

# Council

Meeting No 3

Monday 17 May 2021

Notice No 3/1627

Notice Date 13 May 2021

*minutes*

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**Present**

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

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

At the commencement of business at 5.04pm, 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 Planning, Development and Transport, Director Legal and Governance, Director City Life and Director City Services were also present.

Councillor Scott left the meeting of Council at 7.21pm prior to discussion on Item 6.13, and returned at 7.23pm, after the vote on Item 6.13. Councillor Scott was not present at, or in sight of, the meeting of Council during discussion or voting on Item 6.13.

Councillor Forster left the meeting of Council at 8.37pm prior to discussion on Item 9.2, and returned at 8.49pm, after the vote on Item 9.2. Councillor Forster was not present at, or in sight of, the meeting of Council during discussion or voting on Item 9.2.

Councillor Phelps left the meeting of Council at 9.41pm, during discussion and before the vote on Item 13.6, and did not return.

**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.

**Item 1        Confirmation of Minutes**

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

That the Minutes of the meeting of Council of Monday, 29 March 2021, as circulated to Councillors, be confirmed.

Carried unanimously.

## **Item 2        Disclosures of Interest**

Councillor Linda Scott made the following disclosures:

- a pecuniary interest in Item 6.13 on the agenda, in that she owns an apartment in trust for a family member with a disability, on MacDonald Street in Erskineville. Councillor Scott stated that she would step out for this item.
- a less than significant, non-pecuniary interest in Item 13.4 on the agenda, in that she is the President of ALGA, the national local government peak body whom the motion advocates to have a position in the National Cabinet.
- a less than significant, non-pecuniary interest in Item 13.2 on the agenda, in that her husband is the coach of a local cricket team, the Marrickville Cricket Club, which uses some of the facilities listed. Councillor Scott further stated that her children also play in the team.

Councillor Christine Forster disclosed a pecuniary interest in Item 9.2 on the agenda, in that she is an owner/occupier of a property overlooking the council-owned properties on Oxford Street.

Councillor Forster advised that she would step out of meeting at any time this matter was being considered, discussed or voted on by the Council or Committee.

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

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

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

### **Item 3        Minutes by the Lord Mayor**

#### **Item 3.1      Vale Carla Zampatti**

#### **Minute by the Lord Mayor**

To Council:

The death of Carla Zampatti at Easter reverberated not only through the world of fashion but across many sectors of Australian society.

Yes, she made her name as a fashion designer, but she was also a champion for women, a successful businesswoman, a mentor, a philanthropist and exemplar of multicultural Australia.

Her flair for fashion manifested itself from a very young age. Born in 1942 into a farming family in northern Italy, she started a “dress shop” in the farmhouse attic when still a child. Her family migrated to Australia, arriving at Fremantle in 1950.

At primary school, a teacher called her Mary because Carla wasn’t a name that was used in Australia! So it was “Mary” Zampatti who left school at 14 to work in a local general store.

A few years later, in 1963, she came to Sydney where a lucky meeting with the head of a production house making women’s blouses led to a job as his “girl Friday”. But the design and dressmaking skills she had learnt at a workshop in Perth quickly led to her appointment as head of design.

Her marriage to accountant Leo Schuman brought two changes: she reverted to the name Carla and in 1965, encouraged by Schuman, started her own label.

The timing was excellent as her stylish but streamlined and very wearable clothing appealed to the new women coming into the Australian workforce.

Her first photo shoot for her own label took place in front of the Sydney Opera House, at that stage still under construction. It could be seen as symbolic of the new and more confident Australia that was emerging, and the new era of engaged and active women.

Following her divorce in 1970, Carla as a single mother with a young child could not get a bank loan for her business and she had to borrow from a cousin in Perth to forge ahead.

Yet by 1972, she was able to open her first boutique in Surry Hills, with clients including Susan Peacock, Anna Murdoch and Penfolds heiress Rada Penfold-Russell.

Her clothes worked for everyone: for actors, politicians, women executives, Crown Princess Mary of Denmark and for women wanting a “special occasion” outfit.

Her design skills were sought by the car industry to customise car interiors and by manufacturers to add glamour to everyday items like swim-wear and sunglasses.



Outside her “day job”, she poured her energy and considerable skills into many causes. Her first board appointment, fittingly, was to the Dante Alighieri Society and many others followed. She was an early member of Chief Executive Women; she was on the board of the Sydney Dance Company, the Australian Multicultural Foundation and the European Australian Business Council and was a trustee of the Sydney Theatre Company Foundation.

In 1980, she was named as the Bulletin-Qantas Australian Businesswoman of the Year and yet, 19 years later, when she was announced as the chair of SBS, there were jibes in some quarters about a mere “fashionista” taking on such a significant role. Yet it was one she filled successfully for a decade.

She later noted that “Here we were, fast approaching the 21<sup>st</sup> century, yet the idea of a woman in authority still raises eyebrows”.

In 1987, she was made a member of the Order of Australia, and in 2009, a Companion of the Order of Australia. In 2008, the Australian fashion industry gave her its highest honour, naming her as Australian Fashion Laureate.

“Mary” Zampatti became a huge contributor to her adopted country, despite the difficulties she faced.

The recent revelations from Canberra underscore the challenges still faced by women and give us a renewed appreciation of the truly pioneering work and the very real achievements of Carla Zampatti.

## **Recommendation**

It is resolved that:

- (A) all persons present stand for one minute's silence to mark the life of Carla Zampatti; and
- (B) the Lord Mayor be requested to write to Ms Zampatti's family expressing the City's condolences.

## **COUNCILLOR CLOVER MOORE**

Lord Mayor

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

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

Carried unanimously.

S051491

Note – The Lord Mayor expressed condolences to Carla Zampatti's children, Alex Schuman, Allegra Spender and Bianca Spender, and acknowledged the presence of Alex and Allegra.

Note – All Councillors, staff, press and members of the public present stood in silence for one minute as a mark of respect to Carla Zampatti.

## **Item 3.2     Solidarity with the People of India**

### **Minute by the Lord Mayor**

To Council:

India is in the midst of a humanitarian crisis due to the global pandemic. Covid-19 infections have surged past 21 million across the country, with a total death toll of 230,168, according to health ministry data.

Most recently India recorded 412,262 new Covid-19 cases and a record 3,980 daily deaths, as a second wave of infections overwhelms the health system and spreads from cities into the countryside.

The situation is said to be particularly bad in vast rural areas with little or no healthcare. One charity reports that in some areas, "there are deaths in almost every second house".

The City is a multicultural, harmonious city and we share strong ties with our Indian community. We have residents from nearly every nationality—half were born overseas and one third speak a language other than English. The eclectic mix of languages, customs and cultures that make up our city is one of our biggest strengths.

Our Indian population ranks ninth of our largest migrant ancestries, and together we celebrate rich and colourful events like Deepavali, that is a significant religious Festival.

That is why I propose that Council stand in solidarity with India and our Indian community during this difficult time, who have family and friends at home. I would like to offer my sincere condolences to the families of those who have lost their lives as a result of Covid-19 and those who continue to be directly affected by the pandemic in India.

The Indian community needs our support more than ever right now, and I would like to offer my sympathies to everyone affected, including the Australian citizens who have been unable to travel home.

The Federal Government's temporary suspension of flights from India has left some 9,000 Australian citizens stranded in India, which has been distressing for many. The media reports that around 900 of those people have registered as financially or medically vulnerable and they are trapped in a country where hospitals are running out of oxygen.

Our own citizens have also been threatened with jail terms up to five years and fines of up to \$66,000, if they attempted to travel back from India to Australia.

I have found the treatment of Australians in India unacceptable, who have rightly said this policy has made them feel "angry, scared and worried".

Which is why I am pleased that Prime Minister Scott Morrison decided to lift a ban on travel from India on 15 May 2021. The Prime Minister has signed off on a plan to repatriate Australians stranded in India to the Northern Territory, bringing home the most vulnerable people first.

New South Wales, Queensland and Victoria have also pledged to take repatriation flights to help our citizens home.

The Federal government also announced in its budget for 2021/22, that it will provide \$119.9 million over four years to increase consular capacity to support vulnerable Australians overseas, and \$37.1 million over two years to support the Indian response to Covid-19.

The consular assistance will include 120 facilitated flights by June 2022 to bring Australians home. There are currently 34,500 Australians registered as wishing to return from overseas.

The City remains vigilant and continues to act on the advice of State and Federal Government to inform our response to the pandemic. However, we must also be vigilant in supporting all of our communities around the world and stand up to policies that can result in distress and discrimination.

## **Recommendation**

It is resolved that:

- (A) all persons present stand for one minute's silence to mark the lives lost in India; and
- (B) the Lord Mayor be requested to write to the Prime Minister of India expressing Sydney's support for the people of India.

## **COUNCILLOR CLOVER MOORE**

Lord Mayor

Note – at the meeting of Council, the content of the original Minute was varied by the Lord Mayor. Subsequently, it was –

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

It is resolved that:

- (A) all persons present stand for one minute's silence to mark the lives lost in India;
- (B) the Lord Mayor be requested to write to the Prime Minister of India expressing Sydney's support for the people of India; and
- (C) the Chief Executive Officer be requested to:
  - (i) light the Sydney Town Hall in the national colours of India to stand in solidarity with India and the Indian community at this difficult time; and
  - (ii) deliver a message of support to the local Indian community through the Indian Consulate General in Sydney.

Carried unanimously.

S051491

Note – The Lord Mayor acknowledged the presence of Mr Ramanand Garge, Director, Swami Vivekananda Cultural Centre, Consulate General of India in Sydney; Representing the Consul General and the Consulate General of India, and Mr Sai Paravastu, Director, Community Services, Hindu Council of Australia.

Note – All Councillors, staff, press and members of the public present stood in silence for one minute to mark the lives lost in India.

**Item 3.3 CBD Recovery from Covid-19****Minute by the Lord Mayor**

To Council:

On 22 April 2021 I joined NSW Government Ministers and business representatives at the second CBD Summit convened by the NSW Treasurer, Dominic Perrottet. It was a highly successful event, with many participants presenting ideas to encourage economic recovery in the Sydney CBD and to re-energise our city. I was heartened by the excitement and shared commitment of attendees to achieving this through continued collaboration.

The first Summit led to a program of initiatives which has had a significant impact on the recovery. This included our Al Fresco City program, with activities to activate the CBD and our outdoor dining initiatives. An evaluation survey of participating restaurants and cafes revealed that:

- 90 per cent of respondents reported the outdoor dining to be beneficial or crucial to their business;
- 45 per cent reported employing an additional two or more staff per week;
- 41 per cent reported increasing staff hours by 10 hours or more per week; and
- more than half (58 per cent) reported an increase in turnover of up to 10 per cent.

The CBD Activation Grant Program late last year has also delivered a strong pipeline of events to attract people into the CBD – and our program has generated jobs for the creative and cultural sector. The Sunset Piazza and roving performers created over 1,000 jobs for the cultural and creative sector including jobs for performers, artists, creatives and production crew over a three-month period.

**Continuing the CBD's recovery**

With the NSW Government investing an additional \$20 million into CBD recovery, I propose that the City continue its investment in CBD recovery by contributing a further \$5.7 million, which would include:

- extending the fee waiver for outdoor dining until 30 June 2022 to continue the success of the Al Fresco City program (estimated cost of \$3.5 million); and
- allocating \$2.2 million from our existing grants program to encourage events and activations in the CBD and surrounds.

**Other activation proposals**

The Property Council has shown commendable initiative in developing its “Fab Fridays” proposal for activating the CBD. This proposal aims to encourage workers to return to work in the CBD, particularly on Mondays and Fridays when many people are choosing to work from home.

“Fab Fridays” would make being in the CBD on Fridays an enticing alternative. To be successful, the initiative would need the support of the NSW Government, the City and CBD businesses. City staff have met with the Property Council to discuss how we could help implement the proposal.

The NSW Government could support the proposal by providing free public transport into the CBD on Friday mornings and by further developing the 'Dine and Discover' voucher program to support CBD businesses. To maximise its impact the vouchers could also be used with small retailers and small businesses providing personal services such as hairdressers, beauticians, etc.

The Government should also act on the Australian Hotels Association's call to extend the NSW Government's Accommodation Vouchers to the entire City of Sydney Local Government Area, rather than just the 2000 postcode, as people who stay at these hotels are highly likely to spend time in the CBD during their visit.

### **CBD Taskforce**

Several peak bodies have proposed establishing an ongoing CBD Taskforce to build on the success of the CBD Summits, and continue the collaboration between the NSW Government, City of Sydney and key stakeholders. Such a Taskforce could have an ongoing role in monitoring the recovery from the Covid-19 pandemic, identifying emerging issues and be involved in initiatives such as "Fab Friday".

### **Recommendation**

It is resolved that Council:

- (A) endorse the City of Sydney continuing its partnership with the NSW Government in delivering this recovery by approving a contribution of \$5.7 million, which would include:
  - (i) extending the fee waiver for outdoor dining until 30 June 2022 to continue the success of the Al Fresco City program at an estimated cost of \$3.5 million; and
  - (ii) allocating \$2.2 million from our existing grants program to encourage events and activations in the CBD and surrounds;
- (2) endorse the Property Council's "Fab Fridays" proposal;
- (C) call on the NSW Government to provide free public transport on Friday mornings, further develop the 'Dine and Discover' vouchers to support CBD businesses and extend its accommodation vouchers to the entire Local Government Area; and
- (D) support the establishment of a CBD Taskforce, with the City of Sydney being willing to participate in this Taskforce.

### **COUNCILLOR CLOVER MOORE**

Lord Mayor

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

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

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

That the Minute be amended to include part of Item 13.1, such that it read as follows:

It is resolved that Council:

- (A) endorse the City of Sydney continuing its partnership with the NSW Government in delivering this recovery by approving a contribution of \$5.7 million, which would include:
  - (i) extending the fee waiver for outdoor dining until 30 June 2022 to continue the success of the Al Fresco City program at an estimated cost of \$3.5 million; and
  - (ii) allocating \$2.2 million from our existing grants program to encourage events and activations in the CBD and surrounds;
- (B) endorse the Property Council's "Fab Fridays" proposal;
- (C) call on the NSW Government to provide free public transport on Friday mornings, further develop the 'Dine and Discover' vouchers to support CBD businesses and extend its accommodation vouchers to the entire Local Government Area;
- (D) turn off parking metres on weekends along City of Sydney retail and high streets to support small businesses as they participate in these events and programs to encourage people back to the City; and
- (E) support the establishment of a CBD Taskforce, with the City of Sydney being willing to participate in this Taskforce.

The Chair (the Lord Mayor) advised Councillor Chung that, pursuant to Part 6 of the Code of Meeting Practice, he would need to move a procedural motion to change the order of business, as the amendment proposed would effectively bring forward his Notice of Motion, Item 13.1 on the agenda.

