

**17 May 2021**

At 5.00 pm

**Council**

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## Agenda

1. **Confirmation of Minutes**
2. **Disclosures of Interest**
3. **Minutes by the Lord Mayor**
  - 3.1 Vale Carla Zampatti
  - 3.2 Solidarity with the People of India
  - 3.3 CBD Recovery from Covid-19
  - 3.4 Protecting Heritage
4. **Memoranda by the Chief Executive Officer**
  - 4.1 Temporary Procedures for Attendance by Councillors at Meetings by Audio-Visual Link
  - 4.2 Commencement of Federal Court Proceedings
5. **Matters for Tabling**
6. **Report of the Corporate, Finance, Properties and Tenders Committee**
  - 6.1 Disclosures of Interest
  - 6.2 2020/21 Quarter 3 Review - Delivery Program 2017-2021
  - 6.3 Public Exhibition - Integrated Planning and Reporting Program and Budget 2021/22
  - 6.4 Investments Held as at 31 March 2021
  - 6.5 Investments Held as at 30 April 2021
  - 6.6 Sydney New Year's Eve 2021 - 2026 Memorandum of Understanding and Agency Agreements
  - 6.7 Grants and Sponsorship - Change of Auspice - Randa Sayed

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- 6.8 Lease Approval - Part 540 George Street, Sydney and Stratum Stair Access Town Hall
- 6.9 Joint Use Project Deed Variation - Alexandria Park Community School - Synthetic Field and Park Road Public Domain Embellishment
- 6.10 Tender - RFT2020/415 - Supply and Delivery of Stone Products
- 6.11 Exemption from Tender - Call Centre Services After Hours and Parking Ticket Machines
- 6.12 Exemption from Tender and Contract Variations - Management of Aquatic and Leisure Facilities - Belgravia Leisure
- 6.13 Contract Variation - MacDonald Street Widening and Trunk Drainage, Erskineville - Head Construction Contractor

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

- 7.1 Disclosures of Interest
- 7.2 Public Exhibition - Environmental Strategy 2021-2025
- 7.3 Project Scope - Bridge Street, Railway Parade and Henderson Road Cycleway, Erskineville and Alexandria
- 7.4 Review of Environmental Factors – Pop-Up Cycleway - Moore Park Road and Fitzroy Street
- 7.5 Review of Environmental Factors – Pop-Up Cycleway - Dunning Avenue
- 7.6 Project Scope - College Street and Liverpool Street Cycleways
- 7.7 Project Scope - Pitt Street North Walking and Cycling Improvements
- 7.8 Project Scope - Perry Park Revitalisation Project

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### 8. Report of the Cultural and Community Committee

8.1 Disclosures of Interest

#### Healthy Communities Sub-Committee

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

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

### 9. Report of the Transport, Heritage and Planning Committee

9.1 Disclosures of Interest

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

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

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

9.5 Fire Safety Reports

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

### 11. Questions on Notice

### 12. Supplementary Answers to Previous Questions

### 13. Notices of Motion

13.1 Free Parking on Weekends to Support Reactivation in the City

13.2 More Cricket Nets in Sydney

13.3 Residential Enrol to Vote Campaign

13.4 Australian Local Government Association on the National Cabinet

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- 13.5 Light Joynton Park and Waterloo Park
- 13.6 Creation of Shared Traffic Zone in Redfern/Darlington
- 13.7 Cities for Play
- 13.8 Upgrading Chisholm Street Reserve, Darlinghurst
- 13.9 Lighting Assessment for Pirrama Park, Pyrmont
- 13.10 Hyde Park Paperbark Tree Plantings Investigation
- 13.11 Traffic Calming in Millers Point Precinct
- 13.12 Save Sydney's Iconic Manly Freshwater Ferry
- 13.13 Federal Assistance Grants

## **Item 1**

### **Confirmation of Minutes**

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

Meeting of 29 March 2021

## Item 2

### Disclosures of Interest

Pursuant to the provisions of the Code of Meeting Practice – May 2019 and the Code of Conduct – May 2019, Councillors are required to disclose pecuniary interests in any matter on the agenda for this meeting.

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

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

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

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

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

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

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

**Item 3.1****Vale Carla Zampatti****File No: S051491****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 multi-cultural 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

## Item 3.2

### Solidarity with the People of India

File No: S051491

#### 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

### Item 3.3

#### CBD Recovery from Covid-19

File No: S051491

#### 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 AI 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 1000 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 AI 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;
- (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; 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

## Item 3.4

### Protecting Heritage

File No: S051491

#### 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

**Item 4.1****Temporary Procedures for Attendance by Councillors at Meetings by Audio-Visual Link****File No: S051923-02****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

# **Attachment A**

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

<b>Circular Details</b>	21-02 / 1 April 2021 / A765862
<b>Previous Circular</b>	21-01 <i>Transitioning back to in-person council and committee meetings and consultation on proposed changes allowing remote attendance at meetings</i>
<b>Who should read this</b>	Councillors / General Managers / All council staff
<b>Contact</b>	Council Governance / 02 4428 4100 / <a href="mailto:olg@olg.nsw.gov.au">olg@olg.nsw.gov.au</a>
<b>Action required</b>	Information / Council to Implement

## Temporary exemption from the requirement for councillors to attend meetings in person

### What's new or changing

- The Office of Local Government (OLG) is currently consulting with councils and others on proposed amendments to the *Model Code of Meeting Practice for Local Councils in NSW* (Model Meeting Code) allowing councillors to attend meetings remotely using audio-visual links. A [discussion paper](#) has been issued and submissions are due on **3 May 2021**.
- The *Local Government (General) Regulation 2005* (the Regulation) has been amended to temporarily exempt councils from complying with the requirement under their codes of meeting practice for councillors to be personally present at meetings to participate in them. The exemption expires on **31 December 2021**.
- The Regulation amendment will operate to allow councils to permit councillors to attend meetings remotely by audio-visual link while OLG consults on the new provisions of the Model Meeting Code and until such time as councils are able to adopt them.

### What this will mean for your council

- As of **26 March 2021**, 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 Regulation amendment operates to exempt councils from the requirement under clause 5.2 of the Model Meeting Code for councillors to be personally present at a meeting in order to participate in it.
- For the period in which the Regulation amendment is in force, councils have the option to permit councillors to attend and participate in meetings remotely by audio-visual link should councils choose to do so.
- Councils are not required to amend their codes of meeting practice to allow councillors to attend meetings remotely by audio-visual link while the Regulation amendment is in force but should adopt procedures governing attendance by councillors at meetings by audio-visual link to supplement their codes of meeting practice. Suggested procedures are attached to this circular.

