

# Council

Meeting No 4

Monday 28 June 2021

Notice No 4/1628

Notice Date 24 June 2021

*minutes*

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## **Present**

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

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

At the commencement of business at 5.17pm, those present were:-

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

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

Councillor Phelps left the meeting of Council at 8.56pm prior to discussion on Item 8.3, and returned at 8.57pm, after the vote on Item 8.3. Councillor Phelps was not present at, or in sight of, the meeting of Council during discussion or voting on Item 8.3.

## **Remote Meeting**

The Chair (the Lord Mayor) advised that the meeting of Council was being held via audio visual links, with Councillors (and relevant staff) attending the meeting remotely.

## **Opening Prayer and Acknowledgement of Country**

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

## **Webcasting Statement**

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

**Item 1      Confirmation of Minutes**

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

That the Minutes of the meeting of Council of Monday, 17 May 2021, as circulated to Councillors, be confirmed.

Carried unanimously.

## Item 2 Disclosures of Interest

The Chair (the Lord Mayor) made the following disclosures:

- a less than significant non-pecuniary interest in Item 8.2 on the agenda, in that Jess Cook of 107 Projects made a less than reportable donation of approximately \$30 to the Clover Moore Independent Team prior to the 2016 election.
- a less than significant non-pecuniary interest in Item 8.8 on the agenda, in that 107 Projects made a less than reportable donation of approximately \$30 to the Clover Moore Independent Team prior to the 2016 election.
- a significant non-pecuniary interest in Item 10 on the agenda, in that John McInerney, who is recommended for appointment to the Panel as an alternate community representative, made a reportable donation to the Clover Moore Independent Team prior to the 2016 election.

Councillor Linda Scott made the following disclosures:

- a less than significant non-pecuniary interest in Item 6.5 on the agenda, in that Councillor Scott is the President of LGNSW and there are a range of councils who are members of LGNSW who are mentioned in the tender.
- a less than significant non-pecuniary interest in Item 9.3 on the agenda. In the past, Councillor Scott received two donations to a total value of \$95 from two individuals, Mel Gatfield and Anthony Byrne, both of whom were employees or office holders of United Voice, a union that has previously owned 187 Thomas Street, Haymarket. United Voice is now United Workers Union. She understands from them that the building was sold many years ago. Councillor Scott stated that she was making this disclosure out of an abundance of caution.
- a less than significant non-pecuniary interest in Item 14.13 on the agenda, in that Councillor Scott is the president of LGNSW and ALGA. A range of other local governments are mentioned in this item. They are mentioned because they are previous signatories of Better Futures Australia organisation. As President of LGNSW, if these councils are in NSW, they are members of LGNSW, and if not, they are likely to be members of their state association which is a member of ALGA.

Councillor Robert Kok made the following disclosures:

- a less than significant non-pecuniary interest in Item 8.2 on the agenda, in that a person associated with the Museum of Chinese in Australia (MOCA), Daphne Lowe, is known to Councillor Kok and has served in the Chinese New Year Festival Advisory Group from 2009-2015, of which Councillor Kok was the Chair. MOCA is the recommended recipient of a grant.
- a less than significant non-pecuniary interest in Item 8.2 on the agenda, in that Jess Cook of 107 Projects made a less than reportable donation of approximately \$30 to the Clover Moore Independent Team prior to the 2016 election, of which I am a member.
- a less than significant non-pecuniary interest in Item 8.8 on the agenda, in that Jess Cook of 107 Projects made a less than reportable donation of approximately \$30 to the Clover Moore Independent Team prior to the 2016 election, of which I am a member.
- a significant non-pecuniary interest in Item 10 on the agenda, in that John McInerney, who is recommended for appointment to the Panel as an alternate community representative, made a reportable donation to the Clover Moore Independent Team prior to the 2016 election, of which I am a member.

Councillor Philip Thalís made the following disclosures:

- a less than significant non-pecuniary interest in Item 8.2 on the agenda, in that Jess Cook of 107 Projects made a less than reportable donation of approximately \$30 to the Clover Moore Independent Team prior to the 2016 election. 107 projects is a recommended recipient for two grants.
- a less than significant non-pecuniary interest in Item 8.2 on the agenda, in that the University of New South Wales (UNSW) is a recommended receipt of a grant, at which Councillor Thalís is a Fractional Professor.
- a less than significant non-pecuniary interest in Item 8.8 on the agenda, in that Jess Cook, associated with 107 Projects made a less than reportable donation of approximately \$30 to the Clover Moore Independent Team prior to the 2016 election. 107 Projects is the recommended recipient of an accommodation grant.
- a less than significant non-pecuniary interest in Item 10 on the agenda, in that one of the recommended expert panel members, Helen Lochhead, is a professor at the University of New South Wales, at which Councillor Thalís is a Fractional Professor.
- a significant non-pecuniary interest in Item 10 on the agenda, in that John McNerney, who is recommended for appointment to the Panel as an alternate community representative, made a reportable donation to the Clover Moore Independent Team for the 2016 election by purchasing a table at the fundraising dinner.
- a pecuniary interest in Item 10 on the agenda, in that one of the recommended expert members, Marcus Trimble, is a partner at a practice which has recently collaborated on several projects with the practice where Councillor Thalís is a principal.

Councillor Thalís stated that he was not aware of any of these recommendations prior to the papers being published and have not discussed these items with any of these individuals. However, he stated that he would not be voting on Item 10.

Councillor Kerryn Phelps made the following disclosures:

- a less than significant non-pecuniary interest in Item 8.2 on the agenda, in that a person associated with 107 Projects made a less than reportable donation to the Clover Moore Independent Team prior to the 2016 election. Councillor Phelps advised that she is no longer a member of the team, she was not aware of the grant, nor was she contacted by the organisation or that individual in relation to this grant prior to the meeting.
- a significant non-pecuniary interest in Item 8.3 on the agenda, in that a member of the Executive of Sydney WorldPride is a close personal friend of Councillor Phelps. Councillor Phelps advised that she was not aware of the grant, nor was she contacted by the organisation in relation to this grant prior to the meeting. She stated that, for an abundance of caution, she would not be voting on this item.
- a less than significant non-pecuniary interest in Item 8.8 on the agenda, in that a person associated with 107 Projects made a less than reportable donation to the Clover Moore Independent Team prior to the 2016 election. Councillor Phelps advised that she is no longer a member of the team, she was not aware of the grant, nor was she contacted by the organisation prior to the meeting.

- a significant non-pecuniary interest in Item 10 on the agenda, in that John McNerney, who is recommended for appointment to the Panel as an alternate community representative, made a reportable donation to the Clover Moore Independent Team for the 2016 election by purchasing a table at a fundraising dinner. Councillor Phelps advised that she is no longer a member of the Clover Moore Independent Team, and that this person has not spoken to her, and she would not be voting on the item.

Councillor Jess Scully made the following disclosures:

- a less than significant non-pecuniary interest in Item 8.2 on the agenda, in that Jess Cook of 107 Projects made a less than reportable donation of approximately \$30 to the Clover Moore Independent Team prior to the 2016 election.
- a less than significant non-pecuniary interest in Item 8.8 on the agenda, in that Jess Cook of 107 Projects made a less than reportable donation of approximately \$30 to the Clover Moore Independent Team prior to the 2016 election.

Council Scully stated that she was not aware of these recommendations until the Committee papers were published and she has not had any contact with 107 projects about their grants application.

- a less than significant non-pecuniary interest in Item 8.7 on the agenda, in that Councillor Scully has met with representatives from one of the recommended groups, the Inner West and Community Energy (IWCE) groups, when developing a Notice of Motion relating to sustainable energy infrastructure in heritage conservation areas. Councillor Scully advised that she informed them about the City's Grants and Sponsorship Program and suggested that program may be of interest to them. Councillor Scully advised that she has not had any discussions with IWCE about their grant application, and was not aware of the recommendation until the Committee papers were published.
- a significant non-pecuniary interest in Item 10 on the agenda, in that John McNerney, who is recommended for appointment to the Panel as an alternate community representative, made a reportable donation to the Clover Moore Independent Team prior for the 2016 election by purchasing a table at a fundraising dinner. Councillor Scully that she has not discussed with John McNerney, and would not be voting on this part of the item.

Councillor Jess Miller made the following disclosures:

- a less than significant non-pecuniary interest in Item 8.2 on the agenda, in that Jess Cook of 107 Projects made a less than reportable donation of approximately \$30 to the Clover Moore Independent Team prior to the 2016 election.
- a less than significant non-pecuniary interest in Item 8.8 on the agenda, in that Jess Cook of 107 Projects made a less than reportable donation of approximately \$30 to the Clover Moore Independent Team prior to the 2016 election. 107 Projects is the recommended recipient of two grants.
- a significant non-pecuniary interest in Item 10 on the agenda, in that John McNerney, who is recommended for appointment to the Panel as an alternate community representative, made a reportable donation to the Clover Moore Independent Team prior to the 2016 election. Councillor Miller advised that she would not be present at or in sight of the meeting at any time when this matter was being considered, discussed or voted on by Council or Committee.

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



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

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

**Item 3 Minutes by the Lord Mayor****Item 3.1 Zero Emissions Transport****Minute by the Lord Mayor**

To Council:

In 2007, Sydney was the first Australian city to become carbon neutral for its operations and this year we met our 2008 goal of 70 per cent emissions reduction by 2030 – nine years early. I am proud of the City leading by example to take action on accelerating global warming.

But we know the world is not on track to meet the Paris Agreement targets and avert catastrophic climate change, we need to do more. We declared a climate emergency in 2019, together with 85 Australian councils representing 7.4 million people.

We are making strong progress toward our targets of reducing carbon emissions in the local area by 70 per cent by 2030 and by setting a new goal to get to net zero emissions by 2035.

In 2019/20, the transport sector contributed 17 per cent of Sydney's carbon emissions. As at September 2020, transport emissions accounted for 17.6 per cent of Australia's total emissions.

We need to continue our shift away from private vehicles in the city, to modes of transport with lower emissions that need less space - public transport, walking and cycling.

That is why the City contributed \$220 million to the Light Rail along George Street, specifically the public domain, to create a world class pedestrianised boulevard down the spine of the city, which we are now extending further to Central with an investment of \$40 million. It is also why the City continues to invest in the bike network and separated cycleways and continuous improvements for pedestrians.

Encouraging active and public transport will continue to be a priority for the City, to reduce congestion, improve amenity and reduce emissions. Major new transport projects, such as the Metro and light rail will make a major contribution to emissions reduction from mode shift. A key priority is for Metro West to extend to Zetland via Central, by 2031.

**Supporting the Transition to Electric Vehicles**

The introduction of zero emissions vehicles, such as electric vehicles and buses, is also an important part of reducing emissions from the transport sector – particularly as the electricity grid becomes green. Major vehicle manufacturers have already indicated a move towards electric cars.

The NSW Government is committed to Net Zero emissions by 2050 with an aim for a 35 per cent cut in emissions by 2030 compared to 2005 levels. I commend the Minister for Transport and Roads on his recent announcements to:

- transition its entire bus fleet to zero emissions vehicles by 2030;
- run trains on renewable energy within four years; and
- provide incentives for or reducing barriers to electric vehicle ownership and use, including removing stamp duty for electric vehicles and providing electric vehicle rebates.

I also commend Minister Kean and Minister Constance for their plans to expand the electric vehicle charging network.

### **Using the Planning System to Expand the Electric Vehicle Charging Network**

Electric vehicle charging should take place primarily off-street, through a combination of charging facilities in residential and commercial buildings; and potentially through market-driven, private approaches to charging stations accessible to the public. For example, Bell Resources intends operating a network of Ultra-Fast Electric Vehicle charging stations, co-located with car washing and takeaway coffee.

The City's planning controls provide an opportunity to introduce electric vehicle infrastructure into new development. Having occupant parking spaces built with sufficient infrastructure to enable fast chargers to be installed as needed at a later stage will support the transition to electric vehicles.

Planning controls can facilitate buildings providing electric vehicle charging facilities and encourage growth in electric vehicle uptake by requiring new developments to provide wiring to support an electric vehicle charger in each individual parking bay. Individual owners can install chargers as they buy electric vehicles, and as power demand increases over time building managers can implement load balancing, individual metering and other models that all use the same underlying infrastructure. This requirement will also capture carshare bays, to support carshare operators in their transition to electric vehicles.

I recommend that Council request that the Chief Executive Officer prepare draft planning controls for electric vehicle ready spaces in new development for consideration.

For existing buildings, NSW planning controls allow for electric vehicle charging to be installed without a development application.

The Smart Green Apartments program is a key initiative of our Residential Apartments Sustainability Plan. We work with strata communities to improve environmental performance and a building's liveability and value, while reducing operating and maintenance costs for owners. The City should ensure that opportunities to install electric vehicle charging are part of the program.

