

Council

Meeting No 5

Monday 26 July 2021

Notice No 5/1629

Notice Date 22 July 2021

minutes

Index to Minutes

ITEM	PAGE NO
1. Confirmation of Minutes	5
2. Disclosures of Interest	6
3. Minutes by the Lord Mayor	8
3.1 Vale John Hayward Mant AM	8
3.2 Blackwattle Bay Redevelopment	11
3.3 Infrastructure Contributions	14
4. Memoranda by the Chief Executive Officer	17
5. Matters for Tabling	18
5.1 Disclosures of Interest	18
5.2 Petitions	18
6. Report of the Corporate, Finance, Properties and Tenders Committee	21
6.1 Disclosures of Interest	22
6.2 Investments Held as at 30 June 2021	22
6.3 Public Exhibition - Naming Proposal - Dr Margaret Harper Avenue	22
6.4 Lease Approval - Part Ground Floor and Part Forecourt, Customs House, 31 Alfred Street, Sydney	24
6.5 Draft Project Development Deed - Green Square Town Centre Integrated Community Facility and School.....	24
6.6 Transport for NSW - Light Rail - Section 29 Land Acquisition Agreement and Land Transfers to the City	24
6.7 Exemption from Tender - Renewable Gas Certification Pilot	25
6.8 Cancellation of Tender - Sustainability Programs - Panel of Suppliers	26
6.9 Property Matter (Confidential)	26
Economic Development and Business Sub-Committee	
6.10 Grants and Sponsorship - Commercial Creative Business Events 2021, 2022 and 2023	27
7. Report of the Environment Committee	28
7.1 Disclosures of Interest	28
7.2 Post Exhibition - Environmental Strategy 2021-2025	29
7.3 Post Exhibition - Greening Sydney Strategy	30
7.4 Project Scope - Harry Noble Reserve Playground, Erskineville.....	31
7.5 Knowledge Exchange Sponsorship - 2021 Impact X Climate Growth Sydney Summit Sponsorship.....	31

8.	Report of the Cultural and Community Committee	32
8.1	Disclosures of Interest	32
	Healthy Communities Sub-Committee	
8.2	Revised Project Scope - Pyrmont Community Centre Upgrade	33
9.	Report of the Transport, Heritage and Planning Committee	34
9.1	Disclosures of Interest	35
9.2	Public Exhibition - Planning Proposal – Botany Road Precinct – Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment	36
9.3	Public Exhibition - Planning Proposal - Enterprise Area Review - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment	37
10.	Support for Our Community - 2021 Lockdown Response	38
11.	Questions on Notice	40
12.	Supplementary Answers to Previous Questions	50
13.	Notices of Motion	51
13.1	State Government Changes to Bus Routes	51
13.2	Meanwhile Use of Student Housing for Transitional Housing and Crisis Accommodation	55
13.3	Closing the Gap	57
13.4	Disability Access Hollis Park	59
13.5	Save Laurel Tree House	61

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 5.04pm, those present were:-

The Lord Mayor, Councillor Scully, Councillor Chung, Councillor Forster, Councillor Kok, Councillor Miller, Councillor Phelps, Councillor Scott, Councillor Thalys and Councillor 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 Services and Director City Life were also present.

Councillor Forster left the meeting of Council at 6.53pm, prior to discussion on Item 6.7, and returned at 7.01pm, after the vote on Item 6.7. Councillor Forster was not present at the meeting of Council, which was held remotely, during discussion or voting on Item 6.7.

Councillor Forster left the meeting of Council at 7.04pm, prior to discussion on Item 7.2, and returned at 7.08pm, after the vote on Item 7.2. Councillor Forster was not present at the meeting of Council, which was held remotely, during discussion or voting on Item 7.2.

Councillor Miller left the meeting of Council at 7.37pm, prior to discussion on Item 9.2, and returned at 7.40pm, after the vote on Item 9.2. Councillor Miller was not present at the meeting of Council, which was held remotely, during discussion or voting on Item 9.2.

Councillor Phelps left the meeting of Council at 10.04pm, prior to the vote on the motion to close the meeting and defer the remaining items of business on the agenda (Items 13.6 to 13.15 inclusive) to the next ordinary meeting of Council, and did not return.

Remote Meeting

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

Opening Prayer and Acknowledgement of Country

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

Webcasting Statement

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

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, 28 June 2021, as circulated to Councillors, be confirmed.

Carried unanimously.

Item 2 Disclosures of Interest

Councillor Linda Scott made the following disclosures:

- a less than significant, non-pecuniary interest in Item 6.6 on the agenda, in that Graham Brecht who lives adjacent to Edie Ward Park made a donation of \$100 to the City of Sydney Labor team in 2016 and has previously been a candidate for Council with the City of Sydney Labor team.
- a less than significant, non-pecuniary interest in 6.6 on the agenda, in that she has received significant community representations about the future of Wimbo Park.
- a less than significant, non-pecuniary interest in Item 7.4 on the agenda, in that her husband is the Secretary of Marrickville Cricket Club which uses a variety of City Parks and Cricket facilities for training.
- a less than significant, non-pecuniary interest in Item 9.2 on the agenda, in relation to the following donations:
 - a donation of \$20 in 2021 from Zach Alexopolous who resided within the Botany Road Precinct at the time of donation;
 - a donation of \$95 in 2016 from Danielle Bevins who resided within Botany Road Precinct at the time of donation;
 - a donation of \$95 in 2016 from Anthony Byrne who resided within Botany Road Precinct at the time of donation; and
 - two donations of \$120, totalling \$240, in 2016 from Rachel Durrant, who resided within the Botany Road Precinct at the time of donation.

Councillor Scott stated that she has not had any discussions with any of these people about this item.

- a less than significant, non-pecuniary interest in Item 13.13 on the agenda, in that she is President of Local Government NSW, to which the motion refers.

Councillor Christine Forster made the following disclosures:

- a pecuniary interest in Item 6.7 on the agenda, in that she is employed as the Senior Media Advisor in the Corporate Affairs department of Woodside Energy, the largest Australian natural gas production company. Councillor Forster stated that she would not be present at, or in sight of, the meeting at any time this matter is being considered, discussed or voted on by the Council or Committee.
- a pecuniary interest in Item 7.2 on the agenda, in that she is employed as the Senior Media Advisor in the Corporate Affairs department of Woodside Energy, the largest Australian natural gas production company. Councillor Forster stated that she would not be present at, or in sight of, the meeting at any time this matter is being considered, discussed or voted on by the Council or Committee.

Councillor Jess Miller disclosed a pecuniary interest in Item 9.2 on the agenda, in that an immediate family member owns property within the area on which the planning controls are proposed to change on Botany Road. Councillor Miller advised that she would leave the meeting at any time this matter is being considered, discussed or voted on by Council.

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

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

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

Item 3 Minutes by the Lord Mayor

Item 3.1 Vale John Hayward Mant AM

Minute by the Lord Mayor

To Council:

I wish to inform Council of the passing of former City of Sydney Councillor John Hayward Mant AM on Saturday 10 July 2021.

John's term as a Councillor between 2012 and 2016, was his penultimate contribution to a meritorious life of public service that embraced the law, politics, urban planning and public administration and was guided by a lifelong commitment to good governance and social justice.

John was born on 20 October 1936 in Sydney, the youngest child of John Francis and Helen Mant. He would later claim to be one of the "lucky ones", born when the depression was coming to an end, but too young for World War II and Korea and too old for Vietnam.

His father, a solicitor, served as a lieutenant colonel and chief legal officer in the Australian Army during World War II and was a founding and active member of the Liberal Party of Australia. His mother Helen was a kindergarten teacher and the daughter of Justice John Harvey, former Chief Justice in Equity and foundation Chair of Cranbrook School.

After completing his secondary schooling at Cranbrook, John fulfilled his parents' expectations by enrolling in Arts/Law at Sydney University. His contemporaries included Clive James, Richard Walsh and Bruce Beresford. With his childhood friend the late Ken Horler, he became actively involved in the Sydney University Players as its administrator and business manager working with director/producer Leo Schofield and the young actor John Bell, among others. A few years later he was among the many volunteers who helped convert a former stables into the Nimrod Street Theatre in Kings Cross.

After graduating in law in 1963, he worked in his father's law firm, Davenport & Mant (now part of Phillips Fox) from 1964 to 1971. In the mid-1960s, many of his university circle, among them Clive James and Germaine Greer, moved to London to escape the Menzies years to build new lives and careers. John joined them, but unlike them, returned home to drive change.

He was already moving away from the conservatism of his upbringing.

In 1966, he made his first foray into electoral politics, standing as a Liberal Reform Group candidate for the electorate of St George, initiated by Gordon Barton to oppose conscription and Australia's involvement in the Vietnam war. Following that election, he recognised only a change of government would achieve the reforms he believed were necessary.

He had also discovered his great personal and professional passion, urban planning, leading to his completing a Diploma in Town and Country Planning and joining the National Capital Development Commission in Canberra as a Town Planner. In his private time, he worked with friends and colleagues developing policies for Labor's urban affairs spokesperson, Tom Uren and its leader Gough Whitlam.

After the Whitlam Government was elected on 2 December 1972, John was seconded to Uren's personal staff. As preparation for this he attended the first meeting of the Whitlam Cabinet, a duumverate comprising Whitlam and his Deputy, Lance Barnard. He later recalled it was an "amazing afternoon" in which a raft of decisions were made including recognising China, ending Australia's involvement in Vietnam and conscription and "a raft of planning matters, urban matters".

John remembered the Whitlam years as extraordinary and extremely turbulent, in which there was a desperate need to "get things done" and only a short time to do them. In early 1975, after serving two years as Assistant Secretary of the Department of Urban and Regional Development, he became Whitlam's private secretary. He was still in this position on 11 November 1975, the day Whitlam was sacked as Prime Minister.

A distinguished career in planning and public administration followed, which took him to Adelaide, Perth, Melbourne, India, Vietnam and Mongolia. He served as South Australia's Director-General of the Department of Housing, Urban and Regional Affairs during Don Dunstan's years as Premier, acting Town Planning Commissioner in Western Australia, served on Paul Keating's Urban Design Task Force and pioneered placemaking and place-based planning in Fairfield and Warringah. In India, he encouraged the representatives of many small villages to adopt comprehensive urban planning approaches. He served as Assistant and Acting Commissioner of the NSW Independent Commission Against Corruption in 1994.

In between he returned to the law, being admitted to the bar in the early 1980s and working as a solicitor at Phillips Fox from 1987 to 1993, working across NSW, Victoria and WA. It was during these years he took on two of his most significant projects, an inquiry into the NSW Department of Housing, and rewriting and modernising the NSW Local Government Act with Julie Walton.

He was most proud of his work on the social housing inquiry. It led to the management of social housing in NSW shifting away from architects and engineers to on-the-ground staff including social workers. His interest in housing continued with his involvement in Common Equity NSW, the not-for-profit holding company for NSW cooperative housing organisations Aboriginal Housing Trust.

Underpinning his work on the Local Government Act was his strong belief that democratically elected councils should be the government for their areas and not just glorified body corporates concerned only with rates, roads and rubbish. John's and Julie's reforms enabled councils to fulfill this role with more effective management systems and greater transparency.

John had direct experience of these reforms when he served as City of Sydney Councillor between 2012 and 2016. It was a natural extension of his professional and intellectual interests and his active involvement in the Paddington Society and other community organisations.

His advice and contributions to Committees and Council was immensely invaluable and I know Councillors on both sides of the table appreciated his insight, expertise, experience and good humour.

While John was a visionary advocating significant reforms, he also recognised the importance of the small things. One example was his championing the need for a coffee shop as part of our award winning Green Square Library. John saw these as important informal spaces where people can meet and enjoy each other's company. John made good use of this coffee shop when he moved into an apartment just behind the library in the last years of his life.