- The Regulation amendment does not apply to joint organisations of councils or county councils. The regulation making power under which the Regulation has been amended only allows exemptions to be made for “areas” constituted under Part 1 of Chapter 9 of the Act. These provisions do not apply to joint organisations of councils or county councils.
- Joint organisations are already permitted to meet by telephone or other electronic means under clause 397G of the Regulation and the Model Meeting Code. However, it is not possible to exempt county councils by regulation and members of county councils will need to continue to attend meetings in person to participate in them until amendments are made to the Model Meeting Code permitting attendance at meetings by audio-visual link.
- In dealing with requests by councillors to attend meetings by audio-visual link on grounds of illness, disability or caring responsibilities, councils must ensure they comply with the Health Privacy Principles prescribed under the *Health Records and Information Privacy Act 2002*.

### **Where to go for further information**

- Suggested procedures for attendance by councillors at meetings using audio-visual link are attached to this circular.
- The *Remote Attendance by Councillors at Council Meetings* consultation paper is available on OLG’s website [here](#).
- Guidance on the Health Privacy Principles is available [here](#).
- For further information please contact the Council Governance Team on 02 4428 4100 or by email at [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au).



**Tim Hurst**  
**Deputy Secretary**  
**Local Government, Planning and Policy**

## ATTACHMENT

### Procedures for attendance by councillors at meetings by audio-visual link

#### What is an “audio visual link”

- For the purposes of these procedures, an audio-visual link is a facility that enables audio and visual communication between persons at different places.

#### Approval for councillors to attend meetings by audio visual link

- The council and committees of the council comprising wholly of councillors may, in response to a request made by a councillor, resolve to permit the councillor to attend one or more meetings of the council or committee remotely by audio visual link where it is satisfied that the councillor will be prevented from attending the meeting/s in person because of illness, disability, caring responsibilities, or such other reason that is acceptable to the council or committee.
- Requests by councillors to attend meetings remotely by audio-visual link must be made in writing to the General Manager at least *[council to specify a timeframe that is consistent with the timeframe for lodging notices of motion]* business days before a meeting, and must provide information about the meetings the councillor will be prevented from attending in person and the reason why the councillor will be prevented from attending the meeting/s in person.
- A resolution by the council or a committee of the council permitting a councillor to attend one or more meetings by audio-visual link must provide the following information:
  - the grounds on which the councillor is being permitted to attend meetings remotely by audio visual link, but not where those grounds relate to illness, disability or caring responsibilities, and
  - details of the meetings the resolution applies to.
- The council or committee of the council may permit more than one councillor to attend a meeting by audio-visual link but must not permit all councillors to attend a meeting by audio-visual link.
- A decision to permit a councillor to attend a meeting remotely by audio-visual link is at the council’s or the committee’s discretion. The council and its committees must act reasonably when considering requests by councillors to attend meetings remotely by audio-visual link.
- The council and its committees are under no obligation to permit a councillor to attend a meeting remotely by audio-visual link where the technical capacity does not exist to allow the councillor to attend a meeting by these means.
- The council and its committees may refuse a councillor’s request to attend a meeting remotely by audio-visual link where the councillor has failed to appropriately declare and manage conflicts of interest, observe confidentiality or comply with the council’s code of meeting practice on one or more previous occasions when they have attended a meeting of the council or its committees by audio-visual link.

## Attendance by councillors at meetings by audio visual link

- Where a councillor attends a meeting by audio-visual link with the approval of the council or a committee of the council they are to be taken as attending the meeting in person for the purposes of the council's code of meeting practice and will have the same voting rights as if they were attending the meeting in person.
- The council's code of meeting practice will apply to a councillor attending a meeting remotely by audio-visual link, in the same way it would if the councillor was attending the meeting in person.
- Councillors must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link.
- Councillors must be appropriately dressed when attending meetings by audio-visual link and must ensure that no items are within sight of the meeting that are inconsistent with the maintenance of order at the meeting or that are likely to bring the council or the committee into disrepute.
- Where a councillor attends a meeting of the council or a committee of the council by audio-visual link, the minutes of the meeting must record that they attended the meeting by audio-visual link.

## Conflicts of interest

- Councillors attending a meeting by audio-visual link must declare and manage any conflicts of interest they may have in matters being considered at the meeting in accordance with the council's code of conduct.
- Where a councillor has declared a pecuniary or significant non-pecuniary conflict of interest in a matter being discussed at the meeting, the councillor's audio-visual link to the meeting must be terminated and the councillor must not be in sight or hearing of the meeting at any time during which the matter is being considered or discussed by the council or committee, or at any time during which the council or committee is voting on the matter.

## Confidentiality

- Councillors attending a meeting by audio-visual link must ensure that no other person is within sight or hearing of the meeting at any time that the meeting has been closed to the public under section 10A of the *Local Government Act 1993*.

## Maintenance of order

- Where a councillor is attending a meeting by audio-visual link, the chairperson or a person authorised by the chairperson may mute the councillor's audio link to the meeting for the purposes of enforcing compliance with the council's code of meeting practice.
- If a councillor attending a meeting by audio-visual link is expelled from a meeting for an act of disorder, the chairperson of the meeting or a person authorised by the chairperson, may terminate the councillor's audio-visual link to the meeting.

## **Compliance with the Health Privacy Principles**

- The council must comply with the Health Privacy Principles prescribed under the *Health Records and Information Privacy Act 2002* when collecting, holding, using and disclosing health information in connection with a request by a councillor to attend a meeting remotely by audio-visual link.

## **Attachment B**

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



## **Temporary Procedures for Attendance by Councillors at Meetings by Audio-Visual Link – Covid-19 pandemic**

*These temporary procedures are supplementary to the City of Sydney Code of Meeting Practice and expire on 31 December 2021 unless revoked earlier.*

*For the purposes of these procedures, an audio-visual link is a facility that enables audio and visual communication between persons at different places.*

*The temporary procedures will apply only to councillors who are unable to physically attend committee and council meetings 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 the Sydney area such that increased health concerns give rise to a need for any or all councillors to attend the meeting remotely.*