The City should also use its partnerships with commercial owners to install electric vehicle charging, for example, in hotels and other visitor destinations.

This is a rapidly evolving and complex issue. The City should develop appropriate communication materials so that everyone – residents, businesses, building owners, visitors – can have confidence in the City's approach, and what the opportunities are for charging, now, and in the future.

## **Recommendation**

It is resolved that:

- (A) the Lord Mayor be requested to write to the NSW Minister for Transport and Roads and the NSW Minister for Energy and Environment commending the NSW Government on its recent commitments to electrify public transport and support the transition to electric vehicles, and to advocate for:
  - (i) rapid implementation of public transport projects in Future Transport 2056, including the Metro West extension to at least Central and Zetland by 2031;
  - (ii) accelerated delivery of the City's proposed bicycle network, continuing the partnership with the City of Sydney;
  - (iii) public transport to operate using renewable energy, with zero emission buses in Green Square and the city centre, trains powered by renewable electricity and ferries powered by renewable energy as soon as possible, and any fleet not suitable for upgrade to have formal emissions offsets; and
  - (iv) partnering with the City to expand the electric vehicle charging network; and
- (B) the Chief Executive Officer be requested to:
  - (i) prepare and report to Council draft planning controls in Sydney Development Control Plan 2012 requiring new development to be 'electric vehicle ready', with car parking spaces enabling individual electric vehicle charging;
  - (ii) investigate opportunities to encourage Strata Communities, through Smart Green Apartments, to install electric vehicle charging;
  - (iii) investigate opportunities to encourage commercial owners such as the Better Building Partnership and Sustainable Destination Partnership members to install electric vehicle charging in hotels and other visitor destinations; and
  - (iv) investigate opportunities to communicate to residents and businesses so people with or looking to buy electric vehicles, and/or install charging, understand the approach to charging in the City, and can easily navigate the statutory processes.

**COUNCILLOR CLOVER MOORE**

Lord Mayor

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

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

Variation. At the request of Councillor Forster, and by consent, the minute was varied by the addition of (B)(ii)–

- (ii) investigate opportunities to encourage existing car share operators within the City of Sydney to install electric charging points in their car share spaces;

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

S051491

**Item 3.2 City Response to the Outbreak of the Delta Variant of Covid-19****Minute by the Lord Mayor**

To Council:

The outbreak of the dangerous Delta variant of Covid-19 in Sydney has now led to a two-week lockdown of Greater Sydney. This comes at a time when the community and local businesses were starting to feel like life was returning to normal.

Following the announcement last week of the lockdown of four Local Government Areas, including the City of Sydney, the Member for Sydney, Alex Greenwich, and I wrote a joint letter to the Treasurer seeking urgent support for inner city businesses.

In response to the Northern Beaches lockdown that commenced in December last year, the NSW Government introduced the Northern Beaches Small Business Hardship Grant. Grants provided one-off payments of \$3,000 or \$5,000 to help small businesses experiencing significant financial loss.

With the broader lockdown now in place, it is even more urgent that the NSW Government introduce a grants program similar to the Northern Beaches Small Business Hardship Grant to support businesses. Impacted businesses will need to urgently know whether financial support will be forthcoming to help them with staffing, cash flow and planning.

The lockdown of Greater Sydney for two weeks will have significant financial implications for small businesses, especially those in the central business district that are already suffering severe downturn. Restricted movements will cut patronage, and new costs will arise to deal with continued operations including marketing and communications, and financial and legal advice.

Inner city businesses make a massive contribution to the state economy through a range of sectors including the arts and culture, retail, tourism, food and beverage, and transport. We cannot afford to let them suffer and potentially close during this difficult period in the pandemic.

I am asking Council to support my call for urgent hardship grants from the NSW Government to ensure local businesses are able to get through and continue to operate beyond the lockdown.

The Small Business Concierge service established by the City continues to operate to help local businesses through the current lockdown. The City will continue to work with the community and businesses to provide assistance, such as rent relief for our tenants, and fee waivers, which the Chief Executive Officer can provide under delegation, if required. The Chief Executive Officer should investigate whether other assistance measures are needed as the situation evolves and bring a report to Council if required.

The City continues to move quickly to respond to the latest health orders and announcements from the NSW Government:

- Our pools, libraries, community centres, gyms, customer and neighbourhood service centres have closed for the lockdown, in line with health orders.
- Sydney Town Hall, Customs House and Town Hall House have also closed to the public.
- Venues for hire are closed, anyone with a booking will be contacted and no cancellation fee will be charged.

- Additional cleaning will be implemented for playgrounds and outdoor fitness equipment, which will remain open in line with health advice.

Our homelessness services will continue to operate, as well as our meals on wheels services, to ensure vulnerable people in our city get the support they need during this difficult time.

## **Recommendation**

It is resolved that:

- (A) Council note that on Friday, 25 June 2021, the Lord Mayor and NSW Member for Sydney wrote to the NSW Treasurer seeking urgent hardship grants, similar to what was provided for the Northern Beaches lockdown;
- (B) Council endorse the Lord Mayor's call for urgent hardship grants from the NSW Government to ensure local businesses are able to get through and continue to operate beyond the lockdown; and
- (C) the Chief Executive Officer be requested to monitor the situation and investigate whether other assistance measures are needed as the situation evolves and bring a report back to Council if required.

## **COUNCILLOR CLOVER MOORE**

Lord Mayor

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

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

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

It is resolved that:

- (A) Council note that on Friday, 25 June 2021, the Lord Mayor and NSW Member for Sydney wrote to the NSW Treasurer seeking urgent hardship grants, similar to what was provided for the Northern Beaches lockdown;
- (B) Council endorse the Lord Mayor's call for urgent hardship grants from the NSW Government to ensure local businesses are able to get through and continue to operate beyond the lockdown; and
- (C) Council urgently develop and introduce the City of Sydney Small Business Hardship Grants to ensure local businesses located within the City of Sydney local government area are able to get through and continue to operate beyond the stay at home orders.

Variation. At the request of Councillor Scott, and by consent, the amendment was varied to remove the word "Small" from clause (C).

Foreshadowed amendment. Councillor Scott foreshadowed that she would move another amendment, once the amendment proposed by Councillor Forster had been considered.

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

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

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

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

Amendment lost.

Councillor Scott then moved her foreshadowed amendment which was subsequently accepted as a variation to the minute by the Chair (the Lord Mayor).

Variation. At the request of Councillor Scott, and by consent, the minute was varied by the addition of words as follows –

It is resolved that:

- (A) Council note that on Friday, 25 June 2021, the Lord Mayor, NSW Member for Sydney and the NSW Member for Heffron wrote to the NSW Treasurer seeking urgent hardship grants, similar to what was provided for the Northern Beaches lockdown;
- (B) Council endorse the Lord Mayor's call and Local Government NSW's call for urgent hardship grants from the NSW Government to ensure local businesses are able to get through and continue to operate beyond the lockdown; and
- (C) the Chief Executive Officer be requested to monitor the situation and investigate whether other assistance measures are needed as the situation evolves and bring a report back to Council if required.

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

S051491

### **Point of Order**

During discussion on this item, Councillor Forster raised a point of order, reminding the Chair that her amendment had not been dealt with.

### **Adjournment**

At this stage of the meeting, at 6.42pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Thalís –

That the meeting be adjourned for approximately 15 minutes.

Carried unanimously.

All Councillors were present at the resumption of the meeting of Council at 7.07pm.



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

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

## **Item 5 Matters for Tabling**

### **5.1 Disclosures of Interest**

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

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

Carried unanimously.

### **5.2 Petitions**

#### **(a) Unrestricted Parking Northern Side of Hansard Street, Zetland**

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

Petition requesting that the existing and currently approved proposal for unrestricted parking on the northern side of Hansard Street, Zetland, between Portman Street and Joynton Avenue, be maintained and not be revised to 2P 8am to 10pm.

To City of Sydney Councillors:

The petition of concerned citizens of the City of Sydney LGA brings to the attention of Council that petitioners below oppose the revised proposal of enforcing 2P 8am to 10pm time limits in the abovementioned section of Hansard Street because:

1. Due consideration needs to be given to residents of the City West Housing (CWH) community housing development located at 50 Hansard Street / 130-132 Portman Street, Zetland, who do not have access to off-street residential parking and have no option but to park on residential streets during the day and at night – the proposed changes will severely disadvantage many residents who are not entitled to resident parking permits and do not have the financial capacity either to rent a garage or pay potentially ongoing parking fines due to the revised proposal.
2. Proposed parking changes for Portman Street, Zetland, from Zetland Avenue to Hansard Street will result in a net loss of 32 parking spaces on Portman Street for residents which could be helped in some way by access to additional unrestricted parking spaces on Hansard Street.
3. The Neighbourhood Parking Policy should benefit all residents equally and not cause unfair disadvantage to residents who are not entitled to parking exemptions through a residents parking permit scheme.

Your petitioners request that Council not support this change to currently approved unrestricted parking on the northern side of Hansard Street, Zetland.

**(b) Two Hour Metred Parking Both Sides of Hansard Street**

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

Petition requesting that the revised proposal for all 2 hour metred parking on both sides of Hansard Street, Zetland, between Dunning Avenue and Portman Street revert from 2P 8am – 10pm back to the currently approved time of 2P 8am – 6pm.

To City of Sydney Councillors:

The petition of concerned citizens of the City of Sydney LGA brings to the attention of Council that petitioners below oppose the revised proposal of 2 hour metred parking time limits in the abovementioned section of Hansard Street changing from 8am – 6pm to 8am – 10pm because:

1. Due consideration needs to be given to residents of the City West Housing (CWH) community housing development located at 50 Hansard Street / 130-132 Portman Street, Zetland, who are not eligible for residents parking permits and do not have the same access to parking vouchers for their visitors as has been afforded to a majority of their Hansard Street neighbours.
2. Proposed parking changes for Portman Street, Zetland, from Zetland Avenue to Hansard Street will result in a net loss of 32 parking spaces on Portman Street for residents.
3. The Neighbourhood Parking Policy should benefit all residents equally and not cause unfair disadvantage to residents who are not entitled to parking exemptions through a residents parking permit scheme.

Your petitioners request that Council not support this change to the currently approved time limit for this section of Hansard Street, Zetland.

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

It is resolved that the Petitions be received and noted.

Carried unanimously.

S044250

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

### **PRESENT**

The Lord Mayor Councillor Clover Moore  
(Chair)

Deputy Lord Mayor Councillor Jess Scully  
(Deputy Chair)

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

At the commencement of business at 2.03pm those present were -

The Lord Mayor, Councillors Chung, Forster, Kok, Miller, Scully, Thalys and Vithoukias.

### **Apologies**

Councillor Linda Scott extended her apologies for her inability to attend the meeting of the Corporate, Finance, Properties and Tenders Committee.

Councillor Phelps arrived at the meeting of the Corporate, Finance, Properties and Tenders Committee at 2.10pm during discussion and before the vote on Item 6.2.

### **Sub-Committees**

The Economic Development and Business Sub-Committee, with Councillor Kok as Deputy Chair, commenced at 2.32pm.

The meeting of the Corporate, Finance, Properties and Tenders Committee and its Sub-Committee concluded at 2.52pm.

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

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

That the report of the Corporate, Finance, Properties and Tenders Committee of its meeting of 21 June 2021 be received, with Item 6.1 being noted, the recommendations set out below for Items 6.3 to 6.8 inclusive being adopted in globo, and Item 6.2 being dealt with as shown immediately following that item.

Carried unanimously.

### **Item 6.1**

#### **Disclosures of Interest**

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

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

## **Item 6.2**

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

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

It is resolved that:

- (A) Council note the submissions received from the community on the exhibited suite of the 2021 Integrated Planning and Reporting documents as included in Attachment A to the subject report;
- (B) Council adopt the suite of the draft 2021 Integrated Planning and Reporting documents as endorsed by Council on 17 May 2021, and as amended, including the Operational Plan 2021/22 as shown at Attachment B to the subject report;
- (C) Council adopt the draft Operating and Capital Budget, and future years' forward estimates, reflected in the Operational Plan 2021/22 and Resourcing Strategy 2021, subject to amendments in Attachment B to the subject report;
- (D) Council note that the 2021/22 budgets include:
  - (i) Operating income of \$624.5M, operating expenditure before depreciation of \$514.5M for an Operating Result of \$110.0M, and a Net Operating Surplus of \$27.3M after allowing for interest income, 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/Digital Capital Works of \$18.3M; and
  - (v) Net Property Acquisitions of \$131.9M;
- (E) Council adopt the proposed Rating structure and policies, Domestic Waste Management Charges, Stormwater Charges and User Fees and Charges reflected in the Operational Plan 2021/22, endorsed by Council on 17 May 2021, as set out in the body of the subject report;
- (F) authority be delegated to the Chief Executive Officer to approve the 2021 Resourcing Strategy as exhibited, including relevant amendments to the Long Term Financial Plan; and
- (G) authority be delegated to the Chief Executive Officer to approve any minor editorial corrections prior to publication and authorise the relevant staff to implement any such corrections.

