism, the arts, planning or heritage.

The persons currently appointed by the Minister pursuant to clause (c) are Ms Abbie Galvin, Ms Alex O'Mara, Mr Dick Persson AM and Mr Richard Horne.

Previously, the Council has chosen to hold a separate election for each of the two Council-elected members; the elections were by open, exhaustive voting (that is, by a show of hands or similar means for candidates duly nominated).

At the Council meeting of 9 September 2019, Council elected Councillors Philip Thalys and Jess Scully to the two positions on the Central Sydney Planning Committee, effective immediately until the day appointed for the next ordinary election of Council.

The Act provides that Council may appoint an alternate for each of the elected members. At the Council meeting of 9 September 2019, Council appointed Councillor Robert Kok as alternate to Councillor Thalys and Councillor Linda Scott as alternate to Councillor Scully until the day appointed for the next ordinary election of Council.

**Postponement of Local Government Elections**

In March 2020, the Minister for Local Government announced that the September 2020 local government elections would be postponed to address the risks posed by the Covid-19 pandemic. The Local Government Act 1993 has been amended to confer on the Minister, a time-limited power to postpone council elections.

The official Order under the Local Government Act 1993 deferring the local government election from 12 September 2020 for twelve months was made on 12 June 2020. The NSW Government has announced that the local government elections will be held on 4 September 2021.

Accordingly, given the postponement of the local government election, it is appropriate that Council declare the offices of Central Sydney Planning Committee member vacant to enable it to elect Central Sydney Planning Committee members for a new term of office commencing immediately and ending on the day appointed for the next ordinary election of Council, currently scheduled to be held in September 2021.

**Recommendation**

It is resolved that:

- (A) Council declare the offices of Central Sydney Planning Committee member vacant effective immediately;
- (B) Council elect two Councillors to be members of the Central Sydney Planning Committee commencing immediately following the election and ending on the day appointed for the next ordinary election of Council;
- (C) the method of voting be open, exhaustive voting;
- (D) the Chief Executive Officer conduct the election forthwith; and
- (E) Council appoint alternates for each member elected.

**MONICA BARONE**

Chief Executive Officer

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

It is resolved that:

- (A) Council declare the offices of Central Sydney Planning Committee member vacant effective immediately;
- (B) Council elect two Councillors to be members of the Central Sydney Planning Committee commencing immediately following the election and ending on the day appointed for the next ordinary election of Council;
- (C) the method of voting be open, exhaustive voting;
- (D) the Chief Executive Officer conduct the election forthwith; and
- (E) Council appoint alternates for each member elected.

Carried unanimously.

S062388

At this stage of the meeting, the Chief Executive Officer, as Returning Officer, called upon the Council Business Coordinator to assist with the conduct of the ballot.

The Council Business Coordinator invited nominations from Councillors for the first position on the Central Sydney Planning Committee.

The Council Business Coordinator announced that two nominations had been received, namely –

Councillor Craig Chung (nominated by Councillor Forster, seconded by Councillor Vithoulkas)

Councillor Philip Thalys (nominated by Councillor Scully, seconded by Councillor Miller)

Councillors Chung and Thalys in turn indicated acceptance of their nominations.

An election for the office of the first position on the Central Sydney Planning Committee was then conducted, in alphabetical order, and resulted as follows –

Councillor Chung – 4 votes

Councillor Thalís – 6 votes

The Council Business Coordinator then declared Councillor Thalís duly elected to the first position on the Central Sydney Planning Committee for a term commencing immediately and ending on the day appointed for the next ordinary election of Council.

The Council Business Coordinator invited nominations from Councillors for the second position on the Central Sydney Planning Committee.

The Council Business Coordinator announced that two nominations had been received, namely –

Councillor Christine Forster (nominated by Councillor Chung, seconded by Councillor Phelps)

Councillor Jess Scully (nominated by Councillor Thalís, seconded by Councillor Kok)

Councillors Forster and Scully in turn indicated acceptance of their nominations.

An election for the office of the second position on the Central Sydney Planning Committee was then conducted, in alphabetical order, and resulted as follows –

Councillor Forster – 4 votes

Councillor Scully – 6 votes

The Council Business Coordinator then declared Councillor Scully duly elected to the second position on the Central Sydney Planning Committee for a term commencing immediately and ending on the day appointed for the next ordinary election of Council.

The Council Business Coordinator invited nominations from Councillors for the first alternate position (to Councillor Thalís) on the Central Sydney Planning Committee.

The Council Business Co-ordinator announced that two nominations had been received, namely –

Councillor Linda Scott (nominated by Councillor Scott, seconded by Councillor Scully)

Councillor Kerryn Phelps (nominated by Councillor Chung, seconded by Councillor Vithoukás)

Councillors Scott and Phelps in turn indicated acceptance of their nominations.

An election for the office of the second position on the Central Sydney Planning Committee was then conducted, in alphabetical order, and resulted as follows –

Councillor Phelps – 4 votes

Councillor Scott – 6 votes

The Council Business Coordinator then declared Councillor Scott duly elected to the first alternate position (to Councillor Thalís) on the Central Sydney Planning Committee for a term commencing immediately and ending on the day appointed for the next ordinary election of Council.

The Council Business Coordinator invited nominations from Councillors for the second alternate position (to Councillor Scully) on the Central Sydney Planning Committee.

The Council Business Coordinator announced that two nominations had been received, namely –  
Councillor Robert Kok (nominated by Councillor Miller, seconded by Councillor Thalís)  
Councillor Angela Vithoukas (nominated by Councillor Chung, seconded by Councillor Phelps)  
Councillors Kok and Vithoukas in turn indicated acceptance of their nominations.

An election for the office of the second position on the Central Sydney Planning Committee was then conducted, in alphabetical order, and resulted as follows –

Councillor Kok – 6 votes

Councillor Vithoukas – 3 votes

The Council Business Coordinator then declared Councillor Kok duly elected to the second alternate position (to Councillor Scully) on the Central Sydney Planning Committee for a term commencing immediately and ending on the day appointed for the next ordinary election of Council.

**Item 4.4      Local Pedestrian, Cycling and Traffic Calming Committee - Policies and Procedures, Membership and Appointment of Chairperson and Alternate Chairperson**

**Memorandum by the Chief Executive Officer**

To Council:

The Local Pedestrian, Cycling and Traffic Calming Committee is a statutory committee, established under the Roads Act 1993 and in accordance with administrative procedures required by Transport for NSW (formerly Roads and Maritime Services).

Councils have been delegated certain powers by Transport for NSW regarding the regulation of traffic on local roads. A condition of this delegation is that councils must take into account the advice of their Local Pedestrian, Cycling and Traffic Calming Committee before exercising these powers.

The Local Pedestrian, Cycling and Traffic Calming Committee has no decision-making powers. It is primarily a technical review body which is required to advise Council and City staff on traffic-related matters. Council and City staff are therefore not bound or required to implement a proposal supported by the Local Pedestrian, Cycling and Traffic Calming Committee. Any proposal supported by the Local Pedestrian, Cycling and Traffic Calming Committee must be approved by either the elected Council or authorised City staff (depending on the nature of the proposal) if it is to be implemented. This can only be done when the advice of the Committee is unanimous. Where the advice of the Committee is not unanimous, Council must separately notify and obtain the endorsement of Transport for NSW and NSW Police.

The Local Pedestrian, Cycling and Traffic Calming Committee is made up of four formal (voting) members as follows:

- one representative of Council (Chairperson or alternate Chairperson);
- one representative of NSW Police;
- one representative of Transport for NSW;
- the local State Member of Parliament (MP) or their nominee;
- one representative of a relevant NSW Government agency (where applicable)\*.

Representatives of NSW Police and State MPs can only vote on matters in their respective command or electorate.

\*The NSW Government agencies are formal (voting) members for matters relating to roads over which they have jurisdiction only (for example, Property NSW / Place Management NSW / Infrastructure NSW). The City of Sydney Council is not a formal (voting) member for these matters.

The Chairperson and alternate Chairperson are to be determined by Council, and Council's representative may be any Councillor or City staff. Council (in consultation with the formal members of the Local Pedestrian, Cycling and Traffic Calming Committee) may also decide to have additional informal (non-voting) representatives who can provide non-binding input on matters under consideration. Informal (non-voting) members of the Local Pedestrian, Cycling and Traffic Calming Committee are as follows:

- Transit Systems representative;
- Transport Workers Union representative;
- cycling representative appointed by the Lord Mayor; and
- pedestrian representative appointed by the Lord Mayor.

City staff convene meetings and provide administrative support for the Committee, including the preparation of agendas, reports and minutes, and formally represent Council when both the Chairperson and the alternate Chairperson are absent.

The Local Pedestrian, Cycling and Traffic Calming Committee meets every third Thursday of the month, except in January, at 10.00am. Members of the public can attend and speak to an item on the Local Pedestrian, Cycling and Traffic Calming Committee agenda.

At the Council meeting of 9 September 2019, Councillor Philip Thalys and Councillor Linda Scott were appointed Chairperson and alternate Chairperson of the Local Pedestrian, Cycling and Traffic Calming Committee respectively for a term of office ending on the day appointed for the next ordinary election of Council.

### **Postponement of Local Government Elections**

In March 2020, the Minister for Local Government announced that the September 2020 local government elections would be postponed to address the risks posed by the Covid-19 pandemic. The Local Government Act 1993 has been amended to confer on the Minister, a time-limited power to postpone council elections.