### **Approval for councillors to attend meetings by audio visual link**

1. The Lord Mayor may, in response to a request made by a councillor, permit the councillor to attend one or more meetings of the council or committee remotely by audio visual link where they are satisfied that the councillor will be prevented from attending the meeting/s in person due to matters relating to Covid-19.
2. Requests by councillors to attend meetings remotely by audio-visual link must be made in writing to the Chief Executive Officer by 12 noon on the day of the relevant meeting/s wherever possible and must provide information about the meeting/s the councillor will be prevented from attending in person and the reason why the councillor will be prevented from attending the meeting/s in person. When circumstances arise after 12 noon that would prevent a councillor from attending in person all attempts will be made to facilitate remote attendance if possible, subject to technical capacity to do so.
3. The Chief Executive Officer will advise the Lord Mayor of any requests by councillors to attend meetings remotely by audio-visual link and request that a determination be made.
4. The determination permitting a councillor to attend one or more meetings by audio-visual link must provide the following information:
  - (a) the Chief Executive Officer's confirmation that she is satisfied that the request is made on valid grounds related to Covid-19, and
  - (b) details of the meetings the determination applies to.
5. The Lord Mayor may decide, where a request has been granted for remote attendance by one councillor, that it is appropriate for all councillors to attend remotely. This advice should be provided to all councillors as soon as possible on the day of the relevant meeting.
6. A determination in relation to an application to permit a councillor to attend a meeting remotely by audio-visual link is at the discretion of the Lord Mayor.
7. The Lord Mayor is under no obligation to permit a councillor to attend a meeting remotely by audio-visual link where the technical capacity does not exist to allow the councillor to attend a meeting by these means.

8. The Lord Mayor is to advise the council or committees of the council comprising wholly of councillors of all applications and determinations made in relation to those applications at the outset of the relevant meeting.

#### **Attendance by councillors at meetings by audio visual link**

9. Where a councillor attends a meeting by audio-visual link with the approval of the Lord Mayor they are to be taken as attending the meeting in person for the purposes of the City of Sydney code of meeting practice and will have the same voting rights as if they were attending the meeting in person.
10. The City of Sydney code of meeting practice will apply to a councillor attending a meeting remotely by audio-visual link, in the same way it would if the councillor was attending the meeting in person.
11. Councillors must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link.
12. Councillors must be appropriately dressed when attending meetings by audio-visual link and must ensure that no items are within sight of the meeting that are inconsistent with the maintenance of order at the meeting or that are likely to bring the council or the committee into disrepute.
13. Where a councillor attends a meeting of the council or a committee of the council by audio-visual link, the minutes of the meeting must record that they attended the meeting by audio-visual link.

#### **Requirement for all councillors to attend a meeting using audio visual links due to Covid-19**

14. The Lord Mayor may, in response to a heightened public health risk situation involving Covid-19 cases impacting the Sydney area, determine that increased health concerns give rise to a need for all councillors to attend the meeting remotely. In such situations the Lord Mayor will advise that the meeting will be held entirely remotely using audio visual links.
15. The Lord Mayor will advise councillors of the determination to hold a meeting entirely remotely using audio visual links as soon as practicable prior to the relevant meeting. It is noted that under section 10 of the Local Government Act 1993 members of the public are entitled to attend such a meeting in person and facilities to do so will be provided, subject to compliance with any applicable public health orders.
16. Should the Lord Mayor determine that all councillors are permitted to attend the meeting entirely remotely, relevant City staff will also be permitted by the Chief Executive Officer to attend the meeting remotely.
17. Should the Lord Mayor determine that all councillors are permitted to attend committee meetings entirely remotely, members of the public will be permitted to address the meeting remotely, including from the public meeting if they have attended in person.

#### **Conflicts of interest**

18. Councillors attending a meeting by audio-visual link must declare and manage any conflicts of interest they may have in matters being considered at the meeting in accordance with the City of Sydney code of conduct.

19. Where a councillor has declared a pecuniary or significant non-pecuniary conflict of interest in a matter being discussed at the meeting, the councillor's audio-visual link to the meeting must be terminated and the councillor must not be in sight or hearing of the meeting at any time during which the matter is being considered or discussed by the council or committee, or at any time during which the council or committee is voting on the matter.

### **Confidentiality**

20. Councillors attending a meeting by audio-visual link must ensure that no other person is within sight or hearing of the meeting at any time that the meeting has been closed to the public under section 10A of the Local Government Act 1993.

### **Maintenance of order**

21. Where a councillor is attending a meeting by audio-visual link, the chairperson or a person authorised by the chairperson may mute the councillor's audio link to the meeting for the purposes of enforcing compliance with the council's code of meeting practice.
22. If a councillor attending a meeting by audio-visual link is expelled from a meeting for an act of disorder, the chairperson of the meeting or a person authorised by the chairperson, may terminate the councillor's audio-visual link to the meeting.

**Item 4.2****Commencement of Federal Court Proceedings****File No: X079065****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

## Item 5

### Matters for Tabling

#### 5.1 Disclosures of Interest

Disclosure of Interest returns that have been lodged in accordance with the City of Sydney Code of Conduct will be tabled.

#### Recommendation

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

#### 5.2 Petitions

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

Councillor Scott gives notice that, at the meeting of Council on Monday, 17 May 2021, she will table and speak to a petition (containing 110 signatures) with the following terms:

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 Issue

Councillor Scott gives notice that, at the meeting of Council on Monday, 17 May 2021, she will table and speak to a petition (containing 664 signatures) with the following terms:

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 child care 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 hens 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!

### **Recommendation**

It is resolved that the Petitions be received and noted.

S044250

**Item 6****Report of the Corporate, Finance, Properties and Tenders Committee - 10 May 2021****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 recommends 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.

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

X025796



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

### Item 6.3

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

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.

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

X025796

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

**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.

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

X020701

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

**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.

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

X020701

**Item 6.6****Sydney New Year's Eve 2021 - 2026 Memorandum of Understanding and Agency Agreements**

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.

**Officer's Recommendation**

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

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.

**Officer's Report**

The officer's report on this matter can be found at Item 6 on the agenda of the meeting of the Corporate, Finance, Properties and Tenders Committee on 10 May 2021.

X080346.003

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

**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.

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

S117676

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

### **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.

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

X079195.010

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

### **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.

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

X017664

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

## **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.

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

X038592



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

### **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.

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

X007670.012

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

## 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.

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

S100640.027

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

**Item 6.13**

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

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.

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

X004092

**Item 7**

**Report of the Environment Committee - 10 May 2021**

**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 recommends 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.

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

X027797

The Environment Committee recommends the following:

### Item 7.3

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

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.

(Note – at the meeting of the Environment Committee, this recommendation was moved by Councillor Miller, seconded by the Chair (the Lord Mayor), and carried on the following show of hands:

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

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.

The Environment Committee recommends the following:

#### **Item 7.4**

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

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.