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

It is resolved that:

- (A) Council note the submissions received from the community on the exhibited suite of the 2021 Integrated Planning and Reporting documents as included in Attachment A to the subject report;
- (B) Council adopt the suite of the draft 2021 Integrated Planning and Reporting documents as endorsed by Council on 17 May 2021, and as amended, including the Operational Plan 2021/22 as shown at Attachment B to the subject report;
- (C) Council adopt the draft Operating and Capital Budget, and future years' forward estimates, reflected in the Operational Plan 2021/22 and Resourcing Strategy 2021, subject to amendments in Attachment B to the subject report;
- (D) Council note that the 2021/22 budgets include:
  - (i) Operating income of \$624.5M, operating expenditure before depreciation of \$514.5M for an Operating Result of \$110.0M, and a Net Operating Surplus of \$27.3M after allowing for interest income, 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/Digital Capital Works of \$18.3M; and
  - (v) Net Property Acquisitions of \$131.9M;
- (E) Council adopt the proposed Rating structure and policies, Domestic Waste Management Charges, Stormwater Charges and User Fees and Charges reflected in the Operational Plan 2021/22, endorsed by Council on 17 May 2021, as set out in the body of the subject report;
- (F) authority be delegated to the Chief Executive Officer to approve the 2021 Resourcing Strategy as exhibited, including relevant amendments to the Long Term Financial Plan;
- (G) authority be delegated to the Chief Executive Officer to approve any minor editorial corrections prior to publication and authorise the relevant staff to implement any such corrections; and
- (H) Council adopt the following changes:
  - (i) adopt Income Statement Alternative Scenario 2 as detailed in Attachment B;
  - (ii) fees for footway licenses be waived for the 2021/22 and 22/23 financial years;
  - (iii) noting that the City employs 49.5 FTE communications and media relations staff, costing the City \$6.5 million per annum, the communications and media staff be consolidated into a single unit of the Office of the CEO, and be reduced to a number equivalent to the number of communications and media staff for NSW Government ministers, for the quarter preceding each Council term;
  - (iv) the general contingencies fund be discontinued, noting that projects and individual departments have contingencies built in to each project. All Councillor and Lord Mayor resolutions must identify a specific line item of expenditure other than "general contingencies";

- (v) the staffing levels of the Office of the Lord Mayor be aligned with the average number of staff for NSW Government ministers for the quarter preceding each Council term;
- (vi) all expenditure associated with the Lord Mayor and Office of the Lord Mayor be detailed by individual items and specific line items published in the CEO Update each quarter;
- (vii) Council note that \$2,215,709 has been spent since Cloud Arch was first proposed and that the latest budget is an uncapped sum of \$22 million;
- (viii) Council abandon the Cloud Arch project;
- (ix) noting that \$199,138 has been spent on the Pavilion project, that the Pavilion project be permanently abandoned;
- (x) in consultation with the community, a new Masterplan be developed for Historic Chinatown, to include a 10-year public domain renewal and upgrade budget to be presented to Council for adoption in the Integrated Planning and Reporting Program and Budget 2022/23; and
- (xi) in consultation with the community, a new Masterplan be developed for Kings Cross and Potts Point, and the process commence by releasing the Council funded report, "A Vision for Kings Cross", completed in 2020 by the Committee for Sydney, with any budget implications to be presented to Council for adoption in the Integrated Planning and Reporting Program and Budget 2022/23.

The amendment was lost on the following show of hands –

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

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

Amendment lost.

The substantive motion was carried unanimously.

X025796

#### **Point of Order**

During discussion on this item, Councillor Scott raised a point of order, reminding the Chair that one of her questions had not been answered.

#### **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 Forster, seconded by Councillor Phelps –

That Councillor Chung be granted an extension of time to speak on the amendment.

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

Ayes (5) Councillor Chung, Forster, Phelps, Scott and Vithoukias

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

The Chair (the Lord Mayor) exercised her casting vote in favour of the motion and the extension of time was endorsed.

Councillor Chung then concluded his comments.

### **Point of Order**

During discussion on this item, Councillor Scully raised a point of order, stating that Councillor Phelps did not have the floor.

The Chair (the Lord Mayor) upheld the point of order, and called Councillors Phelps and Scully both to order.

### **Item 6.3**

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

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

Carried unanimously.

X020701

### **Item 6.4**

#### **Lease Approval - Nita McCrae Park - 17 Argyle Street, Millers Point**

It is resolved that:

- (A) Council approve the City entering into a lease with Transport for NSW for Nita McCrae Park (17 Argyle Street, Millers Point, Folio Identifier 1/1175372) for a term of 99 years; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the terms of the lease in accordance with Attachment B to the subject report.

Carried unanimously.

X073061

### **Item 6.5**

#### **Tender - T2020-09 - SSROC - Sustainable Pavements - Road Construction Materials and Related Services**

It is resolved that:

- (A) Council accept the tender offer of Tenderers 5, 11, 12 and 24 from the list of Tenderers in Table 2 of Attachment B to the subject report for the provision of Sustainable Pavements - Road Construction Materials and Related Services for the schedule of rates outlined in Confidential Attachment C to the subject report for a period of three years, with the option of a further two extensions of one year each, subject to satisfactory performance;
- (B) Council note that the quantity and value of works undertaken will be subject to the maintenance and individual project funding included in the City's Operating and Capital Works budgets and future year forward estimates;
- (C) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender; and



- (D) authority be delegated to the Chief Executive Officer to exercise the options referred to in clause (A), if appropriate, and negotiate the price to extend the contract accordingly.

Carried unanimously.

X080459

## **Item 6.6**

### **Exemption from Tender and Contract Variation - Customer Relationship Management Services for the National CitySwitch Green Office Program**

It is resolved that:

- (A) Council approve an exemption from tender to extend the term of the existing contract for Customer Relationship Management Services for the National CitySwitch Green Office Program 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 would not be achieved by inviting tenders for this work are:
- (i) the goods or services can be provided by a supplier already engaged on the specific project with existing knowledge and experience working with national partners;
  - (ii) continuity of services by an existing supplier will provide certainty and confidence to our funding partners during a time of transition to a new program coordinator; and
  - (iii) the underlying system has been heavily customised to provide the CitySwitch Customer Relation Management service. Due to this level of customisation, if a new supplier is required to host, support and maintain the system, they would first need to re-build the system and spend a significant amount of time and effort in verifying and familiarising themselves with the current system to ensure that they could provide effective support and maintenance services;
- (C) Council approve a variation of the contract for Customer Relationship Management Services for the National CitySwitch Green Office Program with Jaythom Pty Ltd to extend the terms of the contract by 12 months with the option of a further extension of 12 months if appropriate;
- (D) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the variation to the contract with Jaythom Pty Ltd; and
- (E) authority be delegated to the Chief Executive Officer to exercise the option referred to in (C), if appropriate, and negotiate the price to extend the contract accordingly.

Carried unanimously.

X018227.008

## **Item 6.7**

### **Exemption from Tender and Contract Variations – Catering Services – Compass Group (Restaurant Associates)**

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 duration of the existing contract to 2 July 2023 on the terms set out in Confidential Attachment A to the subject report, for the management of the City's Catering Services, 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 reason that a satisfactory result for the City would not be achieved by inviting tenders is the high levels of uncertainty and risk in the market as a result of the ongoing Covid-19 pandemic, which will not result in value for money;
- (C) Council note that the financial arrangements under the existing contract were temporarily modified by the Chief Executive Officer in 2020 in accordance with the City's Covid-19 recovery response to accommodate the effects of the Covid-19 pandemic as further detailed in Confidential Attachment A to the subject report;
- (D) Council approve a variation to the contract for Catering Services to vary the financial arrangements as further detailed in Confidential Attachment A to the subject report for the period 1 July 2020 until 2 July 2023; and
- (E) authority be delegated to the Chief Executive Officer to finalise negotiations and enter into any necessary documentation to give effect to the resolutions above.

Carried unanimously.

X079066

## **Item 6.8**

### **Contract Variations - Event Infrastructure, Structures and Equipment for Major Events and Festivals**

It is resolved that Council:

- (A) note that due to the ongoing Covid-19 pandemic, the City has been required to accommodate changes to the event season as well as deliver Sunset Piazza, Al Fresco activities, Covid overlay costs and other event season program changes resulting in significantly increased contract expenditure;
- (B) approve contract variations for Event Infrastructure, Structures and Equipment for Major Events and Festivals as follows:
  - (i) Part 1 - Portable Toilets and Part 2 - Temporary Site Offices and Site Equipment - Coates Hire Operations Pty Ltd;
  - (ii) Part 3 - Fencing and Part 5 - Smart Infrastructure - The Trustee for Michael Reginald Scarce Family Trust (trading as Camden Hire Pty Ltd);

(iii) Part 4 - Generators, Lighting Towers and Power Distribution - Eventpower Solutions NSW Pty Ltd;

(iv) Part 6 - Forklifts and Access Equipment - Botany Access Pty Ltd; and

(v) Part 8 - Structures, Furniture and Event Equipment - Pillingers Hiring Service Pty Ltd;

for the for the revised estimated contract values outlined in Confidential Attachment A to the subject report and in accordance with the previously approved schedule of rates;

(C) Council approve the additional funds sought from the 2021/22 General Contingency Fund as outlined in Confidential Attachment A to the subject report; and

(D) authority be delegated to the Chief Executive Officer to negotiate, execute and administer/vary the contracts relating to Event Infrastructure, Structures and Equipment for Major Events and Festivals.

Carried unanimously.

X031267.003

### **Report of the Economic Development and Business Sub-Committee**

Moved by Councillor Kok, seconded by Councillor Scully -

That the report of the Economic Development and Business Sub-Committee of its meeting of 21 June 2021 be received, with Item 6.9 being dealt with as shown immediately following that item.

Carried unanimously.

### **Item 6.9**

#### **Grants and Sponsorship - Round One 2021/22 - Economic Grants**

Moved by Councillor Kok, seconded by Councillor Scully –

It is resolved that:

(A) Council approve the cash recommendations for the Business Support - Live Music and Performance Grant Program as per Attachment A to the subject report;

(B) Council note the applicants who were not successful in obtaining a cash grant for the Business Support - Live Music and Performance Grant Program as per Attachment B to the subject report;

(C) Council approve the cash recommendations for the Business Support - Night Time Diversification Grant Program as per Attachment C to the subject report;

(D) Council note the applicants who were not successful in obtaining a cash grant for the Business Support - Night Time Diversification Grant Program as per Attachment D to the subject report;

(E) Council approve the cash recommendations for the Business Support - Place and Industry Grant Program as per Attachment E to the subject report noting that all applications are recommended;

(F) Council note that all grants amounts are exclusive of GST;

- (G) authority be delegated to the Chief Executive Officer to negotiate, execute and administer agreements with any organisation approved for a grant or sponsorship under terms consistent with this resolution and the Grants and Sponsorship Policy; and
- (H) authority be delegated to the Chief Executive Officer to correct minor errors to the matters set out in this report, noting that the identity of the recipient will not change, and a CEO Update will be provided to Council advising of any changes made in accordance with this resolution.

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

It is resolved that:

- (A) Council approve the cash recommendations for the Business Support - Live Music and Performance Grant Program as per Attachment A to the subject report;
- (B) Council note the applicants who were not successful in obtaining a cash grant for the Business Support - Live Music and Performance Grant Program as per Attachment B to the subject report;
- (C) Council approve the cash recommendations for the Business Support - Night Time Diversification Grant Program, excluding the Moon Festival events by Lendlease Property Management and Sydney's Highest Tower by Sydney Tower, as per Attachment C to the subject report;
- (D) the City write to the relevant community groups encouraging them to apply for an ad hoc grant to celebrate the Moon Festival in historic Chinatown;
- (E) Council note the applicants who were not successful in obtaining a cash grant for the Business Support - Night Time Diversification Grant Program as per Attachment D to the subject report;
- (F) Council approve the cash recommendations for the Business Support - Place and Industry Grant Program as per Attachment E to the subject report noting that all applications are recommended;
- (G) Council note that all grants amounts are exclusive of GST;
- (H) authority be delegated to the Chief Executive Officer to negotiate, execute and administer agreements with any organisation approved for a grant or sponsorship under terms consistent with this resolution and the Grants and Sponsorship Policy; and
- (I) authority be delegated to the Chief Executive Officer to correct minor errors to the matters set out in this report, noting that the identity of the recipient will not change, and a CEO Update will be provided to Council advising of any changes made in accordance with this resolution.