John didn't stop after he left Council in 2016. Over the last two years of his life he directed his energy and intellect to planning reform in NSW, collaborating with Michael Neustein in writing a proposal for a NSW Better Places Act. This proposal embodied John's core belief that planning should be directed towards creating places for people and not be focussed on individual developments and colour coded maps.

I hope these and many other of his ideas live on and be John's continuing legacy.

They embody John's personal philosophy which he succinctly summarised as: "If there's something wrong, do something about it."

Recommendation

It is resolved that:

- (A) all persons attending this meeting of Council observe one minute's silence to commemorate the life of former Councillor John Hayward Mant AM and his significant contribution to planning, the urban environment, good governance and social justice;
- (B) Council express its condolences to John's daughter Julia, his son Jim, his stepdaughter Robbie and his granddaughters Vivienne and Minka; and
- (C) the Lord Mayor be requested to convey Council's condolences to John's family. Vale John Hayward Mant AM.

COUNCILLOR CLOVER MOORE

Lord Mayor

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

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

Carried unanimously.

Note – All those present at the meeting, held remotely, observed a minute's silence in memory of John Hayward Mant AM.

S051491

Item 3.2 Blackwattle Bay Redevelopment

Minute by the Lord Mayor

To Council:

For decades, The Blackwattle Bay Precinct (previously known as The Bays Market District) has been investigated by the NSW Government for its urban renewal potential.

But there is much to be concerned about the release of Infrastructure NSW's State Significant Precinct Study and proposed planning controls for redevelopment of the existing Sydney Fish Markets site and adjoining properties, which are currently on public exhibition until 20 August 2021.

Spanning approximately 10.4 hectares, the redevelopment area includes both public and privately-owned land (which includes the Hymix concrete batching plant), along the Blackwattle Bay waterfront up to the Anzac Bridge.

The Proposal

Acting as the NSW Government's developer, Infrastructure NSW is seeking the approval of the Minister for Planning and Public Spaces to change the City's planning controls to allow towers up to 156 metres (45 storeys) in height with new zoning that permits residential development in this location for the first time.

This wall of towers built adjacent to the Western Distributer will cast excessive shadows on the future public domain and waterfront. It may even cast shadows on the solar panels of the new Fish Markets' roof, or onto existing and future parks.

I support revitalising Blackwattle Bay to deliver a vibrant and sustainable place that maintains public access to Sydney's iconic harbour that will help stimulate the economy and aid our recovery from Covid-19.

However, this is already a densely populated area. Any new development should be sensitive to and enhance the character of Pyrmont and prioritise employment growth with clear public benefits. Re-opening of the Glebe Island Bridge cannot be left to deteriorate anymore and should also be incorporated as part of this plan.

Equally concerning about this proposal is that Infrastructure NSW is also asking the Minister to:

- Declare Blackwattle Bay a "public authority precinct" like Barangaroo and Darling Harbour. That means future public domain areas would be designed, delivered, managed, and controlled by the NSW Government outside normal planning processes, even if the development is completed and owned by private interests.
- Make changes to multiple State Environmental Planning Policies (SEPPs) and Sydney Regional Environmental Plans (SREPs) to allow, amongst other things, the design and delivery of open space and public domain to be exempt development, requiring no approvals and public consultation.
- Declare any subsequent development applications with a value of more than \$10 million as 'state significant'. This would mean that future private developers would be excused from important processes and scrutiny that would normally occur if an application was assessed by the City of Sydney.

- Seek to avoid the City's long-standing design excellence requirements and propose an adequate response to affordable housing.
- Postpone identifying what infrastructure will be provided to support the redevelopment until after the planning controls are changed, which is unlike what is expected of every other developer.

I am also concerned that plans for the redevelopment of Blackwattle Bay are proceeding before work is completed on the Pyrmont Peninsula Place Strategy.

Consultation

The package of information currently on public exhibition includes over forty technical studies on which the City, agencies and the community are invited to provide comment.

On 6 July 2021, I wrote to the Minister asking for the public exhibition period to be extended until 10 September 2021. This would allow time for the community to more thoroughly review the proposal and give feedback to the Department of Planning, Industry and Environment.

Disappointingly, the Minister has extended the public exhibition period by just two weeks, until 20 August 2021. This leaves very little time for the City to share its analysis with the community and to encourage residents and businesses to make their own submission.

Recommendation

It is resolved that:

(A) Council note:

- (i) the NSW Governments' State Significant Precinct Study and proposed planning controls for the redevelopment of Blackwattle Bay has been released for public consultation;
- (ii) following a written request by the Lord Mayor, the Minister for Planning and Public Spaces granted a two-week extension to the public exhibition period until 20 August 2021;
- (iii) there are significant concerns about the scale of the proposal and resultant amenity impacts on the existing character of Pyrmont and the communities that live and work there;
- (iv) there are also serious concerns about requests being made by Infrastructure NSW to:
 - (a) declare Blackwattle Bay as a public authority precinct meaning future public domain areas would be designed, delivered, managed, and controlled by the NSW Government even if the development is completed and owned by private interests;
 - (b) make changes to multiple state planning policies to allow the design and delivery of open space and public domain to be exempt development, requiring no approvals or public consultation processes;
 - (c) declare any subsequent development applications with a value of more than \$10 million as 'state significant' meaning that future private developers would be excused from important processes and reviews that would normally occur if an application was assessed by the City of Sydney;
 - (d) avoid the City's long-standing design excellence requirements and propose an adequate response to affordable housing; and

- (e) postpone identifying what infrastructure may be required to support the redevelopment until after the planning controls are changed; and
 - (v) the proposal for the redevelopment of Blackwattle Bay is proceeding before strategic planning work has been completed to guide growth and change under the Pymont Peninsula Place Strategy;
- (B) the Chief Executive Officer be requested to:
- (i) prepare a submission on the State Significant Precinct Study and proposed planning control changes for Blackwattle Bay to the Department of Planning, Industry and Environment that identifies and strongly opposes redevelopment that is out of keeping with the character of Pymont, that does not protect and maintain high quality access to the Harbour foreshore and that is without clear public benefits;
 - (ii) undertake a design review for the consideration of Council via the CEO Update identifying improvements that can be made to this renewal project; and
 - (iii) before the submission deadline, share the City's key concerns about the proposal to community and business leaders from The Bays Precinct to inform their submissions to the Department of Planning, Industry and Environment; and
- (C) the Lord Mayor be requested to write to the NSW Premier and the Minister for Planning and Public Spaces about Council's concerns with the proposal for Blackwattle Bay outlined in (A) above.

COUNCILLOR CLOVER MOORE

Lord Mayor

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

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

Variation. At the request of Councillor Scott, and by consent, the Minute was varied by the addition of a clause (A) (vi) –

- (vi) the petition begun by Councillor Linda Scott and Mayor Darcy Byrne expressing serious concern about this redevelopment has garnered several hundred signatures in a short period of time.

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

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

Noes (1) Councillor Forster.

Minute carried.

S051491

Item 3.3 Infrastructure Contributions

Minute by the Lord Mayor

To Council:

The City of Sydney strongly opposes the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021 that was introduced in June 2021 as part of the budget legislation with no public consultation or detail and that will radically change the way local infrastructure is planned, funded and delivered.

This Bill is an attack on the living conditions and amenity of the people of New South Wales. Currently, we have a system where developer contributions are used by councils to provide community infrastructure in the areas where development occurs.

This Bill will have far-reaching consequences, including in the City of Sydney, which hosts over 1.3 million people each day and generates over 20 per cent of the State's economy.

The proposed changes could see developers pay up to half their contributions to the State Government instead of councils, to spend on opaquely defined "regional" infrastructure.

Sydney's success over the last two decades, and its future success, depends very much on what the city does to make it liveable, workable and a desirable destination for global companies.

The changes risk curtailing our ability to deliver the infrastructure essential to supporting Australia's global city, which is a major contributor to the State economy. Infrastructure contributions from developers should be spent locally. Developer contributions should be spent on infrastructure that relates to the development of the local neighbourhood.

It is critical to delivering parks, open spaces, community facilities, roads and footpaths. The bill filches funding from the areas of greatest infrastructure need and puts it into a pot that can be disbursed anywhere, with little or no accountability on where or what it is spent on.

To compensate, the State Government has said it will allow councils to charge higher rates. This is blatant cost shifting and could seriously impact the ability of councils to provide vital improvements to neighbourhood amenity associated with development.

This could result in urban blight or councils having to raise rates to provide essential infrastructure to improve neighbourhoods, where development occurs.

Regardless, our communities will be far worse off.

Based on the information in the Bill, there is no requirement for a clear plan for the allocation of regional contributions and no commitment to transparent reporting on how they are spent.

In effect, the State Government is proposing to take infrastructure dollars from each community, and in the City of Sydney's case one of Australia's densest communities with rapidly changing needs, with no guarantee the money would be spent on infrastructure to support those neighbourhoods.

Developers will also be granted a "payment holiday", to delay contributions until after construction is completed. Infrastructure will inevitably lag behind new development and people will be moving into homes without adequate associated civic improvements for access, safety, and amenity.

It is clear that councils will be significantly worse off financially and the ultimate cost will be borne by ratepayers who will lose the benefits of adequate infrastructure or will have to pay for it through significant rate increases.

We have not yet seen the detail but what we do know from the NSW Productivity Commission Report is that the State may take half of our development infrastructure contributions. For the City that is estimated to be lost revenue of at least \$35 million a year – or \$350 million over our 10-year long term financial plan. To make this up in rates revenue, the City would need to raise rates by 13 per cent per year instead of the annual increase stipulated by rate pegging for all local councils – usually around 2 per cent.

Of the \$1.57 billion allocated towards new infrastructure in the City's current 10-year capital works program, around \$400 million is currently budgeted through development contributions. A 50 per cent reduction puts significant projects at risk. We would have to plead to the State Government to fund critical flood mitigation, essential new sport facilities to meet population growth, or planned park and playground upgrades.

As it is, the State Government is still playing catch-up on delivering essential state services in the City, despite having collected an estimated \$11 billion in stamp duty from our local government area since 1994. If the State Government wants to establish a regional infrastructure fund, that should be funded from its own revenue sources, such as stamp duty, rather than robbing local government revenue.

This is nothing short of a State Government tax rise by stealth – using local government as its proxy. It also robs developers of the valuable contributions they make to support the areas they're building in, diverting money to fund State Government infrastructure in other areas of Sydney.

At its core, the Bill represents a diffusion of valuable infrastructure funding from areas of greatest infrastructure demand, putting the financial viability of local councils at risk with no discernible benefit to either the community or industry, and no likely improvement to housing affordability.

The Bill has been nefariously introduced in the middle of a major crisis, and on the eve of pre-Local Government election caretaker period.

Recommendation

It is resolved that:

- (A) Council note:
 - (i) the City's submission to the Parliamentary Inquiry on the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021; and
 - (ii) on 16 July 2021, the Lord Mayor and Chief Executive Officer gave evidence at the Parliamentary Inquiry into the proposed Bill in relation to the City's serious concerns with the draft legislation;
- (B) Council endorse calls for the NSW Government to not proceed with the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021; and
- (C) the Lord Mayor be requested to write to the Premier and Minister for Planning and Public Spaces seeking them to withdraw the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021.

COUNCILLOR CLOVER MOORE

Lord Mayor

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

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

Variation. At the request of Councillor Scott, and by consent, the Minute was varied by the addition of words in clause (A) (ii), such that it read as follows –

- (ii) on 16 July 2021, the Lord Mayor, Councillor Linda Scott and the Chief Executive Officer gave evidence at the Parliamentary Inquiry into the proposed Bill in relation to the City's and Local Government NSW's serious concerns with the draft legislation.