### **Procedural Motion**

Moved by Councillor Chung, seconded by Councillor Forster –

That the Order of Business be altered such that Item 13.1 be brought forward and dealt with as part of Item 3.3.

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

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

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

The Lord Mayor exercised her casting vote against the motion. The motion was declared lost.

Motion lost.

The Minute was carried unanimously.

S051491

### Item 3.4 Protecting Heritage

#### Minute by the Lord Mayor

To Council:

The City's heritage conservation areas, which cover approximately 10 square kilometres (38 per cent) of our local area, house diverse living and working communities with strong and unique urban characteristics.

Places like Forest Lodge/Glebe, Paddington, Millers Point, Potts Point– Woolloomooloo, Darlinghurst, Surry Hills, and Redfern – Chippendale are among the most populous areas in Greater Sydney and consist predominantly of conservation areas which are some of the most historic neighbourhoods in Sydney.

Local resident groups such as The Glebe Society, Millers Point Residents Action Group and The Paddington Society have asked Council to consider increased heritage protections for their areas.

Resident groups want to strengthen the resources available to heritage property owners to help educate and support them to better maintain their properties.

Unfortunately, in NSW, neither the *Local Government Act 1993* nor the *Environmental Planning and Assessment Act 1979* give councils the legal powers necessary to order that property owners maintain their buildings, even if they are listed as heritage items in the Local Environmental Plan. Councils are therefore unable to legally require owners to maintain their properties or prevent demolition by neglect.

A heritage education program has the potential to raise knowledge and awareness of owners about the significance of their property as well as leading to better informed and designed proposals submitted to Council.

This initiative can help build on the City's existing efforts to support heritage conservation areas. To date, the City has listed approximately 2,200 heritage items and 75 conservation areas to protect our historic buildings and landscapes and we are examining opportunities for increased protections through the City's current update of our planning controls.

In July 2019, the City published painting guidelines for properties in heritage conservation areas. Following that, in March 2020, we published a guideline that supports the installation of solar panels without the necessity for a development application, subject to criteria, while protecting the character of our heritage conservation areas.

In early 2020, the City started developing an education program including a public heritage workshop but due to Covid-19 restrictions, it was halted.

The City is committed to conserving its local heritage items and conservation areas as their historical origins and relationships to places contribute to the local character and strengthen each community's sense of place.

## **Recommendation**

It is resolved that:

- (A) the Chief Executive Officer be requested to:
  - (i) review the City's website so that the City's heritage information resources are more easily found and understood. Details about and direction to relevant NSW Government policies should also be provided;
  - (ii) develop an education resource including online and in-person programs that raise knowledge and awareness of heritage property owners about the opportunities and limitations for maintenance and development of their properties; and
  - (iii) make a submission in response to the NSW Government's discussion paper on the proposed reforms to NSW Heritage legislation requesting that councils be given greater powers to prevent demolition of heritage properties by neglect; and
- (B) the Lord Mayor be requested to write to the Minister for Planning and Public Spaces and the Minister for the Arts requesting that councils be given greater powers to prevent demolition of heritage properties by neglect through NSW planning and heritage legislative changes.

## **COUNCILLOR CLOVER MOORE**

Lord Mayor

Note – at the meeting of Council, the content of the original Minute was varied by the Lord Mayor. Subsequently, it was –

Moved by the Lord Mayor, seconded by Councillor Scott –

It is resolved that:

- (A) the Chief Executive Officer be requested to:
  - (i) review the City's website so that the City's heritage information resources are more easily found and understood. Details about and direction to relevant NSW Government policies should also be provided;
  - (ii) develop an education resource including online and in-person programs that raise knowledge and awareness of heritage property owners about the opportunities and limitations for maintenance and development of their properties; and
  - (iii) make a submission in response to the NSW Government's discussion paper on the proposed reforms to NSW Heritage legislation including a request to rationalise the current development approvals process involving both the NSW Heritage Council and Municipal Councils, and requesting that councils be given greater powers to prevent demolition of heritage properties by neglect; and
- (B) the Lord Mayor be requested to write to the Minister for Planning and Public Spaces and the Minister for the Arts requesting that councils be given greater powers to prevent demolition of heritage properties by neglect through NSW planning and heritage legislative changes.



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

It is resolved that:

(A) the Chief Executive Officer be requested to:

- (i) review the City's website so that the City's heritage information resources are more easily found and understood. Details about and direction to relevant NSW Government policies should also be provided;
- (ii) develop an education resource including online and in-person programs that raise knowledge and awareness of heritage property owners about the opportunities and limitations for maintenance and development of their properties; and
- (iii) make a submission in response to the NSW Government's discussion paper on the proposed reforms to NSW Heritage legislation including a request to rationalise the current development approvals process involving both the NSW Heritage Council and Municipal Councils, and requesting that councils be given greater powers to prevent demolition of heritage properties by neglect; and

(B) the Lord Mayor be requested to:

- (i) write to the Minister for Planning and Public Spaces and the Minister for the Arts requesting that councils be given greater powers to prevent demolition of heritage properties by neglect through NSW planning and heritage legislative changes; and
- (ii) write to the Premier seeking clarification about the NSW Government's decision to group heritage grants into a 2021-2023 round and seeking a commitment to the continuation of heritage grants.

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

S051491

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

**Item 4.1 Temporary Procedures for Attendance by Councillors at Meetings by Audio-Visual Link**

**Memorandum by the Chief Executive Officer**

To Council:

As of 26 March 2021, temporary provisions in the Local Government Act 1993 allowing council and committee meetings to be held using audio-visual links during the ongoing Covid-19 pandemic expired. As a result, councils are now required under section 10 of the Local Government Act 1993 to hold meetings of the council and committees comprising only of councillors in physical venues and to permit members of the public to attend meetings in person, subject to the requirements of any Public Health Order in force at the time and social distancing requirements.

The Local Government (General) Regulation 2005 (the Regulation) has been amended to temporarily exempt councils from complying with the requirement under codes of meeting practice for councillors to be personally present at meetings in order to participate in them. The exemption expires on 31 December 2021 and the Office of Local Government is presently consulting on arrangements going forward.

On 1 April 2021, the Office of Local Government released circular 21-02 "Temporary exemption from the requirement for councillors to attend meetings in person". The circular provides suggested procedures governing attendance and encouraging councils to adopt similar procedures before implementing remote attendance.

The City has drafted interim procedures focused on the ongoing Covid-19 pandemic situation.

The procedures will apply only to councillors who are unable to attend due to matters relating to Covid-19, such as where a councillor has been requested to self-isolate by NSW Health, where a councillor has been unavoidably detained in another state or country due to border closures or where there is an outbreak impacting on the Sydney area such that increased health concerns give rise to a need for all councillors to attend the meeting remotely.

This memorandum recommends that Council approve the Temporary Procedures for Attendance by Councillors at Meetings by Audio-Visual Link and delegates authority to the Lord Mayor to determine requests for attendance at meetings by councillors by audio visual link and to determine that all councillors may attend meetings remotely in circumstances of increased public health risks relating to Covid-19 cases in the Sydney area.

## Recommendation

It is resolved that:

- (A) Council note circular 21-02 Temporary exemption from the requirement for councillors to attend meetings in person as shown at Attachment A to the subject memorandum;
- (B) Council approve the Temporary Procedures for Attendance by Councillors at Meetings by Audio-Visual Link - Covid-19 Pandemic as shown at Attachment B to the subject memorandum to 31 December 2021; and
- (C) authority be delegated to the Lord Mayor to determine requests for attendance at meetings by councillors by audio visual link and to determine that all councillors may attend meetings remotely in circumstances of increased public health risks relating to Covid-19 cases in the Sydney area.

## MONICA BARONE

Chief Executive Officer

## Attachments

**Attachment A.** Circular 21-02 Temporary Exemption from the Requirement for Councillors to Attend Meetings in Person

**Attachment B.** Temporary Procedures for Attendance by Councillors at Meetings by Audio-Visual Link - Covid-19 Pandemic

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

It is resolved that:

- (A) Council note circular 21-02 Temporary exemption from the requirement for councillors to attend meetings in person as shown at Attachment A to the subject memorandum;
- (B) Council approve the Temporary Procedures for Attendance by Councillors at Meetings by Audio-Visual Link - Covid-19 Pandemic as shown at Attachment B to the subject memorandum to 31 December 2021; and
- (C) authority be delegated to the Lord Mayor to determine requests for attendance at meetings by councillors by audio visual link and to determine that all councillors may attend meetings remotely in circumstances of increased public health risks relating to Covid-19 cases in the Sydney area.

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

That the motion be amended such that Council approve the Temporary Procedures for Attendance by Councillors at Meetings by Audio-Visual Link - Covid-19 Pandemic as shown at Attachment B to the subject memorandum to 31 December 2021, subject to the removal of Part 5 and Parts 14 to 17.

The amendment was lost on the following show of hands –

Ayes (2)        Councillors Chung and Forster

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

Amendment lost.

The motion was carried on the following show of hands –

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

Noes (2)        Councillors Chung and Forster.

Substantive motion carried.

S051923-02

**Item 4.2 Commencement of Federal Court Proceedings****Memorandum by the Chief Executive Officer**

To Council:

Council was briefed on 3 May 2021 on the proposal to commence proceedings against Telstra Corporation Limited (Telstra) in the Federal Court of Australia. These proceedings relate to the validity of a “land access and activity notice” issued to Council by Telstra. The notice relates to the installation of payphones in 60 locations around the local government area under Telstra’s power to undertake maintenance on its telecommunications facilities. The City is seeking a declaration from the Federal Court that the notice is invalid, and that Telstra is unable to take action under it.

On 7 May 2021, in consultation with the Chief Executive Officer and the General Counsel, the Lord Mayor instructed the General Counsel to commence these legal proceedings. Documents were filed at the Federal Court of Australia on the same day.

The delegations from Council to the Lord Mayor require these instructions to be reported to Council at the first meeting to occur after the instructions are given.

Further updates will be provided by way of CEO Update as the matter progresses.

**Recommendation**

It is resolved that Council:

- (A) note the instructions given by the Lord Mayor for Council to commence proceedings against Telstra Corporation Limited in the Federal Court of Australia; and
- (B) note that further updates will be provided to Councillors by way of CEO Update as the matter progresses.

**MONICA BARONE**

Chief Executive Officer

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

It is resolved that Council:

- (A) note the instructions given by the Lord Mayor for Council to commence proceedings against Telstra Corporation Limited in the Federal Court of Australia; and
- (B) note that further updates will be provided to Councillors by way of CEO Update as the matter progresses.

Carried unanimously.

X079065

### **Adjournment**

At this stage of the meeting, at 6.31pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Thalís –

That the meeting be adjourned for approximately 15 minutes.

Carried unanimously.

All Councillors were present at the resumption of the meeting of Council at 6.51pm.

## **Item 5        Matters for Tabling**

### **5.1 Disclosures of Interest**

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

It is resolved that the Disclosures of Interest returns be received and noted.

Carried unanimously.

### **5.2 Petitions**

#### **(a)    Upgrade Chisholm Street Reserve**

The following Petition (containing 110 signatures), of which notice was given by Councillor Scott, was tabled.

Unfortunately, Chisholm Street Reserve has been sadly neglected by the council.

The condition of the park is far below that of similar parks in the area.

The council recently estimated it would be 8 years before significant work could be done.

This petition is to request that the council commit to upgrading the park over the next year. We also request that the council conduct community consultation on the upgrade, with the aim of providing the following:

- Park benches for people to sit and eat lunch.
- A bin to throw away rubbish.
- Grass for people to sit on.
- A path through the park so the grass doesn't get trampled.
- Fencing to allow dogs to be released safely.
- A piece of play equipment of local children.

#### **(b)    Save KU Laurel Tree House Children's Centre**

The following Petition (containing 664 signatures), of which notice was given by Councillor Scott, was tabled.

#### **Issue**

The Department of Lands and Housing is planning to imminently sell 61 Arundel Street in Glebe.

This site currently operates as KU Laurel Tree House Children's Centre. The service began in 1983 and educated over 1,500 local children.

The current forecast is that our KU Centre will be forced to close at the end of 2021.

**Why should you care?**

Selling off assets that support our children is wrong. Doing so without community consultation is abhorrent. It does not support a fair go for children and their families.

The City of Sydney's own Child Care Needs Analysis paper of 2019 recognises that the City's population is expected to grow exponentially in the next 20 years. This demonstrates that the availability of sufficient high-quality childcare options will become more important than ever. For a growing population we need more high- quality affordable childcare and education centres, not less.

KU Laurel Tree provides exceptional care, having achieved the highest National Quality Standards ratings possible. It is also one of the few not-for-profit services with lots of outdoor space for children. The Director and staff of the service are an integral part of our community and they deserve to be appropriately valued and recognised!

In other words, the service is a 'rare as hen's teeth' place for the children of Forest Lodge and Glebe to receive very high quality early childhood education and to experience a 'backyard'. It also provides care at an affordable price point. It may not be the newest centre, but it is the most loved!

**What do we want?**

We want our elected representatives, KU Children's Services, the City of Sydney and the Department to take immediate steps to halt the sale of the KU site and to save that site and the KU service (or at the very least, a comparative service), in perpetuity, for the benefit of our children and families.

In other words, to love out their mandate and respective responsibilities to ensure that there is adequate high quality and reasonable cost education for our young children and services and infrastructure for our families. Now and into the future!

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

It is resolved that the Petitions be received and noted.

Carried unanimously.

**(c) Request for Cessation of Works on Macleay Street, Potts Point**

The following Petition (containing 84 signatures), was tabled by Councillor Phelps.

We, the undersigned, request the City of Sydney Council cease work on its Macleay Street, Potts Point, alterations project until the Covid-19 pandemic is over and review its previous decision.

We request this for the following ten reasons:

1. The previous decision was unethical.
2. Two hundred and fifty-three responses to the proposal were received but more than half were against the scheme.
3. Council's claim that the majority were in favour is incorrect.
4. Local small businesses are already under intense financial pressure due to reduced passing trade since the Covid-19 crisis, and street works will exacerbate the situation and will be the death of Macleay Street trade.
5. The only benefits will be to Council whose flags and café seatings will generate revenue.



6. The design is insensitive to the streetscape, its heritage conservation area, and is tasteless.
7. The works are not urgent and are not required for public safety reasons.
8. Public consultation has been inadequate and not all local businesses are represented by the Potts Point Partnership.
9. It is not clear why public tenders were not called for the project.
10. The proposal does not enhance the cultural value of the area.

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

It is resolved that the Petition be received and noted.

Carried unanimously.