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

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

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

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

Amendment lost.

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

That the Item under discussion (Item 6.9 Grants and Sponsorship - Round One 2021/22 - Economic Grants), be deferred.

The amendment was lost on the following show of hands –

Ayes (3) Councillors Chung, Phelps and Vithoukas

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

Amendment lost.

The substantive motion was carried unanimously.

S117676

### **Speaker**

Mr Clive Lochner addressed the meeting of the Corporate, Finance, Properties and Tenders Committee (Economic Development and Business Sub-Committee) on Item 6.9.

### **Adjournment**

At this stage of the meeting, at 8.31pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Thalís –

That the meeting be adjourned for approximately 15 minutes.

The motion was carried on the following show of hands –

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

Noes (1) Councillor Chung.

Motion carried.

All Councillors were present at the resumption of the meeting of Council at 8.50pm.

**Item 7 Report of the Environment Committee**

PRESENT

The Lord Mayor Councillor Clover Moore  
(Chair)

Councillor Jess Miller  
(Deputy Chair)

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

At the commencement of business at 2.51pm those present were -

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

**Apologies**

Councillor Scott extended her apologies for her inability to attend the meeting of the Environment Committee.

The meeting of the Environment Committee concluded at 3.00pm.

**Report of the Environment Committee**

Moved by Councillor Miller, seconded by Councillor Thalys –

That the report of the Environment Committee of its meeting of 21 June 2021 be received, with Item 7.1 being noted, and Items 7.2 to 7.4 being dealt with as shown immediately following those items.

Carried unanimously.

**Item 7.1**

**Disclosures of Interest**

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

**Item 7.2****Grants and Sponsorship - Round One 2021/22 - Environmental Grants**

Note - The Environment Committee decided that consideration of this matter shall be deferred to the meeting of Council on 28 June 2021.

At the meeting of Council, the officer's recommendation was moved by Councillor Miller, seconded by Councillor Thalys -

It is resolved that:

- (A) Council approve the cash recommendations for the Environmental Performance - Innovation Grant Program as per Attachment A to the subject report;
- (B) Council note the applications not recommended for a cash grant for the Environmental Performance - Innovation Grant Program as per Attachment B to the subject report;
- (C) Council approve the cash recommendations for the Environmental Performance - Ratings and Assessment Grant Program as per Attachment C to the subject report noting all grants in this program are recommended;
- (D) Council note that all grant amounts are exclusive of GST;
- (E) authority be delegated to the Chief Executive Officer to negotiate, execute and administer agreements with any organisation approved for a grant or sponsorship under terms consistent with this resolution and the Grants and Sponsorship Policy; and
- (F) authority be delegated to the Chief Executive Officer to correct minor errors to the matters set out in this report, noting that the identity of the recipient will not change, and a CEO Update will be provided to Council advising of any changes made in accordance with this resolution.

Carried unanimously.

S117676

The Environment Committee recommended the following:

### **Item 7.3**

#### **Project Scope - Blackwattle Playground, Glebe**

Moved by Councillor Miller, seconded by Councillor Thalys -

It is resolved that Council:

- (A) endorse the scope of improvement works to Blackwattle Playground as described in the subject report and shown in the Draft Concept Plan at Attachment B to the subject report for progression to relevant approvals, preparation of construction documentation, tender and construction; and
- (B) note the estimated project forecast as outlined in Confidential Attachment D to the subject report.

Carried unanimously.

X038080

### **Item 7.4**

#### **Project Scope - Ethel Street Playground, Erskineville**

Moved by Councillor Miller, seconded by Councillor Thalys -

It is resolved that Council:

- (A) endorse the scope of improvement works to Ethel Street Playground as described in the subject report and shown in the Draft Concept Plan at Attachment B to the subject report for progression to relevant approvals, preparation of construction documentation, tender and construction; and
- (B) note the estimated project forecast as outlined in Confidential Attachment D to the subject report.

Carried unanimously.

X038090



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

The Lord Mayor Councillor Clover Moore  
(Chair)

Councillor Robert Kok  
(Deputy Chair)

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

At the commencement of business at 3.01pm those present were –

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

Councillor Phelps was not present at the meeting of the Cultural and Community Committee, which was held remotely, during discussion or voting on Item 8.3.

Councillor Phelps left the meeting of the Cultural and Community Committee at 3.43pm during discussion and before the vote on Item 8.6, and did not return.

**Apologies**

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

**Adjournment**

At 3.46pm, it was moved by the Chair (the Lord Mayor) seconded by Councillor Miller -

That the meeting of the Cultural and Community Committee be adjourned for 15 minutes.

Carried unanimously.

At the resumption of the meeting of the Cultural and Community Committee at 4.06pm, those present were –

The Lord Mayor, Councillors Chung, Forster, Kok, Miller, Scully, Thalys and Vithoukaskas.

**Sub-Committees**

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

The Cultural and Creative Sub-Committee, with Councillor Kok as Deputy Chair, commenced at 3.02pm.

The Healthy Communities Sub-Committee commenced at 3.18pm.

The meeting of the Cultural and Community Committee and its Sub-Committees concluded at 4.49pm.

## Item 8.1

### Disclosures of Interest

The Lord Mayor (Councillor Clover Moore) made the following disclosures:

- a less than significant non-pecuniary interest in Item 8.2 on the agenda, in that Jess Cook of 107 Projects made a non-reportable donation to the Clover Moore Independent Team prior to the September 2016 Council elections. The Lord Mayor (Councillor Clover Moore) stated that she considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because the donation was approximately \$30 and she was only reminded of this donation when these items were listed on the Committee agenda.
- a less than significant non-pecuniary interest in Item 8.8 on the agenda, in that Jess Cook of 107 Projects made a non-reportable donation to the Clover Moore Independent Team prior to the September 2016 Council elections. The Lord Mayor (Councillor Clover Moore) stated that she considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because the donation was approximately \$30 and she was only reminded of this donation when these items were listed on the Committee agenda.

Councillor Philip Thalys made the following disclosures:

- a less than significant non-pecuniary interest in Item 8.2 on the agenda, in that Jess Cook, who is associated with 107 Projects, made a less than reportable donation to the Clover Moore Independent Team prior to the 2016 election. 107 Projects is a recommended recipient of two grants. Councillor Thalys stated that he considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because he was not aware of these recommendations until the committee papers became available and he did not discuss these grants with the recipient.
- a less than significant non-pecuniary interest in Item 8.2 on the agenda, in that the University of New South Wales is a recommended recipient of a grant at which he is a Fractional Professor. Councillor Thalys stated that he considers this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because he was not aware of this recommendation until the committee papers became available and he has not discussed this grant with the recipient.
- a less than significant non-pecuniary interest in Item 8.8 on the agenda, in that Jess Cook, who is associated with 107 Projects, made a less than reportable donation to the Clover Moore Independent Team prior to the 2016 election. 107 Projects is a recommended recipient of an accommodation grant. Councillor Thalys stated that he considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because he was not aware of this recommendation until the committee papers became available and he had not discussed this grant with the recipient.

Councillor Jess Scully made the following disclosures:

- a less than significant non-pecuniary interest in Item 8.2 on the agenda, in that a person associated with 107 Projects made a less than reportable donation to the Clover Moore Independent Team prior to the 2016 election. Councillor Scully stated that she considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she was not aware of this recommendation until the Committee papers were published and she had not had any contact with 107 Projects about their grant application.

- a less than significant non-pecuniary interest in Item 8.7 on the agenda, in that she has met with representatives from the Inner West and Community Energy group when developing a Notice of Motion relating to sustainable energy infrastructure in heritage conservation areas. Councillor Scully stated that at that time, she informed them about the City's Grants and Sponsorship program and suggested this program may be of interest to them. Councillor Scully further stated that she considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she has not had any discussions with Inner West and Community Energy about their grant application, and was not aware of this recommendation until the committee papers were published.
- a less than significant non-pecuniary interest in Item 8.8 on the agenda, in that a person associated with 107 Projects made a less than reportable donation to the Clover Moore Independent Team prior to the 2016 election. Councillor Scully stated that she considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she was not aware of this recommendation until the Committee papers were published and she had not had any contact with 107 Projects about their grant.

Councillor Jess Miller made the following disclosures:

- a less than significant non-pecuniary interest in Item 8.2 on the agenda, in that Jess Cook of 107 Projects made a non-reportable donation to the Clover Moore Independent Team prior to the September 2016 Council elections. Councillor Miller stated that she considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because the donation was approximately \$30 and she was only reminded of this donation when these items were listed on the Committee agenda.

Councillor Kerryn Phelps made the following disclosures:

- a less than significant non-pecuniary interest in Item 8.2 on the agenda, in that a person associated with 107 Projects made less than reportable donations to the Clover Moore Independent Team prior to the 2016 election. Councillor Phelps stated that she is no longer a member of this team, she was not aware of the grant, nor was she contacted by the organisation in relation to this grant prior to the meeting.
- a less than significant non-pecuniary interest in Item 8.8 on the agenda, in that a person associated with 107 Projects made less than reportable donations to the Clover Moore Independent Team prior to the 2016 election. Councillor Phelps stated that she is no longer a member of this team, she was not aware of the grant, nor was she contacted by the organisation in relation to this grant prior to the meeting.

Councillor Robert Kok made the following disclosures:

- a less than significant non-pecuniary interest in Item 8.2 on the agenda, in that Jess Cook, the CEO of 107 Projects, made a non-reportable donation to the Clover Moore Independent Team, of which he is a member, prior to the 2016 election. 107 Projects is a recommended recipient of two grants. Councillor Kok stated that he considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because the donation was approximately \$30 and he was not aware of their application for the grant and the recommendations until the committee papers became available, and he has not discussed these grants with the recipient.

- a less than significant non-pecuniary interest in Item 8.2 on the agenda, in that a person associated with the Museum of Chinese in Australia, Daphne Lowe, is known to him and has served in the Chinese New Year Festival Advisory Group from 2009 to 2015, of which he was Chair. The Museum of Chinese in Australia is a recommended recipient of a grant for Tea Salon Sessions. Councillor Kok stated that he considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because he was not aware of their application for the grant and the recommendations until the committee reports became available, and he has not discussed these grants with the recipient.
- a less than significant non-pecuniary interest in Item 8.8 on the agenda, in that Jess Cook, the CEO of 107 Projects, made a non-reportable donation to the Clover Moore Independent Team, of which he is a member, prior to the 2016 election. 107 Projects is a recommended recipient of an accommodation grant. Councillor Kok stated that he considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because the donation was approximately \$30 and he was not aware of their application for the grant and the recommendations until the committee papers became available, and he has not discussed this grant with the recipient.

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

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

Moved by Councillor Kok, seconded by Councillor Scully –

That the report of the Cultural and Creative Sub-Committee of its meeting of 21 June 2021 be received, with Item 8.1 being noted, and Items 8.2 to 8.4 being dealt with as shown immediately following those items.

Carried unanimously.

The Cultural and Creative Sub-Committee recommended the following:

### **Item 8.2**

#### **Grants and Sponsorship - Round One 2021/22 - Cultural Grants**

Moved by Councillor Kok, seconded by Councillor Scully -

It is resolved that:

- (A) Council approve the cash and revenue foregone/value-in-kind recommendations for the Cultural and Creative Grants and Sponsorship Program as per Attachment A to the subject report;
- (B) Council note the applicants who were not successful in obtaining a cash grant for the Cultural and Creative Grants and Sponsorship Program as per Attachment B to the subject report;
- (C) Council approve the cash and revenue foregone/value-in-kind recommendations for the Festivals and Events Sponsorship (Artform) Program as per Attachment C to the subject report;
- (D) Council note the applicants who were not successful in obtaining a cash grant for the Festivals and Events Sponsorship (Artform) Program as per Attachment D to the subject report;

- (E) Council note that all grant amounts are exclusive of GST and all value-in-kind offered is subject to availability;
- (F) authority be delegated to the Chief Executive Officer to negotiate, execute and administer agreements with any organisation approved for a grant or sponsorship under terms consistent with this resolution and the Grants and Sponsorship Policy, and
- (G) authority be delegated to the Chief Executive Officer to correct minor errors to the matters set out in this report, noting that the identity of the recipient will not change, and a CEO Update will be provided to Council advising of any changes made in accordance with this resolution.

Carried unanimously.