The official Order under the Local Government Act 1993 deferring the local government election from 12 September 2020 for twelve months was made on 12 June 2020. The NSW Government has announced that the local government elections will be held on 4 September 2021.

Accordingly, given the postponement of the local government election, it is appropriate that Council declare the offices of Chairperson and alternate Chairperson vacant to enable it to appoint a Chairperson and alternate Chairperson for a new term of office commencing immediately and ending on the day appointed for the next ordinary election of Council, currently scheduled to be held in September 2021.

It is also recommended that the Policies and Procedures of the Local Pedestrian, Cycling and Traffic Calming Committee as set out in Attachment A to this Memorandum be endorsed and adopted. Minor amendments are proposed reflecting the organisational changes at State government level.

## Recommendation

It is resolved that:

- (A) the Policies and Procedures of the Local Pedestrian, Cycling and Traffic Calming Committee, as contained in Attachment A to the subject Memorandum, be endorsed and adopted;
- (B) the informal (non-voting) representatives to the Local Pedestrian, Cycling and Traffic Calming Committee, as outlined in the subject Memorandum, be endorsed;
- (C) Council declare the offices of Chairperson and alternate Chairperson of the Local Pedestrian, Cycling and Traffic Calming Committee vacant effective immediately;
- (D) Council appoint Councillor ..... as the Chairperson of the Local Pedestrian, Cycling and Traffic Calming Committee for a term commencing immediately and ending on the day appointed for the next ordinary election of Council; and
- (E) Council appoint Councillor ..... as the alternate Chairperson of the Local Pedestrian, Cycling and Traffic Calming Committee, for a term commencing immediately and ending on the day appointed for the next ordinary election of Council.

## MONICA BARONE

Chief Executive Officer

## Attachments

**Attachment B.** Policies and Procedures of the Local Pedestrian, Cycling and Traffic Calming Committee

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

It is resolved that:

- (A) the Policies and Procedures of the Local Pedestrian, Cycling and Traffic Calming Committee, as contained in Attachment A to the subject Memorandum, be endorsed and adopted;
- (B) the informal (non-voting) representatives to the Local Pedestrian, Cycling and Traffic Calming Committee, as outlined in the subject Memorandum, be endorsed;
- (C) Council declare the offices of Chairperson and alternate Chairperson of the Local Pedestrian, Cycling and Traffic Calming Committee vacant effective immediately;
- (D) Council appoint Councillor Thalís as the Chairperson of the Local Pedestrian, Cycling and Traffic Calming Committee for a term commencing immediately and ending on the day appointed for the next ordinary election of Council; and
- (E) Council appoint Councillor Scott as the alternate Chairperson of the Local Pedestrian, Cycling and Traffic Calming Committee, for a term commencing immediately and ending on the day appointed for the next ordinary election of Council.



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

It is resolved that:

- (A) the Policies and Procedures of the Local Pedestrian, Cycling and Traffic Calming Committee, as contained in Attachment A to the subject Memorandum, be endorsed and adopted;
- (B) the informal (non-voting) representatives to the Local Pedestrian, Cycling and Traffic Calming Committee, as outlined in the subject Memorandum, be endorsed;
- (C) Council declare the offices of Chairperson and alternate Chairperson of the Local Pedestrian, Cycling and Traffic Calming Committee vacant effective immediately;
- (D) Council appoint Councillor Phelps as the Chairperson of the Local Pedestrian, Cycling and Traffic Calming Committee for a term commencing immediately and ending on the day appointed for the next ordinary election of Council; and
- (E) Council appoint Councillor Vithoukas as the alternate Chairperson of the Local Pedestrian, Cycling and Traffic Calming Committee, for a term commencing immediately and ending on the day appointed for the next ordinary election of Council.

The amendment was lost on the following show of hands –

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

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

Amendment lost.

The 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 Vithoukas.

Motion carried.

S062388

Note – the Policies and Procedures of the Local Pedestrian, Cycling and Traffic Calming Committee are as follows:

## LOCAL PEDESTRIAN, CYCLING AND TRAFFIC CALMING COMMITTEE

The Local Pedestrian, Cycling and Traffic Calming Committee is a statutory committee, established under the Roads Act 1993 and in accordance with administrative procedures established by ***Transport for NSW (formerly Roads and Maritime Services)***.

Chairperson: To be determined

Alternate Chairperson: To be determined

Members: There are four formal members of the Traffic Committee:

(a) Four formal (voting) representatives, one from each of the following -

- City of Sydney Council (Chairperson)
- NSW Police Service
- ~~NSW Roads and Maritime Services~~ ***Transport for NSW***
- Local State Members of Parliament or their nominee.
- NSW Government Agencies\*\*

Note: representatives of the NSW Police Service and representatives of State MPs can only vote on issues in their command or electorate respectively.

\*\*The NSW Government agencies are formal (voting) members for matters relating to roads over which they have jurisdiction only (for example, Property NSW / Place Management NSW / Infrastructure NSW). The City of Sydney Council is not a formal (voting) member for these matters.

(b) Informal (non-voting) representatives, where relevant, from each of the following –

- ~~Transport for NSW representative~~ ***Transit Systems representative***
- Transport Workers Union representative
- a cycling representative appointed by the Lord Mayor and
- a pedestrian representative appointed by the Lord Mayor.

The Chairperson and their alternate shall be determined by Council. The views of informal members are considered but not binding.

Administration: City staff convene meetings and provide administrative support for the Committee, including the preparation of agendas, reports and minutes, and formally represent Council when both the Chairperson and the alternate are absent.

Function: Council has been delegated certain powers from ***Transport for NSW*** the ~~Roads and Maritime Services~~ with regard to traffic matters on local roads. A condition of this delegation is that Council must take into account the advice of the Local Pedestrian, Cycling and Traffic Calming Committee. The Local Pedestrian, Cycling and Traffic Calming Committee has no decision-making powers. It is primarily a technical review body which is required to advise Council on traffic related matters. All proposals recommended by the Local Pedestrian, Cycling and Traffic Calming Committee must still be formally approved by either the elected Council or authorised City staff (depending on the nature of the proposal). This can only be done when the advice of the Committee is unanimous. Where the advice of the Committee is not unanimous, Council must separately notify and obtain endorsement from ~~Roads and Maritime Services~~ ***Transport for NSW*** and the NSW Police Service.

Meetings/Attendance: The Local Pedestrian, Cycling and Traffic Calming Committee generally meets every third Thursday of the month at 10.00am in the Council Chamber, Level 1, Sydney Town Hall, George Street, Sydney. Members of the public are welcome to attend and speak to an item on the Local Pedestrian, Cycling and Traffic Calming Committee agenda. Addresses to the Committee are limited to 3 minutes, but this can be extended at the discretion of the Chairperson. If a member of the public wishes to attend, it is requested that they inform the Committee Secretary in advance on 9265 9648.

---

## **Item 4.5      Determination of Number of Councillors**

### **Memorandum by the Chief Executive Officer**

To Council:

Section 224 of the Local Government Act 1993 requires that:

- (1) A council must have at least five and not more than 15 councillors (one of whom is the mayor).
- (2) Not less than 12 months before the next ordinary election, the council must determine the number, in accordance with subsection (1), of its councillors for the following term of office.
- (3) If the council proposes to change the number of councillors, it must, before determining the number, obtain approval for the change at a constitutional referendum.

Council is therefore required by section 224 of the Local Government Act 1993 to determine the number of councillors for the term of office to follow the elections to be held in September 2021.

I am not aware of any reason why Council would wish to increase or decrease the number of councillors.

Accordingly, it is not proposed to take any action in respect of the holding of a constitutional referendum to seek approval for such a change.

On 9 September 2019, Council determined that the number of councillors be maintained at 10 for the following term of office of the City of Sydney Council, commencing in September 2020.

In March 2020, the Minister for Local Government announced that the September 2020 local government elections would be postponed to address the risks posed by the Covid-19 pandemic. The Local Government Act 1993 (the Act) has been amended to confer on the Minister, a time-limited power to postpone council elections.

The official Order under the Local Government Act 1993 deferring the local government election from 12 September 2020 for twelve months was made on 12 June 2020. The NSW Government has announced that the local government elections will be held on 4 September 2021.

As the determination made in 2019 made specific mention of the term of office commencing in September 2020, given the deferral of the local government elections, and the absence of a provision that automatically extends the determination to the new election date, it is considered prudent for a new determination to be made referring to the new date.

**Recommendation**

It is resolved that Council determines that the number of councillors be maintained at 10 for the following term of office of the City of Sydney Council, commencing following the next ordinary local government election.

**MONICA BARONE**

Chief Executive Officer

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

That the memorandum by the Chief Executive Officer be endorsed and adopted.

Carried unanimously.

X001937

## **Item 5        Matters for Tabling**

### **5.1 Disclosures of Interest**

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

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)    Additional Southern Entrance to Erskineville Station**

The following Petition, of which notice was given by the Lord Mayor, Councillor Clover Moore, was laid on the table.

The Petition of citizens of New South Wales bring to the attention of the House the rapidly increasing population of Erskineville, particularly in the Ashmore estate development, to the south of Erskineville train station. There is a need for an additional southern entrance to the station to increase accessibility, improve overall journey times, and encourage a greater switch to public transport.