S044250

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

### **PRESENT**

The Lord Mayor Councillor Clover Moore

(Chair)

Deputy Lord Mayor Councillor Jess Scully

(Deputy Chair)

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

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

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

### **Order of Business**

The Corporate, Finance, Properties and Tenders Committee agreed, in order to enable confidential discussion of Item 6.10, that the Order of Business be altered such that Item 6.10 be deferred and dealt with at the end of the Corporate, Finance, Properties and Tenders Committee meeting.

### **Adjournment**

At 3.42pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Scully –

That the meeting of the Corporate, Finance, Properties and Tenders Committee be adjourned for approximately 15 minutes.

Carried unanimously.

At the resumption of the meeting of the Corporate, Finance, Properties and Tenders Committee at 4.02pm, all Councillors were present.

Councillor Scott left the meeting of the Corporate, Finance, Properties and Tenders Committee at 4.03pm during discussion and before the vote on Item 6.13, and returned at 4.08pm, before discussion on Item 10, which had been deferred to the end of the meeting. 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 6.13.

### **Closed Meeting**

At 4.09pm, it was moved by Councillor Scully, seconded by the Chair (the Lord Mayor) –

That the meeting be closed in accordance with the provisions of Section 10A(2)(a) of the Local Government Act 1993.

Carried unanimously.

## **Open Meeting**

At 4.20pm, the meeting of the Corporate, Finance, Properties and Tenders Committee was reopened to the public.

The meeting of the Corporate, Finance, Properties and Tenders Committee and its Sub-Committee concluded at 4.21pm.

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

Moved by Councillor Scully, seconded by Councillor Miller –

That the report of the Corporate, Finance, Properties and Tenders Committee of its meeting of 10 May 2021 be received, with Item 6.1 being noted, the recommendations set out below for Items 6.2, 6.4, 6.5 and 6.7 to 6.12 inclusive being adopted in globo, and Items 6.3, 6.6 and 6.13 being dealt with as shown immediately following those items.

Carried unanimously.

## **Item 6.1**

### **Disclosures of Interest**

Councillor Linda Scott disclosed a pecuniary interest in Item 6.13 on the agenda, in that she owns a property in Trust for a family member that is adjacent to the works under consideration. Councillor Scott stated that she would step out of the meeting for the 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**

### **2020/21 Quarter 3 Review - Delivery Program 2017-2021**

It is resolved that Council:

- (A) note the financial performance of Council for the third quarter, ending 31 March 2021, including the Quarter 3 Net Surplus of \$79.5M and the full year Net Surplus forecast of \$96.2M, as outlined within the report and summarised at Attachment A to the subject report;
- (B) note the Quarter 3 Capital Works expenditure of \$170.5M and a revised full year forecast of \$233.9M, and approve the proposed adjustments to the adopted budget, including transferring \$0.1M from capital works contingency and bringing forward \$0.4M of future year's funds into 2020/21 as detailed at Attachment B to the subject report;
- (C) note the Technology and Digital Services capital expenditure of \$14.1M (net of disposals), the full year forecast of \$21.6M, and approve the proposed increase of \$0.1M to the adopted budget from the capital works contingency, as detailed at Attachment B to the subject report;
- (D) note the Quarter 3 Plant and Assets expenditure of \$4.7M, net of disposals, and the full year forecast of \$11.4M;
- (E) note the Quarter 3 net Property Divestment proceeds of \$51.0M, and the full year forecast net Property Divestment of \$37.3M;

- (F) Council note the supplementary reports, including contracts issued over \$50,000, major legal issues and the Quick Response, Banner Pole and Reduced Rate Grant Programs in Quarter 3, as detailed in Attachment C to the subject report; and
- (G) note the third quarter Community Recovery Plan report, as shown at Attachment D to the subject report.

Carried unanimously.

X025796

### **Item 6.3**

#### **Public Exhibition - Integrated Planning and Reporting Program and Budget 2021/22**

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

It is resolved that Council:

- (A) endorse the suite of Integrated Planning and Reporting documents for public exhibition for a period of 28 days, including:
  - (i) the draft Operational Plan 2021/22 as shown at Attachment A to the subject report; and
  - (ii) the draft Resourcing Strategy 2021 as shown as Attachment B to the subject report;
- (B) endorse the draft Operating and Capital Budget, and future years' forward estimates, as reflected in the draft Operational Plan 2021/22 and draft Resourcing Strategy 2021 including:
  - (i) Operating income before interest and capital grants of \$624.5M, operating expenditure before depreciation of \$514.5M, for an Operating Surplus of \$110.0M and a Net Surplus of \$27.3M after allowing for interest, depreciation and capital contributions;
  - (ii) Capital Works expenditure of \$236.3M, including a capital contingency of \$8.0M;
  - (iii) Plant and Assets net expenditure of \$9.2M;
  - (iv) Information Technology Capital Works of \$18.3M; and
  - (v) Net Property acquisitions of \$131.9M; and
- (C) endorse the proposed Rating Structure and Domestic Waste Management Charges, Stormwater Charges and User Fees and Charges discussed within the subject report and included within the draft Operational Plan 2021/22.

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

It is resolved that Council:

- (A) endorse the suite of Integrated Planning and Reporting documents for public exhibition for a period of 28 days, including:
  - (i) the draft Operational Plan 2021/22 as shown at Attachment A to the subject report; and
  - (ii) the draft Resourcing Strategy 2021 as shown as Attachment B to the subject report;
  - (iii) but excluding the budget for the Office of the Lord Mayor pending an independent review;

- (B) not endorse the budget of \$3.7M assigned to the Office of the Lord Mayor 2021/22, nor the forward estimates totalling \$15.3M over the next four years, and \$41.6M over the next ten years, as proposed in the draft Operational Plan 2021/22 and draft Resourcing Strategy 2021;
- (C) direct the Chief Executive Officer to engage an external auditor to conduct an independent review of the effectiveness and transparency of the Councillors' Expenses and Facilities Policy as applied to the Office of the Lord Mayor, including but not limited to:
  - (i) an itemised account of the budget and all expenses attributed to the Office of the Lord Mayor;
  - (ii) a review of the staffing requirements, benchmarked against other major cities in Australia;
  - (iii) suggestions for a reduction of the Lord Mayor's Expense and Facility policy in view of Council's budget restraints related to the current economic circumstances;
- (D) direct the Chief Executive Officer to report the findings of the independent, external review to the Audit, Risk and Compliance Committee and to Council;
- (E) endorse the remainder of the draft Operating and Capital Budget, and future years' forward estimates, as reflected in the draft Operational Plan 2021/22 and draft Resourcing Strategy 2021 including:
  - (i) Operating income before interest and capital grants of \$624.5M, operating expenditure before depreciation of \$514.5M, for an Operating Surplus of \$110.0M and a Net Surplus of \$27.3M after allowing for interest, depreciation and capital contributions;
  - (ii) Capital Works expenditure of \$236.3M, including a capital contingency of \$8.0M;
  - (iii) Plant and Assets net expenditure of \$9.2M;
  - (iv) Information Technology Capital Works of \$18.3M; and
  - (v) Net Property acquisitions of \$131.9M; and
- (F) endorse the proposed Rating Structure and Domestic Waste Management Charges, Stormwater Charges and User Fees and Charges discussed within the subject report and included within the draft Operational Plan 2021/22.

### **Procedural Motion**

Moved by Councillor Scott, seconded by Councillor Vithoulkas –

That the amendment be voted on in two parts – (A), (B) and (E) in one part, and (C) and (D) in the other part.

The procedural motion was lost on the following show of hands –

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

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

Procedural motion lost.

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

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

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

The Lord Mayor exercised her casting vote against the amendment. The amendment was declared lost.

Amendment lost.

The substantive motion was carried unanimously.

X025796

#### **Item 6.4**

##### **Investments Held as at 31 March 2021**

It is resolved that the Investment Report as at 31 March 2021 be received and noted.

Carried unanimously.

X020701

#### **Item 6.5**

##### **Investments Held as at 30 April 2021**

It is resolved that the Investment Report as at 30 April 2021 be received and noted.

Carried unanimously.

X020701

#### **Item 6.6**

##### **Sydney New Year's Eve 2021 - 2026 Memorandum of Understanding and Agency Agreements**

Note – the Corporate, Finance, Properties and Tenders Committee decided that consideration of this matter shall be deferred to the meeting of Council on 17 May 2021.

At the meeting of Council, the Officer's recommendation was moved by Councillor Scully, seconded by the Chair (the Lord Mayor) -

It is resolved that authority be delegated to the Chief Executive Officer to negotiate and enter into a Memorandum of Understanding with the NSW Government, and Agency Agreements with relevant NSW Government Agencies, for a further five year period with regard to the facilitation and support of 2021 to 2025 Sydney New Year's Eve Events.

Carried unanimously.

X080346.003

**Item 6.7****Grants and Sponsorship - Change of Auspice - Randa Sayed**

It is resolved that:

- (A) Council approve the change of auspice for the 2020/21 Cultural and Creative Grants and Sponsorships grant recipient, Randa Sayed, from the Friends of Casula Powerhouse Arts Centre Inc to new auspice Outloud Inc; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the funding agreement with Outloud Inc for Randa Sayed under terms consistent with the City's Grants and Sponsorship Policy.

Carried unanimously.

S117676

**Item 6.8****Lease Approval - Part 540 George Street, Sydney and Stratum Stair Access Town Hall**

It is resolved that:

- (A) Council note the Evaluation – Commercial Considerations within Attachment A to the subject report;
- (B) Council approve the granting of leases to Proponent A for:
  - (i) the basement, lower ground, ground, first, second and third floors at 540 George Street, Sydney; and
  - (ii) the Stratum Stairs at Town Hall Station;

both for an initial ten-year period commencing 1 January 2022 and expiring 31 December 2031, with four five-year options, which allow the City at its sole discretion to give six months early termination notice from 1 January 2027 in the initial term and at any point during the option terms, in accordance with the terms in Attachment B to the subject report;

- (C) authority be delegated to the Chief Executive Officer to finalise negotiations, execute and administer the terms of the leases in clause (B), including non-substantive amendments and any option terms, generally in accordance with the terms of the leases in Attachment B to the subject report; and
- (D) authority be delegated to the Chief Executive Officer to:
  - (i) end negotiations with Proponent B if there are departures from the terms in Attachment B to the subject report, after updating Council through a CEO Update; and
  - (ii) finalise negotiations, execute and administer the terms of the leases with the next most suitable respondent, including non-substantive amendments and any option terms, generally in accordance with the terms contained in Attachment C to the subject report.

Carried unanimously.

X079195.010

**Item 6.9****Joint Use Project Deed Variation - Alexandria Park Community School - Synthetic Field and Park Road Public Domain Embellishment**

It is resolved that:

- (A) Council endorse the proposed concept design of the Park Road Integration Works as shown at Attachment B to the subject report;
- (B) Council approve the variation of the Alexandria Community School and Park Synthetic Sportsfield – Joint Use Project Deed (Project Deed) to include the construction of the integration works for Park Road, Alexandria;
- (C) Council note that the integration works for Park Road, Alexandria will be carried out by the Department of Education, on behalf of the City;
- (D) Council approve the variation of the Project Deed to allow for the City's capital contribution and a contingency for the detailed design and construction of the Park Road integration works as outlined in Confidential Attachment D to the subject report;
- (E) Council approve the variation of the Project Deed for the City's increased capital contribution and an increased contingency to allow for the additional costs to develop a design for the synthetic field that obtains Sydney Water's endorsement and implement that design as outlined in Confidential Attachment D to the subject report; and
- (F) authority be delegated to the Chief Executive Officer to negotiate, execute and administer a variation to the Project Deed in line with the above clauses.

Carried unanimously.

X017664

**Item 6.10****Tender - RFT2020/415 - Supply and Delivery of Stone Products**

It is resolved that:

- (A) Council accept the tender offer of Tenderer B as the primary contractor for the supply and delivery of Austral Black granite products for the schedule of rates outlined in Confidential Attachment B to the subject report, for a period of three years, with the option of an extension of two one-year periods if appropriate;
- (B) Council accept the tender offer of Tenderer C as the secondary contractor for the supply and delivery of Austral Black granite products for the schedule of rates outlined in Confidential Attachment C to the subject report, for a period of three years, with the option of an extension of two one-year periods if appropriate;
- (C) Council accept the tender offer of Tenderer E as the primary contractor for the supply and delivery of Austral Verde granite products for the schedule of rates outlined in Confidential Attachment D to the subject report, for a period of three years, with the option of an extension of two one-year periods if appropriate;
- (D) Council accept the tender offer of Tenderer D as the primary contractor for the supply and delivery of Bluestone products for the schedule of rates outlined in Confidential Attachment E to the subject report, for a period of three years, with the option of an extension of two one-year periods if appropriate;



- (E) Council accept the tender offer of Tenderer A as the primary contractor for the supply and delivery of Sandstone products for the schedule of rates outlined in Confidential Attachment F to the subject report, for a period of three years, with the option of an extension of two one-year periods if appropriate; and
- (F) authority be delegated to the Chief Executive Officer to:
  - (i) negotiate, execute and administer the contracts relating to the tender; and
  - (ii) exercise the option for each contract entered into as a result of the tender process, if appropriate, and negotiate the price to extend the contracts accordingly.

Carried unanimously.

X038592

## **Item 6.11**

### **Exemption from Tender - Call Centre Services After Hours and Parking Ticket Machines**

It is resolved that:

- (A) Council approve an exemption from tender for Call Centre Services After Hours and Parking Ticket Machines for an additional one-year period, noting that because of extenuating circumstances, a satisfactory result would not be achieved by inviting tenders in this case;
- (B) Council note the reason a satisfactory result would not be achieved by inviting tenders for the provision of Call Centre Services After Hours and Parking Ticket Machines is that changes in operating procedures and the implementation of digital services would mean that tenderers would not receive sufficient information to make competitive and reliable proposals:
  - (i) the way in which the City monitors and responds to social media is about to change and at this stage the City is unable to estimate the volume and average handling time impacts these changes will have on an after-hours call centre provider;
  - (ii) the City is implementing a new contact system which will impact the volume of calls referred to an after-hours call centre provider. The volume impact will not be accurately determined until the system is implemented and has been in operation for three to six months; and
  - (iii) the City is developing an online services channel which will allow the community to access, engage and transact more online, impacting the processes and volumes for an after-hours call centre provider;
- (C) Council note that continuous delivery of the operation of after-hours and parking services call centre is required to maintain 24/7 service to the community; and
- (D) authority be delegated to the Chief Executive Officer to negotiate, execute and administer/vary the contracts relating to Call Centre Services After Hours and Parking Ticket Machines in accordance with this approval.

Carried unanimously.