S117676

### **Item 8.3**

#### **Ad Hoc Grant - Sydney WorldPride**

Moved by Councillor Kok, seconded by Councillor Scully -

It is resolved that:

- (A) Council approve a \$500,000 (excluding GST) cash sponsorship to Sydney World Pride Limited to be paid as set out in the payment schedule in Attachment B to the subject report over two years in 2021/22 and 2022/23 and from the General Contingency Fund;
- (B) funding of the applicant is conditional on meeting the requirements set out in the draft Payment and Supply Schedule as shown at Attachment B to the subject report; and
- (C) authority be delegated to the Chief Executive Officer to negotiate, execute and administer a sponsorship agreement with Sydney WorldPride Limited on the terms specified in this report and in Attachment B to the subject report.

Carried unanimously.

X079622

#### **Speaker**

Ms Kate Wickett addressed the meeting of the Cultural and Creative Sub-Committee on Item 8.3.

## **Item 8.4**

### **Major Events and Festivals Charity Partners 2021/22**

Moved by Councillor Kok, seconded by Councillor Thalys -

It is resolved that:

- (A) Council approve the appointment of The Kids' Cancer Project as the charity partner for Sydney Christmas 2021, with the option to extend to 2022;
- (B) Council approve the appointment of The Smith Family as the charity partner for Sydney New Year's Eve 2021, with the option to extend to 2022;
- (C) Council approve the appointment of The Benevolent Society as charity partner for Sydney Lunar Festival 2022, with the option to extend to 2023; and
- (D) authority to be delegated to the Chief Executive Officer to enter into agreements with The Kids' Cancer Project, The Smith Family and The Benevolent Society to establish their charity partner status for the respective events.

Carried unanimously.

X031267.001

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

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

That the report of the Healthy Communities Sub-Committee of its meeting of 21 June 2021 be received, with Items 8.5 to 8.8 being dealt with as shown immediately following those items.

Carried unanimously.

The Healthy Communities Sub-Committee recommended the following:

## **Item 8.5**

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

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

It is resolved that:

- (A) Council adopt the final Inclusion (Disability) Action Plan 2021-2025, as shown at Attachment A to the subject report;
- (B) Council note the feedback received on the draft Inclusion (Disability) Action Plan 2021-2025, as detailed in Attachment B to the subject report; and
- (C) authority be delegated to the Chief Executive Officer to make amendments to the Inclusion (Disability) Action Plan 2021-2025 in order to correct any minor drafting errors and finalise design, artwork and alternative translations for publication.

Carried unanimously.

X030535.004

## Item 8.6

### Grants and Sponsorship - Round One 2021/22 - Social Grants

Note - The Healthy Communities Sub-Committee decided that consideration of this matter shall be deferred to the meeting of Council on 28 June 2021.

At the meeting of Council, the following alternative recommendation was adopted (as contained in the memo dated 24 June 2021 from the Director City Life, circulated prior to the meeting).

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

It is resolved that:

- (A) Council approve the cash and revenue foregone/value-in-kind recommendations for the Community Services Grant Program as per Attachment A to the subject report, subject to the following amendments:
- (i) University of Sydney, Sydney Peace Prize is awarded \$50,000 in cash each year for three years;

Organisation Name	Project Name	Project Description	\$ Amount Requested	VIK Requested	\$ Amount Recommended	VIK Recommended	Additional Conditions
University of Sydney	Sydney Peace Prize	The annual Sydney Peace prize ceremony and lecture in the Sydney Town Hall.	Year 1 - \$50,000 Year 2 - \$50,000 Year 3 - \$50,000	Venue hire and street banner hire fee waiver to the value of \$55,000 each year for 3 years	Year 1 - \$50,000 Year 2 - \$50,000 Year 3 - \$50,000	Venue hire and street banner hire fee waiver to the value of \$55,000 each year for 3 years	

- (ii) the Fact Tree After Dark project is awarded \$120,000 for one year, noting that this funding will be transferred from the Matching Grants program and will reduce the available funding for the Matching Grants program in Round Two 2021/22 by the same amount;

Organisation Name	Project Name	Project Description	\$ Amount Requested	VIK Requested	\$ Amount Recommended	VIK Recommended	Additional Conditions
The Fact Tree Youth Service Inc	After Hours	A project that engages local young people in an environment meaningful to them with the intent of improving their resilience, confidence, mental health and sense of community.	Year 1 - \$120,000 Year 2 - \$120,000 Year - \$120,000	Nil	Year 1 - \$120,000	Nil	Work with City staff to explore options to ensure ongoing financial sustainability of the program with up to \$5000 of grant funding to be allocated to an external review and evaluation of the After Dark program.

- (B) Council note the applicants who were not successful in obtaining a cash grant or revenue foregone/value-in-kind for the Community Services Grant Program as per Attachment B to the subject report;
- (C) Council approve the cash and revenue foregone/value-in-kind recommendations for the Festival and Events (Village and Community) Sponsorship Program as per Attachment C to the subject report;
- (D) Council note the applicants who were not successful in obtaining a cash grant or revenue foregone/value-in-kind for the Festival and Events (Village and Community) Sponsorship Program as per Attachment D to the subject report;
- (E) Council approve the cash and revenue foregone/value-in-kind recommendations for the Matching Grant Program as per Attachment E to the subject report;
- (F) Council note the applicants who were not successful in obtaining a cash grant or revenue foregone/value-in-kind for the Matching Grant Program as per Attachment F to the subject report;
- (G) Council note that all grants amounts are exclusive of GST;
- (H) authority be delegated to the Chief Executive Officer to negotiate, execute and administer agreements with any organisation approved for a grant or sponsorship under terms consistent with this resolution and the Grants and Sponsorship Policy; and
- (I) authority be delegated to the Chief Executive Officer to correct minor errors to the matters set out in this report, noting that the identity of the recipient will not change, and a CEO Update will be provided to Council advising of any changes made in accordance with this resolution.

Carried unanimously.

S117676

### Speakers

Ms Sharne Dunsmore and Mr Ken Weldon addressed the meeting of the Healthy Communities Sub-Committee on Item 8.6.



**Item 8.7****Grants and Sponsorship - Round One 2021/22 - Knowledge Exchange Sponsorship Program**

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

It is resolved that:

- (A) Council approve the cash and revenue/value-in-kind recommendations for the Knowledge Exchange Sponsorship Program as per Attachment A to the subject report;
- (B) Council note the applicants who were not successful in obtaining a cash grant for the Knowledge Exchange Sponsorship Program as per Attachment B to the subject report;
- (C) Council note that all grants amounts are exclusive of GST and all value-in-kind offered is subject to availability;
- (D) authority be delegated to the Chief Executive Officer to negotiate, execute and administer agreements with any organisation approved for a grant or sponsorship under terms consistent with this resolution and the Grants and Sponsorship Policy; and
- (E) authority be delegated to the Chief Executive Officer to correct minor errors to the matters set out in this report, noting that the identity of the recipient will not change, and a CEO Update will be provided to Council advising of any changes made in accordance with this resolution.

Carried unanimously.

S117676

**Item 8.8****Accommodation Grant Program – Annual Performance Review and Lease Renewals 2021**

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

It is resolved that:

- (A) Council note the continuation of the current Accommodation Grant leases and licences for the 74 tenants that have met the performance criteria of their Accommodation grants and are continuing in the Program;
- (B) Council approve the two-year lease renewal from 6 May 2021 to 7 May 2023 be exercised for 107 Projects Incorporated for their Accommodation Grant Program lease at Joynton Avenue Creative Centre, 3 Joynton Avenue, Zetland on the following rental subsidy:

	<b>Market Rental Value</b>	<b>Grant Subsidy</b>	<b>Grant Amount</b>	<b>Rent payable</b>
Year 1	\$347,500	100%	\$347,500	\$0
Year 2	\$357,925	100%	\$357,925	\$0

- (C) Council approve the continuation of the lease for the Australian Design Centre at 101-111 and 113-115 William Street, Darlinghurst for five years on the following rental subsidy:

	<b>Market Rental Value</b>	<b>Grant Subsidy (Rounded)</b>	<b>Grant Amount</b>	<b>Rent to be paid</b>
Year 1	\$288,400	79%	\$228,940	\$59,460
Year 2	\$297,052	79%	\$234,671	\$62,381
Year 3	\$305,964	79%	\$241,712	\$64,252
Year 4	\$315,142	79%	\$248,962	\$66,180
Year 5	\$324,597	79%	\$256,432	\$68,165

- (D) Council note the commercial portfolio premises at Level 3, 101-111 William Street, Darlinghurst will continue to be used as creative office workspace for the cultural sector;
- (E) authority be delegated to the Chief Executive Officer to offer Level 3, 101-111 William Street, Darlinghurst through an Expression of Interest under Accommodation Grants Program terms of up to 100 per cent subsidy, with an initial lease term of up to five years and the option to renew;
- (F) Council approve a new Accommodation Grant lease for Australian Unity at the Alexandria Aged Health Centre, 12A Dudley Street, Alexandria for five years on the following rental subsidy:

	<b>Market Rental Value</b>	<b>Grant Subsidy (Rounded)</b>	<b>Grant Amount</b>	<b>Rent to be paid</b>
Year 1	\$47,500	34%	\$16,150	\$31,350
Year 2	\$48,925	16%	\$8,300	\$40,625
Year 3	\$50,393	Nil	\$0	\$50,393
Year 4	\$51,905	Nil	\$0	\$51,905
Year 5	\$53,462	Nil	\$0	\$53,462

- (G) Council approve the continuation of the Accommodation Grant lease for Creativity Services Limited, 78 Harcourt Parade, Rosebery for five years on the following rental subsidy:

	<b>Market Rental Value</b>	<b>Grant Subsidy (Rounded)</b>	<b>Grant Amount</b>	<b>Rent to be paid</b>
Year 1	\$63,000	60%	\$37,800	\$25,200
Year 2	\$64,890	45%	\$29,200	\$35,690
Year 3	\$66,837	25%	\$16,709	\$50,128
Year 4	\$68,842	10%	\$6,884	\$61,958
Year 5	\$70,907	0%	\$0	\$70,907

- (H) Council approve the continuation of the Accommodation Grant lease for the Junction Neighbourhood Centre Incorporated at St Helens Community Centre, 184 Glebe Point Road, Glebe for five years on the following rental subsidy:

	<b>Market Rental Value</b>	<b>Grant Subsidy (Rounded)</b>	<b>Grant Amount</b>	<b>Rent to be paid</b>
Year 1	\$35,800	100%	\$35,800	\$0
Year 2	\$36,874	100%	\$36,874	\$0
Year 3	\$37,980	100%	\$37,980	\$0
Year 4	\$39,120	100%	\$39,120	\$0
Year 5	\$40,293	100%	\$40,293	\$0

- (I) Council approve the continuation of the Accommodation Grant lease for the Physical Disability Council at St Helens Community Centre, 184 Glebe Point Road, Glebe for five years on the following rental subsidy:

	<b>Market Rental Value</b>	<b>Grant Subsidy (Rounded)</b>	<b>Grant Amount</b>	<b>Rent to be paid</b>
Year 1	\$22,600	53%	\$12,053	\$10,547
Year 2	\$23,278	53%	\$12,415	\$10,863
Year 3	\$23,976	53%	\$12,787	\$11,189
Year 4	\$24,696	53%	\$13,171	\$11,525
Year 5	\$25,436	53%	\$13,566	\$11,871

- (J) Council approve the continuation of the Accommodation Grant lease for the Kil.n.it Experimental Ceramic Studio at St Helens Community Centre, 184 Glebe Point Road, Glebe for five years on the following rental subsidy:

	<b>Market Rental Value</b>	<b>Grant Subsidy (Rounded)</b>	<b>Grant Amount</b>	<b>Rent to be paid</b>
Year 1	\$45,200	100%	\$45,200	\$0
Year 2	\$46,556	98%	\$45,556	\$1,000
Year 3	\$47,953	97%	\$46,753	\$1,200
Year 4	\$49,391	97%	\$47,891	\$1,500
Year 5	\$50,873	96%	\$49,073	\$1,800

- (K) Council approve the continuation of the Accommodation Grant lease for the Radio for Print Handicapped of NSW Co Operative Ltd at St Helens Community Centre, 184 Glebe Point Road, Glebe for five years on the following rental subsidy:

	<b>Market Rental Value</b>	<b>Grant Subsidy (Rounded)</b>	<b>Grant Amount</b>	<b>Rent to be paid</b>
Year 1	\$79,600	79%	\$63,194	\$16,406
Year 2	\$81,988	79%	\$65,090	\$16,898
Year 3	\$84,448	79%	\$67,042	\$17,405
Year 4	\$86,981	79%	\$69,054	\$17,927
Year 5	\$89,590	79%	\$71,125	\$18,465

- (L) Council note that the Feminist Legal Clinic (the Clinic) have been rated a C in their annual assessment, as the City's review found that the Clinic had not satisfactorily met the Accommodation Grants Program general performance criteria over the past 12 months;
- (M) authority be delegated to the Chief Executive Officer to correct minor errors to the matters set out in this report, noting that the identity of the recipient will not change, and a CEO Update will be provided to Council advising of any changes made in accordance with this resolution; and
- (N) authority be delegated to the Chief Executive Officer to negotiate, execute and administer agreements with any organisation approved for an Accommodation Grant on terms consistent with this resolution and in accordance with the Grants and Sponsorship Policy.