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

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

Noes (2) Councillors Chung and Forster.

Minute carried.

S051491

Item 4 Memoranda by the Chief Executive Officer

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

Item 5 Matters for Tabling

5.1 Disclosures of Interest

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

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

Carried unanimously.

5.2 Petitions

(a) New Public Square at Waterloo, Fitzroy and Corben Streets, Surry Hills

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

Further to your letter August 13, 2020, and with the help of neighbour Tara Morice, we have sought a community response to our vision of creating a new public square by part road closure of Fitzroy Street.

The plan and artist's sketches were letter box dropped to 20 households in the immediate area of the intersection of Waterloo, Fitzroy, Little Riley and Corben streets, and a further number were distributed by email.

A summary of replies is attached, with many supportive, and with comments to consider. We consider there is sufficient local support to encourage the Council to pursue this proposal.

The basis of our original concepts for this area was the local community street gardens created by the local residents and my proposal to remove as many bins as possible from the heritage streetscape. We consider that this local community pride should be supported by this endeavour.

(b) Request for Upgrade Lighting off the Paths at Joynton Park and Review of the City's Current Lighting Code

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

Petitioners request that the City of Sydney upgrade lighting off the paths at Joynton Park and review the City's current lighting code to ensure that it provides for a safe community for all.

(c) Paddington Reservoir

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

I am on a sub-committee representing the owners and residents of Paddington Central Apartments (47 apartments). We are writing to you to ask for additional signage and patrols in the Paddington Reservoir Gardens as per the following:

1. Drones prohibited
2. No amplification
3. Please respect our neighbours and others enjoying the park by keeping noise to a minimum

As you are probably aware, the Paddington Reservoir Gardens is completely unique in terms of attraction, its proximity to residents just metres from the reserve, and the acoustics, amplifying even just general chatter much louder than that of normal parks.

In particular, we are having specific problems, especially on weekends, with the issues described below which are all violating our right to “quiet enjoyment” of our homes:

1. Amplification of music from photographers and people filming dance routines for tik tok
2. Loud cheering and screaming from large bridal parties, encouraged by wedding photographers. This is particularly bad in peak wedding season (from September to May) where there can be up to 5 bridal parties taking over the western chamber at any one time, sometimes up to 20 bridal parties in the space over a few hours.
3. Illegal drone useage – mostly by wedding photographers

The conditions sign at the Strong Memorial Reserve include words to the effect of “no amplification” and “please respect our neighbours by keeping noise to a minimum”. Does that CoS have a policy or protocol governing the use of sound equipment applicable to a park like the Paddington Reservoir in terms of acoustics and proximity to residents?

Given the attraction of the Reservoir to wedding photographers who insist on using drones, we believe additional signage regarding drones is also required and appropriate. The rules for flying drones according to the Civil Aviation Safety Authority indicate that drones would not be permitted in a park such as the Paddington Reservoir given that other people and residents are always within 30 metres.

Please note that we don't want to stop people using the park, and we accept a certain level of background noise (which is already amplified due to the acoustics), but since the start of Covid-19 our right to “quiet enjoyment” has been completely violated and the trend is getting worse. People are increasingly working from home with work hours becoming less defined.

Hopefully additional appropriate signage, and additional ranger patrols, will be a great start for the residents being able to regain their “quiet enjoyment” which is their right.

(d) Love Letters to KU Laurel Tree House

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

The “love letters” that follow were written by Laurel Tree House parents and children past and present, in response to the news that KU Children’s Services intend to close the KU Laurel Tree House Children’s Centre at the end of 2021. This incredibly disappointing decision was triggered by notification from the landlords (the Land and Housing Corporation) of their intent to sell the property at 61 Arundel St, Glebe, where Laurel Tree House has nurtured and educated generations of children for nearly 40 years. These testimonials were collected by members of the “Save Laurel Tree House Parents’ Action Group” with the encouragement of Councillor Linda Scott, whose support, and that of Jamie Parker MP, we very gratefully acknowledge.

Our stories speak to the enormous, positive difference that the Laurel Tree House team has made in our lives, demonstrating what will be lost when KU close the doors at Laurel Tree House.

These are stories about children. Children welcomed and valued. Children treated with unfailing kindness and respect. Children happy and thriving, paid attention to and loved. Children forming friendships. Children exploring the world through play. Children given the best start in life – growing and learning to become strong, independent, curious, inquisitive, self-motivated and active participants in the world. All of this thanks to the hard work, skill and dedication of the wonderful team at KU Laurel Tree House and the highest quality early learning experience they deliver.

They are also stories about families and family wellbeing. Families helped and families heard. Families shown true generosity and care. Expat families and isolated families, families struggling with the bewildering demands of new babies and of caring for little people growing in the world, women returning to the workforce – all of supported in our lives, in our professions, and as parents because the KU Laurel Tree House team was there for us as for our children.

KU Laurel Tree House is much more than a building in need of maintenance, much more than small centre offering too few “places” to be worth saving. It is a team of caring, professional women all doing an amazing job guided by Sharmila’s expert and committed leadership. It is a shining example of just how great – just how transformative – an early childhood education centre can be. It is a foundation for our children’s lives and futures, and for our own. It is a community in the best and fullest sense of the word. For many of us and for our children, it is a second family. We value it beyond words. For our children, and for future generations, it must not be allowed to close.

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

It is resolved that the Petitions be received and noted.

Carried unanimously.

S044250

Adjournment

At this stage of the meeting, at 6.30pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Scully –

That the meeting be adjourned for approximately 15 minutes.

Carried unanimously.

All Councillors were present at the resumption of Council at 6.48pm.

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

The Lord Mayor Councillor Clover Moore

(Chair)

Deputy Lord Mayor Councillor Jess Scully

(Deputy Chair)

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

At the commencement of business at 2.06pm those present were -

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

Councillor Forster left the meeting of the Corporate, Finance, Properties and Tenders Committee at 3.11pm, before discussion on Item 6.7, and returned at 3.27pm, after the vote on Item 6.7. Councillor Forster was not present at the meeting of the Corporate, Finance, Properties and Tenders Committee, which was held remotely, during discussion or voting on Item 6.7.

Closed Meeting

At 3.33pm, it was moved by Councillor Scully, seconded by Councillor Thalys –

That the meeting of the Corporate, Finance, Properties and Tenders Committee be closed in accordance with the provisions of the Section 10A(2) of the Local Government Act 1993, to discuss Confidential Item 6.9 on the agenda.

Open Meeting

At 3.36pm, the meeting of the Corporate, Finance, Properties and Tenders Committee was reopened to the public.

Sub-Committee

The Economic Development and Business Sub-Committee, with Councillor Kok as Deputy Chair, commenced at 3.58pm, following an adjournment at the conclusion of the Corporate, Finance, Properties and Tenders Committee at 3.37pm.

The meeting of the Corporate, Finance, Properties and Tenders Committee and its Sub-Committee concluded at 4.20pm.

Report of the Corporate, Finance, Properties and Tenders Committee

Moved by Councillor Scully, seconded by Councillor Kok –

That the report of the Corporate, Finance, Properties and Tenders Committee of its meeting of 19 July 2021 be received, with Item 6.1 being noted, the recommendations set out below for Items 6.2, 6.4, 6.5, 6.6, 6.8 and 6.9 being adopted in globo, and Item 6.7 being dealt with as shown immediately following that item.

Carried unanimously.

Item 6.1

Disclosures of Interest

Councillor Linda Scott made the following disclosures:

- a less than significant, non-pecuniary interest in Item 6.6 on the agenda, in that Mr Graham Brecht made a non-reportable donation to the City of Sydney Labor team in 2016 of \$100, and has also previously been a candidate for the Labor team for the City of Sydney Council. Councillor Scott stated that Mr Brecht has resided in a property adjacent to Edie Ward Park, but has not met or spoken with her about this item.
- a less than significant, non-pecuniary interest in Item 6.6 on the agenda, in that she has received representations from residents of Olivia Gardens, the property that was forcibly acquired by the State Government, regarding Wimbo Park and the surrounding areas in the past.

Councillor Christine Forster disclosed a pecuniary interest in Item 6.7 on the agenda, in that she is employed as the Senior Media Advisor in the Corporate Affairs department of Woodside Energy, the largest Australian natural gas production company. Councillor Forster stated that she would not be present at, or in sight of, the meeting at any time this matter is being considered, discussed or voted on by the Council or Committee.

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

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

Item 6.2

Investments Held as at 30 June 2021

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

Carried unanimously.

X020701

Item 6.3

Public Exhibition - Naming Proposal - Dr Margaret Harper Avenue

The Corporate, Finance, Properties and Tenders Committee decided that consideration of this matter shall be deferred to the meeting of Council on 26 July 2021.

Following the Corporate, Finance, Properties and Tenders Committee, Item 6.3 was withdrawn in order to further consider the matters raised.

X082506

Speakers

Ms Yvonne Weldon (Chair – Metropolitan Local Aboriginal Land Council) and Mr Nathan Moran (Chief Executive Officer – Metropolitan Local Aboriginal Land Council) addressed the meeting of the Corporate, Finance, Properties and Tenders Committee on Item 6.3.

Item 6.4**Lease Approval - Part Ground Floor and Part Forecourt, Customs House, 31 Alfred Street, Sydney**

It is resolved that:

- (A) Council approve the granting of a five-year lease with a five-year option to AVC Operations Pty Limited for Part Ground Floor and Part Portico Customs House, 31 Alfred Street, Sydney;
- (B) Council approve the granting of a five-year licence to AVC Operations Pty Limited for the eastern and western parts of the Customs House Forecourt area; and
- (C) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the terms of the lease and licence in accordance with Confidential Attachment A to the subject report.

Carried unanimously.

S099079

Item 6.5**Draft Project Development Deed - Green Square Town Centre Integrated Community Facility and School**

It is resolved that:

- (A) Council note the previous approval in December 2017 to enter into a Project Development Deed with the NSW Department of Education, the changes since made, and the need to approve an amended Deed;
- (B) Council approve a Project Development Deed with the NSW Department of Education for the Green Square Town Centre Integrated Community Facility and School substantially on the terms contained in Confidential Attachment C to the subject report;
- (C) authority be delegated to the Chief Executive Officer to negotiate, finalise and execute the Project Development Deed with the NSW Department of Education for the Green Square Town Centre Integrated Community Facility and School, noting that the final Deed must be substantially in accordance with the document contained at Confidential Attachment C to the subject report; and
- (D) Council note that if the terms contemplated by (B) above are changed, Council approval will be required for those changes.

Carried unanimously.