The undersigned petitioners therefore ask the Legislative Assembly to recommend the building of a southern entrance to Erskineville station.

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

It is resolved that the Petition be received and noted.

Carried unanimously.

Note - Councillor Phelps tabled a Road Safety Audit which was then discussed at Item 12.3.

**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 Kerry Phelps AM, Linda Scott, Prof Philip Thalys and Angela Vithoulkas.

At the commencement of business at 2.02pm those present were -

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

Councillor Linda Scott left the meeting of the Corporate, Finance, Properties and Tenders Committee at 2.27pm, prior to discussion on Item 6.4, and returned at 2.43pm after the vote on Item 6.4. 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 6.4.

The meeting of the Corporate, Finance, Properties and Tenders Committee concluded at 2.57pm.

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

Moved by Councillor Scully, seconded by Councillor Kok –

That the report of the Corporate, Finance, Properties and Tenders Committee of its meeting of 14 September 2020 be received, with Item 6.1 being noted, the recommendations set out below for Items 6.2 and 6.6 being adopted in globo, and Items 6.3 to 6.5 inclusive 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 6.4 on the agenda, in that she is President of Local Government NSW. Councillor Scott stated that she would leave the meeting for that 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**

### **Investments Held as at 31 August 2020**

It is resolved that the Investment Report as at 31 August 2020 be received and noted.

Carried unanimously.

X020701

## **Item 6.3**

### **Community Recovery Plan – Financial Support**

Note – the recommendation of the Corporate, Finance, Properties and Tenders Committee was not adopted. The following motion was adopted.

Moved by Councillor Scully, seconded by Councillor Miller –

It is resolved that Council:

- (A) endorse the continued support for our small business and community and cultural sector until 31 March 2021, including:
  - (i) waiving fees for Health and Building compliance activities;
  - (ii) reviewing rents in conjunction with tenants in City premises for those tenants that require support on a case-by-case basis;
  - (iii) waiving standard contractual terms and return venue booking and banner fees to people and organisations who have booked City of Sydney venues and banners and may then be unable to proceed with their bookings;
  - (iv) waiving footway dining, market permit and filming fees on the grounds of hardship;
  - (v) providing additional rental support for our Accommodation Grant Program tenants and childcare services by waiving all rent; and
  - (vi) allowing recipients to vary their deliverables under existing grants to enable recipients to retain those funds to support the continuing viability of the City's cultural and creative community; and
- (B) extend the term of Delegation 15A of the Delegations to the Chief Executive Officer in relation to entering into any contracts or documentation to allow grant recipients to vary their deliverables under existing grant agreements to 31 March 2021, as shown in Attachment A to the subject report, after which time it will be automatically revoked unless further extended by resolution of Council.

Carried unanimously.

X038541



**Item 6.4****External Memberships**

Moved by Councillor Scully, seconded by Councillor Kok –

It is resolved that Council receive and note the City's membership of the associations outlined in Attachment A to the subject report.

Carried unanimously.

S076031

**Item 6.5****Amendments to the Code of Conduct and Procedures**

Moved by Councillor Scully, seconded by Councillor Kok –

It is resolved that Council:

- (A) adopt the City of Sydney Code of Conduct as amended (as shown in Attachment A to the subject report); and
- (B) adopt the City of Sydney Procedures for the Administration of the Code as amended (as shown in Attachment B to the subject report).

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

That the recommendation be amended such that clause (A) read as follows –

- (A) adopt the City of Sydney Code of Conduct as amended (as shown in Attachment A to the subject report); including a clause under Part 6, "Personal Benefit" stating:
  - (i) that the City of Sydney budget must be used to pay for all international travel by Councillors and Council staff, including for any invitations from other cities for Councillors and Council staff to travel for diplomatic and relationship-building purposes;

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 Scott, Kok, Thalys, Miller and Scully.

Amendment lost.

The motion was carried unanimously.

X038263

**Point of Order**

During discussion of this item, Councillor Phelps raised a point of order, stating that she had not had the opportunity to speak to the amendment.

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

## **Adjournment**

At this stage of the meeting, at 6.21pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Thalís –

That the meeting be adjourned for approximately 15 minutes.

The motion was carried on the following show of hands –

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

Noes (2)      Councillors Chung and Vithoulkas

Motion carried

The Chair (the Lord Mayor), Councillors Scully, Scott, Thalís, Kok, Vithoulkas, Chung, Phelps, and Miller were present at the resumption of the meeting at 6.41pm.

Councillor Forster returned at 6.45pm during discussion and before the vote on Item 7.1.

## **Item 6.6**

### **Tender - Structures Maintenance Works**

It is resolved that:

- (A) Council accept the tender offer of Tenderer I for Structures Maintenance Works for a period of three years, with the option of one extension of two years if appropriate;
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contract with Tenderer I referred to in (A) above for the Schedule of Rates detailed in Confidential Attachment B to the subject report and otherwise on the terms acceptable to the City; and
- (C) authority be delegated to the Chief Executive Officer to exercise the option and enter into any documentation required to enter into contract documents associated with the options.

Carried unanimously.

X007808

## **Item 7      Report of the Environment Committee**

PRESENT

The Lord Mayor Councillor Clover Moore  
(Chair)

Councillor Jess Miller  
(Deputy Chair)

Deputy Lord Mayor Councillor Jess Scully, Councillors Craig Chung, Christine Forster, Robert Kok, Prof Kerryn Phelps AM, Linda Scott, Prof Philip Thalís and Angela Vithoulkas.

At the commencement of business at 2:56pm those present were -

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

The meeting of the Environment Committee concluded at 3:19pm.

### **Report of the Environment Committee**

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

That the report of the Environment Committee of its meeting of 14 September 2020 be received, with Item 7.1 being noted and the recommendation set out below for Item 7.2 being adopted.

Carried unanimously.

### **Item 7.1**

#### **Disclosures of Interest**

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

The Environment Committee recommended the following:-

### **Item 7.2**

#### **Project Scope - George Street South Pedestrianisation**

It is resolved that Council:

- (A) endorse the scope of works for the George Street South Pedestrianisation as described in the subject report for progression to detailed design, documentation and construction of works; and
- (B) note that works will not proceed unless and until approval has been obtained under the Roads Act 1993 in relation to the permanent changes to traffic arrangements.

Carried unanimously.

X027274

### **Item 8      Report of the Cultural and Community Committee**

PRESENT

The Lord Mayor Councillor Clover Moore  
(Chair)

Councillor Robert Kok / Councillor Linda Scott  
(Deputy Chair)

Deputy Lord Mayor Councillor Jess Scully, Councillors Craig Chung, Christine Forster, Jess Miller, Prof Kerry Phelps AM, Prof Philip Thalís and Angela Vithoukás.

At the commencement of business at 3:40pm those present were -

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

### **Sub-Committees**

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

The Cultural and Creative Sub-Committee, with Councillor Kok as Deputy Chair, commenced at 3:41pm.

The Healthy Communities Sub-Committee, with Councillor Scott as Deputy Chair, commenced at 3:49pm.

The meeting of the Cultural and Community Committee and all its Sub-Committees concluded at 3:51pm.

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

Moved by Councillor Kok, seconded by Councillor Scully –

That the report of the Cultural and Creative Sub-Committee of its meeting of 14 September 2020 be received, with Item 8.1 being noted, and the recommendation set out below for Item 8.2 being adopted.

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 Cultural and Community Committee.

The Cultural and Creative Sub-Committee recommended the following:-

**Item 8.2****Ad Hoc Grants and Sponsorship - Festivals and Events - Eora NAIDOC**

It is resolved that:

- (A) Council approve a cash sponsorship of \$30,000 (excluding GST) per year for 2020, 2021 and 2022 to the Eora NAIDOC Community Group under the auspices of Sydney University Settlement for the Eora Inner City NAIDOC Event; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer a sponsorship agreement with Sydney University Settlement in respect of the sponsorship referred to in (A) above.

Carried unanimously.

X024575

**Speaker**

Mr Warren Roberts addressed the meeting of the Cultural and Community Committee (Cultural and Creative Sub-Committee) on Item 8.2.

**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 14 September 2020 be received, with the recommendation set out below for Item 8.3 being adopted.

Carried unanimously.

The Healthy Communities Sub-Committee recommended the following:

### **Item 8.3**

#### **Draft Child Safety Policy**

It is resolved that:

- (A) Council approve the Draft Child Safety Policy as shown at Attachment A to the subject report;
- (B) Council note that the 2018 Child Protection Policy as shown at Attachment B adopted by the Executive will be rescinded and replaced with the 2020 Policy adopted by Council;
- (C) Council note the obligations of Councillors, as "City Employees", to:
  - (i) conduct themselves appropriately around children while performing duties of their role; and
  - (ii) report known or suspected instances of child abuse; and
  - (iii) report inappropriate behaviour by any City employee; and
- (D) the Lord Mayor note that under the National Redress Scheme the Lord Mayor may be requested to provide a direct personal response if this is requested by a survivor.

Carried unanimously.

X027508.012

### **Item 9      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's AM, Linda Scott, and Angela Vithoulkas.

At the commencement of business at 3.51pm those present were -

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

The meeting of the Transport, Heritage and Planning Committee concluded at 4.25pm.

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

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

That the report of the Transport, Heritage and Planning Committee of its meeting of 14 September 2020 be received, with Item 9.1 being noted, the recommendations set out below for Items 9.3 to

9.5 inclusive being adopted in globo, and Item 9.2 being dealt with as shown immediately following that item.