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

That the motion be amended such that clause (O) be added as follows:

- (O) the Chief Executive Officer be requested to write to all current and proposed grant recipients reminding them that under the Grants and Sponsorship Policy and Guidelines that “an organisation is not eligible for the Program if their activities could be perceived as benefiting a political party or party political campaign” and that “the City of Sydney does not provide grants and sponsorships for activities that could be perceived as benefiting a political party or party political campaign” and “Grants and sponsorships do not cover activities that could be perceived as benefiting a political party or party political campaign”.

The amendment was lost on the following show of hands –

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

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

The amendment was declared lost.

The substantive motion was carried unanimously.

S117676

\*Note – Due to technical issues, Councillor Phelps did not indicate a vote. Councillor Phelps is considered to have been absent during voting on the substantive motion.

### **Points of Order**

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

Councillor Scully offered her apologies and withdrew the comments.

During discussion of this item, Councillor Forster raised a point of order, stating that Councillor Thalís had impugned the motives of Councillors Chung and Forster.

The Chair (the Lord Mayor) called Councillor Forster to order.

During discussion of this item, Councillor Chung raised a further point of order, stating that Councillor Thalís was not speaking to the amendment.

### **Misrepresentation**

During discussion of this item, Councillor Vithoukas stated that she had been misrepresented in respect to comments made by Councillor Thalís and clarified her position accordingly.

### **Speakers**

Ms Janet Fraser, Ms Anna Kerr and Ms Helen Pringle addressed the Healthy Communities Sub-Committee on Item 8.8.

**Item 9 Report of the Transport, Heritage and Planning Committee****PRESENT**

The Lord Mayor Councillor Clover Moore

(Chair)

Councillor Prof Philip Thalís

(Deputy Chair)

Deputy Lord Mayor Councillor Jess Scully, Councillors Craig Chung, Christine Forster, Robert Kok, Jess Miller, Linda Scott, and Angela Vithoukás.

At the commencement of business at 4.49pm those present were -

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

Councillor Scott arrived at the meeting of the Transport, Heritage and Planning Committee at 5.12pm during discussion and before the vote on Item 9.3.

Councillor Miller left the meeting of the Transport, Heritage and Planning Committee at 5.24pm during discussion and before the vote on Item 9.3, and did not return.

**Apologies**

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

The meeting of the Transport, Heritage and Planning Committee concluded at 5.31pm.

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

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

That the report of the Transport, Heritage and Planning Committee of its meeting of 21 June 2021 be received, with Item 9.1 being noted, and the recommendations set out below for Items 9.2 to 9.4 inclusive being adopted in globo.

Carried unanimously.

**Item 9.1****Disclosures of Interest**

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

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

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

The Transport, Heritage and Planning Committee recommended the following:

## **Item 9.2**

### **Public Exhibition - Planning Proposal - 133-145 Castlereagh Street, Sydney - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment**

It is resolved that:

- (A) Council approve Planning Proposal – 133-147 Castlereagh Street, Sydney, as shown at Attachment A to the subject report, to be submitted to the Minister for Planning and Public Spaces with a request for gateway determination;
- (B) Council approve Planning Proposal – 133-145 Castlereagh Street, Sydney, as shown at Attachment A to the subject report to public authority consultation and public exhibition in accordance with any conditions imposed under the gateway determination;
- (C) Council seek authority from the Minister for Planning and Public Spaces to exercise the delegation of all the functions under section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan and to put into effect Planning Proposal – 133-145 Castlereagh Street, Sydney;
- (D) Council approve the Draft Sydney Development Control Plan 2012 – 133-145 Castlereagh Street, Sydney Amendment, shown at Attachment B to the subject report for public authority consultation and public exhibition concurrent with the Planning Proposal;
- (E) authority be delegated to the Chief Executive Officer to make any variations to Planning Proposal – 133-145 Castlereagh Street, Sydney, following receipt of the gateway determination;
- (F) authority be delegated to the Chief Executive Officer to make any minor variations to Draft Sydney Development Control Plan 2012 – 133-145 Castlereagh Street, Sydney Amendment to correct any drafting errors or ensure it is consistent with the Planning Proposal following the gateway determination;
- (G) authority be delegated to the Chief Executive Officer to prepare a draft planning agreement in accordance with the letter of offer dated 22 April 2021 at Attachment C to the subject report and the requirements of the Environmental Planning and Assessment Act 1979, to be exhibited concurrently with the Planning Proposal.

Carried unanimously.

X037086

## **Speakers**

Mr Iain Bell and Mr Tim Blythe addressed the meeting of the Transport, Heritage and Planning Committee on Item 9.2.



**Item 9.3****Post Exhibition - Planning Proposal - 187 Thomas Street, Haymarket - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment**

It is resolved that:

- (A) Council note the matters raised in response to the public exhibition of Planning Proposal - 187 Thomas Street, Haymarket, the draft Sydney Development Control Plan 2012 - 187 Thomas Street, Haymarket amendment, and draft Voluntary Planning Agreement, as shown in Attachments A and A1 to the subject report;
- (B) Council approve Planning Proposal - 187 Thomas Street, Haymarket, as amended following public exhibition and shown at Attachment B to the subject report, and request the relevant local plan making authority make as a Local Environmental Plan under section 3.36 of the Environmental Planning and Assessment Act 1979;
- (C) Council approve draft Sydney Development Control Plan 2012 - 187 Thomas Street, Haymarket amendment, as amended following public exhibition and shown at Attachment C to the subject report, noting the approved Development Control Plan will come into effect on the date of publication of the subject Local Environmental Plan;
- (D) authority be delegated to the Chief Executive Officer to make any minor amendments to the Planning Proposal - 187 Thomas Street, Haymarket and draft Sydney Development Control Plan - 187 Thomas Street, Haymarket amendment to correct any minor errors or omissions prior to finalisation; and
- (E) Council note the draft Voluntary Planning Agreement, as shown at Attachment D to the subject report will be executed under delegation of Council in accordance with the Environmental Planning and Assessment Act 1979.

Carried unanimously.

X034468

**Speakers**

Mr Tom Cook, Mr Fergus Dinwiddie, Mr Mitch Favalaro, Mr Colin Rockliff, and Ms Helena Miller addressed the meeting of the Transport, Heritage and Planning Committee on Item 9.3.

## **Item 9.4**

### **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 to H of the subject report;
- (C) not exercise its power to issue a Fire Safety Order under the Environmental Planning and Assessment Act 1979 at this time but note the compliance action as recommended by the City's Officer at 2 Bridge Road, Glebe, as detailed in Attachment B;
- (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 Officer at 55-73 Oxford Street, Surry Hills, as detailed in Attachment C;
- (E) exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order as recommended by the City's Officer to address the identified fire safety deficiencies at 173-179 Pitt Street, Sydney, as detailed in Attachment D;
- (F) exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order as recommended by the City's Officer to address the identified fire safety deficiencies at 338-348 Pitt Street, Sydney, as detailed in Attachment E;
- (G) exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order as recommended by the City's Officer to address the identified fire safety deficiencies at 343-357 Pitt Street, Sydney, as detailed in Attachment F;
- (H) exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order as recommended by the City's Officer to address the identified fire safety deficiencies at 56 Pitt Street, Sydney, as detailed in Attachment G; and
- (I) 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 Officer at 477 Pitt Street, Haymarket, as detailed in Attachment H.

Carried unanimously.

S105001.002

## **Item 10 City of Sydney Local Planning Panel - Appointment of Members**

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

It is resolved that:

- (A) authority be delegated to the Chief Executive Officer to endorse the Minister's approval and appoint Abigail Goldberg as the Chair of the City of Sydney Local Planning Panel and Linda Pearson and Steven Layman as alternate Chairs to the City of Sydney Local Planning Panel for a period commencing 1 July 2021 and ending 29 February 2024 in accordance with clause 5.13 of the City of Sydney Code of Conduct;
- (B) authority be delegated to the Chief Executive Officer to endorse the appointment of seven expert members from the Minister's pool of approved experts to the City of Sydney Local Planning Panel: Helen Lochhead, Peter Romey, Ron Edgar, Megan Jones, Brendan Randles, Marcus Trimble and Annelise Tuor for a period commencing 1 July 2021 and ending 29 February 2024 in accordance with clause 5.13 of the City of Sydney Code of Conduct;
- (C) authority be delegated to the Chief Executive Officer to endorse the reappointment of four expert members from the Minister's pool of approved experts to the City of Sydney Local Planning Panel: Tony Caro, Paul Berkemeier, Penny Murray and Helena Miller for a period commencing 9 April 2022 and ending 29 February 2024 in accordance with clause 5.13 of the City of Sydney Code of Conduct;
- (D) authority be delegated to the Chief Executive Officer to endorse the appointment of two community representatives to the City of Sydney Local Planning Panel: Amelia Thorpe and John McInerney AM for a period commencing 1 July 2021 and ending 29 February 2024 in accordance with clause 5.13 of the City of Sydney Code of Conduct; and
- (E) authority be delegated to the Chief Executive Officer to endorse the use of the appointed expert members for independent representation on Council's Review of Determinations Panel, subject to their acceptance of the invitation in accordance with clause 5.13 of the City of Sydney Code of Conduct.

The motion was carried on the following show of hands –

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

Noes (3) Councillors Chung, Forster and Phelps.

Motion carried.

X079022

### **Point of Order**

During discussion of this item, Councillor Scott raised a point of order in response to comments made by Councillor Miller, stating that she had not spoken on this item.

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

### **Misrepresentation**

During discussion of this item, Councillor Miller stated that she had been misrepresented in respect to comments made by Councillor Forster and clarified her position accordingly.

**Item 11 George Street Business Innovation Space – Award of Accommodation Grant and Recommended Operator**

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

It is resolved that:

- (A) Council note the outcome of the Expression of Interest and Request for Proposals for the sublease of the Business Innovation Space (BIS) at 180 George Street, Sydney (the Property);
- (B) Council approve Innovillage Pty Ltd as the selected operator and award an Accommodation Grant to lease the Property for a ten (10) year period generally on the terms contained in Confidential Attachment B to the subject report and the draft Heads of Agreement contained at Confidential Attachment D to the subject report, noting the recommended subsidy rates in (C) below;
- (C) Council approve an Accommodation Grant to Innovillage Pty Ltd for the Property:
  - (i) at 100 per cent subsidy (as detailed in Confidential Attachment B to the subject report) for a four (4) year period subject to a four per cent annual increase, commencing on the completion of fit-out construction works and at a 50 per cent subsidy (valued at 50 per cent of the market rental to be determined at the commencement of year five of the sublease and subject to a four per cent annual increase) for a further six (6) year period; and
  - (ii) otherwise generally on the terms contained in the draft Heads of Agreement contained at Confidential Attachment D to the subject report;
- (D) authority be delegated to the Chief Executive Officer to negotiate, execute and administer relevant agreements with Innovillage Pty Ltd in accordance with the Grants and Sponsorship Policy, including a Heads of Agreement and sublease; and
- (E) authority be delegated to the Chief Executive Officer to make a payment of \$7 million to Innovillage Pty Ltd being the monies received by the City of Sydney from Lendlease for the fit-out of the Business Innovation Space (BIS) as part of the approved Voluntary Planning Agreement for 180 George Street, Sydney and note that a ten per cent payment will be paid immediately to Innovillage Pty Ltd to offset design costs for the fit-out of the Business Innovation Space (BIS) and then equal monthly progress payments will be made until the balance of the monies remaining of the \$7 million are exhausted; and
- (F) Council note that all grants are awarded on the condition that any required approvals, permits and development consents are obtained by the applicant.

Carried unanimously.

X004710

## Item 12 Questions on Notice

### 1. Black Lives Matter Mural

By Councillor Scott

#### Question

Recent media reports detail phone calls made by NSW Police to the City of Sydney requesting the removal of a Black Lives Matter mural on a private property in Redfern. The mural was painted over within 24 hours.

Can the Chief Executive Officer advise the following:

1. How many calls were made by NSW Police in relation to the mural and to which section of Council were the calls referred?
2. Under which Policy was this mural removed? As Council's Graffiti Management Policy allows for 'legitimate avenues for the expression and dissemination of community information and street art' and this was clearly art, not graffiti.
3. Does Council have the power to remove art from private property?
4. Were any political representatives consulted? If so, who?