S100177.012

Item 6.6**Transport for NSW - Light Rail - Section 29 Land Acquisition Agreement and Land Transfers to the City**

It is resolved that Council:

- (A) note that the City and Transport for NSW have agreed that no compensation will be payable under the Land Acquisition (Just Terms Compensation) Act 1991 for land or property interests acquired by Transport for NSW for the CBD and South East Light Rail Project;
- (B) note that Transport for NSW have agreed to transfer land surplus to the CBD and South East Light Rail for no consideration to the City;
- (C) in respect of 'Eddie Ward Park', corner of Marlborough and Devonshire Streets, Surry Hills, endorse:
- (i) Transport for NSW acquiring proposed Lot 2 in, plan of acquisition, Deposited Plan 1260627 (Acquisition Land) from the City pursuant to section 29 of the Land Acquisition (Just Terms Compensation) Act 1991;
 - (ii) Transport for NSW dedicating to the City as Public Road proposed Lots 11 and 12 in, plan of subdivision, Deposited Plan 1266757 (Compensation Land); and
 - (iii) the pre-existing easements over proposed Lot 12 in Deposited Plan 1266757 for electricity and water;
- (D) in respect of 'Wimbo Park', Surry Hills, endorse:
- (i) Transport for NSW acquiring the following land from the City pursuant to section 29 of the Land Acquisition (Just Terms Compensation) Act 1991:
 - Part 560-576 Bourke Street, Surry Hills, being community land shown as proposed Lot 2 affecting Lots 6 and 7 in Deposited Plan 456577, (Acquisition Land);
 - Part of Olivia Lane, being road and shown as proposed Lot 4, (Acquisition Land); and
 - Part of Parkham Place being road and shown as proposed Lot 5, (Acquisition Land);
 - (ii) Transport for NSW:
 - transferring land forming part of 3 Olivia Lane and part 625-629 South Dowling Street, Surry Hills being proposed Lots 2, 3, 4, 5, 6 and 8 in the proposed plan of subdivision (PPN 1272206) being part of Lot 10 in Deposited Plan 817603 and Lot 12 in Deposited Plan 1194942 for community purposes (Compensation Land); and
 - dedicating as road, pursuant to the Roads Act 1993, and forming part of 3 Olivia Lane, proposed Lot 9 at the corner of Parkham Place and Nobbs Lane and proposed Lot 10 at the corner of Parkham Lane and Parkham Place in the proposed plan of subdivision of Lot 10 in Deposited Plan 817603 and Lot 12 in Deposited Plan 1194942 (Compensation Land);

- (iii) the grant by the City of a 25-year licence for carparking to South Eastern Area Health Service over proposed Lots 4,5 and 6 in proposed plan of subdivision (PPN.1272206) as part of the conditions inherited from Transport for NSW from the Sydney Light Rail Project consent; and
 - (iv) the grant of various easements benefitting Transport for NSW as described within the report for the purpose of the Sydney Light Rail Project;
- (E) in respect of 'Anzac Parade', Moore Park endorse:
- (i) Transport for NSW acquiring from the City a stratum below part of Anzac Parade, Lot 2 in Plan of Acquisition, Deposited Plan 1266334 pursuant to section 29 of the Land Acquisition (Just Terms Compensation) Act 1991 (Acquisition Land); and
 - (ii) Transport for NSW dedicating as road, pursuant to the Roads Act 1993, proposed Lots 5 and 6 in the proposed plan of subdivision (PPN 1271476) being part of Lot 2 in Deposited Plan 739594 (Compensation Land);
- (F) delegate authority to the Chief Executive Officer to finalise the negotiation of any terms and conditions of the Section 29 Land Acquisition Agreement and Land Transfer Agreements and any other documents required to support these transactions, and to execute any documentation necessary to give effect to the transactions approved by these resolutions;
- (G) endorse the proposed resolution: 'It is resolved to classify the City acquired property being a subdivision of Lot 10 in Deposited Plan 817603 and Lot 2 in Deposited Plan 1194942, and further described as proposed Lots 2, 3, 4, 5, 6 and 8 in proposed plan of subdivision no.1272206, as operational land in accordance with section 31 of the Local Government Act 1993' be publicly notified for a period of 28 days prior to or following the completion of the acquisition; and
- (H) note that a further report, to inform the outcomes of public notification and recommendation on land classification, will follow any notification period.

Carried unanimously.

X081018

Item 6.7

Exemption from Tender - Renewable Gas Certification Pilot

Note - The Corporate, Finance, Properties and Tenders Committee decided that consideration of this matter shall be deferred to the meeting of Council on 26 July 2021.

At the meeting of Council, the Officer's Recommendation was moved by Councillor Scully, seconded by Councillor Thalís –

It is resolved that:

- (A) Council endorse entering into discussions with Jemena Limited, Sydney Water and other relevant related parties under a non-binding Memorandum of Understanding to investigate the City's participation in a Renewable Gas Certification Pilot;
- (B) Council approve an exemption from tender to enter into an agreement with Jemena Limited, Sydney Water or appropriate related entities in relation to the Renewable Gas Certification Pilot for a timeframe that will be determined during implementation of the Memorandum of Understanding;

- (C) Council note that a satisfactory result would not be achieved by inviting tenders for this work because:
- (i) the Renewable Gas Certification Pilot is a unique inter-industry partnership which cannot be replicated and hence there are no other suppliers which can offer a similar competitive / reliable alternative; and
 - (ii) there are no other suppliers currently, so there are no competitors with which to run a tender process;
- (D) authority be delegated to the Chief Executive Officer to enter into the Memorandum of Understanding;
- (E) authority be delegated to the Chief Executive Officer to determine if the Renewable Gas Certification Pilot commences and is considered to be feasible and, if feasible, negotiate, execute and administer the contracts relating to the Renewable Gas Certification Pilot; and
- (F) Council note that if the City enters into an agreement with Jemena Limited, details of this agreement will be provided via CEO Update.

Carried unanimously.

S084740.016

Item 6.8

Cancellation of Tender - Sustainability Programs - Panel of Suppliers

It is resolved that Council:

- (A) decline to accept any of the tenders received in response to the tender for Sustainability Programs – Panel of Suppliers;
- (B) cancel the tender for the Sustainability Programs – Panel of Suppliers; and
- (C) note that a new tender will be released for a revised scope of services.

Carried unanimously.

X021078.006

Item 6.9

Property Matter (Confidential)

It is resolved that Council approve the recommendation contained within Confidential Attachment A to the subject report.

Carried unanimously.

X025359

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 19 July 2021 be received, with the recommendation set out below for Item 6.10 being adopted.

Carried unanimously.

The Economic Development and Business Sub-Committee recommended the following:

Item 6.10

Grants and Sponsorship - Commercial Creative Business Events 2021, 2022 and 2023

Moved by Councillor Kok, seconded by Councillor Scully –

It is resolved that:

- (A) Council approve a cash sponsorship of \$85,000 (excluding GST) per annum for two years to International Management Group of America Pty Limited (IMG) for Australian Fashion Week 2022 and 2023;
- (B) Council approve a cash sponsorship of \$150,000 (excluding GST) and \$20,000 value in kind for the use of civic spaces and City venues for one year, to Vogue Australia (News Corp Australia Pty Limited) for Vogue Fashion's Night Out 2021; and
- (C) authority be delegated to the Chief Executive Officer to negotiate, execute and administer sponsorship agreements with each of the applicants above.

Carried unanimously.

S104486.012

Speakers

Ms Diana Kay (Vogue Australia) and Ms Susie Lorback (David Jones) addressed the meeting of the Corporate, Finance, Properties and Tenders Committee (Economic Development and Business Sub-Committee) on Item 6.10.

Item 7 Report of the Environment Committee

PRESENT

The Lord Mayor Councillor Clover Moore
(Chair)

Councillor Jess Miller
(Deputy Chair)

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

At the commencement of business at 4.19pm those present were -

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

Councillor Forster left the meeting of the Environment Committee at 4.21pm, before discussion on Item 7.2, and returned at 4.23pm, after the vote on Item 7.2. Councillor Forster was not present at the meeting of the Environment Committee, which was held remotely, during discussion or voting on Item 7.2.

The meeting of the Environment Committee concluded at 4.54pm.

Report of the Environment Committee

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

That the report of the Environment Committee of its meeting of 19 July 2021 be received, with Item 7.1 being noted, and Items 7.2 to 7.5 being dealt with as shown immediately following those items.

Carried unanimously.

Item 7.1

Disclosures of Interest

Councillor Christine Forster disclosed a pecuniary interest in Item 7.2 on the agenda, as she is employed as the Senior Media Advisor in the Corporate Affairs department of Woodside Energy, the largest Australian natural gas production company. Councillor Forster stated that she would not be present at, nor in sight of, the meeting at any time this matter is being considered, discussed or voted on by the Environment Committee.

Councillor Linda Scott disclosed a less than significant non-pecuniary interest in Item 7.4 on the agenda, as her husband is the secretary of the Marrickville Cricket Club which has in the past used City of Sydney grounds and facilities. Councillor Scott stated that she considered this non-pecuniary conflict of interest was not significant and does not require further action in the circumstances because the role is voluntary and supports the public interest.

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

The Environment Committee recommended the following:

Item 7.2

Post Exhibition - Environmental Strategy 2021-2025

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

It is resolved that:

- (A) Council note the submissions and feedback received through the public exhibition period as shown at Attachment D to the subject report;
- (B) Council adopt the Environmental Strategy 2021-2025, incorporating amendments as shown at Attachment A to the subject report;
- (C) Council adopt the Environmental Sustainability Policy, as shown at Attachment B to the subject report;
- (D) Council rescind the Sustainable Events Management Policy, as shown at Attachment C to the subject report, which is superseded by the Environmental Sustainability Policy;
- (E) authority be delegated to the Chief Executive Officer to make minor editorial amendments to the Environmental Strategy 2021-2025 and the Environmental Sustainability Policy; and
- (F) Council note that people and organisations who made submissions will be notified of the adoption of the Environmental Strategy 2021-2025 and the City responses as shown at Attachment D to the subject report.

Carried unanimously.

X027797.008

Item 7.3

Post Exhibition - Greening Sydney Strategy

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

It is resolved that:

- (A) Council note the results and responses to the public exhibition of the Greening Sydney Strategy, as shown at Attachment B to the subject report;
- (B) Council adopt the Greening Sydney Strategy, as shown at Attachment A to the subject report; and
- (C) authority be delegated to the Chief Executive Officer to undertake minor editorial amendments to the Greening Sydney Strategy.

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

It is resolved that:

- (A) Council note the results and responses to the public exhibition of the Greening Sydney Strategy, as shown at Attachment B to the subject report;
- (B) Council adopt the Greening Sydney Strategy, as shown at Attachment A to the subject report, subject to the following amendments:

That the City:

- (i) stop the planting of London Plane Trees within the City of Sydney, given the respiratory issues caused by Plane Trees, significant number of submissions opposing the continued choice of Plane Trees, and the status of Plane Trees as “foreign weeds”; and
 - (ii) implement a yearly quota for planting native trees, plants and other vegetation into the Greening Sydney Strategy; and
- (C) authority be delegated to the Chief Executive Officer to undertake minor editorial amendments to the Greening Sydney Strategy.

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 Lord Mayor, Councillors Kok, Miller, Scully and Thalys

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

Amendment lost.

The substantive motion was carried unanimously.

X025479

Point of Order

During discussion of this item, Councillor Scully raised a point of order, stating that Councillor Phelps was not showing appropriate respect for other speakers.

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

Item 7.4**Project Scope - Harry Noble Reserve Playground, Erskineville**

Moved by Councillor Miller, seconded by Councillor Thalys -

It is resolved that Council:

- (A) endorse the scope for improvement works to Harry Noble Reserve 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, landowners consent, 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.

X038100

Item 7.5**Knowledge Exchange Sponsorship - 2021 Impact X Climate Growth Sydney Summit Sponsorship**

Moved by Councillor Miller, seconded by Councillor Kok -

It is resolved that:

- (A) Council approve a cash sponsorship of \$15,000 (excluding GST) to Impact X Pty Ltd for the 2021 Impact X Climate Growth Summit Sydney; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer a sponsorship agreement with Impact X Pty Ltd in relation to the sponsorship described in (A) above.

X081463

Item 8 Report of the Cultural and Community Committee

PRESENT

The Lord Mayor Councillor Clover Moore
(Chair)

Councillor Linda Scott
(Deputy Chair)

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

At the commencement of business at 4.55pm those present were -

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

Sub-Committee

The Healthy Communities Sub-Committee, with Councillor Scott as Deputy Chair, commenced at 4.55pm.

The meeting of the Cultural and Community Committee and its Sub-Committee concluded at 5.05pm.

Report of the Healthy Communities Sub-Committee

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

That the report of the Healthy Communities Sub-Committee of its meeting of 19 July 2021 be received, with Item 8.1 being noted, and Item 8.2 being dealt with as shown immediately following that item.

Carried unanimously.