Carried unanimously.

## **Item 9.1**

### **Disclosures of Interest**

Councillor Philip Thalys disclosed a less than significant, non-pecuniary interest in Item 9.3 on the agenda, in that one of the consultants associated with this project has been engaged by Councillor Thalys' practice on an unrelated matter outside of the City of Sydney.

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

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

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

The Transport, Heritage and Planning Committee recommended the following:

## **Item 9.2**

### **Central Square - Structuring Principles**

Note – the recommendation of the Transport, Heritage and Planning Committee was not adopted. The following motion was adopted.

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

It is resolved that Council:

- (A) endorse the indicative approach and indicative staging for Central Square;
- (B) endorse the continued collaboration with the NSW Government, including Transport for NSW as substantial land owner, towards the implementation of Central Square; and
- (C) engage in consultation with key stakeholders including the local community in the development of this vision.

Carried unanimously.

S064204.022

## **Item 9.3**

### **Public Exhibition - Planning Proposal - 187 Thomas Street, Haymarket - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment**

It is resolved that:

- (A) Council approve Planning Proposal - 187 Thomas Street, Haymarket, as shown at Attachment A to the subject report, to be submitted to the Minister for Planning and Public Spaces with a request for gateway determination;
- (B) Council approve Planning Proposal - 187 Thomas Street, Haymarket, as shown at Attachment A to the subject report to public authority consultation and public exhibition in accordance with any conditions imposed under the gateway determination;
- (C) Council seek authority from the Minister for Planning and Public Spaces to exercise the delegation of all the functions under section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan and to put into effect Planning Proposal - 187 Thomas Street, Haymarket;
- (D) Council approve the Draft Sydney Development Control Plan 2012 - 187 Thomas Street, Haymarket Amendment, shown at Attachment B to the subject report for public authority consultation and public exhibition concurrent with the Planning Proposal;
- (E) authority be delegated to the Chief Executive Officer to make any variations to Planning Proposal - 187 Thomas Street, Haymarket, following receipt of the gateway determination;



- (F) authority be delegated to the Chief Executive Officer to make any minor variations to Draft Sydney Development Control Plan 2012 - 187 Thomas Street, Haymarket Amendment to correct any drafting errors or ensure it is consistent with the Planning Proposal following the gateway determination; and
- (G) authority be delegated to the Chief Executive Officer to prepare a draft planning agreement in accordance with the letter of offer dated 2 September 2020 at Attachment C to the subject report, and the requirements of the Environmental Planning and Assessment Act 1979, to be exhibited concurrently with the Planning Proposal and Draft Development Control Plan for the site.

Carried unanimously.

X034468

#### **Item 9.4**

##### **Post Exhibition - Amendment to Community Participation Plan - Newspaper Advertisements**

It is resolved that:

- (A) Council note the matters raised in response to the public exhibition of the draft Community Participation Plan as shown at Attachment B to the subject report;
- (B) Council approve the draft Community Participation Plan as shown at Attachment A to the subject report; and
- (C) authority be delegated to the Chief Executive Officer to make any minor variations to the draft Community Participation Plan to correct drafting errors prior to the finalisation of the plan.

Carried unanimously.

X036682

## **Item 9.5**

### **Fire Safety Reports**

It is resolved that Council:

- (A) note the contents of the Fire Safety Report Summary Sheet, as shown at Attachment A to the subject report;
- (B) note the inspection reports by Fire and Rescue NSW, as shown at Attachments B and C of the subject report;
- (C) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action as recommended by the City's Investigation Officer at 591 George Street, Sydney as detailed in Attachment B to the subject report; and
- (D) exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order as recommended by the City's Investigation Officer to address the identified fire safety deficiencies at 27 Park Street, Sydney as detailed in Attachment C to the subject report.

Carried unanimously.

S105001.002

## **Item 10      Questions on Notice**

### **Pop-Up Cycleway Monitoring Study**

1. By Councillor Forster

#### **Question**

At the City's July 2020 Council Meeting, it was resolved that the Chief Executive Officer be requested to commission a cycling, pedestrian and traffic monitoring study to monitor the changes in cycling, pedestrian and traffic uses as a result of the introduction of the new pop up cycleways and progressively update the findings on the City's website.

1. What is the status of the monitoring study?
2. When will findings be uploaded to the City's website?
3. How often will these details be updated?

S129269

**Answer by the Chief Executive Officer**

City staff are working with staff from Transport for NSW to implement a joint monitoring and evaluation framework. It assesses the delivery of the program and usage, as well as place outcomes. Transport for NSW has installed counters on all the pop-up cycleways to measure usage. City staff have started observational studies. The timing and format of releasing the reporting needs to be agreed with Transport for NSW.

## **Public Bicycle Racks**

2. By Councillor Forster

### **Question**

1. How many public bicycle racks are there in the City of Sydney Local Government Area (LGA)?
2. How many public bicycle racks have been installed within the LGA within the last 12 months?
3. What is the cost of each individual installation?
4. Have any public bicycle racks been removed in the last 12 months? If so at what locations and at what cost?

S129269

**Answer by the Chief Executive Officer**

1. There are approximately 3,300 bicycle public bicycle racks in the City of Sydney Local Government Area.
2. There have been 18 bicycle racks installed within the last 12 months.
3. Each bicycle rack costs approximately \$300.
4. Three bicycle racks were removed in Regent Street, Redfern. Bicycle racks will be re-installed as part of the public domain works on completion of this development.

Three bicycle racks were removed in Layton Street, Camperdown following community concerns about their positioning. A review of the area found that there were numerous racks nearby that remained available. The City is confident that there are enough bike racks to meet demand across the local government area.

**Embarkation Park**

3. By Councillor Forster

**Question**

Embarkation Park in Potts Point is open to the public between 6am and 8pm seven days a week.

Why is this park closed and locked up during night time hours?

S129269

**Answer by the Chief Executive Officer**

Embarkation Park is a roof garden located on top of the Navy Carpark and is leased from the Department of Defence. Closing the park at night has been in place for approximately 15 years and was introduced due to complaints about anti-social behaviour including intimidating behaviour, drug taking and dealing, noise, vandalism, gardens being used for camping and sleeping. There was also a fatality at the site.

Navy personnel also exit the carpark by passing through the park 24 hours a day due to staggered shifts and they requested the City look at management of the park, particularly at night in relation to the safety issue.

City staff have not received any requests to have the park open at night, however, there have been requests to extend the opening hours in winter when the park has been shut at sunset. Staff will change the closure time to 7.00pm in winter and 9.00pm in summer to accommodate this request.

**2020/21 Rate Peg**

4. By Councillor Chung

**Question**

On 8 September 2020, the Independent Pricing and Regulatory Tribunal announced that Councils will be able to increase the revenue they can collect from rates by a maximum of 2.0 per cent in 2021/22.

The economy of the City of Sydney has been significantly hit by Covid restrictions resulting in job losses, closure of small business, significantly reduced rentals to landlords amongst other impacts. The recovery of the economy is expected to take many years.

1. Could the Chief Executive Officer please provide an analysis of how a 2 per cent rate increase will impact our ratepayers and what options there are for full or partial deferral or waiving of rates for 2021/22.
2. What impact would the following options have on the City of Sydney:
  - (a) foregoing the 2 per cent per cent increase in 2021/22;
  - (b) partially increasing rates in 2021/22;
  - (c) deferring a portion of the rate increase over a number of years;
  - (d) hypothecating the rate increase to specific business recovery expenditure;
  - (e) other options that the Chief Executive Officer may consider.

S129268

**Answer by the Chief Executive Officer**

1. A rate peg increase of 2 per cent will result in an increase of \$6.3M on the current rates budget of \$316.1M.

Rates will generally increase by 2 per cent as the same land valuation basis will apply next year. For the 80 per cent of residential property owners, who pay a minimum rate of \$586.85, this would increase by \$12 for the year.

Under the legislation Council cannot waive rates for financial hardship including the circumstances caused by the pandemic. The City continues to communicate with our ratepayers to advise that we understand that these are difficult and unprecedented times, and to encourage residents and businesses who are experiencing financial hardship to contact the council. Many ratepayers have subsequently made arrangements to defer payment of their rates account over an extended period of time, with interest waived for those in financial distress.

2. The City has the option to:

- (a) increase rates by the full rate peg of 2 per cent, some part thereof, or none of it;
- (b) defer all (or part) of the rate peg increase, and recover any shortfall over a period of up to 10 years.

If the City were to forego the 2 per cent per cent increase in 2021/22, or some part of it, there would be a shortfall in income of up to \$6.3M for 2021/22, and every year thereafter, because the 'base' income would be forever lower than it otherwise would have been. The City would have to adjust its long-term financial plan to accommodate this permanent and compounded loss in income and consider what operational or capital reductions might be required to balance funding within the plan.

- (c) deferring a portion of the rate increase over a number of years

Deferring the rate increase involves the City catching up the income shortfall in future years. Our preferred position, reflecting better financial management practice, is to ensure those that can pay continue to pay now, and those that cannot pay are assisted through alternative repayment arrangements.

- (d) hypothecating the rate increase to specific business recovery expenditure

The City's annual budget and long-term financial plan includes all anticipated revenue sources, operating expenditure and capital expenditure commitments. The plans already anticipate future years' rate increases just as they provide for rising salaries and wages, service delivery, contract, project and other operational expenditure costs.