(Note – at the meeting of the Environment Committee, this recommendation was moved by Councillor Miller, seconded by Councillor Scully, and carried on the following show of hands:

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

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

Motion carried.)

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.

### **Extension of Time**

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

Moved by Councillor Miller, seconded by Councillor Scully –

That Mr Balkin be granted an extension of time to speak on this matter.

Carried unanimously.

The Environment Committee recommends the following:

## Item 7.5

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

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;
- (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.

(Note – at the meeting of the Environment Committee this recommendation was moved by Councillor Miller, seconded by the Chair (the Lord Mayor), and carried on the following show of hands:

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

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.

The Environment Committee recommends the following:

## **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.

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

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

**Officer's Recommendation**

The officer's recommendation to the Environment Committee was as follows -

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.

S111914

**Officer's Report**

The officer's report on this matter can be found at Item 7 on the agenda of the meeting of the Environment Committee of 10 May 2021.

**Speakers**

Ms Bastien Wallace (Bicycle NSW), Mr Graham McCabe and Mr Mark Museth addressed the meeting of the Environment Committee on Item 7.

The Environment Committee recommends the following:

### **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.

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

X020987.001

**Item 8**

**Report of the Cultural and Community Committee - 10 May 2021**

**Item 8.1**

**Disclosures of Interest**

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

The Healthy Communities Sub-Committee recommends the following:

## **Item 8.2**

### **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.

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

### **Speaker**

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

X030535.004



The Healthy Communities Sub-Committee recommends the following:

### **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;
- (B) 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;
- (C) 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
- (D) 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.

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

S116523

**Item 9****Report of the Transport, Heritage and Planning Committee - 10 May 2021****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 recommends 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**

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; and
- (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.

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

X026153

### **Speakers**

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

The Transport, Heritage and Planning Committee recommends the following:

### **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.

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

X012106.011

The Transport, Heritage and Planning Committee recommends the following:

#### **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.

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

X037821

#### **Speakers**

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.

The Transport, Heritage and Planning Committee recommends the following:

## **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.

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

S105001.002

**Item 10****Extension of all Advisory Panel Member Terms due to the Postponement of the Local Government Election because of Covid-19****File No: X079065****Summary**

Council has a number of Advisory Panels that provide advice on the policies and operations of the City of Sydney across various subject areas.

Advisory Panel member terms vary in length. Member appointments are reliant on the availability of required skills and expertise. Generally terms are between two to four years. These terms are generally set to coincide with Local Government Elections (i.e. member terms usually expire in the year after a Local Government Election). Due to the postponement of the 2020 Local Government Elections, a number of Advisory Panel member terms expire in 2021, prior to, or shortly following the 2021 Local Government Elections.

The following Panels have member terms due to expire in 2021:

- Aboriginal and Torres Strait Islander Advisory Panel - expiring 31 July 2021.
- Design Advisory Panel - expiring 24 June 2021.
- Design Advisory Panel Residential Sub-Committee - expiring 12 September 2021.
- Inclusion (Disability) Advisory Panel - expiring 31 December 2021.
- Nightlife and Creative Sector Advisory Panel - expiring 14 May 2021.
- Public Art Advisory Panel - expiring 21 October 2021.

Extending current Panel member terms to 31 March 2022 will enable consideration of the reappointment of current Panel members, the recruitment of new Panel members and appropriate Expression of Interest processes to take place following the 2021 Local Government Elections.

This report recommends that Council endorse the extension of Advisory Panel member terms to 31 March 2022.

A number of housekeeping updates to the terms of reference for some panels are also recommended including the rescission of the Terms of Reference for the Curatorial Advisory Panel and approval of amendments to the Terms of Reference for the Inclusion (Disability) Advisory Panel.

## Recommendation

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.

## Attachments

**Attachment A.** Terms of Reference – Curatorial Advisory Panel 2016

**Attachment B.** Amended Terms of Reference – Inclusion (Disability) Advisory Panel



## Background

1. Council has a number of Advisory Panels that provide advice on the policies and operations of the City of Sydney across various subject areas.
2. Advisory Panel member terms vary in length. Member appointments are reliant on the availability of required skills and expertise. Generally, terms are two to four years. These terms are set to coincide with Local Government Elections (i.e. member terms usually expire in the year after a Local Government Election).
3. Due to the postponement of the 2020 Local Government Election, a number of Advisory Panel member terms expire in 2021, prior to, or just following the 2021 Local Government Elections.
4. Extending current Panel member terms to 31 March 2022 will enable consideration of the reappointment of current Panel members, the recruitment of new Panel members and appropriate Expression of Interest processes to take place following the 2021 Local Government Elections.
5. Advisory Panel Terms of Reference will also be reviewed in consultation with Panel members with any recommended updates and amendments to Terms of Reference to be presented to Council for review and endorsement.
6. This report recommends that, given the circumstances arising from the postponement of the 2020 Local Government Election, Council endorse the extension of Advisory Panel member terms to 31 March 2022.
7. It is considered appropriate that the Council to be elected in September 2021 appoint Advisory Panel members, which will also bring Advisory Panel member terms back into alignment with the Local Government Election cycle following appropriate consultation and Expression of Interest processes.

## Aboriginal and Torres Strait Islander Advisory Panel

8. In June 2008, Council resolved to establish an Aboriginal and Torres Strait Islander Advisory Panel. The panel's purpose is to provide advice on the policies and operations of the City of Sydney in relation to matters of importance to Aboriginal and Torres Strait Islander communities.
9. The Panel operates under Terms of Reference which provide for appointments for three years, with up to two consecutive appointments allowed. The term of the current Panel expires on 31 July 2021.
10. It is recommended that the term of the current Panel members be extended to 31 March 2022.

## Curatorial Advisory Panel Terms of Reference

11. On 18 November 2019, Council rescinded the Civic Collection Curatorial Policy and noted the internal administrative processes, the Civic Collection Policy and Management Guidelines.

12. The Civic Collection Curatorial Policy sets out the City's commitment to managing and developing its collection of movable cultural heritage, official gifts and contemporary artworks. These items provide the tangible evidence which document the civic traditions and creative processes that define the City of Sydney. A framework for collection management guides decisions and actions relating to the care of the Collection and procedures for acquisition, deaccession, disposal, use, display, storage, documentation, conservation and interpretation of items.
13. Due to an administrative oversight, the Council-endorsed Terms of Reference for the Curatorial Advisory Panel were not rescinded at the 18 November 2019 Council Meeting as part of the rescission of the Civic Collection Curatorial Policy.
14. The internal administrative processes, the Civic Collection Policy and Management Guidelines provide for a Civic Collection Curatorial Advisory Panel, therefore the Council endorsed Terms of Reference for the Curatorial Advisory Panel are no longer required and it is recommended that Council rescind the Terms of Reference. Terms of Reference for the Civic Collection Curatorial Advisory Panel will be reviewed and endorsed by the Chief Executive Officer.