X007670.012

## **Item 6.12**

### **Exemption from Tender and Contract Variations - Management of Aquatic and Leisure Facilities - Belgravia Leisure**

It is resolved that:

- (A) Council approve an exemption from tender in accordance with section 55 (3)(i) of the Local Government Act 1993 to extend the term of existing contracts for the management of the City's aquatic centres under the contract for the management of Cook and Phillip Park, Ian Thorpe Aquatic Centre, Prince Alfred Park, Victoria Park and Andrew (Boy) Charlton Pools; and the contract for Gunyama Park Aquatic and Recreation Centre (GPARC), by reason of extenuating circumstances, noting that a satisfactory result for the City would not be achieved by inviting tenders at this time;
- (B) Council note the reasons that a satisfactory result for the City would not be achieved by inviting tenders are:
  - (i) the high levels of uncertainty and risk in the market as a result of the ongoing Covid-19 pandemic will not result in value for money; and
  - (ii) due to the shorter elapsed time period since the opening of Gunyama Park Aquatic and Recreation Centre, there is insufficient commercial history to allow service providers to provide competitive responses to a tender;
- (C) Council approve the variation of the contract for the management of Cook and Phillip Park, Ian Thorpe Aquatic Centre, Prince Alfred Park, Victoria Park and Andrew (Boy) Charlton Pools; and the contract for Gunyama Park Aquatic and Recreation Centre (GPARC) to extend the terms of both contracts by an additional two years with both contracts to expire on 31 March 2024;
- (D) Council approve a variation to the contract for the management of Cook and Phillip Park, Ian Thorpe Aquatic Centre, Prince Alfred Park, Victoria Park and Andrew (Boy) Charlton Pools to vary the financial arrangements until performance returns to pre-Covid levels;
- (E) Council approve the additional funds in relation to both contracts as outlined in Confidential Attachment A to the subject report; and
- (F) authority be delegated to the Chief Executive Officer to finalise negotiations and enter into any necessary documentation to give effect to the clauses above.

Carried unanimously.

S100640.027

**Item 6.13****Contract Variation - Macdonald Street Widening and Trunk Drainage, Erskineville - Head Construction Contractor**

Moved by Councillor Scully, seconded by Councillor Miller -

It is resolved that:

- (A) Council approve a variation to the contract with Ward Civil & Environmental Engineering Pty Limited for the construction of the MacDonald Street Widening and Trunk Drainage on the terms contained in Confidential Attachment A to the subject report;
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer/vary the contracts relating to MacDonald Street Widening and Trunk Drainage project; and
- (C) Council approve the additional funds sought as outlined in Confidential Attachment A to the subject report.

Carried unanimously.

X004092

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

At the commencement of business at 4.21pm those present were -

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

Councillor Chung left the meeting of the Environment Committee at 6.25pm, and did not return.

Councillor Phelps left the meeting of the Environment Committee at 6.25pm, and did not return.

### **Misrepresentation**

During discussion of Item 7.4 at the meeting of the Environment Committee, Councillor Forster stated that she had been misrepresented in respect to comments made and clarified her position accordingly.

### **Adjournment**

At 6.25pm, it was moved by the Chair (the Lord Mayor) seconded by Councillor Miller –

That the meeting of the Environment Committee be adjourned for approximately 15 minutes.

Carried unanimously.

At the resumption of the meeting of the Environment Committee at 6.42pm, those present were –

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

The meeting of the Environment Committee concluded at 7.34pm.

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

Moved by Councillor Miller, seconded by Councillor Scully –

That the report of the Environment Committee of its meeting of 10 May 2021 be received, with Item 7.1 being noted, the recommendations set out below for Items 7.2, 7.6 and 7.8 being adopted in globo, and Items 7.3, 7.4, 7.5 and 7.7 being dealt with as shown immediately following those items.

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****Public Exhibition - Environmental Strategy 2021-2025**

It is resolved that Council:

- (A) approve the draft Environmental Strategy 2021 - 2025 (the Strategy), as shown at Attachment A to the subject report, for public exhibition;
- (B) approve the draft Environmental Sustainability Policy, as shown at Attachment B to the subject report, for public exhibition;
- (C) approve the extension of Making Sydney a Sustainable Destination from 2022 to 2025, as shown at Attachment C to the subject report; and
- (D) approve the extension of Sydney's Sustainable Office Buildings Plan from 2022 to 2025, as shown at Attachment D to the subject report.

Carried unanimously.

X027797

**Item 7.3****Project Scope - Bridge Street, Railway Parade and Henderson Road Cycleway, Erskineville and Alexandria**

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

It is resolved that Council:

- (A) note the Review of Environmental Factors for the Bridge Street, Railway Parade and Henderson Road pop-up cycleway to be retained for a period of up to two years, as shown in Attachment B to the subject report;
- (B) approve the Chief Executive Officer signing the determination associated with the exhibited Review of Environmental Factors for the Bridge Street, Railway Parade and Henderson Road pop-up cycleway for the following reasons:
  - (i) the City is the self-assessment authority for the projects and holds the authority to assess and grant approval to activities under Part 5 of the Environmental Planning and Assessment Act 1979;

- (ii) the proposed projects identified in the Review of Environmental Factors is an “activity” under Division 17 (Road infrastructure facilities) within State Environmental Planning Policy (Infrastructure) 2007. The activity constitutes in part "exempt development" and in part activities that are “development that is permissible without consent” and therefore Part 5 of the Environmental Planning and Assessment Act 1979 applies;
  - (iii) the Review of Environmental Factors has been carried out for the projects addressing the environmental impacts of the temporary retention of the pop-up cycleway in accordance with Clause 228(2) of the Environmental Planning and Assessment Regulation 2000; and
  - (iv) subject to compliance with the mitigation measures outlined in each Review of Environmental Factors, the proposed activity will not result in a significant impact on the environment and may be approved under Part 5 of the Environmental Planning and Assessment Act 1979;
- (C) note the Bridge Street, Railway Parade and Henderson Road permanent cycleway Review of Environmental Factors, as shown in Attachment C to the subject report;
- (D) approve the concept design for the Bridge Street, Railway Parade and Henderson Road Cycleway as shown in Attachment D to the subject report for detailed documentation and construction tender;
- (E) note that Railway Parade will be reinstated to two-way traffic and a new shared cyclist and pedestrian path will be constructed. Given the narrow width of the road corridor at the bend, the City will look to improve this cycling connection in the future;
- (F) note that the City is currently undertaking an area-wide transport study of Erskineville and Alexandria to be reported back by way of CEO Update; and
- (G) note the estimated project costs as detailed in confidential Attachment G to the subject report.

The motion was carried on the following show of hands:

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

Noes (1)           Councillor Forster.

Motion carried.

X026143.001

### **Speakers**

Ms Bastien Wallace (Bicycle NSW), Ms Virginia Castellan and Ms Helen Plesek addressed the meeting of the Environment Committee on Item 7.3.

**Item 7.4****Review of Environmental Factors – Pop-Up Cycleway - Moore Park Road and Fitzroy Street**

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

It is resolved that Council:

- (A) note the Review of Environmental Factors for the Fitzroy Street pop-up cycleway to be retained for a period of up to two years, as shown in Attachment B to the subject report;
- (B) note the Review of Environmental Factors for the Moore Park Road pop-up cycleway to be retained for a period of up to two years, as shown in Attachment C to the subject report;
- (C) approve the Chief Executive Officer signing the determination associated with the exhibited Review of Environmental Factors for the Fitzroy Street pop-up cycleway for the following reasons:
  - (i) the City is the self-assessment authority for the projects and holds the authority to assess and grant approval to activities under Part 5 of the Environmental Planning and Assessment Act 1979;
  - (ii) the proposed projects identified in the Review of Environmental Factors is an "activity" under Division 17 (Road infrastructure facilities) within State Environmental Planning Policy (Infrastructure) 2007. The activity constitutes in part "exempt development" and in part activities that are "development that is permissible without consent" and therefore Part 5 of the Environmental Planning and Assessment Act 1979 applies;
  - (iii) the Review of Environmental Factors has been carried out for the projects addressing the environmental impacts of the temporary retention of the pop-up cycleway in accordance with Clause 228(2) of the Environmental Planning and Assessment Regulation 2000; and
  - (iv) subject to compliance with the mitigation measures outlined in each Review of Environmental Factors, the proposed activity will not result in a significant impact on the environment and may be approved under Part 5 of the Environmental Planning and Assessment Act 1979; and
- (D) approve the Chief Executive Officer signing the determination associated with the exhibited Review of Environmental Factors for the Moore Park Road pop-up cycleway for the following reasons:
  - (i) the City is the self-assessment authority for the projects and holds the authority to assess and grant approval to activities under Part 5 of the Environmental Planning and Assessment Act 1979;
  - (ii) the proposed projects identified in the Review of Environmental Factors is an "activity" under Division 17 (Road infrastructure facilities) within State Environmental Planning Policy (Infrastructure) 2007. The activity constitutes in part "exempt development" and in part activities that are "development that is permissible without consent" and therefore Part 5 of the Environmental Planning and Assessment Act 1979 applies;
  - (iii) the Review of Environmental Factors has been carried out for the projects addressing the environmental impacts of the temporary retention of the pop-up cycleway in accordance with Clause 228(2) of the Environmental Planning and Assessment Regulation 2000; and

- (iv) subject to compliance with the mitigation measures outlined in each Review of Environmental Factors, the proposed activity will not result in a significant impact on the environment and may be approved under Part 5 of the Environmental Planning and Assessment Act 1979.

The motion was carried on the following show of hands:

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

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

Motion carried.

X037206

### **Speakers**

Ms Carla Degenhardt, Ms Ann Cairns, Mr Selwyn Shapiro, Ms Bastien Wallace (Bicycle NSW) and Mr Richard Balkin addressed the meeting of the Environment Committee on Item 7.4.

## **Item 7.5**

### **Review of Environmental Factors – Pop-Up Cycleway - Dunning Avenue**

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

It is resolved that Council:

- (A) note the Review of Environmental Factors for the Dunning Avenue pop-up cycleway to be retained for a period of up to two years, as provided in Attachment B to the subject report; and
- (B) approve the Chief Executive Officer signing the determination associated with the exhibited Review of Environmental Factors for the Dunning Avenue pop-up cycleway for the following reasons:
  - (i) the City is the self-assessment authority for the projects and holds the authority to assess and grant approval to activities under Part 5 of the Environmental Planning and Assessment Act 1979;
  - (ii) the proposed projects identified in the Review of Environmental Factors is an "activity" under Division 17 (Road infrastructure facilities) within State Environmental Planning Policy (Infrastructure) 2007.. The activity constitutes in part "exempt development" and in part activities that are "development that is permissible without consent" and therefore Part 5 of the Environmental Planning and Assessment Act 1979 applies;
  - (iii) the Review of Environmental Factors has been carried out for the projects addressing the environmental impacts of the temporary retention of the pop-up cycleway in accordance with Clause 228(2) of the Environmental Planning and Assessment Regulation 2000; and
  - (iv) subject to compliance with the mitigation measures outlined in each Review of Environmental Factors, the proposed activity will not result in a significant impact on the environment and may be approved under Part 5 of the Environmental Planning and Assessment Act 1979.



The motion was carried on the following show of hands:

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

Noes (1)        Councillor Forster.

Motion carried.

X037206

### **Speakers**

Ms Bastien Wallace (Bicycle NSW) and Mr Michael Howard addressed the Environment Committee on Item 7.5.

## **Item 7.6**

### **Project Scope - College Street and Liverpool Street Cycleways**

It is resolved that Council:

- (A)    approve the concept design for the Liverpool Street cycleway as shown in Attachment B to the subject report for detailed documentation and construction tender;
- (B)    approve the concept design for the College Street cycleway as shown in Attachment C to the subject report for detailed documentation and construction tender; and
- (C)    note the estimated project costs as detailed in Confidential Attachment E to the subject report.

Carried unanimously.

X037203

### **Speakers**

Ms Bastien Wallace (Bicycle NSW) addressed the Environment Committee on Item 7.6.

**Item 7.7****Project Scope - Pitt Street North Walking and Cycling Improvements**

Note - the Environment Committee decided that consideration of this matter shall be deferred to the meeting of Council on 17 May 2021.

At the meeting of Council, the officer's recommendation was moved by Councillor Miller, seconded by the Chair (the Lord Mayor) -

It is resolved that Council:

- (A) note the Review of Environmental Factors for the Pitt Street pop-up cycleway to be retained for a period of up to two years, as shown in Attachment B to the subject report;
- (B) approve the Chief Executive Officer signing the determination associated with the exhibited Review of Environmental Factors for the Pitt Street pop-up cycleway;
  - (i) the City is the self-assessment authority for the projects and holds the authority to assess and grant approval to activities under Part 5 of the Environmental Planning and Assessment Act 1979;
  - (ii) the proposed projects identified in the Review of Environmental Factors is an "activity" under Division 17 (Road infrastructure facilities) within State Environmental Planning Policy (Infrastructure) 2007. The activity constitutes in part "exempt development" and in part activities that are "development that is permissible without consent" and therefore Part 5 of the Environmental Planning and Assessment Act 1979 applies;
  - (iii) the Review of Environmental Factors has been carried out for the projects addressing the environmental impacts of the temporary retention of the pop-up cycleway in accordance with Clause 228(2) of the Environmental Planning and Assessment Regulation 2000; and
  - (iv) subject to compliance with the mitigation measures outlined in each Review of Environmental Factors, the proposed activity will not result in a significant impact on the environment and may be approved under Part 5 of the Environmental Planning and Assessment Act 1979;
- (C) note the Pitt Street permanent cycleway Review of Environmental Factors, as shown in Attachment C to the subject report;
- (D) approve the concept design for the Pitt Street North Walking and Cycling Improvements, as shown in Attachment D to the subject report, for detailed documentation and construction tender;
- (E) note the estimated project costs as detailed in confidential Attachment F to the subject report; and
- (F) note that the City has accepted a funding offer from the NSW Government as part of the Transport for NSW Active Transport Program for construction of the project, conditional on the works being commenced in the 2021/22 financial year.

The motion was carried on the following show of hands:

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

Noes (2)        Councillors Chung and Forster.

Motion carried.

S111914

### **Speakers**

Ms Bastien Wallace (Bicycle NSW), Mr Graham McCabe and Mr Mark Museth addressed the meeting of the Environment Committee on Item 7.7.

### **Item 7.8**

#### **Project Scope - Perry Park Revitalisation Project**

It is resolved that Council:

- (A) endorse the scope of work for the Perry Park Revitalisation Project in Alexandria, as described in the subject report and shown in the Final Concept Plan at Attachment B to the subject report, for progression to relevant approvals, preparation of construction documentation, tender and construction; and
- (B) approve the increase in the overall project budget as outlined in Confidential Attachment E to the subject report.

Carried unanimously.