Hypothecating particular revenue sources to particular programs limits Council's capacity to holistically determine the appropriate amount of funding to direct towards the City's priority projects and programs. For instance, Council's Small Business, Cultural and Creative Support Package as resolved in May, far exceeded the rates increase in that and/or the current year, but Council considered the need to support the community to the best of its ability so elected to develop a Financial Recovery Plan that enabled it to forward fund these support initiatives.

- (e) other options that the Chief Executive Officer may consider

While the Covid-19 pandemic has caused enormous strain on many businesses and individuals, many of the City's ratepayers are still able to pay their rates and continue to do so. Providing rates relief of \$6.3M across all 120,000 ratepayers would not direct financial assistance to those most in need.

Ratepayers in financial difficulty receive assistance through alternative repayment arrangements and short-term payment deferrals. This relief is targeted to those who need it and avoids the 'bill shock' for all ratepayers of future increases in their rates to recover the shortfall of not taking up the rate peg at this time.

**Ausgrid Footpath Installation on the corner of Macleay and Manning Streets**

5. By Councillor Phelps

**Question**

The Ausgrid installation on the footpath on Macleay Street at the corner of Macleay and Manning Streets, Potts Point, was promised to be relocated as part of the Macleay Street upgrades when it was first installed.

Its current location makes it an inconvenient and potentially dangerous obstacle for pedestrians travelling down Macleay Street, particularly for those with mobility issues.

Could the Chief Executive Officer please advise:

1. If the Ausgrid installation on the corner of Macleay and Manning Streets, Potts Point, is still to be relocated as part of the Macleay Street upgrades?
2. If so, what is the expected completion date of these works?

S129272

**Answer by the Chief Executive Officer**

1. The City has started discussions with Ausgrid to seek approval to relocate the installation.
2. Pending approval from Ausgrid, the City will look to complete these works as part of the Macleay Street upgrade by early 2022.

**Item 11      Supplementary Answers to Previous Questions**

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



## **Item 12      Notices of Motion**

### **Item 12.1    Saving Moore Park**

Moved by Councillor Phelps, seconded by Councillor Forster –

It is resolved that:

(A) Council note:

- (i) Moore Park is part of Governor Macquarie's 1811 Sydney Common. As a park that is more than 150 years old, it is older than Centennial Park, and has major national and state heritage value;
- (ii) Moore Park is the largest park close to the City of Sydney and residential areas which have the greatest population density in Australia;
- (iii) especially during the Covid-19 pandemic this open space is vitally important for the physical and mental wellbeing of the community;
- (iv) Moore Park is of considerable environmental and historical significance including the surrounds of Kippax Lake, itself one of the last remnants of Sydney's early water supply, Busby's Bore;
- (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 State Government;
- (vi) in 2016, the NSW Government signed off on the Moore Park Master Plan, however it is yet to allocate any funds towards its implementation;
- (vii) the two areas currently used for car parking would provide excellent playing fields for junior and community sport, there being a desperate shortage of such fields in the Sydney metropolitan area; and
- (viii) there is widespread community support for the removal of on-grass car parking from Moore Park and the need for funding of the Moore Park Master Plan; and

(B) the Lord Mayor be requested 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:

- (i) agree to the permanent removal of event on-grass car parking on the northern section of Moore Park East with immediate effect;
- (ii) announce that car parking on the southern end of Moore Park East will cease by mid-2023 to allow time for the provision of alternative parking and access arrangements;
- (iii) develop and implement a comprehensive plan, based on the Moore Park Master Plan, for the remediation and revitalisation of Moore Park East including the provision of a new junior playing field on the northern section and facilities for community use; and
- (iv) strengthen and formalise links between local communities and the new Greater Sydney Parklands Board and Management to ensure they respond to needs identified by the community.

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

It is resolved that:

(A) Council note:

- (i) Moore Park is public land that is part of the original Governor Macquarie's 1811 Sydney Common bequest for the benefit of the people of Sydney;
- (ii) the Lord Mayor's private members bill, the Centennial Park and Moore Park Trust (Macquarie Sydney Common) Amendment Bill in 1992 stopped plans to rezone the Showground site for sale and development when the Royal Agricultural Society moved to Homebush, confirming it as public land and placing it under the stewardship of the Centennial Park and Moore Park Trust;
- (iii) for years the Lord Mayor has advocated to NSW Governments to protect Moore Park and stop prioritising commercial interests over the public interest;
- (iv) Moore Park is 3km from the city centre and is within 2km of the Green Square urban renewal area, the densest residential area in Australia with an expected population of up to 70,000 people by 2031;
- (v) increased density has consequently increased demand for open space and parklands, especially during the Covid-19 pandemic, highlighting that Moore Park is vitally important for the physical and mental wellbeing of the community;
- (vi) Moore Park is of considerable environmental and historical significance including the surrounds of Kippax Lake, itself one of the last remnants of Sydney's early water supply, Busby's Bore;
- (vii) Moore Park is seriously degraded after decades of on-grass car parking in connection with events at the Sydney Cricket Ground and Sydney Football Stadium and withdrawal of investment by the NSW State Government for the upkeep and maintenance of the park;
- (viii) the Lord Mayor has met with the Minister of Planning and Public Spaces to discuss the new Greater Sydney Parklands Government Agency and written to him about it requesting the need for meaningful community consultation on the future of the parklands, and reduction of commercialisation of the parklands;
- (ix) on 18 August, the Lord Mayor reiterated those concerns to Michael Rose, Chair of the Greater Sydney Parklands and its Chief Executive Officer, Suellen Fitzgerald who have assumed responsibility for the Centennial Parklands;
- (x) in 2016, the NSW Government signed off on the Moore Park Master Plan 2040, however it is yet to allocate any funds towards its implementation;
- (xi) the Moore Park Master Plan 2040 has a welcome commitment to phase out on-grass event parking;
- (xii) the areas at the northern and southern ends of East Moore Park currently used for event on-grass car parking would provide excellent playing fields for junior and community sport, there being a desperate shortage of such fields in the Sydney metropolitan area;
- (xiii) there is widespread community support for the removal of on-grass car parking from Moore Park;

- (xiv) on 17 September, the Lord Mayor met with Michael Waterhouse, President of Saving Moore Park and offered her support for their campaign for the removal of on-grass car parking at Moore Park;
  - (xv) the recently opened CBD and South East Light Rail offers patrons easy access to the Moore Park precinct; and
  - (xvi) a fully integrated ticketing system for events at Moore Park will encourage more patrons to use public transport, rather than driving, to and from the precinct;
- (B) the Lord Mayor be requested 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:
- (i) agree to the permanent removal of event on-grass car parking at Moore Park;
  - (ii) develop and implement the proposal in Moore Park Master Plan 2040 for the remediation and revitalisation of Moore Park East including the provision of a new junior playing field on the northern section of Moore Park East and facilities for community use; and
  - (iii) strengthen and formalise links between local communities and the new Greater Sydney Parklands Board and Management to ensure they respond to needs identified by the community; and
- (C) the Lord Mayor be requested to write to the Minister for Transport, the Hon. Andrew Constance, MP and the private sporting codes operating at Moore Park to work together and formally commit to integrated ticketing for all events at Moore Park, and actively promote other incentives that encourage public transport and reduce private vehicle use for people going to events.

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

- (i) agree to the permanent removal of on-grass car parking at Moore Park with immediate effect;

The amendment, as varied by consent, was carried on the following show of hands –

Ayes (7) The Chair (the Lord Mayor), Councillors Forster, Kok, Miller, Scott, Scully and Thalís

Noes (3) Councillors Chung, Phelps and Vithoulkas.

Amendment carried.

The motion was carried unanimously.

S129263

**Item 12.2 Seabin Project**

By Councillor Forster

It is resolved that:

(A) Council note:

- (i) on 28 October 2019, Council unanimously resolved that the Chief Executive Officer be requested to liaise with the NSW State Government and other related agencies to investigate the installation of additional Seabins around the City of Sydney's harbour foreshore, including Darling Harbour for:
  - (a) efficient capture of floating marine litter including micro plastics;
  - (b) high impact visual communication for solutions, awareness and education; and
  - (c) data monitoring of micro plastics, marine litter, surface pollutants and general health of the water table;
- (ii) on 31 July 2020, Councillors were informed via a CEO Update that:
  - (a) the City will liaise with Transport for NSW and Property NSW in relation to the Seabin City Pilot Project and share data on the performance results;
  - (b) collaborating with these agencies and Seabin Project has the aim of sharing and analysing data and considering opportunities for the installation of additional Seabin units; and
  - (c) the City will contact local universities to investigate opportunities for collaboration between the universities, Seabin Project and the City;
- (iii) in July 2020, Seabin Project launched a 12-month Sydney City Pilot Project as the first step in providing a full services Seabin package to the city;
- (iv) the pilot is self-funded by Seabin Project with the goal of obtaining funding and support from a number of key stakeholders;
- (v) the Seabin technology works 24/7 to remove marine debris and surface pollutants, and is managed by environmental technicians using a Pollution Index program to provide measurable impact and community engagement;
- (vi) the environmental technicians will be responsible for the servicing and maintenance of the units, daily marine data entries, engaging with community members and facilitating educational events;
- (vii) during the first month (July) of the Sydney City Pilot Project, Seabin achieved:
  - (a) a community reach of 5.8 million people based in Sydney and NSW;
  - (b) the removal of over 1.16 tonnes of marine debris, the equivalent of covering 28 football fields with plastic bags; and
  - (c) the filtration of 312 million litres of water for microplastics, plastic fibres, oil and more;

