

Council

Meeting No 7

Monday 16 August 2021

Notice No 7/1632

Notice Date 12 August 2021

minutes

Index to Minutes

ITEM	PAGE NO
1. Confirmation of Minutes	4
2. Disclosures of Interest	5
3. Minutes by the Lord Mayor	6
3.1 Code Red for Humanity	6
3.2 Next Steps: The Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021	9
4. Memoranda by the Chief Executive Officer	13
4.1 Amendment to Schedule of Meetings and Briefings for 2021.....	13
4.2 Temporary Delegation to the Chief Executive Officer - Parking Permits	16
5. Matters for Tabling	18
6. Report of the Corporate, Finance, Properties and Tenders Committee	19
6.1 Disclosures of Interest	19
6.2 2020/21 Quarter 4 Review - Delivery Program 2017-2021.....	20
6.3 Investments Held as at 31 July 2021	20
6.4 Yananurala - Harbour Walk - Naming	21
7. Questions on Notice.....	22
8. Supplementary Answers to Previous Questions	29
9. Notices of Motion	30
9.1 The Tusk Lion Sculpture Art Trail - Sydney Launch	30
9.2 Residential Enrol to Vote Campaign	31
9.3 Covid-19 Vaccination in the City of Sydney – Public Health Promotion Campaign ..	33
9.4 Fort Street Public School State Significant Development Application Modification....	35
9.5 Customer Service	38
9.6 Hiroshima Tree Project.....	42

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 Vithoukas.

At the commencement of business at 5.03pm, those present were:-

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

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 City Services, Director Legal and Governance and Director City Life were also present.

Councillor Forster arrived at the meeting of Council at 7.20pm, during discussion and before the vote on Item 4.1.

Councillor Forster left the meeting of Council at 7.36pm, during discussion and before the vote on Item 9.2.

Remote Meeting

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

Opening Prayer and Acknowledgement of Country

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

Webcasting Statement

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

Item 1 Confirmation of Minutes

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

That the Minutes of the meeting of Council of Monday 26 July 2021 and the Minutes of the extraordinary meeting of Council of Monday 9 August 2021, as circulated to Councillors, be confirmed:

Carried unanimously.

Item 2 Disclosures of Interest

Councillor Scott disclosed a less than significant, non-pecuniary interest in Items 3.2 and 9.5 on the agenda, in that she is the President of Local Government NSW, the peak body and advocacy organisation for NSW Councils.

Councillor Scott stated that as these motions pertain to advocacy to other levels of government or motions for the Local Government NSW Conference, the interest is non-pecuniary and less than significant.

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 Code Red for Humanity****Minute by the Lord Mayor**

To Council:

Intergovernmental Panel on Climate Change (IPCC) Report

On 9 August 2021, the United Nations Intergovernmental Panel on Climate Change (IPCC) released a report on the most up-to-date understanding of the climate system and climate change across the world.

The United Nations Secretary-General, Antonio Guterres, described the report as a “code red for humanity”.

The report states that:

- Human-induced climate change is already affecting many weather and climate extremes in every region across the globe.
- Global surface temperature will continue to increase until at least the mid-century under all emissions scenarios considered. Global warming of 1.5°C and 2°C will be exceeded during the 21st century unless deep reductions in carbon dioxide (CO₂) and other greenhouse gas emissions occur in the coming decades.
- To limit global temperature increases we must limit emissions, reaching at least net zero CO₂ emissions, along with strong reductions in other greenhouse gas emissions.

City of Sydney Action on Climate Change

Taking effective action on climate change has been a key priority for my entire term as Lord Mayor. After extensive citywide consultation the City made the commitment in 2008 to reduce emissions by 70 per cent by 2030. We did the master plans, set the targets and took action, and we have met this ambitious organisational target by reducing greenhouse gas emissions nine years early in 2021, securing Sydney’s future as one of the world’s top green, liveable and creative cities. The City of Sydney became carbon neutral in 2007 and we were the first major city in Australia to declare a climate emergency in 2019.

We have brought forward our target for City-wide net zero greenhouse gas emissions to 2035 (from 2040), which we believe can be achieved through the further expansion of renewable energy, working with our partners to increase the efficiency of our buildings, better managing our waste, supporting active transport choices and switching to electric vehicles.

The City’s Environmental Strategy 2021-2025 responds to the climate emergency by working in partnership with residents, businesses, and other levels of government to build a resilient, inclusive, and regenerative city.

Renewable Electricity

The most significant action we’ve taken to reduce emissions is to switch to 100 per cent renewable electricity. This was part of a \$60 million, 10-year agreement with Flow Power to purchase renewable electricity for all of the City’s large sites.

Electricity is the largest contributor to Australia's emissions. The Federal Government's Renewable Energy Target (RET) was met in 2019 and a further target has not been set, resulting in a lack of certainty for the market.