X020987.001

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

### **PRESENT**

The Lord Mayor Councillor Clover Moore  
(Chair)

Councillor Linda Scott  
(Deputy Chair)

Deputy Lord Mayor Councillor Jess Scully, Christine Forster, Kok, Jess Miller, Prof Philip Thalís and Angela Vithoulkas.

At the commencement of business at 7.35pm those present were -

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

### **Apologies**

Councillor Chung extended his apologies for his inability to attend the meeting of the Cultural and Community Committee.

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

### **Sub-Committee**

The Healthy Communities Sub-Committee, with Councillor Scott as Deputy Chair, commenced at 7.35pm.

The meeting of the Cultural and Community Committee and its Sub-Committee concluded at 7.49pm.

## **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.

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

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

That the report of the Healthy Communities Sub-Committee of its meeting of 10 May 2021 be received, with Item 8.1 being noted, and the recommendations set out below for Items 8.2 and 8.3 being adopted in globo.

Carried unanimously.

The Healthy Communities Sub-Committee recommended the following:

## **Item 8.2**

### **Public Exhibition - Draft Inclusion (Disability) Action Plan 2021-2025**

It is resolved that Council:

- (A) note the ongoing contribution of the Inclusion (Disability) Advisory Panel in development and implementation of the City of Sydney's Inclusion (Disability) Action Plans; and
- (B) approve the draft Inclusion (Disability) Action Plan 2021-2025, as shown at Attachment A to the subject report, for public exhibition for 28 days.

Carried unanimously.

X030535.004

### **Speaker**

Ms Nidhi Shakaran addressed the meeting of the Cultural and Community Committee (Healthy Communities Sub-Committee) on Item 8.2.

## **Item 8.3**

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

It is resolved that:

- (A) Council approve four grants to Specialist Homelessness Services totalling \$3.6 million (excluding GST) for the delivery of specialist homelessness services in the inner city during the 2021/22, 2022/23 and 2023/24 financial years. Breakdown of funding is as follows:
  - (i) \$700,000 per annum for three years for services delivered by Neami National Way2home;
  - (ii) \$300,000 per annum for three years for services delivered by Launchpad Youth Community Incorporated;
  - (iii) \$100,000 per annum for three years for services delivered by Innari Incorporated; and
  - (iv) \$100,000 per annum for three years for services delivered by Aboriginal Corporation for Homelessness and Rehabilitation Community Services;
- (C) Council note that services are provided with three years of grant funding, composed of one one-year grant plus one two-year option, allowing for performance evaluations and sector needs analysis after the initial year;
- (D) Council approve that a Consumer Price Index (CPI) increase be included in grant funding in 2022/23 and 2023/24, subject to budget approval; and
- (E) authority be delegated to the Chief Executive Officer to negotiate, execute and administer an agreement with each grant recipient listed in clause (A) on the terms outlined in clauses (A), (B) and (C) above.

Carried unanimously.

S116523

### **Adjournment**

At this stage of the meeting, at 8.14pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Thalís –

That the meeting be adjourned for approximately 15 minutes.

Carried unanimously.

All Councillors were present at the resumption of the meeting of Council at 8.36pm.

**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 Christine Forster, Robert Kok, Jess Miller, Linda Scott, and Angela Vithoulkas.

At the commencement of business at 7.49pm those present were -

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

**Apologies**

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

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

Councillor Miller left the meeting of the Transport, Heritage and Planning Committee at 8.08pm during discussion and before the vote on Item 9.2, and did not return.

Councillor Scully left the meeting of the Transport, Heritage and Planning Committee at 8.11pm during discussion and before the vote on Item 9.3, and did not return.

The meeting of the Transport, Heritage and Planning Committee concluded at 8.36pm.

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

Moved by Councillor Thalís, seconded by Councillor Kok –

That the report of the Transport, Heritage and Planning Committee of its meeting of 10 May 2021 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 Christine Forster declared a pecuniary interest in Item 9.2 on the agenda in that she is an owner/occupier of a property overlooking the council-owned properties on Oxford Street.

Councillor Forster advised that she would not be present at, or in sight of, the meeting at any time this matter is being considered, discussed or voted on by the Council or Committee.

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**

### **Public Exhibition - Planning Proposal - Oxford Street Creative Precinct - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment**

Note – the recommendation of the Transport, Heritage and Planning Committee was not adopted. The following alternative recommendation was adopted (as contained in the memo dated 14 May 2021 from the Director City Planning, Development and Transport, circulated prior to the meeting).

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

It is resolved that:

- (A) Council approve the Planning Proposal – Oxford Street Creative and Cultural Precinct, shown at Attachment A to the subject report, for submission to the Department of Planning, Industry and Environment with a request for a Gateway Determination;
- (B) Council approve the Planning Proposal – Oxford Street Creative and Cultural Precinct, shown at Attachment A to the subject report for public authority consultation and public exhibition in accordance with any conditions imposed under the Gateway Determination;
- (C) Council seek authority from the Department of Planning, Industry and Environment to exercise the delegation of all functions under the relevant local plan making authority under Section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan and put into effect the Planning Proposal – Oxford Street Creative and Cultural Precinct;



- (D) Council approve the draft Development Control Plan – Oxford Street Creative and Cultural Precinct, shown at Attachment B to the subject report for public authority consultation and public exhibition together with the Planning Proposal subject to the following amendments (additions shown in ***bold italics***, deletions shown in ~~strike through~~):

- (i) insert after section 5.X.2 the following text:

***5.X.3 Built form and high quality design on Taylor Square and other public spaces on Oxford Street***

***Taylor Square is an important public place, and is historically, visually and physically connected to the Darlinghurst Courthouse and former Darlinghurst Police station across Oxford street to the north. It is a complex public space extending from the courthouse buildings across Oxford Street, edged by heritage buildings on Flinders, Campbell, Bourke and Oxford Streets and the Rainbow Crossing. The angle at which Oxford Street bisects the grid creates a number of triangular or irregular shaped sites and public spaces at Oxford Square, Whitlam Square, Three Saints Square and Taylor Square. New buildings and additions to heritage buildings in these spaces must provide strong visual and physical edges to the public space through high-quality architecture and construction. Their architectural expression must complement the historical context and allow opportunities for contemporary design. Buildings must strongly define and enhance the quality of the space and provide opportunities for ground level activation.***

***Objectives***

***Establish an appropriate scale, massing and modulation for new development facing onto the public spaces listed at (i)-(iv) below, which frame, respect and respond to the place, architectural character, rhythm and grain of the existing built fabric of the high street.***

- 1. Taylor Square***
- 2. Oxford Square***
- 3. Whitlam Square***
- 4. Three Saints Square – corner of Oxford Street, Barcom Street and Victoria Street.***

***Achieve a street wall height that reinforces the scale and framing of the public spaces listed in (a) and protect the view corridor along Oxford Street towards Hyde Park and the City skyline.***

***Provisions***

- (1) Development is to reinforce the significant view corridor along Oxford Street and views to buildings framing Taylor Square and street intersections and define corner sites through appropriate massing and façade design.***

- (2) ***Despite any other provision of the DCP, a reduced upper level setback, which may result in a nil upper level setback on heritage listed and contributory buildings facing Taylor Square, Oxford Square, Whitlam Square, and Three Saints Square may be considered where the Consent Authority is satisfied that the design outcome will be of the highest standard in the following areas:***
  - (a) ***the relationship between the architectural language of the existing building and the addition, which is to enhance and emphasise the qualities of both the existing and new parts of the building; and***
  - (b) ***the design and construction quality of the façades, including exposed side walls and expression of the roof.***
- (ii) amend (as per the ***bold italics***) including any consequential renumbering, subsection 5.X.4.3 Building alignment, setbacks and street frontage heights, to read as follows:
  - (1) *Street frontage heights are not to exceed the maximum height on the Street Frontage Height maps. Above the street wall, additional storeys **on heritage listed and contributory buildings** are to be set back a minimum of 3 metres (Figure 5). Note that the maximum number of storeys shown on Map XX: Height in storeys includes attics and mezzanines.*
  - (2) *A greater minimum setback than that detailed in 5.X.4.3(1) may be required if identified as part of a Conservation Management Plan or Statement of Heritage Principles.*
  - (3) *A reduced setback, **which may include a nil setback on heritage listed and contributory buildings facing the squares referred to in 5.X.3, noted in Objectives (a)** may only be considered where the Consent Authority is satisfied that the design outcome will be of the highest standard in the following areas:*
    - (a) *the relationship between the architectural language of the existing building and the addition, which is to be complementary and enhance and emphasize the qualities of both the existing and new parts of the building;*
    - (b) *the design and construction quality of the façades, including exposed side walls and expression of the roof.; ~~and~~*
    - (c) ~~*the sustainability of the development.*~~
- (E) authority be delegated to the Chief Executive Officer to make any minor variations to Planning Proposal – Oxford Street Creative and Cultural Precinct and draft Development Control Plan – Oxford Street Creative and Cultural Precinct, to correct any drafting errors or to ensure consistency with any Gateway Determination; and
- (F) the Chief Executive Officer be requested to:
  - (i) prepare further options for increased scale of buildings for sites south of Oxford Street along Flinders street and facing Taylor Square within the study boundary to:
    - (a) integrate any forthcoming urban ideas from the Sustainable Sydney 2050 project;
    - (b) consider issues raised by Councillors and speakers about the design of the built form and its relationship to public space at the Transport, Heritage and Planning Committee on 10 May 2021;

- (ii) seek public feedback on those options alongside the public exhibition of the Oxford Street cultural and creative precinct planning proposal and draft DCP; and
- (iii) report the options and feedback to Council and the Central Sydney Planning Committee with any recommended amendments to the proposed planning controls.

Carried unanimously.

X026153

### **Speakers**

Mr Ben Mulcahy addressed the meeting of the Transport, Heritage and Planning Committee on Item 9.2.

### **Item 9.3**

#### **Public Exhibition - Planning Proposal - Performance Standards for Net Zero Energy Buildings - Local Environmental Plans and Development Control Plan Amendments**

It is resolved that:

- (A) Council approve the Planning Proposal – Performance Standards for Net Zero Energy Buildings, as shown at Attachment A of the subject report, to be submitted to the Minister for Planning and Public Spaces with a request for a Gateway determination;
- (B) authority be delegated to the Chief Executive Officer to make any variations to the Planning Proposal – Performance Standards for Net Zero Energy Buildings, following receipt of the Gateway determination;
- (C) Council approve the Planning Proposal – Performance Standards for Net Zero Energy Buildings, as shown at Attachment A of the subject report, for public authority consultation and public exhibition in accordance with any conditions imposed under the Gateway determination;
- (D) 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 the Planning Proposal – Performance Standards for Net Zero Energy Buildings;
- (E) Council approve the Draft Development Control Plan 2012 – Performance Standards for Net Zero Energy Buildings 2021, shown at Attachment B of the subject report, for public authority consultation and public exhibition as both a development control plan and design guide concurrent with the planning proposal; and
- (F) authority be delegated to the Chief Executive Officer to make any minor variations to the Draft Development Control Plan – Performance Standards for Net Zero Energy Buildings 2021 to correct any drafting errors and ensure it is consistent with the planning proposal following the Gateway determination.

Carried unanimously.

X012106.011

## **Item 9.4**

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

It is resolved that:

- (A) Council note matters raised in response to the public exhibition of the Planning Proposal – 92-98 Brougham Street, Potts Point, as detailed in this report and as shown in Attachment A to the subject report;
- (B) Council approve the Planning Proposal – 92-98 Brougham Street, Potts Point, as shown at Attachment B to the subject report, to be made as a local environmental plan under section 3.36 of the Environmental Planning and Assessment Act 1979; and
- (C) authority be delegated to the Chief Executive Officer to make any minor amendments to Planning Proposal – 92-98 Brougham Street, Potts Point, as shown at Attachment B to the subject report to correct any minor errors or omissions prior to finalisation.

Carried unanimously.

X037821

## **Speakers**

Ms Jillian Christie, Ms Vanessa Moore, Mr Stephen Gouge and Mr Phillip George addressed the meeting of the Transport, Heritage and Planning Committee on Item 9.4.

## **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 to the subject report;
- (C) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time, but note the compliance action as recommended by the City's Investigation Officer at 539-541 Elizabeth Street, Surry Hills as detailed in Attachment B to the subject report; and
- (D) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time, but note the compliance action as recommended by the City's Investigation Officer at 21 Cooper Street, Surry Hills as detailed in Attachment C to the subject report.

Carried unanimously.

S105001.002

**Item 10      Extension of all Advisory Panel Member Terms due to the Postponement of the Local Government Election because of Covid-19**

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

It is resolved that Council:

- (A) note that as result of the postponement of the 2020 Local Government Election it is recommended that the terms of appointment for several Advisory Panels be extended as a temporary departure from the endorsed Terms of Reference;
- (B) endorse the extension of the following members of the Aboriginal and Torres Strait Islander Advisory Panel: Timothy Gray, Bronwyn Penrith, Sara Hamilton, Matthew Doyle, Jinny-Jane Smith, Dallas Wellington, Ashlee Donohue, Medika Thorpe, Suzy Evans, Beau James, Daniel Coe, Yvonne Weldon and Ryan Donohue-Pitt to 31 March 2022;
- (C) rescind the Terms of Reference for the Curatorial Advisory Panel as shown at Attachment A to the subject report, for the reasons outlined in the subject report;
- (D) endorse the extension of the following members of the Design Advisory Panel: Ken Maher, Kerry Clare, Richard Johnson, Peter Mould, Abbie Galvin, James Weirick, Rachel Neeson and Che Wall to 31 March 2022;
- (E) endorse the extension of the following members of the Design Advisory Panel Residential Sub-Committee: Kerry Clare, Libby Gallagher, Matthew Pullinger, Michael Zanardo, Paul Berkemeier, Alexander Koll and Tony Caro to 31 March 2022;
- (F) endorse the extension of the following members of the Inclusion (Disability) Advisory Panel: Max Burt, Phillipa Carmenolla, Morwenna Collette, Tara Eliffe, Judy Harwood, Sabrina Housemi, Julie Millard, Nidhi Shekaran and Mark Tonga to 31 March 2022;
- (G) approve the amended Terms of Reference for the Inclusion (Disability) Advisory Panel, as shown at Attachment B to the subject report;
- (H) endorse the extension of the following members of the Nightlife and Creative Sector Advisory Panel: Kerri Glasscock, James Winter, Joshua Green, Emily Collins, Stephen Gyory, Kat Dopper, Joy Ng, Emilyya Colliver, John Ferris, Justine Baker, Phillip Wadds and Michael Wynn-Jones to 31 March 2022; and
- (I) endorse the extension of the following members of the Public Art Advisory Panel: Felicity Fenner, Leon Paroissen, Janet Laurence, Anne Loxley, Judith Blackall, Richard Johnson and Lisa Havilah to 31 March 2022.