### **Design Advisory Panel**

15. The Design Advisory Panel has been established to provide the officers of the City of Sydney Council with high level independent expert advice and expertise on urban design, architecture, landscape architecture, art and sustainability. The advice is to inform the assessment by Council officers of development applications with a view to promoting the delivery of world class urban design, architecture and sustainable and inclusive design in Sydney's buildings and public spaces. The advice is to inform the assessment process. It is not the purpose of the Panel to have any role in the process of determination of development applications.
16. The Panel operates under Terms of Reference which provide that the Advisory Panel consists of at least three and not more than 10 permanent members. Permanent members are engaged for an initial term of two years and reviewed subsequently every two years. Member terms expire on 24 June 2021.
17. It is recommended that the term of current Panel members be extended to 31 March 2022.

### **Design Advisory Panel Residential Sub-Committee**

18. The City has established a Residential Sub-Committee to the existing Design Advisory Panel, to provide high level independent expert advice and expertise on urban design, architecture, landscape architecture and sustainability for SEPP 65 and similar residential applications. This advice assists the City in its promotion and delivery of high quality built environments and design excellence. The Sub-Committee supports and supplements the Design Advisory Panel.
19. Design Advisory Panel Residential Sub-Committee member terms expire on 12 September 2021.
20. To align with Design Advisory Panel members, it is recommended that the term of Residential Sub-Committee members also be extended to 31 March 2022.

**Inclusion (Disability) Advisory Panel**

21. The Inclusion (Disability) Advisory Panel was established by Council in November 2012 to provide expert advice to the City on inclusion and access for people with disability.
22. The objective of the Inclusion (Disability) Advisory Panel, is to provide strategic, expert and impartial advice to the City on the development, implementation, monitoring and review of the City's policies, strategies and plans to advance the inclusion of people with a disability.
23. The Panel operates under Terms of Reference which provide for member appointments for three years, with up to two consecutive appointments allowed. Member terms expire on 31 December 2021.
24. It is recommended that the term of current Panel members be extended to 31 March 2022.

**Amendment to Inclusion (Disability) Advisory Panel Terms of Reference**

25. Following discussion amongst the Panel, they have recommended a series of amendments in Part (A) Preamble; Part (G) Recruitment; and Part (I) Chair of the current Terms of Reference. Proposed amendments to the Terms of Reference are detailed in Attachment B, with additions shown in **bold** and deletions in ~~strikethrough~~.

**Nightlife and Creative Sector Advisory Panel**

26. On 23 October 2017, Council resolved to establish a Nightlife and Creative Sector Advisory Panel to provide expert advice to the City on how it can best work with industry, business and other government agencies to support a thriving, diverse and safe nightlife.
27. The Panel is composed of up to 16 members, and representatives are experts across a range of categories with extensive experience in the nightlife sector and related fields.
28. The Panel operates under Terms of Reference which provide for member appointments for three years. Member terms expire on 14 May 2021.
29. It is recommended that the term of current Panel members be extended to 31 March 2022.

**Public Art Advisory Panel**

30. The Public Art Advisory Panel has been established to provide the City of Sydney with independent expert advice on public art.
31. The Panel operates under Terms of Reference which provide that the Advisory Panel consists of at least five and not more than nine permanent members. Permanent members are engaged for an initial term of two years and reviewed subsequently every two years. Member terms expire on 21 October 2021.
32. It is recommended that the term of current Panel members be extended to 31 March 2022.

## Key Implications

### Strategic Alignment - Sustainable Sydney 2030

33. Sustainable Sydney 2030 is a vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. This report is aligned with the following strategic directions and objectives:
- (a) Direction 10 - Implementation through Effective Governance and Partnerships – the City's Advisory Panels provide an effective source of advice on various subject matters. The Advisory Panel framework provides this advice to City staff and Council in an appropriate format.

### Organisational Impact

34. Various City staff provide secretariat and operational support to the City's Advisory Panels.

### Risks

35. If Advisory Panel member terms are not extended, the City risks not having an appropriate source of advice on the policies and operations of the City of Sydney across various subject areas.

### Financial Implications

36. There are sufficient funds available in the 2020/21 operating budget and provisions have been made in the draft 2021/22 operating budget and future year forward estimates for the operation of the City's Advisory Panels.

### Relevant Legislation

37. Advisory Panels provide advice only - no delegation of power or functions. They are not Council Committees established under the Local Government Act 1993.
38. Panels have no power or authority, whether by delegation, agency or otherwise to exercise any function, right, duty or power of the City, whether under statute or other law, as a landowner or in any other capacity.
39. Terms of Reference can be varied by resolution of Council, and extensions of Panel member terms are recommended due to the postponement of the 2020 Local Government Elections to 4 September 2021.

### Critical Dates / Time Frames

40. Aboriginal and Torres Strait Islander Advisory Panel member terms expire on 31 July 2021.
41. Design Advisory Panel member terms expire on 24 June 2021.

42. Design Advisory Panel Residential Sub-Committee member terms expire on 12 September 2021.
43. Inclusion (Disability) Advisory Panel member terms expire on 31 December 2021.
44. Nightlife and Creative Sector Advisory Panel member terms expire on 14 May 2021.
45. Public Art Advisory Panel member terms expire on 21 October 2021.

### **Options**

46. Council has the option to undertake Expression of Interest processes and recruit new Advisory Panel members in 2021. This option is not recommended due to time constraints given the imminent expiry of a number of panels.
47. Council may also choose to reappoint current members for full terms. This option is not recommended as there will have been no opportunity to advertise for new members and it is recommended that the Council elected in September 2021 appoint Advisory Panel members.

### **Public Consultation**

48. Advisory Panel members have been consulted and have agreed to the term extension, subject to Council endorsement.
49. Public consultation and wider Expression of Interest processes for Advisory Panel members will be conducted in the final quarter of 2021.

### **EMMA RIGNEY**

Director City Life

Erin Cashman, Council Business Coordinator

# **Attachment A**

**Curatorial Advisory Panel  
Terms of Reference**

# **CITY OF SYDNEY**

## **CURATORIAL ADVISORY PANEL**

### **TERMS OF REFERENCE**

#### **APPROVAL AND REVIEW**

##### **Review Period**

Director City Life will review these terms of reference every four years or as required

##### **Review Date**

September 2019

##### **TRIM Reference Number**

Document Number (TRIM)

#### **AUTHORISATION**

Approved by Council on 16 May 2016

**CITY OF SYDNEY**  
**CURATORIAL ADVISORY PANEL**  
**TERMS OF REFERENCE**

The City of Sydney maintains a significant collection to preserve the tangible evidence of the civic history and everyday traditions significant to the City of Sydney and its civic properties, including Town Hall.