- (viii) the Seabin City Pilot Project is a platform to effectively address a range of matters including:
  - (a) accurate and ongoing data collection;
  - (b) visual communication - to be seen to be doing something about community concerns;
  - (c) prevention and waste reduction via behavioural change; and
  - (d) the physical and visual act of cleaning up our waterways;
- (ix) Seabin Project are currently working with Macquarie University and University of Technology Sydney on multiple projects;
- (x) Seabin Project understands the need for data to provide credibility for the self-funded pilot as well as show the impact the pilot has on the health of waterways;
- (xi) self-funding a city pilot is not sustainable in the long-term for Seabin Project but was an important step to commit to; and
- (xii) a number of the City of Sydney's Sustainable Sydney 2030 strategic directions include:
  - (a) a globally competitive and innovative city;
  - (b) a leading environmental performer;
  - (c) sustainable development, renewal and design; and
  - (d) implementation through effective partnerships; and
- (B) the Chief Executive Officer be requested to liaise and collaborate with Seabin Project to identify and investigate ways the City of Sydney can support Seabin's Sydney City Pilot Project and the potential future expansion of the Sydney City Pilot Project.

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

Moved by Councillor Forster, seconded by Councillor Chung –

It is resolved that:

- (A) Council note:
  - (i) on 28 October 2019, Council unanimously resolved that the Chief Executive Officer be requested to liaise with the NSW State Government and other related agencies to investigate the installation of additional Seabins around the City of Sydney's harbour foreshore, including Darling Harbour for:
    - (a) efficient capture of floating marine litter including micro plastics;
    - (b) high impact visual communication for solutions, awareness and education; and
    - (c) data monitoring of micro plastics, marine litter, surface pollutants and general health of the water table;

- (ii) on 31 July 2020, Councillors were informed via a CEO Update that:
  - (a) the City will liaise with Transport for NSW and Property NSW in relation to the Seabin City Pilot Project and share data on the performance results;
  - (b) collaborating with these agencies and Seabin Project has the aim of sharing and analysing data and considering opportunities for the installation of additional Seabin units; and
  - (c) the City will contact local universities to investigate opportunities for collaboration between the universities, Seabin Project and the City;
- (iii) in July 2020, Seabin Project launched a 12-month Sydney City Pilot Project as the first step in providing a full services Seabin package to the city;
- (iv) the pilot is self-funded by Seabin Project with the goal of obtaining funding and support from a number of key stakeholders;
- (v) the Seabin technology works 24/7 to remove marine debris and surface pollutants, and is managed by environmental technicians using a Pollution Index program to provide measurable impact and community engagement;
- (vi) the environmental technicians will be responsible for the servicing and maintenance of the units, daily marine data entries, engaging with community members and facilitating educational events;
- (vii) since starting the Sydney City Pilot mid July, Seabin have achieved:
  - (a) a community reach of more than 6.2 million people mainly based in Sydney and NSW;
  - (b) an operational average runtime of 98.5% since mid July for the Seabin fleet of 14 units. These 14 units operate 24 hours a day, 7 days per week;
  - (c) the removal of over 2 tonnes of marine debris, this is the equivalent of covering 48 football fields with plastic bags; and
  - (d) the filtration of more than 560 million litres of water for microplastics, plastic fibres, oil and more;
- (viii) the Seabin City Pilot Project is a platform to effectively address a range of matters including:
  - (a) accurate and ongoing data collection;
  - (b) visual communication - to be seen to be doing something about community concerns;
  - (c) prevention and waste reduction via behavioural change; and
  - (d) the physical and visual act of cleaning up our waterways;
- (ix) Seabin Project are currently working with Macquarie University and University of Technology Sydney on multiple projects;
- (x) Seabin Project understands the need for data to provide credibility for the self-funded pilot as well as show the impact the pilot has on the health of waterways;

- (xi) self-funding a city pilot is not sustainable in the long-term for Seabin Project but was an important step to commit to; and
- (xii) a number of the City of Sydney's Sustainable Sydney 2030 strategic directions include:
  - (a) a globally competitive and innovative city;
  - (b) a leading environmental performer;
  - (c) sustainable development, renewal and design; and
  - (d) implementation through effective partnerships; and
- (B) the Chief Executive Officer be requested to liaise and collaborate with Seabin Project to identify and investigate ways the City of Sydney can support Seabin's Sydney City Pilot Project and the potential future expansion of the Sydney City Pilot Project.

Carried unanimously.

S129260

**Item 12.3 Bridge Road Cycleway Safety Audit**

By Councillor Phelps

It is resolved that:

(A) Council note:

- (i) following a Lord Mayoral Minute of 15 May 2020, pop-up cycleways were identified by Transport for NSW (TfNSW) and the City as part of a solution to ease demand for public transport as the NSW Government eases restrictions on business activity following the Covid-19 lockdown;
- (ii) there has been significant community opposition to the City of Sydney and Transport for NSW proposal for a temporary cycleway on Bridge Road, Glebe, due to the adverse impact the pop-up cycleway is having on the local community, including the imposition of a 24/7 clearway outside of residences on both sides of Bridge Road, where houses already have no stopping along the laneway to the rear and associated loss of all on street parking spaces; and
- (iii) residents of Bridge Road in Glebe are extremely concerned about the safety of cyclists, pedestrians, motorists and those attempting to access their homes without any ability to stop along Bridge Road. This includes:
  - (a) no ability for ambulances, buses, taxis and other vehicles to stop along the entirety of Bridge Road to pick up or drop off residents who are unable to cycle; and
  - (b) congestion down a key arterial road during garbage collection, resulting in the unsafe overtaking of garbage trucks by personal vehicles; and

(B) the Chief Executive Officer be requested to:

- (i) liaise with Transport for NSW to conduct and publish a safety audit regarding the Bridge Road Cycleway, prior to it being completed and open for use. This audit should relate to all aspects of a cycleway in Bridge Road including, but not limited to:
  - (a) whether the cycleway creates unacceptable risks of death or injury for cyclists, pedestrians, motorists or residents;
  - (b) the impact of any such cycleway on residents, including elderly, vulnerable and disabled residents;
  - (c) the effect of any such cycleway on emergency and essential services including but not limited to, garbage removal, water and electricity;
  - (d) any report or investigations, whether final or preliminary, conducted in the last ten years which deals with safety issues concerning a cycleway in Bridge Road;
  - (e) the basis of the determination by the Minister that the making of the Ministerial Order was necessary for the health, safety and welfare of the public during the Covid-19 pandemic;
  - (f) the number of cyclists using the Bridge Road cycleway in the period since it was installed compared with the number of cyclists using Bridge Road in the period immediately prior to the installation of the cycleway; and



- (g) the number of, and reasons, for cyclists using the footpaths on Bridge Road since the installation of the pop-up cycleways; and

- (ii) report back to Council 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 Forster –

It is resolved that:

(A) Council note:

- (i) following a Lord Mayoral Minute of 18 May 2020, pop-up cycleways were identified by Transport for NSW (TfNSW) and the City as part of a solution to ease demand for public transport as the NSW Government eases restrictions on business activity following the COVID-19 lockdown;
- (ii) there has been significant community opposition to the City of Sydney and TfNSW proposal for a temporary cycleway on Bridge Road, Glebe, due to the adverse impact the pop-up cycleway is having on the local community, including the imposition of a 24/7 clearway outside of residences on both sides of Bridge Road, where houses already have no stopping along the laneway to the rear and associated loss of all on street parking spaces; and
- (iii) residents of Bridge Road in Glebe are extremely concerned about the safety of cyclists, pedestrians, motorists and those attempting to access their homes without any ability to stop along Bridge Road. This includes:
  - (a) no ability for ambulances, buses, taxis and other vehicles to stop along the entirety of Bridge Road to pick up or drop off residents who are unable to cycle;
  - (b) congestion down a key arterial road during garbage collection, resulting in the unsafe overtaking of garbage trucks by personal vehicles; and
  - (c) funding and commissioning an independent professional safety audit titled “Stage 5 (Existing Road) Road Safety Audit for Bridge Rd Glebe with emphasis on the newly installed Cycleway facility”, tabled at the September 21, 2020 Council meeting. This safety audit found that as of 6 September 2020 there were 26 identified safety issues, with risk attached to each issue classified as intolerable, high, or medium; and

(B) the Chief Executive Officer be requested to:

- (i) liaise with Transport for NSW to close the Bridge Road cycleway and relocate the Glebe pop up cycleway to a safer, more suitable location as soon as possible; and
- (ii) report back to Council via the CEO Update.