Carried unanimously.

X079065

## **Item 11      Questions on Notice**

### **1.      City of Sydney Christmas Parties**

By Councillor Phelps

#### **Question**

Every year, the City of Sydney hosts a series of Christmas parties over the course of November and December.

However, due to Covid-19 restrictions, an invite-only 2020 Christmas Party was delayed until 21 April 2021.

The City also plans to host other delayed Christmas parties in 2021.

Could the Chief Executive Officer please advise:

1.      What was the cost of the 2019 Christmas parties, broken down by event?
2.      What was the cost of the invite-only Christmas Party on 21 April 2021?
3.      Who determined the list of people invited to the Christmas Party?
4.      What is the budgeted cost for the upcoming Community Christmas Party on 19 May 2021?

S129272

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

1.      2019 Stakeholders Reception – Thursday, 21 November 2019 - \$44,327  
2019 Community Reception – Sunday, 1 December 2019 - \$58,766.
2.      2020 Stakeholders Covid Re-Scheduled Reception – Wednesday, 21 April 2021 – \$38,167
3.      Guest lists are compiled by suggestions submitted by City of Sydney Directors, which is made up of business and community groups each department has dealt with over the previous 12 months and/or the City has an ongoing relationship with. Councillors are also asked to submit guest names for the Community Reception.
4.      It is estimated the costs of the 2020 Community Covid Re-Scheduled Reception on Wednesday, 19 May 2021 will be approximately the same as the 21 April 2021 event as Covid social distancing limits the capacity of the room.

## **2. Billboard Advertising at Top of the Town Building, Darlinghurst**

By Councillor Phelps

### **Question**

On 14 November 2020, an 18-storey painted portrait advertisement for the Binge series 'The Undoing' starring Nicole Kidman was completed on the Top of the Town building, Darlinghurst. No Development Application was submitted for this advertisement, and it was taken down on 23 November 2020.

This has been replaced by an equally sizeable advertisement for avocados in this same place.

There are concerns from the local community as to whether DA requirements will be adhered to with this avocado advertisement, and into the future.

Could the Chief Executive Officer please advise:

1. What action was taken by the City of Sydney regarding the Nicole Kidman portrait after it became aware of no DA submission?
2. Was a DA submitted for the current avocado advertisement?
3. If no DA was submitted for the avocado advertisement, what action will the City take?
4. What future action is anticipated if the Top of the Town building continues to allow advertisements without approval from the City?

S129272

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

Please refer to the 14 May 2021 CEO Update.

### **3. Electric Vehicle Charging Station Update**

By Councillor Phelps

#### **Question**

On 14 December 2020, Council unanimously passed the motion “Removing Barriers to Enable More Electric Vehicles in the City of Sydney”. This motion focused partly on embracing infrastructure that accommodates for electric vehicles, stating that “two thirds of motorists point to charging infrastructure as the single greatest barrier to electric vehicle adoption”.

The Pyrmont Action Group (PAG) has contacted my office inquiring about the progress for a stronger EV charging station rollout. PAG also mentioned a site desired for a public EV charging station is owned by the NSW Department of Planning, Industry and Environment and is leased by the City of Sydney.

Could the Chief Executive Officer please advise:

1. What is the general progress update for this EV charging station rollout?
2. What is the progress update in making the property leased by the City a public EV charging station?

S129272

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

Please refer to the 14 May 2021 CEO Update.

### **4. Office of the Lord Mayor Expenditure**

By Councillor Phelps

#### **Question**

Could the Chief Executive Officer please provide an itemised list of the Office of the Lord Mayor's expenditure for FY 2020/21 to date?

S129272

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

The Councillors' Expenses and Facilities Policy approved by Council outlines the support provided by the City to the Lord Mayor, Deputy Lord Mayor and Councillors. It notes that in 2017 the Local Government Remuneration Tribunal observed the “the role of Lord Mayor of the City of Sydney has significant prominence reflecting the CBD's importance as home to the country's major business centres and public facilities of state and national importance. The Lord Mayor's responsibilities in developing and maintaining relationships with stakeholders, including other councils, state and federal governments, community and business groups, and the media are considered greater than other mayoral roles in NSW.”

Accordingly, under the Policy there is provision for an Office of the Lord Mayor to provide support and related services to the Lord Mayor for the purposes of: policy development and advocacy; strategic planning and research; communications and media; community, government and industry liaison; exercise of civic and ceremonial functions; and administrative support.



Under Council's adopted delegations the Lord Mayor has authority to determine the structure of the Office of the Lord Mayor in consultation with the Chief Executive Officer, subject to the costs being within the annual budget allocated and providing the staffing of the unit does not exceed the equivalent of 22 full time staff (FTE).

The Year to Date 2020/21 expenditure for the Office of the Lord Mayor is as follows:

- Salaries and Wages: \$2,147,886 (including employee on costs, superannuation and Workers Compensation Insurance)
- Non Salaries and Wages Related Expenditure: \$53,169 (including event related expenditure for citizenship ceremonies, Christmas events and other civic functions)

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

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

## **5. Park Upgrade and Street Opening Event Costs**

By Councillor Phelps

### **Question**

The City of Sydney's parks and open spaces provide for the diverse recreational needs of our communities.

The City periodically upgrades these parks. Once these upgrades are complete, the City hosts a park upgrade opening event which often includes refreshment and music acts.

Could the Chief Executive Officer please provide:

1. A list of all of the park upgrade and street opening events since 1 January 2021, including the location of these events?
2. How many council staff are present at each event?
3. What the budgeted cost for each event is?
4. The itemised cost of each park upgrade event including but not limited to staff costs, overtime, entertainment and refreshments?
5. How many more events of this nature are planned between now and 4 September 2021?

S129272

**Answer by the Chief Executive Officer**

Refer to the Key Diary Dates in the CEO Update for park upgrade and street opening events since 1 January 2021.

Council staff working on site range from five to 20 depending on the event.

The combined total budget under Major Project Launches for the 2020/21 financial year is \$380,000. This comprises of 20 events at an average cost of \$19,000 per event. This includes all event costs including permanent salaries, temporary staffing, marketing, entertainment, refreshments, infrastructure, safety management and all production costs.

Park upgrade and street opening event information for the remainder of 2021 is communicated via the Key Diary Dates in the CEO Update.

**6. Rubbish Collection in the City of Sydney**

By Councillor Phelps

**Question**

On 1 July 2019, the City of Sydney outsourced its rubbish collection to Cleanaway, a private business.

Since this outsourcing came into effect, Councillors have received an influx of complaints from residents as to the reduced quality of rubbish collection across the local government area.

Could the Chief Executive Officer please advise:

1. How many complaints has council received regarding rubbish collection in the City of Sydney since 1 July 2019?
2. What are the nature of these complaints?
3. How does the City address these complaints?

S129272

**Answer by the Chief Executive Officer**

After a competitive tender process for the delivery of the Major Services Contract for Waste Collection, Cleanaway commenced on 1 July 2019 the collection of all domestic general and booked bulky household waste services in the north of the City and recycling and garden organics for the whole of the City. Similar contractor arrangements were in place prior to July 2019 with Veolia contracted between 2004 to 2010 and URM contracted between 2010 to 2019 to provide waste collection services.

In November 2019, Council resolved to approve a variation to the contract with Cleanaway to transfer the general and booked bulky household waste services in the south of the City to the contracted service. This variation commenced on 30 March 2020.

From 1 July 2019 to 30 April 2021 total missed services have decreased by 32 per cent. For the same period total tonnages for general (red bin) waste have increased by 2.5 per cent and recycling (yellow bin) by 11 per cent. The number of booked bulky household waste services has increased by 32 per cent for the same period resulting in a 71 per cent increase in bulky household waste tonnages.

Reports of missed collections are made through the City's Customer Service team, either by direct contact or via the City's website. This information is actioned to the contractor for collection of the missed service within 48 hours of the report. Of those reported, 97 per cent of reported missed services are collected within this 48-hour timeframe.

The majority of complaints received in relation to rubbish collection are for missed collections. Reported missed collections are usually a consequence of one of the following:

- Bins are contaminated with an incorrect waste stream and need to be collected separately.
- Bins are in the wrong or a different location or access to a collection point is difficult.
- The resident forgets to put out the bins/collection

Waste Stream	Total No. of Services per month	Average No. of Missed Services per Month	Total No. Services 1 July 2019 to 30 April 2021	Total No. Missed Services 1 July 2019 to 30 April 2021	% of Missed Services to Total No. Services per month 1 July 2019 to 30 April 2021
General (Red Bin) Waste	243,226	437	5,350,972	9,615	0.18%
Recyclables (Yellow Bin)	230,542	316	5,071,924	6,949	0.14%
Organics (Green Bin) Waste	21,216	187	466,752	4,109	0.88%
Booked Bulky Household Waste	<i>Dependant on Bookings</i>	403	111,179	8,861	7.97%
<b>Total</b>			<b>11,000,827</b>	<b>29,534</b>	

## **7. Tree Felling at Portman Street, Zetland**

By Councillor Phelps

### **Question**

On 20 April 2021, workers from the development at Portman Street, Zetland were seen felling a Poplar Tree with a brushtail possum still in residence.

Could the Chief Executive Officer please advise:

1. What is the City's protocol for workers felling trees, if an animal is residing in the tree?
2. Was a member from WIRES contacted on 20 April 2021 in relation to the tree felling at 15 Portman Street?
3. If so, did a member from WIRES appear on the scene?
4. How the City studies the environmental impact of existing habitat trees, and the impact of their removal?
5. How does the City consider techniques for undergrounding wires which could save existing trees and prevent the removal of mature trees?

S129272

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

The City regards every tree removal as an option of last resort and is only considered when there are no other suitable alternatives available. At the commencement of each project, significant effort is invested to analyse the impact of the project on all elements of the environment including the existing flora and fauna. Trees and their health are of key significance in any decision relating to a project.

Tree removal is carried out in consultation with qualified Ecologists. In this instance, tree removal was required to raise the level of the road to mitigate the impacts of flooding in the area.

An Ecologist was present on-site during the Portman Street tree removal. When the possum was spotted in the tree, removal works were suspended to assess the situation in consultation with the project Ecologist. WIRES attended Portman Street on the day. The on-site Ecologist and arborist attempted to safely remove the possum from the tree, however the possum climbed down the tree and headed into Matron Ruby Grant Park. It is important to note that the possum was not injured during this process.

## 8. Trees at 3 Stirling Street, Camperdown

By Councillor Phelps

### Question

In April 2020, Saving Sydney's Trees (SST) and several community members objected to a Development Application (DA) for a new fence at 3 Stirling St Camperdown as it would threaten the viability of the historic and significant Booth Street Fig trees. This DA was approved on 6 April 2020, at the City of Sydney Local Planning Panel meeting.

These trees have a significant heritage status, they are a public amenity, an environmental asset and provide extensive canopy for the street.

An arborist presented to the Planning Panel, stating there would be "catastrophic consequences" if the trees were removed. In response, the panel implemented binding conditions on any works that may negatively impact the trees.

However, community members and SST have observed the initiation of the removal of the Booth Street fence at the expense of these trees.

SST have expressed their concerns that these binding conditions will not be met, and residents have requested further protection for these trees.

Could the Chief Executive Officer please advise:

1. What is the timeline for the removal of the fence?
2. How does council plan to preserve and protect the Booth St trees during these works on the fence?
3. Will the council consider alternative methods of restoring the fence, as proposed by SST, to best protect the trees?

S129272

### Answer by the Chief Executive Officer

1. The Development Application was determined (approved with conditions) on 16 December 2020 by the Local Planning Panel. The applicant is in the process of satisfying the conditions of consent. No works can commence until the applicable conditions have been satisfied. The City do not have a timeline for when works will commence as this is at the discretion of the applicant.
2. Detailed conditions have been imposed on the consent regarding protecting the trees during the works. Refer to the consent on the City website [1431205-13812468.PDF \(nsw.gov.au\)](https://www.cityofsydney.nsw.gov.au/1431205-13812468.PDF)  
  
Removal of trees will be the last resort and will be assessed and require written approval from the City's Tree Management team to occur.
3. The Local Planning Panel and City staff, through Condition 2 of the consent, have approved the method to restore the fence. There is no mechanism under the Environmental Planning and Assessment Act 1979 for the City to amend the approved consent.

## **9. Soil Toxicity in the City of Sydney**

By Councillor Scott

### **Question**

1. How regularly does the City test soil on public land for lead and other heavy metals?
2. Other than lead, what heavy metals does the City test for?
3. Where are the results from this testing released?
4. If not released, will the City commit to publishing any and all test results from the last decade on the City's website, to be updated when new testing occurs?

S129275

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

Soil testing is undertaken when a development project is undertaken in one of the City's parks and open spaces (either by the City or by a developer). A suitably qualified and experienced contaminated land consultant is engaged to assess the contamination risks at the site and undertake soil testing. This can include preliminary site investigation, detailed site investigation, remedial action plan and site monitoring.

In some cases, an Environmental Management Plan (EMP) is established to manage the ongoing risks and issues at a site.

More generally, parks and open spaces are managed in a way that limits human contact with soils where contaminants could be present. Our park design, service levels and maintenance practices include requirements such as good turf and vegetation cover, mulching of garden beds and well maintained paved and hardstand areas.

The City's community gardens are generally designed with raised garden beds filled with clean, imported, nutrient rich soils to reduce any risk of contamination of edible crops and to ensure that the soil is safe to handle during gardening activities. City staff are in contact with Macquarie University regarding participation in their soil testing program for the City's community gardens.

The City Farm which is located on a former landfill in Sydney Park has been developed with the guidance of a site auditor and has included extensive testing, detailed site investigation studies and an Environmental Management Plan.

**Item 12      Supplementary Answers to Previous Questions**

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

## **Item 13      Notices of Motion**

### **Item 13.1      Free Parking on Weekends to Support Reactivation in the City**

By Councillor Chung

It is resolved that:

(A) Council note:

- (i) the past year has been a challenging time for businesses in the City of Sydney and as the City is starting to reopen, many are trying to remain afloat;
- (ii) the NSW Government is rolling out the 'Dine and Discover' program to encourage the community to get out and about and support dining, arts and tourism businesses;
- (iii) local business chambers have been working hard to create events and incentives to encourage visitors back to the City;
- (iv) the City of Sydney changed its planning controls to allow trading past 10pm in late night trading areas to encourage a diverse range of shops and businesses to stay open longer; and
- (v) businesses have reported that the City remains quiet on weekends despite these incentives; and

(B) the Chief Executive Officer be requested to turn off parking meters on weekends along City of Sydney retail and high streets to support small businesses as they participate in these events and programs to welcome people back to the City.