The Curatorial Advisory Panel and the Curatorial Policy of the Civic Collection govern the management of this important collection.

**1. Purpose**

1.1 The primary role of the City of Sydney Curatorial Advisory Panel ('the Panel') is to provide professional advice and expertise to inform the procedures and management of the collections of artworks, furnishings, historical items and official gifts (the 'Civic Collection') acquired by the City of Sydney.

1.2 These terms of reference set out the expectations and responsibilities of members of the Panel.

**2. Role**

2.1 The Panel will provide advice to the City in relation to:

- a) management and development of the Civic Collection through acquisition, commission, donation and curatorial management in accord with standard procedures and requirements;
- b) display and interpretation of the Civic Collection for the benefit of the people of Sydney, its workers and visitors, including long term loans;
- c) acquisition and disposal strategies for the collection as a whole, and for each of the categories:
  - furniture, fixtures and fittings
  - artworks, decorative arts and historical items
  - civic memorials
  - architectural features, fabric and fittings
- d) promoting an increased knowledge and understanding of the Civic Collection;
- e) input into policy development, planning and advice to Council in regard to the Civic Collection.



2.2 The Panel is bound by the Curatorial Policy of the Civic Collection.

2.3 The Panel is not an executive panel or committee, and is not authorised to undertake work or to engage artists, designers or craftspeople on behalf of the City of Sydney.

2.4 External Panel members are not authorised to represent the City in any communication with the public.

2.5 Panel members and their families are prohibited from acquiring de-accessioned items from the Collection by any means.

### **3. Panel Composition and Coordination**

#### **(a) Membership**

3.1 The Panel was established by a resolution of Council on 11 December 2006.

3.2 The Panel consists of up to six members, including:

- a) The Lord Mayor (or nominee)
- b) Chief Executive Officer (or nominee)
- c) Director City Life (or nominee)
- d) Curator, City of Sydney Civic Collection
- e) Two experts in the fields of art and public historical display external to the organisation, appointed on the recommendation of the Chief Executive Officer and ratified by Council.

3.3 Other relevant City staff may be invited to assist the Panel as required.

3.4 Experts may be engaged by the Chief Executive Officer as required to provide advice to the Panel on particular matters or projects and will be remunerated at the same rate as the Panel.

#### **(b) City of Sydney Curator's Role**

3.5 The Panel will be coordinated by the City's Curator, Civic Collection including meetings, agendas, minutes, and other logistics.

#### **(c) Panel Selection Process**

3.6 Two external Panel members will be appointed on the recommendation of the Chief Executive Officer and ratified by Council.

3.7 External Panel members are appointed as individuals to the Panel, based on their expertise and skills, not as representatives of the organisation in which they may be employed.

3.8 If an external member resigns from the Panel during their term, the Chief Executive Officer may appoint a replacement member who has similar expertise and skills for the duration of the term.

#### **(d) Term of Appointment**

3.10 External Panel members will be appointed for a minimum period of two years. Each appointment will be reviewed every two years after consideration of Council priorities in respect of the Collection.

3.10 External Panel members who have served for two years on the Panel may be invited by the City to extend for a further term of two years, serving a maximum of two terms consecutively.

3.11 The appointment of Panel members will be staggered to ensure smooth transition. When Panel membership is reviewed at the end of a two year term, one Panel member may be recommended for retention for a further two years to facilitate the handover to a new Panel member.

#### **(e) Payment**

3.12 Independent members of the Panel will be paid a fee of \$300 for each meeting that they attend.

### **4. Meetings**

4.1 Meetings will be held four times per year. The Chair (or nominee) reserves the right to:

- a) Determine the meeting times and venues; and
- b) hold additional meetings as required for specific projects.

4.2 Matters which arise outside the quarterly meeting schedule and which require Panel advice may require the timely input of Panel members by email or telephone contact.

4.3 Meeting dates, venue and time are to be provided to the Panel with an agenda three weeks before each meeting.

4.4 A meeting quorum requires a minimum of three members, including the Chairperson, the Curator and one external Panel member. The Chairperson will determine at commencement of the meeting if adequate numbers are present to conduct a meeting.

4.5 The Chairperson (or nominee) will chair the meeting of the Panel, unless due to unavailability, they delegate their role in advance to another panel member.

4.6 An up to date mailing list will be kept of all members' details.

4.7 The City will take minutes of Panel meetings. The minutes will include:

- a) attendance
- b) apologies
- c) declarations of conflicts of interest,
- (d) standing agenda items and
- (e) a record of recommendations made by the Panel.

4.8 The City may call an extraordinary meeting of the Panel with at least fourteen days' written notice in advance.

4.9 The City may contact members of the Panel outside meeting times when matters arise which require urgent attention regarding acquisitions.

## **5. Conduct and Disclosures**

5.1 Members must act lawfully with integrity and professionalism.

5.2 Members must comply with pecuniary interest requirements and other requirements of the Local Government Act 1993 for persons providing advice to a council.

5.3 Panel members must maintain confidentiality of Panel matters at all times.

## **6. Working Parties**

6.1 The Panel may establish time-limited working parties to address specific issues and projects and the Panel may co-opt relevant Council and community members to these working parties.

## **7. Review**

7.1 The terms of reference and operation of the Panel may be reviewed by the City from time to time or will be reviewed every 4 years.

7.2 Recommendations for amendments to the Terms of Reference can be made at any time. Amendments to the Terms of Reference are to be approved by Council.

# **Attachment B**

**Amended Terms of Reference –  
Inclusion (Disability) Advisory Panel**

# City of Sydney Inclusion (Disability) Advisory Panel Terms of Reference 2021

## (A) Preamble

The City of Sydney is committed to ensuring that Sydney is truly inclusive and welcoming for everyone.

We value the contributions made by all people and believe that this diversity strengthens our city. The City respects human rights. We respect people's right to self-determination and we strive for inclusion.

The City of Sydney values and respects our diverse communities who live, work in and visit Sydney. We value the city's First Nations people, and the Gadigal of the Eora Nation as the traditional custodians of this place we now call Sydney.