Item 8.1

Disclosures of Interest

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

The Healthy Communities Sub-Committee recommended the following:

Item 8.2

Revised Project Scope - Pymont Community Centre Upgrade

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

It is resolved that:

- (A) Council endorse the revised project scope for the Pymont Community Centre Upgrade as described in the subject report for the purpose of proceeding with design development and lodgement of the Development Application, documentation and tender for construction works;
- (B) Council note the financial implications detailed in Confidential Attachment C to the subject report;
- (C) Council approve that the additional funds required for this project are sourced from the future year provisions for Community and Recreational Facilities included in the City's current approved Long Term Financial Plan, as set out in the City's Resourcing Strategy (2021);
- (D) Council approve an exemption from tender for additional contingency for the Head Design Consultant works by reason of extenuating circumstances, noting that a satisfactory result for the City would not be achieved by inviting tenders at this time;
- (E) Council note the reasons that a satisfactory result would not be achieved for inviting tenders for this work are:
 - (i) the expanded scope of works (from part to all of the Community Centre) is best carried out by the current head design consultant on the basis the consultant is already engaged, and work is well underway, thereby resulting in efficiency in program design and costs and transfer of existing project knowledge associated with the expanded scope of works; and
 - (ii) the proposed services can be provided by a company already engaged by Council. Hence a natural advantage, such as efficiency in program, costs, and transfer of existing knowledge will be achieved by using the existing company;
- (F) Council approve the increased contract contingency to the existing Head Design Consultant contract to cover extended design work, as described in Confidential Attachment C to the subject report; and
- (G) authority be delegated to the Chief Executive Officer to negotiate, execute and administer variations to the Head Design Consultant Contract relating to Pymont Community Centre Upgrade.

Carried unanimously.

X038734

Item 9 Report of the Transport, Heritage and Planning Committee

PRESENT

The Lord Mayor Councillor Clover Moore
(Chair)

Councillor Prof Philip Thalís
(Deputy Chair)

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

At the commencement of business at 5.06pm those present were -

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

Councillor Phelps arrived at the meeting of the Transport, Heritage and Planning Committee at 5.15pm during discussion and before the vote on Item 9.2.

Councillor Miller left the meeting of the Transport, Heritage and Planning Committee at 5.09pm during discussion and before the vote on Item 9.2, and returned at 5.33pm prior to discussion on Item 9.3.

The meeting of the Transport, Heritage and Planning Committee concluded at 5.55pm.

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 19 July 2021 be received, with Item 9.1 being noted, and Items 9.2 and 9.3 being dealt with as shown immediately following those items.

Carried unanimously.

Item 9.1**Disclosures of Interest**

Councillor Jess Miller disclosed a pecuniary interest in Item 9.2 on the agenda, in that an immediate family member owns property within the area on which the planning controls are proposed to change. Councillor Miller advised that she would not be present at, or in sight of, the meeting at any time this matter is being considered, discussed or voted on by the Council or Committee.

Councillor Linda Scott made the following disclosures:

- a less than significant, non-pecuniary interest in Item 9.2 on the agenda, as in 2021 the City of Sydney Labor team received a donation of \$20 from Zach Alexopolous who resides within the Botany Road Precinct.
- a less than significant, non-pecuniary interest in Item 9.2 on the agenda, as in 2016 the City of Sydney Labor team received a donation of \$95 from Danielle Bevins who resided within the Botany Road Precinct at the time of donation.
- a less than significant, non-pecuniary interest in Item 9.2 on the agenda, as in 2016 the City of Sydney Labor team received a donation of \$95 from Anthony Byrne who resided within the Botany Rd Precinct at the time of donation.
- a less than significant, non-pecuniary interest in Item 9.2 on the agenda, as in 2016 the City of Sydney Labor team received two donations of \$120, totalling \$240, from Rachel Durrant who resided within the Botany Road Precinct at the time of donation.

Councillor Scott advised that she has had no engagement with these individuals on this matter and no representations were made.

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

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

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

The Transport, Heritage and Planning Committee recommended the following:

Item 9.2

Public Exhibition - Planning Proposal – Botany Road Precinct – Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment

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

It is resolved that:

- (A) Council approve Planning Proposal – Botany Road Precinct, shown at Attachment A to the subject report, for submission to the Department of Planning, Industry and Environment with a request for a Gateway Determination;
- (B) Council approve Planning Proposal – Botany Road Precinct, shown at Attachment A to the subject report for public authority consultation and public exhibition in accordance with any conditions imposed under the Gateway Determination;
- (C) Council seek authority from the Department of Planning, Industry and Environment to exercise the delegation of all functions under the relevant local plan making authority under Section 3.36 of the Environmental Planning and Assessment Act 1979 to make the local environmental plan and put into effect the Planning Proposal – Botany Road Precinct;
- (D) Council approve draft Development Control Plan - Botany Road Precinct, shown at Attachment B to the subject report, for public authority consultation and public exhibition together with the planning proposal; and
- (E) authority be delegated to the Chief Executive Officer to make any minor variations to Planning Proposal – Botany Road Precinct and draft Development Control Plan – Botany Road Precinct, to correct any drafting errors or to ensure consistency with the Gateway Determination.

Carried unanimously.

X031159

Speakers

Ms Yvonne Weldon (Chair – Metropolitan Local Aboriginal Land Council) and Mr Nathan Moran (Chief Executive Officer – Metropolitan Local Aboriginal Land Council) addressed the meeting of the Transport, Heritage and Planning Committee on Item 9.2.

Item 9.3**Public Exhibition - Planning Proposal - Enterprise Area Review - Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment**

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

It is resolved that:

- (A) Council approve Planning Proposal - Enterprise Area Review, shown at Attachment A to the subject report, for submission to the Department of Planning, Industry and Environment with a request for a gateway determination;
- (B) Council approve Planning Proposal - Enterprise Area Review, for public authority consultation and public exhibition in accordance with any conditions imposed under the gateway determination;
- (C) Council approve draft Sydney Development Control Plan 2012: Southern Enterprise Area Amendment, shown at Attachment B of the subject report, for public exhibition concurrent with the planning proposal;
- (D) Council seek authority from the Department of Planning, Industry and Environment to exercise its delegation under section 3.36 of the Environmental Planning and Assessment Act 1979 to make the amending Local Environmental Plan; and
- (E) authority be delegated to the Chief Executive Officer to make any minor variations to Planning Proposal - Enterprise Area Review and draft Sydney Development Control Plan 2012: Southern Enterprise Area Amendment 2021 to correct any drafting errors or inconsistencies, or to ensure consistency with any condition of the gateway determination.

Carried unanimously.

X025568

Speakers

Mr Brendan Hoskins addressed the meeting of the Transport, Heritage and Planning Committee on Item 9.3.

Item 10 Support for Our Community - 2021 Lockdown Response

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

It is resolved that:

- (A) Council approve the continuation of fee waivers and note the potential revenue foregone for the lockdown period, at an estimated value of \$7.8 million per month;
- (B) Council approve funding donations of:
 - (i) \$300,000 to OzHarvest Limited;
 - (ii) \$300,000 to Foodbank NSW & ACT Limited; and
 - (iii) \$100,000 to SecondBiteto provide food relief to vulnerable communities;
- (C) the Chief Executive Officer be requested to explore further options for providing food relief to vulnerable communities;
- (D) Council approve funding of up to \$50,000 to supply and distribute masks to vulnerable communities and to increase communication to connect people with mental health and social connection support services;
- (E) Council approve an additional \$250,000 in new Community Emergency Quick Response Grants for not for profit entities to deliver community services addressing urgent needs as they arise;
- (F) authority be delegated to the Chief Executive Officer to finalise grant criteria, advertise for applications as appropriate and approve the Community Emergency Quick Response Grants due to the emergency need, and to report back on grants awarded by way of CEO Update;
- (G) Council approve the transfer of \$1.0 million from General Contingency funds to fund the initial phase of the recovery package, and note the balance of funding will be determined as the City gains a better understanding of the financial and operational impacts of the current lockdown, to refine and bring back its financial recovery plan to Council;
- (H) the Chief Executive Officer be requested to develop an appropriate grant program for delivery of an additional \$4 million to support business and creatives in the recovery of the city economy (including funding for resources to do so), with the proposed program to be reported back to Council;

CBD Revitalisation Fund

- (I) Council approve a variation to the CBD Revitalisation Fund contract with NSW Treasury to extend the term of the program by 11 months until 30 September 2022;
- (J) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the variation to the CBD Revitalisation Fund agreement;
- (K) authority be delegated to the Chief Executive Officer to make any further variations to the CBD Revitalisation Fund contract to enable the implementation of activities as outlined in this report, with such changes to be reported by way of a CEO Update;

Outdoor Dining

- (L) Council adopt the temporary changes to City of Sydney Outdoor Dining Guidelines, June 2021, as shown at Attachment A to the subject report, noting the temporary changes will apply until 30 June 2022 across the whole of the local government area and public consultation has not been possible given the circumstances;
- (M) authority be delegated to the Chief Executive Officer to make any further temporary changes to the Outdoor Dining Guidelines for the duration of the program to enable the implementation of activities as outlined in this report, with such changes to be reported by way of the CEO Update; and
- (N) authority continue to be delegated to the Chief Executive Officer to, by notice on the City's website, approve the use of roads, footways and public open spaces for outdoordining, extension of foyer space and performance space under Part 12 of the Liquor Act 2007 in accordance with the requirements of that Act, with such delegation to apply until 30 June 2022;

Advocacy

- (O) Council call upon the Federal Government to:
 - (i) reinstate JobKeeper for those businesses affected by lockdowns directed at controlling the spread of Covid-19;
 - (ii) extend existing Covid disaster payments to persons in receipt of Commonwealth benefits; and
 - (iii) reinstate the Coronavirus supplement for persons receiving Commonwealth benefits in areas affected by lockdowns.

Variation. At the request of Councillor Vithoulkas, and by consent, the motion was varied by the addition of a clause (P) to read as follows –

- (P) the Lord Mayor be requested to write to the Prime Minister and the Treasurer advising that Council calls upon the Federal Government to take the actions outlined in (O) above.

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

X034972.14

Adjournment

At this stage of the meeting, at 8.42pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Scully –

That the meeting be adjourned for approximately 15 minutes.

Carried unanimously.

All Councillors were present at the resumption of the meeting at Council at 9.02pm.

Item 11 Questions on Notice

1. Lighting in the City of Sydney

By Councillor Scott

Question

1. Has the lighting review of on and off path areas at Waterloo Park been completed? If not, what is the timeline for its completion?
2. Has more on and off path lighting been installed in Waterloo Park? If not, what is the timeline for its installation?
3. Has the lighting review of on and off path areas at Joynton Park been completed? If not, what is the timeline for its completion?
4. Has lighting been installed at Joynton Park? If not, what is the timeline for its installation?
5. Has the review of the City's lighting policy been completed? If not, what is the timeline for its completion?

S129275

Answer by the Chief Executive Officer

Information on lighting assessments and reviews was provided in the 16 July 2021 CEO Update. Further information including timeframes will be provided via a CEO Update as the work progresses.

2. Safer Cladding in the City of Sydney

By Councillor Scott

Question

1. How many fire safety notices for either the removal and replacement of flammable cladding has the City issued? Can this data be provided broken down by:
 - (a) Suburb; and
 - (b) Year.
2. How many plans of management relating to the removal and replacement of flammable cladding are currently in place?
3. How many plans of management relating to the removal and replacement of flammable cladding are currently required?

4. How many disputes over the replacement of flammable cladding are currently in progress?
5. How many buildings have had their flammable cladding removed or replaced?