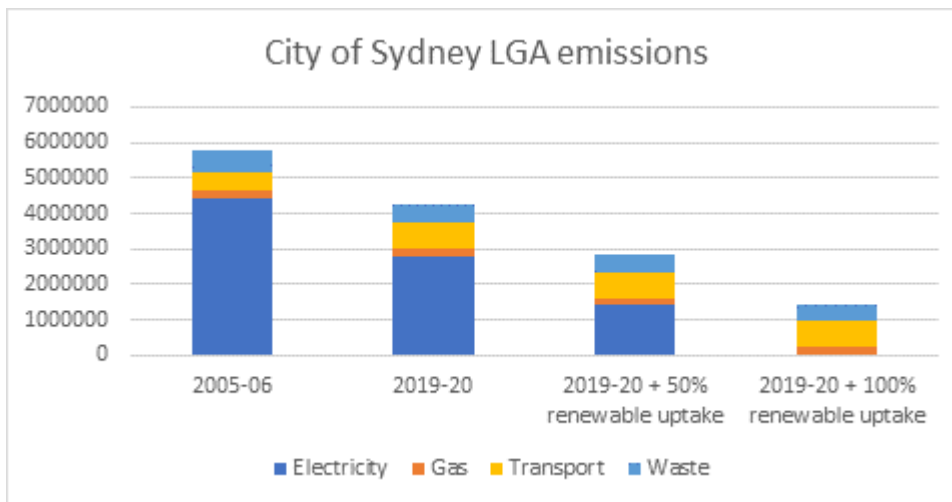
The most significant action our residents and businesses can take to tackle accelerating global warming is to purchase renewable energy.

Residents and businesses can buy 100 per cent accredited GreenPower through most retailers. The latest reporting shows that GreenPower customers have purchased over 19 million MWh of electricity from renewable sources, which equates to over 16 million tonnes of emissions reduction. However, customer numbers are low across NSW households and businesses. Reasons for this include; lack of awareness, lack of trust, price premium (or perceptions of) and lack of active promotion by retailers.

Many Local Governments are keen to promote GreenPower, however there is no data available to track customer numbers by Local Government Area, which is why the City is collaborating with Resilient Sydney to advocate for retailers to provide location data (Local Government Area level) for customers.

Power Purchase Agreements (PPAs) will also be key to the offsite procurement of renewables; the City is working with NABERS on the new NABERS Energy rating and renewables indicator (percentage) which will acknowledge PPAs, as well as GreenPower when launched in 2022. For larger customers (commercial, strata buildings etc, Power Purchase Agreements will continue to provide a more cost-effective option for renewable electricity purchasing).

Emissions from the local area have decreased 26 per cent since 2006. Further significant reductions could be made if residents and businesses switch to renewable electricity. A 50 per cent uptake of renewable electricity (on 2019/20 consumption) would see overall emissions decrease by 33 per cent; while a 100 per cent uptake would see emissions decrease by 66 per cent. Emissions reductions from other sectors: transport, gas and waste are also essential to reach the City's target of net zero emissions by 2035.



Emissions Reduction Through Planning Controls

When the City of Sydney adopted its Climate Emergency Response Plan in 2020 it identified further opportunities to drive environmental performance through planning. A significant result of this work was the Net Zero Buildings pathway that was adopted by Council in May 2021. The work to continue to look at the ways we can improve the environmental performance of our built environment should continue.

Recommendation

It is resolved that:

- (A) the Lord Mayor be requested to write to:
- (i) the Premier requesting that the NSW Government provide GreenPower data at a Local Government Area level so it can be embedded into the Resilient Sydney platform to enable all Councils to start promoting and tracking uptake;
 - (ii) the Premier requesting that the NSW Government bring its net zero emissions target forward to 2035, in response to the Intergovernmental Panel on Climate Change (IPCC) report and to align with the City of Sydney's net zero emissions target; and
 - (iii) the Prime Minister requesting that the Federal Government commit to a net zero emissions target no later than 2050 and update the national renewable energy target to provide certainty and investment;
- (B) the Chief Executive Officer be requested to:
- (i) prepare a report on the resourcing required to deliver an enhanced program of activities to increase the take-up of GreenPower / renewable electricity by residents and businesses in the City of Sydney, to be provided through a CEO Update; and
 - (ii) establish an indicative program for a Climate Emergency Planning and Resilience Working Group, building on the Local Environmental Plan (LEP) working group process including Councillors and key staff, to explore ways to accelerate climate action in our community and identify obstacles requiring advocacy to the NSW and Federal Governments; and
- (C) Council sign the Fossil Fuel Non-Proliferation Treaty, calling on the Federal and NSW Governments to:
- (i) end expansion of fossil fuel production in line with the best available science as outlined by the Intergovernmental Panel on Climate Change (IPCC) and the United Nations Environment Programme;
 - (ii) phase out existing production of fossil fuels in a manner that is fair and equitable, taking into account the respective dependency of countries on fossil fuels, and their capacity to transition; and
 - (iii) invest in a transformational plan to ensure 100 per cent access to renewable energy globally, support fossil fuel-dependent economies to diversify away from fossil fuels, and enable people and communities across the globe to flourish through a global just transition.