S129275

#### Answer by the Chief Executive Officer

1. There were five calls made by NSW Police to the City's Customer Service Centre.
2. The Graffiti Control Act 2008 (NSW) permits councils to remove graffiti from Accessible Property without the consent of the owner/occupier under Part 4, Section 12. On this occasion, consent from the property owner was obtained by the Police

The City strives to strike a balance between minimising incidents of graffiti on public and private property and providing legitimate avenues for the expression of community information and art.

3. Yes, in certain circumstances.
4. No.

## **2. Cloud Arch Sculpture**

By Councillor Scott

### **Question**

1. How much has the Cloud Arch sculpture, planned for George Street, cost the City of Sydney?
2. Now that the Light Rail is complete, and the City only deferred the project, when will it be revisited?
3. How much is planned to be spent on the project if it is to proceed?

S129275

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

Costs for Cloud Arch are \$2,215,709.

In December 2018 Council approved the deferral of the Cloud Arch project until after the construction of Light Rail was completed so that the feasibility of incorporating Cloud Arch into the future Town Hall Square project could be considered, noting that funding for the future Town Hall Square project would need to be considered in future budgets.

Any future estimate would be based on the specifics of the proposed site. It is assumed any future site would be less complex than the former Light Rail corridor.

## **3. The Minerva Theatre**

By Councillor Scott

### **Question**

There has been calls and a campaign launched for the City of Sydney to buy the historic Metro Theatre Kings Cross (formerly Minerva Theatre) and turn it back into a working theatre.

Can the Chief Executive Officer advise:

1. Has the City formally investigated purchasing this site? If so, for how much?
2. If no purchase is on the table what assistance can and has the City provided for the restoration, use and ongoing operations of the Metro as a live theatre or cultural facility?

S129275

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

1. No.
2. The City has not been asked to provide any assistance.

#### 4. Staffing in Lord Mayor's Office

By Councillor Scott

##### Question

1. How many staff currently work in the Lord Mayor's Office and what is the annual cost?
2. How many staff and what budget is planned for the 2021/22 financial year?

S129275

##### Answer by the Chief Executive Officer

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

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

Under Council's adopted delegations the Lord Mayor has authority to determine the structure of the Office of the Lord Mayor in consultation with the Chief Executive Officer, subject to the costs being within the annual budget allocated and providing the staffing of the unit does not exceed the equivalent of 22 full time staff (FTE). There are currently 21.8 FTE staff in the Office of Lord Mayor.

The 2021/22 budget for the Office of the Lord Mayor is provided in the 2021/22 budget under consideration by Council at Item 6.2 of the 28 June 2021 Council meeting.

#### 5. Support Sydney's Homeless

By Councillor Scott

##### Question

In July 2020, the City of Sydney released a Homelessness Action Plan to help the vulnerable during the Covid-19 pandemic.

Can the Chief Executive Officer advise:

1. How many initiatives have been completed under this Plan?
2. How many homeless have been helped under this Plan?
3. Which projects have begun but not been completed under this Plan?
4. Is this Plan continuing in the 2021/22 Financial Year? If so, how much is in the Budget to complete the Plan?

S129275

**Answer by the Chief Executive Officer**

The initiatives outlined in the Homelessness Action Plan are delivered through various programs and services and reported to Council via quarterly operational plan updates and CEO Updates. The plan is continuing through 2021/22 and is scheduled for review in 2022. Budget to deliver these programs and services is allocated in the proposed operational budget for 2021/22 and in the long term financial plan.

Over the next three years, the City will provide direct funding of \$3.6M to five organisations to support Homelessness services in the inner city, including those supporting young people and Aboriginal and Torres Strait Islander Peoples. In addition, a further \$1.2M is allocated in the 2021/22 budget to fund our homelessness services, including our Public Space Liaison Officers. This does not include additional support and funding provided for Affordable and Diverse Housing. The most recent grants round recommendations to Council include \$800,000 to groups who deliver homelessness services to the community.

**6. Hollis Park Rainbow Crossing**

By Councillor Scott

**Question**

What is the timeframe for completion of the rainbow crossing in Hollis Park?

S129275

**Answer by the Chief Executive Officer**

The City completed construction of the raised pedestrian crossing along Wilson Street at Hollis Park with the normal white zebra line markings in place in late 2019.

Transport for New South Wales do not support the application of rainbow coloured stripes to replace the white zebra line markings for a pedestrian crossing. A zebra crossing is a pedestrian management device in the public road and there are strict guidelines in place in terms of their size, spacing and colour (white only).

**7. Milk Crate Sculpture**

By Councillor Scott

**Question**

1. How much has the City spent on the milk crate sculpture planned for Belmore Park in total?
2. How much has been or continues to be paid to the artist for the creation of the sculpture?
3. Has the project been axed? If so, who made the decision and when?
4. Are any further art installations planned for Belmore Park?

S129275



**Answer by the Chief Executive Officer**

1. Costs incurred to date on the Pavilion are \$199,138.
2. No further funds have been expended.
3. In August 2017 Council endorsed the deferral of the installation of the public artwork Pavilion. Pavilion has been closed out and the artist has been informed.
4. A public domain plan is underway that covers the City South, including Belmore Park . This plan will focus on overall improvements for Belmore Park, addressing all amenity needs for the park's users.

**8. Emergency Services Levy**

By Councillor Scott

**Question**

1. How much did the City pay in the Emergency Services Levy in 2020/21?
2. How much is the City expected to pay for the upcoming 2021/22 Financial Year?
3. If the City no longer had to pay for this Levy what would the funding be diverted to instead?

S129275

**Answer by the Chief Executive Officer**

The City is currently charged levies by the State in relation to emergency services under the Fire and Rescue NSW Act 1989 (section 50) ("Fire and Rescue NSW levy") and the State Emergency Service Act 1989 (section 24H) ("SES levy").

The City paid \$5.192M for the Fire and Rescue NSW levy (\$4.727M) and the SES levy (\$0.464M) for the 2020/21 financial year, partially offset by an additional grant of \$0.705M from the State, leaving a net cost to the City of \$4.487M.

The City has been billed \$4.808M for the 2021/22 financial year, including both the Fire and Rescue NSW levy (\$4.447M) and the SES levy (\$0.361M), again partially offset by an additional grant of \$0.321M leaving a net cost to the City of \$4.487M.

If the City did not have to pay these levies, these funds would be allocated through Council's normal budget process.

## 9. 2021/22 Budget

By Councillor Chung

### Question

#### Commercial Properties

1. Could the Chief Executive Officer please provide a short narrative on the modelling and thinking of staff regarding the expected return from rentals from commercial properties post Covid-19 under the scenarios reported?

#### Footway Licenses

2. Why do footway licenses return to \$1.5 million in the 2022/23 year and then double to \$3 million in 2023/24?

#### Childcare Fee Income

3. Could the Chief Executive Officer please provide an expenditure report on how much the City of Sydney spends on childcare including, but not limited to, centres, staff, grants and internal staff?

#### Consultancies

4. Could the Chief Executive Officer please provide a list of the known consultancies for the forthcoming year and the expected expenditure on each consultancy?

#### Staffing

5. Could the Chief Executive Officer please provide a list of the roles and number of staff employed and costs related to general communications, media relations and other communications staff?

#### General Contingencies

6. The source of funds for unplanned funding is often referred to as "General Contingency". Can the Chief Executive Officer please identify where that funds sits and how much is contained in it?

#### City Business and Safety

7. Could the Chief Executive Officer please detail the programs and activities contained under City Business and Safety. How many staff are employed?

The Office of the Lord Mayor is budgeted for \$41.6 million over the next 10 years.

8. How many staff are employed?
9. How much of the budget is dedicated to employment costs?
10. Please advise the cost centre for the driver and vehicle for the Lord Mayor.
11. Please advise the cost centre for audio visual equipment used by the Office of the Lord Mayor.
12. Please advise the cost centre for catering and hospitality for the Office of the Lord Mayor.
13. How many staff outside the Office of the Lord Mayor provide support to the Office of the Lord Mayor?

14. Please detail any other resources afforded to the Lord Mayor and Office of the Lord Mayor which are not contained within the Office of the Lord Mayor budget.

#### Public Art Budget

15. Over the 10-year \$19 million public art budget, what projects are sitting on the books for consideration?
16. Has the Cloud Arch been permanently abandoned as a potential future project?
17. How much has been spent so far on Cloud Arch?
18. How much is it expected to cost to build?
19. Has the Pavillion been permanently abandoned as a potential future project?
20. How much is expected to be spent on the Pavillion should it proceed?
21. How much has been spent to date on the Pavillion project?

#### Public Domain

22. How much money for asset renewal and enhancement has been slated for Chinatown over the next 10 years?
23. Please detail by year and detail project description.

#### Stormwater Drainage

Over the past two years internal reports showed that many of our gross pollutant traps had failed due to lack of maintenance and renewal.

24. Will the \$15m/\$3.3m budget in 2021/22 render all GPTs working at full capacity?
25. Under the budget being considered will the City of Sydney expect to meet its Zero Waste to Ocean target by 30 June 2030?

#### Long Term Financial Plan

26. How much is in the accumulated reserves?
27. Can Councillors be provided with a copy of the Council resolutions relating to the plan to reduce the reserves to \$200 million?
28. Can Councillors be provided with a copy of any internal policy documents relating to Council's accumulated reserves and long-term financial plan?

#### Balance Sheet

29. Why does the cash position reduce by \$100 million over the next 10 years?

S129268

## Answer by the Chief Executive Officer

### Commercial Properties

The City has taken a conservative approach in preparing the 2021/22 commercial properties income budget, due to the ongoing effects of the pandemic on our commercial leases. The Commercial Lease Code of Conduct ended for commercial tenants in December 2020 and for retail tenants in March 2021, however the support (rent waivers and debt deferral) for each tenant ultimately requires quantification (and validation) of the impact on their actual business results and this extensive exercise is still underway. While some tenants have seen little impact of the pandemic, there are some key industries that have had experienced a severe impact including international education, CBD retail, hospitality, tourism and theatres. We continue to monitor tenants in these categories.

In modelling the 2021/222 budget a number of assumptions have been adopted including a lower CPI assumption of 1 per cent extended letting up periods and higher incentives to reflect the Property Council of Australia data.

In addition to the base case modelled in the main financial schedules of the City's Long-Term Financial Plan (LTFP), supplementary Income Statement schedules have been included to model two additional scenarios should the Covid-19 pandemic extend and further impact our financial recovery, in relation to:

- commercial property leasing / licencing income, and
- street furniture advertising income.

Scenario 1 assumes full recovery from the Covid pandemic occurs over a period of six years (i.e. a prolonged recovery period), before returning to the expected long term average from 2028/29. Scenario 2 assumes full recovery from the Covid pandemic again over a period of six years, but following a greater initial decline in the earlier years. Further details are set out in the financial schedules included within the long term financial plan.

### Footway Licenses

In an early response to the onset of the pandemic, Council committed to strategically support its small businesses and greater community, including initiatives to re-activate the streets through streamlined approval processes and by removing all footway approval and licence fees.

For the 2021/22 year, the City has not budgeted to receive any footway approval and licence fees, as the timing of a full recovery from the pandemic is still unknown and the recovery of small business from their current state will not be immediate. The City is however planning, within the life of the long term financial plan, for the incremental return of its business income to normal (pre-Covid) levels. This is an important assumption as the City's revenue sources are required to underpin and fund our financial capacity to continue providing the services, programs and infrastructure required by our community.

At this stage, the 2022/23 financial year presumes to recover at least half of its normal footway approval and licences income, with a full recovery by the 2023/24 financial year. These forward estimates will be monitored through the course of the year, and confirmed before Council resolves next year's budget and long term financial plan.

### Childcare Fee Income

The City has budgeted to receive \$1.5M in childcare fees and childcare related grants income of \$2.5M. The cost for providing childcare related services amounts to \$5.8M for staffing and \$0.5M for non-salary related expenditure (excluding property costs).

## Consultancies

The City's 2021/22 budget includes \$5.7M for consultancies, to provide independent and specialist expert advice, to support and guide the business of Council. As the budget is yet to be resolved, most consultancies will not yet have been engaged, and they are yet to be identified at this time.

While the individual consultants required vary from significant to minor pieces of work, the following table provides an overview of the key areas and value of engagements:

Consultancies (overview)	\$M	Description
City Projects Development & Strategy	1.03	Masterplanning, feasibility, environmental studies, due diligence
Transport & City Access	0.93	Feasibility, concepts, case studies, policy review
Tree Management	0.35	Inspections, risk reports
Indigenous Leadership & Engagement	0.32	Reconciliation action plan, community consultation
Health & Building	0.28	Compliance investigations
Business & Service Improvements	0.25	Improvement facilitation, industry advice
Workforce Services	0.18	Independent assessments, evaluation and surveys
Resilient Sydney	0.13	Technical review, planning guidelines
City Greening	0.13	Site audits, sportsfield testing
Green Infrastructure	0.12	Engineering expertise, water metering
Financial Services	0.09	Credit card security assessment
Security Management	0.07	Crowded places, etc

## Staffing

The City Communications team provides a centralised communications service to support the 1.3 million people who live in, work in or visit the City of Sydney each year (pre-Covid).