S129275

Answer by the Chief Executive Officer

1. There are (112) fire notices that require the removal and replacement of existing cladding in progress. Cladding replacement projects are scattered fairly consistently throughout the City's Local Government Area. Issued: 7 in 2019; 45 in 2020; 60 in 2021.
2. Plans of management are not specifically nominated under the requirements of a fire safety order. Remove and replace cladding projects are *quality assessed* by the relevant City of Sydney officer. The officer utilises an internal checklist in addition to the terms of the order. The checklist provides key construction heads of consideration to establish that the proposal will deliver a quality and compliant finish under controlled site managed conditions. City officers also conduct periodic compliance site inspections.
3. All cladding projects to remove and replace require submissions to that exemplified in part 2.
4. One court appeal in progress.
5. 39.

3. Racism Not Welcome

By Councillor Scott

Question

1. Since the passing of a Notice of Motion to endorse the #RacismNotWelcome campaign in February 2021 how many street signs have been installed? Where have those signs been installed?
2. What other actions has the City taken to support the #RacismNotWelcome campaign?

S129275

Answer by the Chief Executive Officer

The City is finalising four locations for the Racism Not Welcome signs to be added in high vehicular and pedestrian traffic areas. A CEO Update will be provided when the locations have been confirmed.

4. Green Square Post Office

By Councillor Scott

Question

1. Has a suitable space in Green Square and Redfern/Waterloo for a future post office been located?
2. What is the current timeline for a post office opening in Green Square or Redfern/Waterloo?

S129275

Answer by the Chief Executive Officer

Responsibility for oversight of Australia Post services lies within the Australian Government. Australia Post is bound by performance standards set in specific regulations which, amongst other things, set out requirements for availability of postal services.

City staff have meet and liaised with Australia Post retail network representatives on many occasions requesting a Post Office in Green Square.

Australia Post has advised that it recognises the need for a range of postal services in the Green Square renewal area and at present, in particular, the need for 24/7 parcel lockers offering users Collect, Send and Return. The City is providing information to Australia Post to help identify suitable locations.

A CEO Update will be provided once locations are confirmed.

5. Youth Employment

By Councillor Scott

Question

In July 2020, the Chief Executive Officer was requested to investigate opportunities for the City to employ additional numbers of school leavers and unemployed young Australians in apprenticeships and traineeships through a Notice of Motion passed unanimously at Council.

Since that request how many young people has the City employed broken down by:

- (a) Number of school leavers;
- (b) Number of unemployed young Australians;
- (c) Number employed in apprenticeships;
- (d) Number employed in traineeships;
- (e) Number employed in casual positions;
- (f) Number employed in permanent positions;

- (g) Number employed in full-time positions; and
- (h) Total number of young people employed.

S129275

Answer by the Chief Executive Officer

Eleven young people joined the City as new employees between 1 July 2020 and 30 June 2021.

As at 30 June 2021, the City employed 22 young people, including through our apprenticeship, cadetship and graduate programs.

Of these 22 young people, 17 were employed in full-time positions and five in part-time positions.

Some of the City's recruitment and traineeship programs were impacted by the pandemic with intakes suspended due to difficulties on-boarding and supporting new employees.

ArtsReady traineeship recruitment has resumed with the City currently interviewing four new starters. Two new starters with lived experience of disability have also commenced in July 2021.

6. Pandemic Leave and Stand Downs for City Staff and Contractors

By Councillor Scott

Question

1. Broken down by year, how many City staff have been stood down under the Splinter Award, and for how long?
2. Please detail how many City of Sydney staff have accessed vaccination leave in 2021.
3. In 2020 and 2021, please detail how many staff of City contractors have been stood down as a result of Covid-19 lockdowns, and for how long? Please detail a breakdown by the City's top three contractors (by quantum) and the remainder.

S129275

Answer by the Chief Executive Officer

1. No City of Sydney employee was stood down under the Splinter Award in 2020.

As a result of new public health restrictions announced on 17 July 2021, 164 employees were stood down with pay under the 2021 Splinter Award. 65 of these employees reside in the Liverpool, Fairfield and Canterbury-Bankstown Local Government Areas and are unable to work from home. 96 of these employees are involved in construction and non-urgent maintenance work and are unable to work from home. Three other employees have no useful work to do and cannot work from home.

2. The City does not record absences or leave taken for employee vaccinations. All employees have been advised that if their appointment is during working hours, they may take paid time off work as reasonably required to receive a vaccination.
3. The City does not have access to these records as the City's contractors are the employer for these staff.

7. Belgravia Leisure

By Councillor Scott

Question

1. What would the cost to the City of Sydney be, per week, to pay Belgravia staff, broken down by casuals and other employees?
2. Please attach a copy of all current City contracts with Belgravia Leisure, and detail the actual annual quantum expended by the City, broken down by year under these agreements.

S129275

Answer by the Chief Executive Officer

The City has two contracts with Belgravia Leisure - Management and Operation of Gunyama Park Aquatic & Recreation Centre and Management and Operation of Ian Thorpe Aquatic Centre, Andrew (Boy) Charlton, Cook + Phillip Park, Prince Alfred Park and Victoria Park Pools (5 centres) These contracts expire on 31 March 2024.

Belgravia Leisure's average weekly payroll cost for both contracts is \$223,000. The approximate breakdown is \$149,000 for permanent workers and the balance (\$74,000) for casual workers.

The five centres contract commenced in Q3 FY12 and the City has benefited from a financial return each year except for FY20 and FY21 which were impacted by Covid-19. The contract is currently operating under force majeure provisions where the City is meeting the direct operational cost of providing the City's largest community facing service, until the operation achieves a breakeven position at which point the City will receive any surplus.

The Gunyama Park contract is a fee for service model contract. The City is meeting the direct operational cost of providing this service to the community until the centre achieves a breakeven position, at which point the City will receive any surplus.

The direct operational cost for the two contracts excludes utilities and property maintenance, which are considerable for the six centres.

	Income/(Expense) Belgravia Contracts
FY13	0.10 M
FY14	0.33 M
FY15	0.32 M
FY16	0.54 M
FY17	0.70 M
FY18	0.93 M
FY19	0.94 M
FY20	-0.07 M
FY21*	-0.79 M

*FY21 to be finalised and paid upon reconciliation completion of the audited financial statements

Copies of the two contracts with Belgravia Leisure will be provided by a confidential CEO Update.

8. Green Square School

By Councillor Scott

Question

1. When was the last valuation of the site to be entered into the proposed Project Development Deed? What was the valuation quantum?
2. Please detail the compensation (in kind or otherwise) the City will be provided for this land, proposed to be provided to Department of Education under the Project Development Deed.
3. Please detail, broken down by year, other land transfers to the NSW Government for public benefit uses, since 2011, and the monetary or in-kind public benefit or otherwise that the City has received.
4. Please detail, broken down by year, land transfers from the NSW Government to the City of Sydney for public benefit uses, since 2011, and the monetary or in-kind public benefit or otherwise that the City has received.
5. Is there asbestos present in the site of the proposed new Green Square primary school site? If so, please detail how this will be removed and remedied safely, noting the early education and care centre in close proximity.

S129275

Answer by the Chief Executive Officer

1. This information is contained on page 2 of Confidential Attachment F (19 July 2021 Corporate, Finance, Properties and Tenders Committee – Item 5 -Draft Project Development Deed - Green Square Town Centre Integrated Community Facility and School) – under the heading “Site Valuation”.
2. The Department of Education will be contributing financially to the capital cost of City owned facilities (the shared facilities). This information is contained on page 44 of Schedule 3 of Confidential Attachment C (19 July 2021 Corporate, Finance, Properties and Tenders Committee – Item 5 -Draft Project Development Deed - Green Square Town Centre Integrated Community Facility and School) – in the table “Apportionment of Payments”. These financial capital contributions from the Department of Education are more than the value of the stratum being transferred to Department of Education. Furthermore, the substantial additional cost to the City of not entering to the Development Deed with Department of Education and then constructing the same proposed community facilities alone is contained on page 3 of Confidential Attachment F (19 July 2021 Corporate, Finance, Properties and Tenders Committee – Item 5 -Draft Project Development Deed - Green Square Town Centre Integrated Community Facility and School) – under the heading “Options”. The additional costs are significantly more than the value of the stratum being transferred to Department of Education.
3. This information will take some time to compile. The City will provide this information to Councillors via the CEO Update when available.
4. This information will take some time to compile. The City will provide this information to Councillors via the CEO Update when available.

5. The City has successfully decontaminated the rest of the former South Sydney Hospital site and all other projects it has worked on in the Green Square precinct. A Remediation Action Plan is developed by a qualified Environmental Consultant, which is approved by an accredited Independent Environmental Auditor before any demolition or construction commences. Any works involving removal of asbestos would be undertaken as per stringent regulation and safety requirements, and the City will notify adjacent landowners, businesses and residents.

9. Community Consultation for the Botany Road Precinct

By Councillor Phelps

Question

In July 2021, the City of Sydney considered a planning proposal which aims to incentivise commercial development to strengthen the economic role of the Botany Road Precinct.

This is a particularly significant precinct to local communities, particularly to the inner city First Nations community. It is important that thorough community consultation and engagement occurs throughout the finalisation of the proposal, and in the approval of future Development Applications in the area.

Could the Chief Executive Officer please advise:

1. What community consultation has been done on this proposal?
2. What community consultation will be done on this proposal?
3. How will the community be notified that the proposal is on public exhibition?
4. Which community stakeholders will be engaged by the City during the exhibition and finalisation of this proposal?
5. Will there be any mandatory community engagement requirements for developers as part of this proposal?
6. Will there be any mandatory First Nations engagement requirements as part of this proposal?

S129272

Answer by the Chief Executive Officer

Preliminary consultation

As outlined in Attachment A3(b) of the Council report, Council engaged Cox Inall Ridgeway (CIR) to undertake preliminary community consultation to inform the Botany Road Precinct strategic review. A significant focus of the Project was collecting information and advice from Aboriginal and Torres Strait Islander people about the history, significance and cultural heritage of the Study Area, and the communities' priorities and aspirations for the future development of the area.

Community engagement was undertaken over August and September 2020. Engagement was in the form of:

- email or phone invitations to identified stakeholders inviting participation in the Project;

- initial meetings with selected priority stakeholders including the Metropolitan Local Aboriginal Land Council and the City's Aboriginal and Torres Strait Islander Advisory Panel to explain the Project and seek feedback;
- individual semi-structured interviews exploring the knowledge and insights that different community members held;
- a group workshop with staff from one Aboriginal organisation; and
- an online survey on the general community's priorities for the future of the Precinct.

In total, Cox Inall Ridgeway received advice or feedback from 23 Aboriginal and/or Torres Strait Islander individuals or organisations across 14 hours of interviews. Consultation was focused on Traditional Owners, senior Elders, locally based Aboriginal and Torres Strait Islander groups and local residents. The community survey was publicised through the City's Sydney Your Say website, a letterbox drop and ads promoting the online survey through Koori Radio. The community survey received 274 responses.

Botany Road Draft Development Control Plan - engagement with Aboriginal and Torres Strait Islander communities

As outlined in paragraphs 85 to 89 of the 19 July 2019 Transport, Heritage and Planning Committee report (Item 2 - Public Exhibition - Planning Proposal – Botany Road Precinct – Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment) and at Attachment B, the draft DCP includes controls to address the concerns raised in preliminary consultation, including the cultural and historic significance of the area and displacement of Aboriginal and Torres Strait Islander people and organisations in the area. The draft DCP aims to promote ongoing engagement with Aboriginal and Torres Strait Islander communities that is holistic and meaningful to deliver cultural and community outcomes.

The draft DCP includes a requirement for 10 per cent or more of the total number of dwellings in affordable housing developments be provided for Aboriginal and Torres Strait Islander housing. The draft DCP includes provisions to ensure appropriate assessments are undertaken to identify and protect Aboriginal archaeological resources. It also includes controls to celebrate Indigenous history, knowledge, identity and living culture through elements such as public art, landscaping, architecture and design.