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

It is resolved that:

(A) Council note:

- (i) following a Lord Mayoral Minute of 15 May 2020, pop-up cycleways were identified by Transport for NSW (TfNSW) and the City as part of a solution to ease demand for public transport as the NSW Government eases restrictions on business activity following the Covid-19 lockdown;
- (ii) there has been community opposition to the City of Sydney and Transport for NSW proposal for a temporary cycleway on Bridge Road, Glebe due to the adverse impact the pop-up cycleway is having on the local community, including the imposition of a 24/7 clearway outside of residences on both sides of Bridge Road, where houses already have no stopping along the laneway to the rear and associated loss of off-peak clearway parking spaces; and
- (iii) Some residents have expressed concerns about safety, access and congestion. It is important to note that:
  - (a) under NSW Road Rules 2014 - Reg 307, emergency vehicles can stop anywhere they need to.
  - (b) under NSW Road Rules 2014 - Reg 176, buses (including mini-buses) and taxis can stop in a clearway when they are picking up or dropping off passengers. Staff advise that on Bridge Road, buses will however be stopping at the bus stops, which are not clearways;
  - (c) residents have commissioned an independent professional safety audit titled "Stage 5 (Existing Road) Road Safety Audit for Bridge Rd Glebe with emphasis on the newly installed Cycleway facility", tabled at the September 21, 2020 Council meeting. This safety audit presents the assertion that as of 6 September 2020 there were 26 identified safety issues, with risk attached to each issue classified as intolerable, high, or medium. These claims should be conveyed to Transport for NSW to be considered as they are working on their own safety audit of the Bridge Road pop up cycleway;
  - (d) responding to community feedback, City staff are working with our waste collection services to implement changes to collection processes to ensure safer practices in these new conditions, and to minimise delays and impacts on congestion. Staff will also look for alternative waste bin pick up locations and work with Cleanaway to adjust their routes where feasible;
  - (e) the City is engaging with and responding to community concerns and suggestions as the pop-up cycleways are rolled out, and City staff are conveying recommendations to Transport for NSW regarding improvements or changes, a number of which have been implemented. Community members are encouraged to share their feedback and input with the City and with Transport for NSW to improve the operation of the cycleways; and
  - (f) the pop-up cycleway on Bridge Road is being delivered by Transport for NSW. Transport for NSW are conducting a Road Safety Audit in advance of the formal completion of the cycleway. The content and format of Road Safety Audit reports are governed by Transport for NSW, Austroads and Institute of Public Works Engineering Australasia (IPWEA) guidelines; and

(B) the Chief Executive Officer be requested to obtain the Road Safety Audit for the Bridge Road pop-up cycleway from Transport for NSW once it is complete and publish it in a CEO update.

## Adjournment

At this stage of the meeting, at 8.23pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Scully –

That the meeting be adjourned for approximately 15 minutes.

The 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 Vithoukás.

Motion carried.

All Councillors were present at the resumption of the meeting of Council at 8.45pm.

Foreshadowed amendment. Councillor Scott foreshadowed that, subsequent to the amendment moved by Councillor Scully being put to the vote, she would move an additional amendment.

The amendment 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 Vithoukás.

Amendment carried.

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

That clause (B) be amended such that it read as follows:

(B)    the Chief Executive Officer be requested to:

- (i)    liaise with Transport for NSW about the resident-led safety audit of the Bridge Road cycleway, seeking urgent mitigation of the risks identified; and
- (ii)   obtain the Road Safety Audit for the Bridge Road pop-up cycleway from Transport for NSW once it is complete and publish it in a CEO Update.

The amendment was carried on the following show of hands –

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

Noes (2)        Councillors Chung and Forster.

Amendment carried.

The motion was carried on the following show of hands –

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

Noes (2)        Councillors Forster and Phelps.

Motion carried.

**Points of Order**

During discussion of this item, Councillor Phelps raised a point of order, stating that the Chair does not have the ability to prevent Councillors from asking questions.

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

During discussion of this item, Councillor Forster raised a point of order, stating that the amendment moved by Councillor Scully waives the report.

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

**Item 12.4    Removal of the Bridge Road Pop-Up Cycleway****Procedural Motion**

At this stage of the meeting, it was moved by Councillor Forster, seconded by Councillor Thalís –

That Item 12.4 be withdrawn as the matter had already been dealt with at Item 12.3.

Carried unanimously.

**Item 12.5 Go Native**

Moved by Councillor Phelps, seconded by Councillor Vithoukas –

It is resolved that:

(A) Council note:

- (i) the City of Sydney is located in a spectacular and unique part of the Sydney basin. The inner city is home to around 365 local native plants and 90 different native bird species;
- (ii) while the City's urban population has grown, the urban biodiversity has been greatly reduced from its original state in the City of Sydney local government area;
- (iii) the City should create areas that celebrate local native plants that thrive in the Sydney region and that create habitats for native fauna;
- (iv) through its Urban Ecology Strategic Action Plan, the City encourages residents to create "habitat gardens," in backyards, on balconies, in common areas, or community spaces like local schools;
- (v) the City of Sydney's Street Tree Master Plan focuses on planting "the right tree in the right location," but the Master Plan does not account for available habitat or assist in the movement of native fauna species between those areas;
- (vi) currently 75 per cent of the City's park trees and 58 per cent of the City's street trees are native. Approximately 30 per cent of plants in the City's park and public domain gardens are native; and
- (vii) there are restrictions on what species can be planted in particularly harsh urban environments, however, the City can continue to improve on its efforts to create lush green spaces which showcase native Australian plant species and provide homes for native animals and birds; and

(B) the Chief Executive Officer be requested to:

- (i) consult with WIRES to compile a list of preferred trees and shrubs for planting in the City of Sydney that creates suitable habitats to enable birds, frogs, lizards, flying foxes, microbats, possums and other small mammals such as bandicoots to successfully survive;
- (ii) use this list in planning considerations and maximising the planting of native flora where possible; and
- (iii) share the list via the CEO Update.

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

It is resolved that:

(A) Council note:

- (i) the City of Sydney is located in a spectacular and unique part of the Sydney basin. The inner city is home to around 365 local native plants and 90 different native bird species;
- (ii) the City creates areas that celebrate local native plants that thrive in the Sydney region and that create habitats for native fauna;
- (iii) the City's urban population has grown, and while the urban biodiversity has been greatly reduced from its original state in the City of Sydney local government area, the City has increased its bush restoration areas in open spaces from a baseline of 4.2 hectares to approximately 13 hectares in the last seven years;
- (iv) these areas are managed in accordance to the guidelines outlined in the City's Bush Restoration Management Plan;
- (v) the objective of these areas is to create habitat for native flora and fauna;
- (vi) the City has developed a planting guide for its bush restoration and habitat sites to ensure that flora and fauna thrive in an urban environment;
- (vii) the City is developing a list of preferred tree species for the Grey-headed flying fox based on the extensive work carried out by experts;
- (viii) the City encourages developers to use the City's planting guide in their development projects, and the Urban Ecology Co-ordinator advises City Projects on park upgrades where native planting is recommended for habitat outcomes;
- (ix) through its Urban Ecology Strategic Action Plan, the City encourages residents to create "habitat gardens," in backyards, on balconies, in common areas, or community spaces like local schools;
- (x) the City of Sydney's Street Tree Master Plan and other policies and plans consider habitat a key consideration when selecting a tree species to encourage native flora and fauna;
- (xi) the City of Sydney also considers environmental tolerance, functional requirements and aesthetic and design requirements when planting trees;
- (xii) the City is currently working with consultants to further improve the identification of biodiversity and habitat corridors to encourage the movement of native fauna across the City of Sydney;
- (xiii) the objective of these works is to define how public and private landscapes can assist in strengthening habitat corridors and provide the opportunity for planning controls to be amended to support this aim;
- (xiv) currently 75 per cent of the City's park trees and 58 per cent of the City's street trees are native. Approximately 30 per cent of plants in the City's park and public domain gardens are native;
- (xv) there are restrictions on what species can be planted in particularly harsh urban environments, however the City can continue to improve on its efforts to create lush green spaces which showcase native Australian plant species and provide homes for native animals and birds; and

- (B) the Chief Executive Officer be requested to consult with WIRES as part of the current review of the Greening Sydney Strategy, Street Tree Master Plan and Urban Forest Strategy.

The amendment was carried on the following show of hands –

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

Noes (2) Councillors Chung and Phelps.

Amendment carried.

The motion was carried unanimously.

S129263



**Item 12.6 Redfern Waterloo Aboriginal Affordable Housing Campaign**

Moved by Councillor Thalís, seconded by Councillor Scully –

It is resolved that:

(A) Council note:

- (i) Waterloo is the subject of urban renewal by the State Government;
- (ii) in January 2019, the State Government presented their preferred Master Plan for Waterloo:
  - (a) they proposed 30 per cent social, 65 per cent market and 5 per cent affordable housing;
- (iii) in March 2019, the City released an alternate scheme for Waterloo for which it is seeking funding from the Federal Government:
  - (a) the City's scheme included a mix of social and affordable housing - comprising 50 per cent social, 20 per cent affordable and 30 per cent private market housing; and
  - (b) it substantially increases the number of social and affordable dwellings to address the social and affordable housing crisis;
- (iv) in May 2020, NSW Land and Housing Corporation lodged a planning proposal request for Waterloo South with the City of Sydney;
- (v) Sustainable Sydney 2030 envisages that, by 2030, 7.5 per cent of all housing in the City of Sydney will be affordable housing;
- (vi) access to affordable housing is essential for a diverse, inclusive, cohesive, and economically successful global city;
- (vii) 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 and Torres Strait Islander housing in Redfern/Waterloo in particular, and in the local government area generally;
- (viii) in 2013, the City entered into a deed with the Aboriginal Housing Company which included:
  - (a) the transfer of land on Caroline Lane, Eveleigh Lane and Eveleigh Street Redfern to the Aboriginal Housing Company to facilitate the redevelopment known as the Pemulwuy Project; and
  - (b) the deed was subject to the delivery of affordable housing, childcare, gallery space and public open space;
- (ix) in April 2016, the City granted \$100,000 to Redfern Legal Centre to support tenants during the redevelopment of the Waterloo Estate;
- (x) in October 2017, the City granted \$47,980 (excluding GST) to Waterloo Public Housing Action Group to support tenants through their Future Planning Office;

- (xi) in February 2020, the City granted \$150,000 to St George Community Housing for a shared capacity development project (between St George Community Housing, Bridge Housing and City West Housing) to employ and train a dedicated Aboriginal Affordable Housing Manager to improve access to affordable housing opportunities for Aboriginal and Torres Strait Islander persons in the local area;
  - (xii) the Redfern Waterloo Aboriginal Affordable Housing Campaign advocates for:
    - (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; and
  - (xiii) an alliance of community organisations has given their support to the Redfern Waterloo Aboriginal Affordable Housing Campaign; and
- (B) Council support the Redfern Waterloo Aboriginal Affordable Housing Campaign.