**We acknowledge and recognise that the voice and contribution of people and communities with diverse lived experience of disability, both past and present, are essential in realising an inclusive society.**

We value Sydney's multicultural society and the varied languages, traditions, religious and spiritual practices of the people that call our city home. We value the range of identities, perspectives, experiences and lifestyles of our community, including people young and old, people with disability, people with diverse gender identities, LGBTIQ communities, people with diverse political perspectives and those who have experienced advantage or disadvantage.

~~We demonstrate our commitment to diversity and inclusion by respecting the dignity and worth of all people; equitably treating communities and employees; and fairly providing services, facilities and public spaces.~~

~~We want to promote a society where self-determination and inclusive participation is valued and to demonstrate these principles in all that we do.~~

~~Our work with communities strives to eliminate discrimination and mitigate disadvantage; to actively remove barriers to inclusive participation faced by different people; and to promote relationships that are based on understanding and respect.~~

~~We want our city to be one where everyone has an equal chance in life and the opportunity to realise their potential. Cities that are more equal are cities that thrive.~~

## (B) Objective

The objective of the Inclusion (Disability) Advisory Panel, is to provide strategic, expert and impartial advice to the City on the development, implementation, monitoring and review of the City's policies, strategies and plans to advance the inclusion of people with a disability.

## **(C) Strategy**

The Inclusion (Disability) Advisory Panel uses the following strategies to achieve its objective:

- Provide input to policy development and review, planning and advice to Council across all areas relevant to people with disability;
- Provide input to enhance inclusion and accessibility of City's infrastructure, facilities, events, services, programs, systems and information for people with disability;
- Advise the City on submissions the City may make relating to State and Federal Government policy and legislation; and
- Provide advice to Council on how to identify issues that are relevant to people with disability.

## **(D) Limitation of authority**

The Inclusion (Disability) Advisory Panel is an advisory body to the City of Sydney Local Government Authority. The Local Government Act 1989 stipulates that the role of a Council is to represent the diverse needs of the local community, address the health and wellbeing needs of community members and foster community cohesion by encouraging active participation of civic life.

However, the Inclusion (Disability) Advisory Panel is not an executive body. It does not have the authority to:

- Expend money on behalf of Council;
- Commit the Council to any arrangement;
- Consider any matter outside its specific reference;
- Direct Council officers in the performance of their duties; or
- Represent the Council in any communication with the public or media.

## **(E) Principles**

The following principles of good governance<sup>1</sup> will guide the functions of the Inclusion (Disability) Advisory Panel:

- Participatory;
- Consensus oriented;
- Respect;

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<sup>1</sup> Good Governance Advisory Board (2004) *Good Governance Guide*

- Accountable;
- Transparent;
- Responsive;
- Effective and efficient;
- Equitable and inclusive; and
- Law abiding.

## **(F) Membership**

- The Inclusion (Disability) Advisory Panel consists of a maximum of 12 members appointed by the Chief Executive Officer of the City of Sydney and ratified by Council.
- Members are appointed in an individual capacity and not as a representative or an organisation, advocacy body or stakeholder group. At least 50% of the Inclusion (Disability) Advisory Panel membership will be constituted by members who have a direct experience of disability whether personally or through a caring and support role.
- The City will endeavour to achieve as broad a representation as possible amongst panel members, with the aim of ensuring, as far as is possible, that a diverse range of disability issues is represented.
- Lord Mayor or his/her nominee will attend the meeting as a representative of Council and a senior member of staff will attend as a representative of the City.

## **(G) Recruitment**

- **The City will use a diverse range of inclusive and accessible communications materials and channels, including social media and the City's corporate website, when recruiting** ~~The new~~ members to establishment of the Inclusion (Disability) Advisory Panel. ~~will be promoted to the City of Sydney disability community, stakeholders, advocates and community organisations with a call for nominations advertised via:~~
  - ~~One mainstream newspaper such as Sydney Morning Herald and Daily Telegraph;~~
  - ~~The City of Sydney website;~~
  - ~~Local, disability specific media such as Radio for the Print Handicapped (2RPH); and~~
  - ~~Disability networks such as Deaf Society NSW, Mental Health Carers NSW, Guide Dogs, People with Disability Australia, Carers NSW, Vision Australia, BEING (Mental Health & Wellbeing Consumer Advisory Group), Australian Federation of Disability Organisations (AFDO), NSW Disability Network Forum, Disability~~

~~Advocacy Network Australia (DANA), and Information on Disability & Education Awareness Services (IDEAS) etc.~~

- People with disability from diverse backgrounds are encouraged to apply. This includes; young people, older people, people from socio-economically disadvantaged backgrounds, people from culturally and linguistically diverse backgrounds, Aboriginal and Torres Strait Islander people and gay, lesbian, transgender and bi-sexual people.
- The applicants are requested to express their interest in being on the Panel by addressing the Inclusion (Disability) Advisory Panel selection criteria.

### **(H) Selection criteria**

An internal assessment of applicants will be undertaken by a panel of City staff against the following selection criteria. The City of Sydney's Chief Executive Officer will make a decision based on this assessment and recommend the nomination for Council to ratify. The applicant must have skills or experience in strategic planning and/or disability policy development and implementation and:

- Live, work or study in the City of Sydney local government area and having experience of living with or caring for a person with disability and/or
- Demonstrate knowledge or experience in providing independent and strategic advice on disability access and inclusion issues covering one or more of the following areas:
  - The built environment and urban planning including public domain, public amenities and services
  - Economic participation
  - Housing and transport
  - Arts, culture, sport and recreation
  - Civic participation in employment, service delivery and decision making
  - Media and communications including, social media
  - Legislation underpinning access and inclusion
- Demonstrate skills and experience in one or more of the following areas:
  - Strategic Planning
  - Policy development
  - Submissions writing
  - Community consultation and information provision
  - Sustainability



- Networking
  - Research
- Be prepared to attend an interview for the selection process and, if successful, an induction session before the inaugural meeting.

#### **(I) Chair and Co-Chair**

- The Inclusion (Disability) Advisory Panel will be chaired by a member **with lived experience of disability or mental health condition, elected for a one-year term** annually by Inclusion (Disability) Advisory Panel members at the first meeting of **each calendar year**.
- **After the initial one-year term as Chairperson, the Chairperson will act as Co-Chairperson for a further one year. The Co-Chairperson will provide mentoring and /or support to the new Chair where needed.**
- If the position of the Chairperson becomes vacant for any reason, the Inclusion (Disability) Advisory Panel members will elect another existing member to be the Chairperson.