The draft DCP provisions require developments to identify potential impacts, such as displacement, on Aboriginal and Torres Strait Islander people and organisations. Where impacts are identified, development is encouraged to consult with the affected community with an aim to ameliorating or reducing impacts.

For major development, targeted consultation with the Aboriginal and Torres Strait Islander community is required to seek community views on the impact of the proposed development and how the development may best maximise the presence, visibility and celebration of Aboriginal and Torres Strait Islander peoples, organisations, businesses and living culture. The draft DCP also requires that consultation activities are to be designed and led by Indigenous-owned consultation advisories or by organisations with Indigenous consultation experience.

Public Exhibition

Paragraphs 99 to 101 of the 19 July 2019 Transport, Heritage and Planning Committee report (Item 2 - Public Exhibition - Planning Proposal – Botany Road Precinct – Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012 Amendment) outline minimum public exhibition process for the Botany Road Precinct proposal. The minimum public exhibition requirements will be determined by the Department of Planning, Industry and Environment in the Gateway Determination, and will be for a minimum of 28 days. It is proposed that the public exhibition of the planning proposal and draft DCP will run concurrently.

The planning proposal and draft DCP will be publicly exhibited online on the City of Sydney website in accordance with the Environmental Planning and Assessment Regulation 2000 and the City's Community Participation Plan.

It is usual practice for the City to undertake additional engagement activities for major planning reforms beyond the minimum requirements for the public exhibition that are set by the Department.

The public exhibition activities will include:

- public exhibition of the draft plan on the Sydney Your Say website;
- a letter to all affected and adjoining landowners;
- a notification to identified stakeholders, including all Aboriginal and Torres Strait Islander community members and organisations who participated in the preliminary consultation;
- meetings with key stakeholders including the Metropolitan Local Aboriginal Land Council; and
- targeted social media and marketing (such as Koori Radio) to ensure interested community members know about the opportunities to provide feedback.

Engagement activities will focus on key parts of the DCP, including:

- the community engagement provisions;
- protecting current cultural and community uses;
- affordable housing and minimising the impacts of displacement; and
- gathering more community knowledge on the proposed heritage items.

10. Greening Sydney Strategy

By Councillor Phelps

Question

The Greening Sydney Strategy 2021 aims to achieve a "greener, cooler, more resilient city" and will do so by planting trees to cover 40 per cent of the city in greenery by 2050.

In previous efforts to green Sydney, the City of Sydney has planted hundreds of Plane Trees. While this species provides effective canopy, they have been banned in the City of Melbourne since 2019 due to their impacts on the native ecosystem, inability to withstand increasingly hot temperatures and negative health effects.

Professor Tim Flannery stated in a Sydney Morning Herald article that Plane Trees are "foreign weeds ... about as much use to our wildlife as concrete posts" and the "Which Plant Where" research points to native trees as more effective in withstanding rising temperatures.

The community response to this strategy included over 20 submissions requesting Council to discontinue the planting of Plane Trees and embrace more native species.

Could the Chief Executive Officer please advise:

1. How has the Council previously selected which trees will be planted in the City of Sydney Local Government Area?

2. How will the City of Sydney decide upon which tree species are to be planted throughout the City?
3. Which external Arborists has the City consulted in the past to determine which tree species to plant? Which of these experts were First Nations people?
4. Of the new trees planted, how many will be Plane trees?
5. Of the new trees planted, how many will be native trees?
6. What consideration is being given to native animal and bird species in the selection of trees?

S129272

Answer by the Chief Executive Officer

The City's Street Tree Master Plan identifies the species to be planted in every street across the Local Government Area. Street tree selection involves many complex considerations, which broadly fit into three main categories: environmental, functional, and aesthetic. Further considerations are taken to select large trees suitable for the site, as research has confirmed that larger trees provide more benefits. For example, a larger tree's canopy cover shades more area from urban heat, reducing temperatures by as much as 10 degrees Celsius in the immediate area.

The Street Tree Master Plan was developed to provide a coordinated and strategic approach to the planting and managing of trees across the Local Government Area. Many arborists external to the City have been involved in its development, implementation and review of the earlier and current Street Tree Master Plans over the past 20 years. The consultant team also met with Aunty Fran Bodkin to discuss native species selection as part of the current plan's development in 2010/11.

The Street Tree Master Plan underwent extensive community consultation prior to its adoption, and since then, all street tree planting is undertaken in accordance with this policy. This planting includes new trees where new sites are identified, with the predominant planting being replacements for trees needing to be removed e.g. due to their declining health or condition. Future replacement trees are planted as and when required and the exact number of native species that will be planted over the Plan's future 10-year implementation timeframe is not available. As previously advised replacement planting from 2013 has included 55 per cent native species. Only six per cent have been Plane trees.

The review of the Street Tree Master Plan is due to commence in 2022 and will involve extensive community consultation before being reported to Council for review and adoption.

Item 12 Supplementary Answers to Previous Questions

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

Item 13 Notices of Motion

Item 13.1 State Government Changes to Bus Routes

Moved by Councillor Scott, seconded by Councillor Phelps -

It is resolved that:

- (A) Council note:
- (i) the NSW Government has released details on an integrated network plan for Sydney's South East that will affect key bus routes for the City of Sydney;
 - (ii) residents in the City of Sydney suburbs of Alexandria, Botany, Redfern, Rosebery, Surry Hills, Waterloo and Zetland will be directly impacted by the proposed changes;
 - (iii) a number of routes will be changed or lost altogether significantly impacting vulnerable City of Sydney residents including:
 - (a) 301, 302 and 303 services will be lost completely affecting Redfern, Waterloo, Zetland and Rosebery residents;
 - (b) 309 will no longer operate between Redfern and Central;
 - (c) Surry Hills residents will lose a number of bus services including routes 309, 338, 372, 376, 391, 393 and 395;
 - (d) 370 route – used to run from Coogee to Leichardt via the University of Sydney – will no longer operate from University of Sydney to Leichardt impacting residents who used to travel to Coogee from Glebe and Newtown and residents who also want to travel between Glebe and Newtown easily;
 - (e) 418 – will no longer operate between Sydenham and Kingsford impacting residents in Alexandria; and
 - (f) 389 route no longer services the Pyrmont Bay Ferry Wharf nor the West end of the Pyrmont Bridge;
 - (iv) these changes to bus routes will drastically decrease accessibility in the local area, leaving many people, including the most vulnerable, increasingly isolated and disconnected;
 - (v) an integrated transport network, including regular bus services, is crucial to creating a sustainable city and accommodate the high growth in residents, workers and visitors to the local area in the future; and
 - (vi) a key role for the City is to make representations on behalf of residents to other levels of government; and
- (B) the Lord Mayor be requested to write to the NSW Premier Gladys Berejiklian and Minister for Transport Andrew Constance:
- (i) reiterating Council's support for stronger public transport links in the City of Sydney;

- (ii) requesting funding for Green Square Light Rail, an additional Green Square rail stop be committed to and key and key bus routes preserved;
- (iii) detailing concerns about the impact the changes to the bus routes will have on City of Sydney residents and visitors;
- (iv) calling for the 301, 302 and 303 services affecting Roseberry, Zetland, Waterloo and Redfern residents to be retained;
- (v) calling for the 309 service to continue operating between Redfern and Central;
- (vi) calling for the 309, 338, 372, 376, 391, 393 and 395 services affecting Surry Hills residents to be retained;
- (vii) calling for the 418 service to continue operating between Sydenham and Kingsford via Alexandria;
- (viii) calling for the 389 service to continue servicing the Pyrmont Bay Ferry Wharf and the West end of the Pyrmont Bridge;
- (ix) calling for the 370 route to continue operating from Coogee to Leichhardt via Glebe;
- (x) calling on the NSW Government to extend the community consultation period for the changes due the significant impact on the community;
- (xi) calling for bus frequency on all routes be increased to provide a better level of service for City of Sydney residents; and
- (xii) asking the NSW Government to listen to the community and reconsider the proposed changes.

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

It is resolved that:

(A) Council note:

- (i) the NSW Government has released details on an integrated network plan for Sydney's South East that will affect key bus routes for the City of Sydney;
- (ii) residents in the City of Sydney suburbs of Alexandria, Botany, Redfern, Rosebery, Surry Hills, Waterloo and Zetland will be directly impacted by the proposed changes;
- (iii) a number of routes will be changed or lost altogether significantly impacting vulnerable City of Sydney residents including:
 - (a) 301, 302 and 303 services will be lost completely affecting Redfern, Waterloo, Zetland and Rosebery residents;
 - (b) 309 will no longer operate between Redfern and Central;
 - (c) Surry Hills residents will lose a number of bus services including routes 309, 338, 372, 376, 391, 393 and 395;
 - (d) 370 route – used to run from Coogee to Leichardt via the University of Sydney – will no longer operate from University of Sydney to Leichardt impacting residents who used to travel to Coogee from Glebe and Newtown and residents who also want to travel between Glebe and Newtown easily;

- (e) 418 – will no longer operate between Sydenham and Kingsford impacting residents in Alexandria; and
 - (f) 389 route no longer services the Pyrmont Bay Ferry Wharf nor the West end of the Pyrmont Bridge;
 - (iv) an integrated transport network, including regular bus services, is crucial to creating a sustainable city and accommodate the high growth in residents, workers and visitors to the local area in the future;
 - (v) a key role for the City is to make representations on behalf of residents to other levels of government;
 - (vi) the Lord Mayor and Council have been consistent, passionate advocates for accessible public transport services throughout the City of Sydney since 2004;
 - (vii) the Lord Mayor has publicly and privately called for significant improvements to public transport services for Green Square, including Light Rail, suburban rail and Sydney Metro;
 - (viii) Transport for NSW requested feedback by 30 June 2021, with a view to implementation later in the year;
 - (ix) City staff drafted a submission to the consultation, which was circulated to Councillors for input via a CEO Update on 25 June 2021;
 - (x) the City lodged a comprehensive submission with Transport for NSW on 30 June 2021, which included feedback directly received from Councillors;
- (B) the Lord Mayor be requested to write to the NSW Premier Gladys Berejiklian and Minister for Transport Andrew Constance:
- (i) providing a copy of the City's submission to the Transport for NSW consultation process on the Draft South East Bus Plan and highlighting potential impacts on inner city residents;
 - (ii) requesting that Transport for NSW brief Council on the details of the Draft South East Bus Plan before it is finalised;
 - (iii) reiterating Council's support for stronger public transport links in the City of Sydney;
 - (iv) repeating Council's requests for funding for Green Square Light Rail, a Metro station at Green Square and a high-frequency, zero-emission bus service from Green Square to the CBD; and
 - (v) asking the NSW Government to listen to community feedback received through the consultation process and to further engage with the community ahead of and during the implementation of the changes.

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

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

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

The Lord Mayor exercised her casting in favour of the amendment. The amendment was declared carried.

Amendment carried.

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

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

Noes (1) Councillor Forster.

Motion carried.