Total communications staff: 49.5 FTE.

Current year salary budget: \$6.5M.

## General Contingencies

General contingency funds, budgeted at \$2.5M for 2021/22, are held within corporate costs. These funds are set aside for opportunities or situations that arise post budget, that Council resolves to fund, including for example new initiatives and/or disaster relief.

The quarterly report provides full details of all expenditure from all contingency funds throughout the year.

## City Business and Safety

The City Business and Safety team is made up of 14 full time employees and includes the City Business, Night Time City and Safe City teams who deliver programs in support of the Council adopted Economic Development Strategy, Community Safety Action Plan and other City action plans to support priority industry sectors of the local economy including retail, tourism, tech, international education and night time economy.

Programs delivered range from precinct promotion and activation, to capacity building programs for small-medium enterprises, grants for major events that deliver economic impact, financial support for businesses and creatives to trial new programming after dark, safety programs to prevent crime and protect those most vulnerable in our communities. The team has led the recent work with the NSW government to revitalise the city centre, contributing to the economic recovery of the city from the impacts of Covid-19 and creating the conditions for local economies to adapt and grow, contributing to a dynamic, thriving and safe city.

### Office of the Lord Mayor

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

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

Under Council's adopted delegations the Lord Mayor has authority to determine the structure of the Office of the Lord Mayor in consultation with the Chief Executive Officer, subject to the costs being within the annual budget allocated and providing the staffing of the unit does not exceed the equivalent of 22 full time staff (FTE). There are currently 21.8 FTE staff in the Office of Lord Mayor. Salaries and wages comprise approximately 90 per cent of the Office of the Lord Mayor's budget.

The 2021/22 budget for the Office of the Lord Mayor is provided in the 2021/22 budget under consideration by Council at Item 6.2 of the 28 June 2021 Council meeting.

The Lord Mayor's driver and use of a vehicle is not included in the Office of the Lord Mayor's budget. The Office of the Lord Mayor's budget covers any audio visual equipment and/or catering and hospitality used by the Office of the Lord Mayor.

### Public Art Budget

The following projects are in development as part of the City Art Public Art Program:

- Laneways, City Centre
- Connecting Project, Green Square
- Drying Green, Green Square
- Bara – Monument to the Eora
- Harbour Walk (Eora Journey)
- Eora Journey other projects (walks / Redfern terrace)
- Biennale Legacy Project until 2024
- Aids Memorial.

Conservation and maintenance are included in the \$19M.

In December 2018 Council approved the deferral of the Cloud Arch project until after the construction of Light Rail was completed so that the feasibility of incorporating Cloud Arch into the future Town Hall Square project could be considered, noting that funding for the future Town Hall Square project would need to be considered in future budgets.

Cloud Arch has been deferred, the contract closed out and the artist and head contractor informed. The final costs for the project were \$2,215,709 as previously provided as recently as March 2021.

As per the report put to Council in December 2018, the estimate for the project was \$22M at that time. Any future estimate would be based on the specifics of the proposed site. It is assumed any future site would be less complex than the former Light Rail corridor.

In August 2017 Council endorsed the deferral of the installation of the public artwork Pavilion

Pavilion has been closed out and the artist has been informed. The final costs for the project were \$199,138.

#### Public Domain

The Long Term Financial Plan includes, the George Street South Pedestrianisation project (\$43.5M), which includes Hay Street, Thomas Street, Ultimo Road and has a large public domain component within the Haymarket/ Chinatown area (estimated at \$15M between 2021/22 to 2022/23). There are \$5.5M of funds specifically set aside for future Chinatown public domain upgrade works (2023/24 to 2026/27).

A portion of the future forward estimates for public domain upgrade works (\$36.5M between 2024/25 to 2030/31) may be directed to Chinatown if Council endorses a future public domain study for the City South precinct.

In addition, the long term plan includes roads, footways, kerbs and paver infill renewal programs of \$154M over the 10 years, which a portion will be allocated to Chinatown based on the need and condition assessment, in line with our asset management practices.

#### Stormwater Drainage

All repairs recommended in the GPT audit have been completed and GPTs are all operational.

To ensure that GPTs are working to their full capacity, the City has developed an optimised GPT cleaning, inspection and maintenance program. Currently GPTs are inspected and cleaned in accordance with the recommendation made in the GPT audit report. The recommendations are based on the capacity of the GPT and the size of the catchment and ensure that resources are being allocated efficiently to maximise performance of the overall water quality network.

The City was recently awarded Stormwater Australia's 2021 National Award for Excellence in Asset management. This award related to the audit, repair and optimisation of our GPT assets.

#### Long Term Financial Plan

The City ensures within its financial planning process to hold sufficient cash reserves to satisfy all of its legislative requirements (or external restrictions), as well as the internal restrictions (employee liabilities, etc) which Council has elected to set aside to ensure prudent financial controls. This minimum total to satisfy these requirements sits between \$180M to \$200M.

When developing the budgets and annual revision of the long term financial plan, this base level of reserves is one of our key financial modelling parameters, as it allows us to determine the funding available for our capital works program.

As such is it reflected in every annual budget briefing, and resolved by Council in adopting the Operational Plan, annual budget and forward estimates within the long term financial plan (as part of the Resourcing Strategy) every June for more than 10 consecutive years.

#### Balance Sheet

The cash position reduces over the life of the plan because the cash inflows from revenue and grants are less than the operating and capital expenditure over this timeframe. This outcome primarily reflects the City's large capital works program, particularly in the early years of the plan, consistent with the forward estimates and projections identified within the long term financial plan for the past 10 years.

## **10. Legal Matters Costs and Progress Quarterly Update**

By Councillor Chung

### **Question**

Could the Chief Executive Officer please provide an update since the last advice in December 2020:

1. An update of all court proceedings that Council is currently engaged in broken down by Court and type of matter (eg but not limited to class 1-5 appeals, local court prosecutions, NCAT proceedings, Supreme Court proceedings, IRC proceedings).
2. In table form, a summary of each court matter, costs to date, proceedings number and parties to the matter and status of each matter.
3. Year to date costs for each type of matter broken down by costs for consultants, external lawyers and other costs.
4. 2020/21 and year to date summary of matters finalised by matter including outcome and costs for each matter.

S129268

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

This information as at 30 June 2021 will be provided via a confidential CEO Update

## **11. Sydney Town Hall Trigeneration Plant**

By Councillor Phelps

### **Question**

On July 2020, the City of Sydney announced that all of the City's operations "are now run on 100 per cent renewable electricity."

However, a 1 June 2021 article in the Australian Financial Review (AFR) reported that, according to the City's energy reports, natural gas usage has increased fourfold from 21,894 GJ to 84,811 GJ between 2006 and 2020.

The Sydney Town Hall trigeneration plant is responsible for a significant increase in natural gas usage by the City of Sydney.

The same AFR article claims that this plant is, in fact, fit to be powered by biogas.

Natural gas now supplies 45.2 per cent of the energy used in the City's operations.

Could the Chief Executive Officer please advise:

1. Why is the trigeneration plant still powered by natural gas?
2. What is the feasibility of transitioning the trigeneration plant to biogas?
3. What steps need to be undertaken before the City is able to transition the trigeneration plant on top of Sydney Town Hall to biogas?

S129272

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



1. There is no offsite renewable gas option as yet in metropolitan NSW. Consequently, the trigeneration plant is powered by natural gas for the time being. However, as per the draft environmental strategy, the City aims to phase out natural gas from its operations and will seek to purchase renewable gas to provide all our gas needs by 2025.
2. There is no technical constraint on transitioning the plant to renewable gas. However, as the plant is supplied from the Jemena gas network, there does need to be a suitable source of renewable gas in the network. A number of renewable gas plants are likely to be added over the next three years.
3. Council needs to approve an appropriate procurement pathway to secure renewable gas. The City is currently negotiating a Memorandum of Understanding with Jemena and Sydney Water to be part of a pilot renewable gas certification scheme.

## 12. Park Refurbishment Plaques

By Councillor Phelps

### Question

Bronze plaques are frequently used around the City of Sydney to commemorate events, people or organisations that have had a significant impact on the local and wider communities.

Could the Chief Executive Officer please advise:

1. In the last financial year, how many bronze plaques have been produced or planned for park refurbishments in the City of Sydney?
2. How many of these plaques mention the current Lord Mayor, Clover Moore?

S129272

### Answer by the Chief Executive Officer

Ceremonial plaques are produced for park reopening events. These ceremonial plaques include the name of the Lord Mayor at the time. In the last financial year, ceremonial plaques have been produced for the opening of the following:

- James Hilder Reserve, Surry Hills
- Strickland Park, Chippendale
- Daniel Dawson Reserve, Alexandria
- Palmerston Avenue Steps, Glebe
- Cardigan St Reserve, Glebe
- Fig Lane Park Playground, Ultimo
- Hollis Park Playground, Newtown
- Kings Lane Reserve, Darlinghurst
- Womerah Gardens, Darlinghurst
- Daniel Dawson Reserve, Alexandria
- Beaconsfield Park, Alexandria

- Shannon Reserve Playground, Surry Hills.

### **13. Natural Gas Use by the City of Sydney**

By Councillor Phelps

#### **Question**

In July 2020, the City of Sydney announced on its website that all of the City's operations "are now run on 100 per cent renewable electricity."

However, a 1 June 2021 article in the Australian Financial Review reported that, according to the City's energy reports, natural gas usage has increased fourfold from 21,894 GJ to 84,811 GJ between 2006 and 2020.

Gas now supplies 45.2 per cent of the energy used in the City's operations.

Could the Chief Executive Officer please advise:

1. Why has the City included gas as a "renewable energy" in their statements?
2. How have the City's aquatic centres contributed to the increase in gas usage each year since their establishment?
3. Has the City identified any sources of renewable gas that could power our co- and trigeneration systems?
4. If not, will the City commit to converting these systems to electric power so that can be truly 100 per cent renewably powered?

S129272

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

1. The City has reduced the organisation's carbon emissions by an estimated 76 per cent compared to 2006 levels. The City has stated it now meets its grid electricity needs from 100 per cent renewable sources. The City has also stated that it plans to phase out natural gas. The draft environmental strategy states we will seek to purchase renewable gas to provide all our gas needs by 2025.
2. The City has moved to reduce reliance on natural gas to heat aquatic centres. For example, at the new aquatic centre in Green Square, a major shift towards electricity-based heating was engineered during the design process. Also, the City recently upgraded the electric heat pumps at its other indoor aquatic facilities. The new pumps are more efficient and run more often, reducing reliance on gas boilers.

Fully phasing out use of gas requires detailed technical assessments and substantial investments of capital. As well, the City needs to engage with pool users to demonstrate that suitable levels of comfort can be maintained.

3. Multiple renewable gas plants are likely to be on-line in the Jemena gas network in the next three years. For example, a pilot plant at Sydney Water's Malabar plan is currently in planning. Council needs to approve an appropriate procurement pathway to secure renewable gas. The City is currently negotiating a Memorandum of Understanding with Jemena to be part of a pilot renewable gas certification scheme.
4. The City is seeking to phase out the use of natural gas in all its facilities by 2025.

**Item 13      Supplementary Answers to Previous Questions**

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

## Item 14 Notices of Motion

### Item 14.1 Lighting Assessment for Pirrama Park, Pyrmont

Moved by Councillor Phelps, seconded by Councillor Scott -

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.

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

It is resolved that:

(A) Council note:

- (i) 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;
- (iii) the City of Sydney has undertaken a streetlight assessment of Mount Street Pyrmont and lighting improvements to the stairs and to the lower section of the road were carried out; and
- (iv) 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) investigate further works for streetlights along Mount Street, Pyrmont;
  - (ii) prioritise Pirrama Park as part of the review of the City's current lighting code for appropriate path and park lighting; and
  - (iii) report findings back to Councillors via the CEO update.

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

S129263

**Procedural Motion**

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

That as it was after 10.00pm, and in accordance with clause 16.3(a) of the Code of Meeting Practice, the remaining items of business on the agenda be deferred to the next ordinary meeting of Council.

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

That the remaining items be reconvened to an extraordinary meeting of Council within the next week.

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

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

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

The Chair (the Lord Mayor) exercised her casting vote against the amendment.

Amendment lost.

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

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

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

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

Motion carried.

At 10.06 pm the meeting concluded.

Chair of a meeting of the Council of the City of Sydney held on Monday 26 July 2021 at which meeting the signature herein was subscribed.