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

Moved by Councillor Chung, seconded by Councillor Forster –

It is resolved that:

(A) Council note:

- (i) the past year has been a challenging time for businesses in the City of Sydney and as the City is starting to reopen, many are trying to remain afloat;
- (ii) the NSW Government has rolled out the 'Dine and Discover' program to encourage the community to get out and about and support dining, arts and tourism businesses;
- (iii) local business chambers have been working hard to create events and incentives to encourage visitors back to the City;
- (iv) the City of Sydney changed its planning controls to allow trading past 10pm in late night trading areas to encourage a diverse range of shops and businesses to stay open longer;



- (v) businesses have reported that the City remains quiet on weekends despite these incentives; and
  - (vi) the NSW Treasurer recently proposed free public transport on Mondays and Fridays as an incentive for people to visit the City. The Lord Mayor has voiced her support for this initiative; and
- (B) the Chief Executive Officer be requested to turn off parking meters on weekends along City of Sydney retail and high streets to support small businesses as they participate in these events and programs to encourage people back to the City.

The motion was lost on the following show of hands –

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

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

Motion lost.

S129259

**Item 13.2 More Cricket Nets in Sydney**

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

It is resolved that:

(A) Council note:

- (i) almost 30 per cent of all Australian cricket participants are in NSW, second to Victoria;
- (ii) the City of Sydney Open Space, Sports and Recreation Needs Study 2016 states:
- (iii) cricket is a rapidly growing sport in the Southern Sydney region;
  - (a) in 2008, in the Southern Sydney region, there was one cricket wicket per 5,300 people verses the City of Melbourne that had one cricket field per 3,166 people;
  - (b) community consultation showed a need for more turf cricket wickets, cricket fields in Glebe and Annandale, synthetic cricket wickets at Bicentennial Park and Wentworth Park and practice nets at Jubilee Oval; and
  - (c) providing ancillary support facilities at grounds such as cricket nets was a priority;
- (iv) currently the City of Sydney is under-provided for cricket nets - just two in Turruwul Park, two that are dilapidated in Wentworth Park and a group beside Alan Davidson Oval in Sydney Park. The few nets at Ovals such as Reg Bartley Oval cannot be used when the ground is in use. Further, there are no nets in either Moore Park or Centennial Park, no available public nets in major institutions such as the University campuses, or in our schools, and the indoor nets at the SCG have been demolished;
- (v) community facilities are recognised as one of the key pillars in supporting the growth of cricket participation and improving participant and fan experiences; and
- (vi) the City has cricket nets at Turruwul Park, Reg Bartley Oval, Wentworth Park and Sydney Park and there are inadequate plans to provide further nets at this time; and

(B) the Chief Executive Officer be requested to:

- (i) investigate locations for additional cricket nets (including multi-use training facilities) on city-owned land;
- (ii) investigate locations for additional cricket nets (including multi-use training facilities) on other public land (including school and university sites); and
- (iii) advocate to the Greater Sydney Parklands board regarding opportunities for additional cricket nets in Moore Park and Centennial Park.

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

(B) the Chief Executive Officer be requested to:

- (i) investigate locations for additional cricket nets (including multi-use training facilities) on city-owned land;
- (ii) investigate locations for additional cricket nets (including multi-use training facilities) on other public land (including school and university sites);
- (iii) advocate to the Greater Sydney Parklands board regarding opportunities for additional cricket nets in Moore Park and Centennial Park; and
- (iv) report back to Council via the CEO Update on the options and feasibility.

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

S129265

**Procedural Motion**

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

That Items 13.4, 13.8, 13.11 and 13.13 be adopted in globo.

**Point of Order**

Councillor Forster raised a Point of Order stating that it was not appropriate for Notices of Motion to be adopted in globo as the Council meeting is the forum for discussion and debate on these motions.

The Chair (the Lord Mayor) subsequently advised that as Councillor Forster had indicated that she was not supportive of the in globo motion, which is required to be unanimous, the procedural motion would not proceed and each motion would be heard separately.

**Item 13.3 Residential Enrol to Vote Campaign**

Moved by Councillor Scott, seconded by Councillor Forster -

It is resolved that:

(A) Council note:

- (i) under the City of Sydney Act 1988 the City's General Manager is required to supply the Electoral Commission with a list of eligible non-resident voters, this list is required to be compiled "as soon as is practicable" after the lapsing of the previous roll;
- (ii) that Council consistently and actively seeks to enrol eligible non-resident voters through their website;
- (iii) at the 2016 Local Government Election the City of Sydney had 59.98 per cent turnout of eligible voters;
- (iv) in 2016, 55.8 per cent of residents in the City of Sydney were renters. The nature of renting leads to great mobility amongst tenants meaning that people are often moving into, out of and within the City of Sydney leading to electoral addresses commonly being out of date;
- (v) the City's website has information on the 2021 election, as well as links to the NSW Electoral Commission (NSWEC) and Australian Electoral Commission (AEC) to enable residents to check their enrolment details, noting that help in a range of languages is available on the page;
- (vi) in the 2016 Election, the City spent \$5.652M on compiling and resourcing the non-resident electoral rolls;
- (vii) to prepare for the 2021 Election, the City is predicted to expend an estimated \$491,000 resourcing and compiling the non-residential electoral rolls, in addition to the annual operational cost to maintain the non-residential register of \$1.063M;
- (viii) that a flyer encouraging residents to check their enrolment details with the AEC, and non-residents to apply online has been distributed to every property in the Local Government Area; and
- (ix) that the NSWEC/AEC are responsible for the maintenance of the residential electoral roll;

- (B) the Chief Executive Officer be requested to:
- (i) continue to provide information about the 2021 Local Government Election (save the date/check enrolment details/links to appropriate NSWEC/AEC material) via the City's communication channels;
  - (ii) distribute the NSWEC 'Save the Date' flyer encouraging residents to check and update their enrolment information and outlining participation requirements prior to the close of rolls; and
  - (iii) translate this flyer into community languages; and
- (C) Council approve up to \$35,000 from the 2020/21 General Contingency Fund for this distribution and translation.

Carried unanimously.

S129275

### **Item 13.4 Australian Local Government Association on the National Cabinet**

Moved by Councillor Scott, seconded by Councillor Vithoulkas -

It is resolved that:

(A) Council note:

- (i) since the disbandment of the Council of Australian Governments (COAG) and its replacement with the National Cabinet, Australian councils have been advocating for the Australian Local Government (ALGA) to be provided with a voting representative for Local Government on the National Cabinet;
- (ii) Local Government leaders across the country have called upon the Federal Government to instate representation for Local Government on the National Cabinet;
- (iii) Local Government has a unique understanding of the needs of and challenges facing communities at a local level; and
- (iv) Labor leader Anthony Albanese's recent commitment to provide Local Government, via ALGA, with a seat at the National Cabinet; and

(B) the Lord Mayor be requested to:

- (i) write to the Opposition Leader, Anthony Albanese, and Shadow Local Government Minister, Jason Clare, thanking them for committing to provide a seat for local government on the National Cabinet; and
- (ii) write to Prime Minister Scott Morrison, Local Government Minister Mark Coulton, NSW Premier Gladys Berejiklian and NSW Local Government Minister Shelley Hancock, advocating for local government to be represented as a voting member of the National Cabinet, through the peak body ALGA.

The motion was carried on the following show of hands –

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

Noes (2)        Councillors Forster and Miller.

Motion carried.

S129275

### **Item 13.5 Light Joynton Park and Waterloo Park**

Moved by Councillor Scott, seconded by Councillor Miller -

It is resolved that:

(A) Council note:

- (i) City staff advise that current lighting in Joynton Park in Zetland and Waterloo Park in Waterloo both meet the City's lighting code;
- (ii) a 2019 population estimate for Green Square was 32,910 and this population is expected to grow exponentially to 63,050 by 2026. Joynton Park and Waterloo Parks will be major green spaces for the expanding Green Square community and must be able to be safely enjoyed by all residents at all times;
- (iii) Joynton Park operates as a dog park allowing dogs to be off leash at all times. This is a great amenity to the local community but does pose a risk to residents at night when off leash dogs are less visible; and
- (iv) Waterloo Park, and especially the southern section, is regularly used by Mount Carmel Primary School students and churchgoers, and surrounding Waterloo and Redfern public housing tenants; and

(B) the Chief Executive Officer be requested to:

- (i) upgrade lighting off the paths at Joynton Park and the southern section of Waterloo Park to increase the safety of these important green spaces to the local communities; and
- (ii) review the City's current lighting code to ensure that it provides for a safe community for all residents to enjoy and report the results of this review back to Council via the CEO Update.

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) City staff advise that current lighting in Joynton Park in Zetland and Waterloo Park in Waterloo both meet the City's lighting code;
- (ii) a 2019 population estimate for Green Square was 32,910 and this population is expected to grow exponentially to 63,050 by 2026. Joynton Park and Waterloo Parks will be major green spaces for the expanding Green Square community and must be able to be safely enjoyed by all residents at all times;
- (iii) Joynton Park operates as a dog park allowing dogs to be off leash at all times, including at night; and
- (iv) Waterloo Park, and especially the southern section, is regularly used by Mount Carmel Primary School students and churchgoers, and surrounding Waterloo and Redfern public housing tenants; and

- (B) the Chief Executive Officer be requested to investigate:
- (i) reviewing lighting on and off the paths at Joynton Park and the southern section of Waterloo Park to increase the safety of these important green spaces to the local communities; and
  - (ii) reviewing the City's current lighting code for appropriate path and park lighting and report the results of this review back to Council via the CEO Update.

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

S129266



### Item 13.6 Creation of Shared Traffic Zone in Redfern/Darlington

By Councillor Scott

It is resolved that:

(A) Council note:

- (i) Shared Traffic Zones are roads or networks of roads with a speed limit of 10km/h where pedestrians and vehicles safely share road space. The implementation of these spaces has been proven to lower pedestrian injury and mortality from road accidents;
- (ii) the 2013 Sydney Streets Code outlines movement of people around streets and access to infrastructure and services as priorities for the City of Sydney in the design of streets;
- (iii) the 2013 Sydney Streets Code outlines the aim of Shared Traffic Zones as “*creat[ing] a shared safe street corridor of movement for pedestrians and vehicles*”, with design objectives that promote safety for pedestrians in these streets;
- (iv) the area between Redfern Station in West Redfern and Darlington Public School is heavily utilised by pedestrians accessing the station, school and the University of Sydney;
- (v) upgrades to Central Station, Darlington Public School, Eveleigh and neighbouring development projects are likely to see increases in pedestrian density in this area; and
- (vi) a petition to extend Shared Traffic Zones in West Redfern and Darlington has gained over 200 signatures from local residents and businesses with many petition signatories citing that current speed limits and traffic calming measures have been ineffective in the area; and

(B) the Chief Executive Officer be requested to:

- (i) investigate the implementation of Shared Zones for the following streets around and between Redfern Station and Darlington Public School:
  - (a) Abercrombie Street;
  - (b) Vine Street;
  - (c) Hugo Street; and
  - (d) Caroline Street; and
- (ii) investigate the implementation of Slow Streets with maximum speeds of 30km/h in the following streets around and between Redfern Station and Darlington Public School:
  - (a) Abercrombie Street;
  - (b) Vine Street;
  - (c) Hugo Street; and
  - (d) Caroline Street.

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

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

It is resolved that:

(A) Council note:

- (i) Shared Traffic Zones are roads or networks of roads with a speed limit of 10km/h where pedestrians and vehicles safely share road space. The implementation of these spaces has been proven to lower pedestrian injury and mortality from road accidents;
- (ii) the 2013 Sydney Streets Code outlines movement of people around streets and access to infrastructure and services as priorities for the City of Sydney in the design of streets;
- (iii) the 2013 Sydney Streets Code outlines the aim of Shared Traffic Zones as “*creat[ing] a shared safe street corridor of movement for pedestrians and vehicles*”, with design objectives that promote safety for pedestrians in these streets;
- (iv) the area between Redfern Station in West Redfern and Darlington Public School is heavily utilised by pedestrians accessing the station, school and the University of Sydney;
- (v) upgrades to Central Station, Darlington Public School, Eveleigh and neighbouring development projects are likely to see increases in pedestrian density in this area;
- (vi) the completion of the Pemulwuy development means that there will be a significant increase in the number of children living in the area, with children in the area gathering and playing on the streets around Pemulwuy;
- (vii) a petition to extend Shared Traffic Zones in West Redfern and Darlington has gained over 200 signatures from local residents and businesses with many petition signatories citing that current speed limits and traffic calming measures have been ineffective in the area;
- (viii) so called ‘rat runs’ the drivers use to avoid congestion on Cleveland Street increase the usage of streets in West Redfern and Darlington and mean that drivers are often observed by local residents going above the speed limit in the area; and

(B) the Chief Executive Officer be requested to:

- (i) investigate the implementation of Shared Zones for the following streets around and between Redfern Station and Darlington Public School:
  - (a) Abercrombie Street;
  - (b) Vine Street;
  - (c) Hugo Street; and
  - (d) Caroline Street; and

- (ii) investigate the implementation of Slow Streets with maximum speeds of 30km/h in the following streets around and between Redfern Station and Darlington Public School:
  - (a) Abercrombie Street;
  - (b) Vine Street;
  - (c) Hugo Street; and
  - (d) Caroline Street.

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

It is resolved that:

(A) Council note:

- (i) Shared Traffic Zones are roads or networks of roads with a speed limit of 10km/h where pedestrians and vehicles safely share road space. The implementation of these spaces has been proven to lower pedestrian injury and mortality from road accidents;
- (ii) the 2013 Sydney Streets Code outlines movement of people around streets and access to infrastructure and services as priorities for the City of Sydney in the design of streets;
- (iii) the 2013 Sydney Streets Code outlines the aim of Shared Traffic Zones as “creat[ing] a shared safe street corridor of movement for pedestrians and vehicles”, with design objectives that promote safety for pedestrians in these streets;
- (iv) Transport for NSW is responsible for changing speed limits on all New South Wales roads;
- (v) in 2020, Transport for NSW installed a 40 km/h Local Traffic Area speed limit in all local streets within Darlington;
- (vi) the City has developed an internal Speed Reduction Implementation Plan to reduce the speed limit on all local roads in the Local Government Area to 40km/h. The Plan also includes investigation for 30km/h opportunities;
- (vii) as a result of the Lord Mayor’s advocacy to the NSW Government to reduce roads speeds, around 75 per cent of all streets in the City of Sydney are now proposed to be 40km/h or less;
- (viii) the City’s Local Pedestrian, Cycling and Traffic Calming Committee which includes representatives from Transport for NSW, must review and approve all new applications for Shared Traffic Zones, as well as some other traffic changes in the City of Sydney;
- (ix) Transport for NSW has specific criteria for streets to meet the threshold for Shared Traffic Zones including traffic volumes and numbers of vehicles per hour/day;
- (x) the area between Redfern Station in West Redfern and Darlington Public School is heavily utilised by pedestrians accessing the station, school and the University of Sydney;
- (xi) upgrades to Central Station, Darlington Public School, Eveleigh and neighbouring development projects are likely to see increases in pedestrian density in this area;

- (xii) a petition to extend Shared Traffic Zones in West Redfern and Darlington has gained over 200 signatures from local residents and businesses with many petition signatories citing that current speed limits and traffic calming measures have been ineffective in the area;
- (xiii) as part of the Pemulwuy redevelopment near Redfern Station, upgrades to and extension of traffic calming measures were approved affecting Caroline Street, Caroline Lane, Vine Street, Eveleigh Street and Louis Street, which will make those streets safer for pedestrians; and
- (xiv) on 19 August 2019, Council resolved to develop a traffic management plan for the area when the Pemulwuy site is completed, and the impacts of traffic are realised; and

(B) the Chief Executive Officer be requested to:

- (i) write to petitioners to obtain feedback about their specific safety concerns and potential civic improvements in relation to Abercrombie Street, Vine Street, Hugo Street, Caroline Street, Eveleigh Street, Edward Street, Thomas Street and Lawson Street in the Redfern/Darlington area so staff can review their submissions, assess the effectiveness of any existing traffic calming measures on those streets and suggest appropriate solutions to make those streets safer and calmer, as required; and
- (ii) report back to Councillors on the outcomes of that consultation in the CEO Update.