S129266

Item 13.2 Meanwhile Use of Student Housing for Transitional Housing and Crisis Accommodation

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

It is resolved that:

(A) Council note:

- (i) under normal circumstances, more than 178,000 international students study in Sydney each year, enhancing global connections in our local communities, contributing to the life and vibrancy of the city and increasing the diversity of our city. They contribute \$5.8 billion per year to the Australian economy, with significant spend by students in our local City of Sydney economy in addition to their contributions as workers in local businesses;
- (ii) as a result of the Covid-19 pandemic, many international students returned home in 2020 and fewer have arrived this year due to continued border closures. Student housing in the City of Sydney has been dramatically impacted, with four out of the top five areas with the greatest reduction in international students in NSW being in our Local Government Area. It may be some time before international student numbers return to pre-pandemic levels, with impacts for our education sector, student housing providers, and the many businesses connected to the international education sector;
- (iii) there is evidence that domestic and family violence increases post disaster, as discussed at the City of Sydney's Domestic and Family Violence Forum in May. In the Sydney Local Government Area, there are on average three incidents of reported abuse per day. Services are reporting that there is an increased need for affordable transitional housing for women experiencing domestic violence or at risk of homelessness as a stepping stone to permanent, safe and affordable housing;
- (iv) vacant student accommodation in our Local Government Area presents one potential solution to this increased need for transitional and affordable housing, however, some barriers exist to the "meanwhile use" of student housing to meet this need, such as the need for new models to ensure commercial viability and planning approval conditions which limit use in some cases; and
- (v) discussions with members of the Student Accommodation Association, Women's Community Shelters and City West Housing have led to a proposal for an innovative arrangement to trial the "meanwhile use" of a property in the Local Government Area, for women in need of transitional affordable housing. This may be the prototype of a new model to unlock more student housing for transitional housing and crisis accommodation; and

(B) the Chief Executive Officer be requested to:

- (i) consider how the City may be able to support this proposed "meanwhile use" of student housing for transitional housing and crisis accommodation, and to assess whether this project is appropriate to be supported with seed funding from the City of Sydney's Affordable and Diverse Housing Fund;
- (ii) work with partners to evaluate the viability and impact of this transitional "meanwhile use" housing model and investigate how this model might be replicated, to support the student housing sector while also providing affordable housing for people in need; and

- (iii) consider whether planning changes or exemptions may be required and desirable to enable “meanwhile use” for other student accommodation sites in our Local Government Area.

The motion was carried on the following show of hands -

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

Noes (1) Councillor Forster.

Motion carried.

S129264

Point of Order

During discussion of this item, Councillor Scully raised a point of order, stating that Councillor Forster’s comments were impugning her motives.

Councillor Forster withdrew the comments.

Item 13.3 Closing the Gap

Moved by Councillor Scott, seconded by Councillor Phelps -

It is resolved that:

(A) Council note:

- (i) the City of Sydney is keenly committed to Reconciliation and addressing the disproportionate disadvantage experienced by Aboriginal and Torres Strait Islander peoples;
- (ii) a National Agreement of Closing the Gap has been developed to enable Aboriginal and Torres Strait Islander people and governments to work together to overcome the inequality experienced by Aboriginal and Torres Strait Islander people, and achieve life outcomes equal to all Australians;
- (iii) the National Agreement requires each jurisdiction (state and territory) to have an implementation plan in place to close the gap by July 2021;
- (iv) the NSW Coalition of Aboriginal Peak Organisations and NSW Government have been developing a NSW Implementation Plan for Closing the Gap which is currently Cabinet-in-confidence and not publicly available;
- (v) Councils across the Australia are highly engaged in the priority reform areas and socio-economic targets referred to throughout the National Agreement on Closing the Gap including early childhood care and development; social and emotional wellbeing initiatives; housing, health, disability inclusion, social cohesion, inclusion and anti-racism initiatives; prevention of family and domestic violence and community infrastructures;
- (vi) Local Government engagement will be crucial to ensuring the success of Closing the Gap initiatives; and
- (vii) all Councils have a role to play and should develop their own strategies to close the gap; and

(B) the Chief Executive Officer be requested to develop a Closing the Gap Strategy for Council endorsement at the first Council meeting following the September 2021 Local Government election that:

- (i) is developed in partnership with local Aboriginal stakeholders and organisations;
- (ii) builds on and links to the existing City Reconciliation Action Plan, outlining how Council can contribute and is contributing to the priority reform areas and socio-economic targets in the National Agreement for Closing the Gap; and
- (iii) considers how Closing the Gap reform areas and targets could be considered as part of the review of the Community Strategic Plan (which has to be endorsed by Council by 30 June 2022).

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

It is resolved that:

(A) Council note:

- (i) the City of Sydney is keenly committed to Reconciliation and addressing the disproportionate disadvantage experienced by Aboriginal and Torres Strait Islander peoples;
- (ii) a National Agreement of Closing the Gap has been developed to enable Aboriginal and Torres Strait Islander people and governments to work together to overcome the inequality experienced by Aboriginal and Torres Strait Islander people, and achieve life outcomes equal to all Australians;
- (iii) the National Agreement requires each jurisdiction (state and territory) to have an implementation plan in place to close the gap by July 2021;
- (iv) the NSW Coalition of Aboriginal Peak Organisations and NSW Government have been developing a NSW Implementation Plan for Closing the Gap which is currently Cabinet-in-confidence and not publicly available;
- (v) councils across the Australia are highly engaged in the priority reform areas and socio-economic targets referred to throughout the National Agreement on Closing the Gap including early childhood care and development; social and emotional wellbeing initiatives; housing, health, disability inclusion, social cohesion, inclusion and anti-racism initiatives; prevention of family and domestic violence and community infrastructures;
- (vi) Local Government engagement will be crucial to ensuring the success of Closing the Gap initiative; and
- (vii) all councils have a role to play in supporting the priority reforms and target areas set out within the National Closing the Gap Agreement; and

(B) the Chief Executive Officer be requested to:

- (i) seek advice and comment on the development of a Closing the Gap Strategy from the Aboriginal and Torres Strait Islander Advisory Panel; and
- (ii) pending advice received from the Aboriginal and Torres Strait Islander Advisory Panel, request City staff consider a Closing the Gap Strategy which builds on and links to the existing City Stretch Reconciliation Action Plan, outlining how Council can contribute and is contributing to the priority reform areas and socioeconomic targets in the National Agreement for Closing the Gap as soon as practicable following appropriate community consultation with local Aboriginal stakeholders and organisations.

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

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

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

The Lord Mayor exercised her casting vote in favour of the amendment. The amendment was declared carried.

Amendment carried.

The substantive motion was carried unanimously.

S129266

Item 13.4 Disability Access Hollis Park

Procedural Motion

At this stage of the meeting, it was moved by Councillor Scott:

That Items 13.4, 13.5, 13.13 and 13.15 be adopted in globo.

The Chair (the Lord Mayor) advised that in globo motions are required to be unanimous, and that Councillors have indicated that they do not support the in globo motion, and therefore the procedural motion cannot proceed. Each motion will be heard separately.

Moved by Councillor Scott, seconded by Councillor Phelps -

It is resolved that:

(A) Council note:

- (i) the City of Sydney's ongoing commitment to making Sydney truly inclusive and welcoming as embodied in the A City for All: Inclusion (Disability) Action Plan;
- (ii) key actions in the A City for All: Inclusion (Disability) Action Plan include:
 - (a) continue to improve the accessibility of the public domain for people with a disability and older people, through renewal programs, upgrades and new capital projects; and
 - (b) continue to deliver inclusive sport and recreation activities through the City's recreation facilities and open spaces; and
- (iii) concerns have been raised in relation to the turning angle on the disabled access at Hollis Park on the corner of Fitzroy and Wilson Streets; and

(B) the Chief Executive Officer be requested to:

- (i) investigate the concerns in relation to Hollis Park and report back to Council with a proposal and solution to improve disability access including timeframe and budget; and
- (ii) include an audit on accessibility of Council open spaces as part of the review of the Inclusion (Disability) Action Plan.

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

It is resolved that:

(A) Council note:

- (i) the City of Sydney's ongoing commitment to making Sydney truly inclusive and welcoming as embodied in the A City for All: Inclusion (Disability) Action Plan;
- (ii) a key focus of the Plan is that streets, parks, footpaths and open spaces in the City of Sydney area are accessible;
- (iii) the design, maintenance and management of infrastructure and places enables people with disability to travel through the City with dignity and independence;

- (iv) which is why the A City for All: Inclusion (Disability) Action Plan includes key actions to:
 - (a) continue to improve the accessibility of the public domain for people with a disability and older people, through renewal programs, upgrades and new capital projects; and
 - (b) continue to deliver inclusive sport and recreation activities through the City's recreation facilities and open spaces; and
- (v) concerns have been raised in relation to the turning angle on the disabled access at Hollis Park on the corner of Fitzroy and Wilson Streets;
- (vi) the ramp from the Wilson Street boundary is not accessible by wheelchair due to the steep park topography;
- (vii) the pavement is also very narrow along Fitzroy Street, which is further impeded by telegraph poles, lighting poles and signposts;
- (viii) wheelchair access is provided into Hollis Park at three locations:
 - (a) the junction of Warren Ball Avenue and Fitzroy Street;
 - (b) the junction of Warren Ball Avenue with Georgina Street; and
 - (c) a further entrance along Georgina Street; and
- (ix) the enclosed playground is also fully accessible by wheelchairs; and
- (B) the Chief Executive Officer be requested to investigate the concerns in relation to Hollis Park as part of a future park upgrade to improve disability access.

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

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

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

The Chair (the Lord Mayor) exercised her casting vote in favour of the amendment.

Amendment carried.

The substantive motion was carried unanimously.

S129266

Item 13.5 Save Laurel Tree House

Moved by Councillor Scott, seconded by Councillor Phelps -

It is resolved that:

- (A) Council note:
- (i) the City of Sydney needs and support quality and affordable childcare services for the community;
 - (ii) KU Laurel Tree House provides quality child care services to the Glebe community;
 - (iii) KU Laurel Tree is much loved by the Glebe community as detailed in the Love Letter to KU Laurel Tree House detailing the experiences of generations of children and parents who have used the Centre;
 - (iv) the Glebe community want to see the KU Laurel Tree House continue to operate in Glebe; and
 - (v) KU Laurel Tree House have advised parents they are closing their doors at the end of the year as the NSW Government is selling the building they are operating in; and
- (B) the Lord Mayor be requested to write to the NSW Minister for Water, Property and Housing, the Hon Melinda Pavey:
- (i) confirming the City's support for retaining the State-owned buildings in Glebe in public hands; and
 - (ii) requesting the NSW Department of Housing undertake the necessary repairs to the Laurel Tree House building so that it can continue to operate as a child care centre.

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

It is resolved that:

- (A) Council note:
- (i) the City of Sydney needs and support quality and affordable childcare services for the community;
 - (ii) KU Laurel Tree House provides quality child care services to the Glebe community;
 - (iii) KU Laurel Tree is much loved by the Glebe community as detailed in the Love Letter to KU Laurel Tree House detailing the experiences of generations of children and parents who have used the Centre;
 - (iv) the Glebe community want to see the KU Laurel Tree House continue to operate in Glebe; and
 - (v) KU Laurel Tree House have advised parents they are closing their doors at the end of the year as the NSW Government is selling the building they are operating in;
 - (vi) the City of Sydney and the Lord Mayor have consistently called on the NSW Government to retain publicly owned buildings across the Local Government Area; and

- (vii) the Lord Mayor wrote to the Hon Melinda Pavey on 17 May 2021 asking that the NSW Government urgently investigate retaining KU Laurel Tree House to allow this important childcare service to continue to operate.

The amendment was carried unanimously.

The substantive motion was carried unanimously.

S129266

Procedural Motion

Following Item 13.5, at 10.02pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Thalís –

That, as it is 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 (Items 13.6 to 13.15 inclusive) be deferred to the next ordinary meeting of Council.

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

That, as it is after 10.00pm, and in accordance with clause 16.3(b) of the Code of Meeting Practice, the remaining items of business on the agenda (Items 13.6 to 13.15 inclusive) be deferred to a reconvened meeting in the following week.

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

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

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

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

Amendment lost.

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

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

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

Motion carried.

At 10.06 pm the meeting concluded.

Chair of a meeting of the Council of the City
of Sydney held on Monday 16 August 2021 at which
meeting the signature herein was subscribed.