#### **(J) Term**

- Members may be appointed for a term up to three years and be eligible for re-appointment for a further three years, provided that the combined terms served does not exceed a maximum of six years.
- A person ceases to be a Panel member if they:
  - resign;
  - are absent from two consecutive meetings without notification;
  - or
  - fail to follow these Terms of Reference
- Any member may resign by giving written notification to the City. The Chief Executive Officer may appoint a new member in consultation with the Panel.
- Members are able to renominate after a two-year absence from the Panel.

#### **(K) Meeting administration and protocol**

- The City will provide administrative support including:
  - Scheduling meetings of the Inclusion (Disability) Advisory Panel with at least two weeks' written notice to all members;
  - Compiling and circulating agenda and relevant documents to all members;

- Taking and distributing minutes which include attendance, declaration of interest and meeting resolutions; and
  - Coordinating other meeting arrangements including accessibility of meeting procedure and materials.
- The Inclusion (Disability) Advisory Panel will meet approximately five times a year on dates and at places to be set out in advance for each year.
- The quorum of a meeting of the Inclusion (Disability) Advisory Panel will be a simple majority. No business of the Inclusion (Disability) Advisory Panel will be considered unless a quorum is present. If within half an hour from the time appointed for the meeting a quorum is not present, the meeting will be dissolved.
- If the chairperson is not present within ten minutes after the time appointed for the meeting, the **co-chairperson will chair the meetings.** ~~members may choose one of their numbers to be the chairperson for the purpose of the meeting.~~
- Questions arising at any meeting of the Inclusion (Disability) Advisory Panel will be decided by a simple majority of the votes of the members. City staff have no voting right.
- Members and Chairperson can suggest additional agenda items provided that those items do not contravene with the objectives stated in these Terms of Reference and if time allows.
- Members must act lawfully, professionally, with honour and integrity. Information accessed, discussed, received, used in the Inclusion (Disability) Advisory Panel meetings is confidential unless the Inclusion (Disability) Advisory Panel resolves otherwise. The City of Sydney, by resolution of Council, may terminate an Inclusion (Disability) Advisory Panel member's term for breaching the confidentiality rules.
- A member who has a pecuniary interest in matter being considered at a meeting must disclose the existence and nature of the interest. A member having disclosed a pecuniary interest must not be present at the meeting when the matter is being considered, discussed or voted on.
- A member who has a non-pecuniary interest in a matter being considered at a meeting of the Inclusion (Disability) Advisory Panel must disclose the existence and nature of the interest if the member could be influenced, or perceived to be influenced by the non-pecuniary interest. A member having disclosed a non-pecuniary interest must not be present at the meeting when the matter is being considered, discussed or voted on.
- Key City staff will attend meetings as observers or specialist advisors.
- The Inclusion (Disability) Advisory Panel has the capacity to establish time-limited working parties to address specific issues and projects. The Panel may co-opt relevant Council and community members to these working groups to provide additional expertise where required.

- Panel members will be paid a fee of \$300 for each meeting they attend. An attendance register will be kept for all meetings for reimbursement purposes.
- Panel members will be reimbursed out-of-pocket expenses incurred by attending the Inclusion (Disability) Advisory Panel meetings such as payment for a carer and transport expenses.
- Where applicable, panel meetings will be provided with Auslan (sign language) interpreter/s, printed material in alternative formats or audio captioning services.

#### **(L) Reporting, monitoring and evaluation**

- The City will report to Council on each Inclusion (Disability) Advisory Panel meeting via CEO Update.
- The Inclusion (Disability) Advisory Panel's key activities will be reported in the City's annual report.

#### **(M) Review**

Recommendations for amendments to the Terms of Reference can be made at any time. However, amendments to the Terms of Reference must be endorsed by the Inclusion (Disability) Advisory Panel and then approved by Council.

## 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

#### 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

### **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

### **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

## 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

## 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

## 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

## 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 Street, 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 Street 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

## **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



## **Item 12**

### **Supplementary Answers to Previous Questions**

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

**Item 13.1****Notices of Motion****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.

S129259

## Item 13.2

### Notices of Motion

#### More Cricket Nets in Sydney

By Councillor Thalís

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:
    - (a) cricket is a rapidly growing sport in the Southern Sydney region;
    - (b) 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;
    - (c) 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
    - (d) providing ancillary support facilities at grounds such as cricket nets was a priority;
  - (iii) 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;
  - (iv) community facilities are recognised as one of the key pillars in supporting the growth of cricket participation and improving participant and fan experiences; and
  - (v) 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.

S129265

## Item 13.3

### Notices of Motion

#### Residential Enrol to Vote Campaign

By Councillor Scott

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.

S129275

**Item 13.4****Notices of Motion****Australian Local Government Association on the National Cabinet**

By Councillor Scott

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.

S129275

## Item 13.5

### Notices of Motion

#### Light Joynton Park and Waterloo Park

By Councillor Scott

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.

S129266



## Item 13.6

### Notices of Motion

#### 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.

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## Item 13.7

### Notices of Motion

#### Cities for Play

By Councillor Scully

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;
  - (a) an extensive playground renewal program, and investment in libraries, aquatic centres, skate parks and leisure facilities; and
  - (b) 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.

S129264

## Item 13.8

### Notices of Motion

#### Upgrading Chisholm Street Reserve, Darlinghurst

By Councillor Scott

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.

S129266

**Item 13.9****Notices of Motion****Lighting Assessment for Pirrama Park, Pyrmont**

By Councillor Phelps

It is resolved that:

- (A) Council note:
- (i) in March and April 2021, two violent incidents occurred in Pirrama Park, Pyrmont, relating to the disembarkation of party boat revellers and minimal lighting infrastructure in the area;
  - (ii) community members have also contacted Councillors regarding a concerning lack of lighting infrastructure along Mount Street from John Street to Miller Street; and
  - (iii) lighting can make public spaces more inviting, as well as helping to reduce crime and the fear of crime, improving the safety and amenity of these spaces; and
- (B) the Chief Executive Officer be requested to:
- (i) initiate a streetlight assessment along Mount Street, Pyrmont;
  - (ii) initiate a light assessment in Pirrama Park, Pyrmont; and
  - (iii) report findings back to Councillors via the CEO update.

S129263

**Item 13.10****Notices of Motion****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.

S129260

## Item 13.11

### Notices of Motion

#### Traffic Calming in Millers Point Precinct

By Councillor Scott

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.

S129266

**Item 13.12****Notices of Motion****Save Sydney's Iconic Manly Freshwater Ferry**

By Councillor Scott

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.

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## **Item 13.13**

### **Notices of Motion**

#### **Federal Assistance Grants**

By Councillor Scott

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

S129266