The amendment was carried on the following show of hands –

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

Noes (3)        Councillors Forster, Scott and Vithoukás

The amended motion was carried unanimously.

S129266

### Item 13.7 Cities for Play

Moved by Councillor Scully, seconded by Councillor Vithoulkas -

It is resolved that:

(A) Council note:

- (i) according to the 2016 Census data, 13 per cent of households within the City of Sydney include children, compared with 45 per cent across Greater Sydney, but there are signs that many more families are remaining in the inner city;
- (ii) the City of Sydney's Social Sustainability Policy and Action Plan (SSAP) outlines a range of initiatives for children and young people over the next ten years;
- (iii) the City offers a range of services and programs for children and young people including:
  - (a) childcare centres, after school care, vacation care and school holiday programs for children aged 0-12 years;
  - (b) an extensive playground renewal program, and investment in libraries, aquatic centres, skate parks and leisure facilities; and
  - (c) Youth Week in the City, the International Student Liaison Ambassador Program and Emerging Civic Leaders program and the Youth Interagency Forum;
- (iv) as part of the City's engagement principles to be inclusive and accessible, the City is committed to engaging children and young people as part of its ongoing engagement activity in the community;
- (v) to inform the development of Sustainable Sydney 2050, the City undertook a major two-phase engagement program with primary and high schools that culminated in a Children's and Youth Summit;
- (vi) the City conducts ongoing engagement with children and young people to inform the design of our parks and playgrounds; and
- (vii) the 2018 Cities for Play report sets out a series of recommendations for best practice in designing child-friendly high density neighbourhoods. The recommendations focus on design interventions and policies that promote active play opportunities and address children's health and wellbeing in the planning and design of our cities; and

(B) the Chief Executive Officer be requested to:

- (i) review the recommendations within the Cities for Play report and investigate how they might be incorporated into the delivery of Sustainable Sydney 2050 and report back to Councillors via CEO Update; and
- (ii) advocate to the Department of Planning, Industry and Environment to incorporate the principles of designing child-friendly cities into the review of the Design and Place State Environmental Planning Policy (SEPP) and the Apartment Design Guide.

Carried unanimously.

S129264

### **Item 13.8 Upgrading Chisholm Street Reserve, Darlinghurst**

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

It is resolved that:

(A) Council note:

- (i) the 286 small pocket parks and nearly 100 playgrounds across the local government area;
- (ii) the existing small parks renewal program which is a rolling annual asset renewal program aimed at renewal of parks to ensure they are safe, in good condition, are well presented and meet the needs of the community;
- (iii) parks are prioritised for renewal based on:
  - (a) asset condition;
  - (b) remaining useful life;
  - (c) wear;
  - (d) defects; and
  - (e) risk;
- (iv) budgets for small park upgrades are developed based on benchmark rates with small park renewals usually delivered over a two- to three-year period covering design, consultation and construction; and
- (v) due to its state of disrepair this park has become unusable for local residents, who are requesting by way of petition, an upgrade of the Chisholm Street Reserve into a space suitable for community use;

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

(C) Council also note the petition lodged with 110 signatures from local residents and business owners calling for upgrades and safety measures due to resident reports of safety concerns; and

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

Carried unanimously.

S129266

**Item 13.9    Lighting Assessment for Pirrama Park, Pyrmont**

Note – Councillor Phelps departed the meeting of Council prior to the consideration of the Notice of Motion which was subsequently deferred to the next ordinary meeting of Council in accordance with clause 8.6 (b) of the Code of Meeting Practice.

### **Item 13.10 Hyde Park Paperbark Tree Plantings Investigation**

By Councillor Forster

It is resolved that:

(A) Council note:

- (i) four paperbark trees, planted in a diamond formation, are located in Hyde Park South between the ANZAC War Memorial and the intersection of College and Liverpool Streets;
- (ii) aerial photos of Hyde Park supplied by the Head of Horticulture at the Royal Botanic Gardens Trust indicate they were planted in the early 1950s;
- (iii) the location and formation of the plantings indicate a traditional Aboriginal signpost, a marker used throughout NSW to identify an Aboriginal burial site or monument; and
- (iv) according to the City of Sydney's historian, no planting books or works orders exist in the City's archives for the landscaping and maintenance of Hyde Park covering this period and therefore the history of these trees and any commemorative associations is unknown at this time; and

(B) the Chief Executive Officer be requested to:

- (i) liaise with Heritage NSW, the Aboriginal Heritage Office, the History Council of NSW and any other relevant historical society to investigate the planting and significance of the four paperbark trees in Hyde Park South;
- (ii) report back to Councillors, via a CEO Update, details of the investigation; and
- (iii) if found to be culturally significant, investigate the possible installation of a permanent plaque outlining and acknowledging their significance.

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 Miller –

It is resolved that:

(A) Council note:

- (i) four paperbark trees, planted in a diamond formation, are located in Hyde Park South between the ANZAC War Memorial and the intersection of College and Liverpool Streets;
- (ii) aerial photos of Hyde Park supplied by the Head of Horticulture at the Royal Botanic Gardens Trust indicate they were planted in the early 1950s;
- (iii) the location and formation of the plantings indicate a traditional Aboriginal signpost, a marker used throughout NSW to identify an Aboriginal burial site or monument; and



- (iv) according to the City of Sydney's historian, no planting books or works orders exist in the City's archives for the landscaping and maintenance of Hyde Park covering this period and therefore the history of these trees and any commemorative associations is unknown at this time; and

(B) the Chief Executive Officer be requested to:

- (i) liaise with Heritage NSW, the Aboriginal Heritage Office, the History Council of NSW and any other relevant historical society to investigate the planting and significance of the four paperbark trees in Hyde Park South;
- (ii) report back to Councillors, via a CEO Update, details of the investigation; and
- (iii) if the paperbark trees are considered to be culturally significant, update the City's significant tree registry to reflect this and investigate the possible installation of a permanent plaque outlining and acknowledging their significance.

Carried unanimously.

S129260

**Item 13.11 Traffic Calming in Millers Point Precinct**

Moved by Councillor Scott, seconded by Councillor Thalís -

It is resolved that:

(A) Council note:

- (i) the Millers Point Precinct (the Precinct) is the post-European settlement centre of heritage in Sydney. Any major/significant development or activity should be considered through that prism;
- (ii) the Precinct is surrounded by other major urban precincts and activities that can and do impact. This includes:
  - (a) The Rocks (Place Management NSW);
  - (b) Barangaroo (Infrastructure NSW);
  - (c) The Sydney Observatory (Museum of Applied Arts & Sciences through Create NSW);
  - (d) The Arts Precinct in Walsh Bay (Create NSW); and
  - (e) Sydney Ports Corporation and cruise ship operations;
- (iii) the Precinct is characterised by wide streets, sometimes combined with long, flat stretches of road. This is particularly the case with Windmill, Kent, Argyle and Lower Fort Streets and Hickson Road;
- (iv) that other streets have features that result in unnecessary volumes of traffic due to unclear signage: “no through road” signage for Pottinger and Merriman Streets and one-way traffic signage for Argyle Place (east);
- (v) that heavy vehicle traffic (particularly private coaches) is returning to the precinct and parking illegally in areas (particularly bus zones reserved for public buses) that result in unsafe manoeuvring and reduced sight lines on roads for other users;
- (vi) pedestrian traffic is starting to return to pre-Covid levels, particularly with returning office workers and weekend tourists. This is in addition to the increasing number of long-term resident numbers as previously short-term rented properties are now being let on a long-term basis. This has meant an increase in families, children and companion animals;
- (vii) local residents have reported an increase in vehicles speeding through the neighbourhoods, particularly on those roads without traffic calming devices, this includes the above roads particularly;
- (viii) having regard to these features of the Millers Point streetscape, having a precinct-wide systemic approach to traffic planning and management is logical and sensible;
- (ix) in early 2020, together with the Millers Point Community Resident Action Group, City staff developed a concept plan to widen footpaths and introduce pedestrian crossings in Lower Fort, Pottinger and Windmill Streets and Trinity Avenue, to improve access and safety for pedestrians;

- (x) the Heritage Impact Statement stated that the concept plan is “not consistent with the heritage values of the area” and that “the proposed changes to the intersections would have adverse impacts on the heritage significance of the area in all locations”; and
  - (xi) the City is not pursuing any changes until heritage matters are resolved; and
- (B) the Chief Executive Officer be requested to:
- (i) investigate the installation of traffic calming measures in the Precinct (including but not limited to Windmill Street, Kent Street, Argyle Street, Lower Fort Street, Hickson Road) including but not limited to chicanes, roundabouts, a tree-lined median strip, pedestrian refuges, “greening” interventions and speed monitoring devices including speed cameras;
  - (ii) investigate the implementation of a 30km/h speed trial in the Precinct as contemplated by Transport for NSW in the “Liveable Slow Streets” trial and applied in other major capital cities around the world, particularly in Europe;
  - (iii) ensure that any traffic calming measures that are investigated are consistent with the area’s heritage significance and resolve any heritage matters that may arise in a timely manner to ensure pedestrian safety is achieved;
  - (iv) as part of the above investigations, facilitate a Traffic Workshop with the Millers Point Community Resident Action Group (MPCRAG) in the Millers Point Community Centre to clarify all local traffic issues and potential solutions; and
  - (v) report back to Council with the results of this investigation via the CEO Update at the earliest opportunity.

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

- (B) the Chief Executive Officer be requested to:
- (i) investigate the installation of traffic calming measures in the Precinct (including but not limited to Windmill Street, Kent Street, Argyle Street, Lower Fort Street, Hickson Road;
  - (ii) investigate the implementation of a 30km/h speed trial in the Precinct as contemplated by Transport for NSW in the “Liveable Slow Streets” trial and applied in other major capital cities around the world, particularly in Europe;
  - (iii) ensure that any traffic calming measures that are investigated are consistent with the area’s heritage significance and resolve any heritage matters that may arise in a timely manner to ensure pedestrian safety is achieved;
  - (iv) as part of the above investigations, facilitate a Traffic Workshop with the Millers Point Community Resident Action Group (MPCRAG) in the Millers Point Community Centre to clarify all local traffic issues and potential solutions; and
  - (v) report back to Council with the results of this investigation via the CEO Update at the earliest opportunity.

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

S129266

**Procedural Motion**

At this stage of the meeting, pursuant to clause 16.2 of the Code of Meeting Practice, it was moved by the Chair (the Lord Mayor), seconded by Councillor Scully –

That the meeting of Council be extended until Item 13.12 had been dealt with.

Following consideration, the Chair (the Lord Mayor) withdrew the procedural motion.

**Procedural Motion**

Pursuant to clause 16.2 of the Code of Meeting Practice, it was then moved by the Chair (the Lord Mayor), seconded by Councillor Forster –

That the meeting of Council be extended until the remaining items of business on the agenda (Items 13.12 and 13.13) had been dealt with.

Carried unanimously.

### **Item 13.12 Save Sydney's Iconic Manly Freshwater Ferry**

Moved by Councillor Scott, seconded by Councillor Scully -

It is resolved that:

(A) Council note:

- (i) the NSW Government plans to phase out the iconic Manly Freshwater Ferries this year, committing that only two will continue to operate, hourly, on weekends and public holidays. During the week the service will be replaced with faster, smaller Emerald Class ferries;
- (ii) the F1 Manly Ferry Route is one of Sydney's major tourist attractions and the ferries are picture postcard Sydney, along with the Opera House and Harbour Bridge;
- (iii) in 2019, Pre-Covid, more than one million international tourists rode the Manly Ferry. A total of 4.4 million passengers chose the classic slow ferry journey against the Fast Ferry option also available on the Circular Quay/Manly route;
- (iv) a NSW Parliamentary Petition of 22,000 signatures to retain the Freshwater Class ferries was tabled on 25 March 2021; and
- (v) serious questions are being raised about the suitability of the replacement Emerald Class ferries for the famous F1 route. Reports of major defects of the ferries have delayed their commission into service. Concerns are also been raised about their suitability to handle the swells crossing the Heads; and

(B) the Lord Mayor be requested to:

- (i) write to the members of the NSW Legislative Council's Portfolio Committee No 6 – Transport and Customer Service, calling on them to immediately undertake an inquiry into the decision of the NSW Government to effectively decommission the historical, social and economically significant Freshwater Class Ferries from the Circular Quay to Manly F1 Route; and
- (ii) write to the NSW Premier Gladys Berejiklian and Minister for Transport Andrew Constance expressing support for the continuation of the iconic Manly Freshwater Ferries.

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

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

- (B) the Lord Mayor be requested to write to the NSW Premier Gladys Berejiklian, the Minister for Transport Andrew Constance and the member for Manly, James Griffin, thanking them for the continuation of the iconic Manly Freshwater Ferries.

The amendment was lost on the following show of hands:

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

Noes (2)            Councillors Forster and Chung.

Amendment lost.

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

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

Noes (1)      Councillor Chung.

Motion carried.

S129266

**Item 13.13 Federal Assistance Grants**

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

It is resolved that the Lord Mayor be requested to write to the NSW Premier Gladys Berejiklian and Minister for Local Government expressing support for the current Federal Assistance Grant formula.

Carried unanimously.

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Monday 17 May 2021

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At 10.13 pm the meeting concluded.

Chair of a meeting of the Council of the City  
of Sydney held on Monday 28 June 2021 at which  
meeting the signature herein was subscribed.