Amendment. Moved by Councillor Phelps –

That the motion be amended such that clauses (A) (viii) (a) and (b) be deleted.

The amendment lapsed for want of a seconder.

The motion was carried unanimously.

S129265

**Item 12.7 Climate Change and City Electric Vehicle Fleet Outcomes**

Moved by Councillor Scott, seconded by Councillor Miller –

It is resolved that:

- (A) Council note:
- (i) the City has offset emissions, including fleet emissions, since 2007 and was certified carbon neutral under the National Carbon Offset Standards from 2011;
  - (ii) under the Sustainable Sydney 2030 policy the City is committed to reducing carbon emissions by 70 per cent by 2030, which is less than nine and a half years away;
  - (iii) battery run Electric Vehicles have zero exhaust emissions at the tailpipe compared to internal combustion engine vehicles;
  - (iv) the City recognises both the environmental and economic benefits of electric vehicles and as at April 2019, Council had 19 Electric Vehicles in its fleet, as well as 40 hybrid cars and 70 hybrid trucks;
  - (v) the Council's first electric truck, which is a tipper truck and separate to the rubbish truck trial vehicle, has been unfortunately delayed due to Covid but upon arrival will be trialled across a number of business units over the period of one year;
  - (vi) the first fully electric rubbish trucks in Australia were introduced in May 2019 by the City of Casey and in January 2020 an additional several new electric trucks were added to the City of Casey rubbish collection fleet under the management of WM Waste Management as part of a new waste contract;
  - (vii) additional benefits of electric vehicle rubbish trucks is that they are quieter than diesel counterparts;
  - (viii) in a disaster and recovery situation such as blackouts the vehicles can be pivoted to act as temporary emergency power; and
  - (ix) in March 2020, the Lord Mayor announced via Facebook the City will be trialling an initial electric garbage truck;
- (B) Council recognise that electric trucks are a key part of the City of Sydney's demonstration of support for renewable energy as they significantly reduce the City's environmental footprint and improve the sustainability of residential hard waste collection;
- (C) Council further recognise that an electric vehicle fleet as a whole supports future sustainability of the vehicle fleet more generally; and
- (D) on the basis of the City's successful trial of the electric vehicle rubbish truck, the Chief Executive Officer be requested to:
- (i) progress the transition to carbon neutral vehicles, including rubbish collection vehicles, for the City of Sydney to reduce the City's reliance on costly carbon offsets;
  - (ii) provide an update to Council on the current trial of one electric vehicle rubbish collection truck including whether it is able to manoeuvre the LGAs streets, the economic and carbon reduction benefits and whether the trial truck is quieter than those in use currently;

- (iii) based on the positive outcomes of the pilot, provide an update to Council on the timeframe for implementation of the roll out of a full electric vehicle rubbish collection fleet; and
- (iv) advise Council whether the current waste removal contract will allow for the introduction of additional electric vehicle rubbish trucks to the fleet or whether this will be required to be negotiated as part of the next contract and the year in which this tender will be released.

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

It is resolved that:

(A) Council note:

- (i) the City has offset emissions, including fleet emissions, since 2007 and was certified carbon neutral under the National Carbon Offset Standards from 2011;
- (ii) under the Sustainable Sydney 2030 policy the City is committed to reducing carbon emissions by 70 per cent by 2030, which is less than nine and a half years away;
- (iii) battery run Electric Vehicles have zero exhaust emissions at the tailpipe compared to internal combustion engine vehicles;
- (iv) the City recognises both the environmental and economic benefits of electric vehicles and as at April 2019, Council had 19 Electronic Vehicles in its fleet, as well as 37 hybrid cars and 70 hybrid trucks;
- (v) Cleanaway, the City's contractor for domestic waste, trialled two electric trucks (one larger and one smaller) in February, March and July 2020;
- (vi) procurement of the Council's first electric truck, which is a tipper truck and separate to the rubbish truck trial vehicle, has been unfortunately delayed due to Covid but upon arrival will be trialled across a number of business units over the period of one year;
- (vii) Fleet Services have included options for suppliers to respond to all recent (applicable) tenders with electric vehicles;
- (viii) the first fully electric rubbish trucks in Australia were introduced in May 2019 by the City of Casey and in January 2020 an additional several new electronic trucks were added to the City of Casey rubbish collection fleet under the management of WM Waste Management as part of a new waste contract;
- (ix) additional benefits of electric vehicle rubbish trucks is that they are quieter than diesel counterparts;
- (x) in a disaster and recovery situation such as blackouts the vehicles can be pivoted to act as temporary emergency power; and
- (xi) the City is in the process of purchasing an electric rubbish truck for its own fleet, delivery is expected mid-2021;
- (xii) while electric vehicles can have higher upfront costs (up to two and a half times more for heavy vehicles), they cost less in ongoing maintenance and fuel;
- (xiii) the City regularly renews the vehicles in its fleet, and has a plan for increasing the proportion of electric vehicles as older vehicles reach the end of their useful lives; and

- (xiv) the City is developing a “Greening the Fleet” Strategy, which will come to Council for approval when finalised;
- (B) Council recognise that electric vehicles are a key part of the City of Sydney's demonstration of support for renewable energy as they significantly reduce the City's environmental footprint and improve the sustainability of residential hard waste collection;
- (C) Council further recognise that an electric vehicle fleet as a whole supports future sustainability of the vehicle fleet more generally; and
- (D) the Chief Executive Officer be requested to:
  - (i) provide an update to Council about whether the electric rubbish trucks that Cleanaway trialled in the City were able to manoeuvre City streets and laneways, has high levels of safety for staff, the economic and carbon reduction benefits and whether the trial truck is quieter than those in use currently, via the CEO Update;
  - (ii) should the trial be successful and safe, progress the transition to carbon neutral vehicles, including rubbish collection vehicles, for the City of Sydney to reduce the City's reliance on costly carbon offsets; and
  - (iii) advise Council whether the current waste removal contract will allow for the introduction of additional electronic vehicle rubbish trucks to be introduced to the fleet or whether this will be required to be negotiated as part of the next contract and the year in which this tender will be released, via the CEO Update.

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

S129266

**Item 12.8 City Community Engagement for State Significant Precincts**

Moved by Councillor Scott, seconded by Councillor Scully -

It is resolved that:

- (A) Council note:
  - (i) the NSW Government has announced State Significant Precincts in Pyrmont, around Central Station, and in a range of other City of Sydney areas; and
  - (ii) State Significant Precincts do not allow for positive engagement with City of Sydney communities to create a vision for the future of these places;
- (B) on the basis of the City's successful community engagement strategies, the Chief Executive Officer be requested to outline a community engagement program to allow City communities opportunities to have a voice in the State Significant Precincts, including Pyrmont/Ultimo and the communities around Central Station redevelopment, including Chippendale; and
- (C) the Lord Mayor be requested to write to the NSW Planning Minister seeking a commitment to ensure the voice of City communities will be considered during any rezoning or planning approvals in State Significant Precincts in the City of Sydney.

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

It is resolved that:

- (A) Council note:
  - (i) the NSW Government has announced State Significant Precincts in Pyrmont, around Central Station, and in a range of other City of Sydney Areas;
  - (ii) the Department of Planning Industry and Environment has developed a new approach to precinct planning that acknowledges local councils 'know their people and communities best';
  - (iii) the approach includes 'Council-led rezoning' for State Significant Precincts that recognises council is best placed to deliver detailed planning within its communities;
  - (iv) recent assessment of 'Council-led rezoning' proposals on Land and Housing Corporation (LAHC) sites, has demonstrated the City's ability to deliver better planning outcomes for the local area that are driven by positive community engagement strategies; and
  - (v) the City calls on the return of planning power for all private and government-owned sites in our local area so that the community can be meaningfully involved in the decision-making process and positively contribute to planning outcomes; and
- (B) the Lord Mayor be requested to write to the NSW Planning Minister expressing the above views.

The motion, as varied by consent, was carried on the following show of hands –

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

Noes (2)      Councillors Chung\* and Forster

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

The motion, as varied by consent, was carried.

S129266

At 9.38 pm the meeting concluded.

Chair of a meeting of the Council of the City  
of Sydney held on Monday 26 October 2020 at which  
meeting the signature herein was subscribed.