COUNCILLOR CLOVER MOORE

Lord Mayor

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

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

Carried unanimously.

S051491

Item 3.2 Next Steps: The Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021

Minute by the Lord Mayor

To Council:

Last month, Council resolved to strongly oppose the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021 that was introduced in June 2021 as part of the budget legislation. I have written to the Minister for Planning and Public Spaces and the Premier to request that the Bill is withdrawn.

The way in which the NSW Government has introduced this legislative change without proper consultation and transparency shows total disregard for the important work of local government.

This was confirmed by the Parliamentary Inquiry report that was released on 10 August 2021, which recommended Parliament not proceed with the Bill until the detailed regulations were developed and consulted on, and the IPART inquiries were finalised.

The Minister for Planning and Public Spaces says he is concerned about communities missing out on new local roads, parks and other vital infrastructure. This is grossly misleading and wrong.

His "solution" is for the NSW Government to take up to half the developer contributions Councils collect for new local roads, parks and other vital infrastructure and put it in the State's coffers – with no guarantee that money will be spent in the area where the development is occurring. This is from the same Government that has given us the sports rorts scandal and openly said pork-barrelling taxpayers money is ok.

The NSW Government imposes housing targets and directions on Councils which increase density. But this legislation will effectively remove the ability of Councils to provide the new local roads, parks and other vital infrastructure that make this density acceptable to communities. In the same breath, the Government has told us if we want to continue delivering quality infrastructure to support the new developments and increased density that they have mandated, we should raise rates.

This is not equitable.

On 6 and 11 August 2021, I hosted two roundtables with twenty-nine Mayors and their General Managers and Chief Executive Officers from metropolitan Sydney. It is clear they share our concerns about this assault on the ability of local government to meet the infrastructure expectations of our communities.

Mayors from all sides of politics were concerned about the impact of this legislative change on our communities, and there was consensus that the Bill must be stopped.

Mayors agreed to coordinate action that will enable Councils to tell their communities about the impact of these changes, undertake coordinated lobbying of Members of Parliament, and contribute to joint advertising and community awareness. I am asking Council to support the City of Sydney's participation in this campaign by allocating the necessary funding.

Recommendation

It is resolved that Council:

(A) note:

- (i) on 11 August 2021, the Lord Mayor wrote to the Minister for Planning and Public Spaces and the Premier to request that the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021 be withdrawn;
- (ii) on 6 and 11 August 2021, the Lord Mayor met with twenty nine mayors and their General Managers and Chief Executive Officers from metropolitan Sydney to discuss concerns about the Bill;
- (iii) that the Mayors agreed to coordinate a joint advocacy strategy to defeat the Bill with the first priority being to deliver a clear and consistent message to communities about the impact of the proposed legislative changes; and
- (iv) on 10 August 2021, the Parliamentary Inquiry report was released, which recommended Parliament not proceed with the Bill until the detailed regulations were developed and consulted on, and the IPART inquiries were finalised;

(B) endorse supporting a joint advocacy strategy with other Councils from metropolitan Sydney to defeat the Bill; and

(C) approve up to \$80,000 from the 2021/22 General Contingency Fund for the City of Sydney to contribute to and coordinate a joint campaign with other metropolitan Sydney councils to deliver a clear and consistent message to our communities about what the proposed legislative changes mean and the impact of this on our local area, including for advertising and a community flyer.

COUNCILLOR CLOVER MOORE

Lord Mayor

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

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

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

It is resolved that Council:

(A) note:

- (i) on 11 August 2021, the Lord Mayor wrote to the Minister for Planning and Public Spaces and the Premier regarding the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill;
- (ii) that Councillor Linda Scott and Local Government NSW (LGNSW) have:
 - (a) met with the NSW Planning Minister on 17 June and 22 July 2021 about this matter;

- (b) met with the NSW Shadow Planning Minister on 6 July and 15 July 2021 about this matter;
 - (c) written to cross benchers and independents on 24 June 2021;
 - (d) authored a Local Government NSW submission, submitted on 11 July 2021;
 - (e) appeared at a parliamentary inquiry hearing on 16 July 2021;
 - (f) held repeated meetings with Department of Planning Industry and Environment staff;
 - (g) included a template Mayoral Minute in the LGNSW Weekly on 26 July 2021;
 - (h) written to NSW Mayors on 27 July 2021 with template materials; and
 - (i) written a further letter to cross benchers, independents and committee members on 26 July 2021;
- (iii) on 6 and 11 August 2021, the Lord Mayor met with twenty nine mayors and their General Managers and Chief Executive Officers from metropolitan Sydney to discuss concerns about the Bill;
 - (iv) that the Mayors agreed to coordinate a joint advocacy strategy to defeat the Bill with the first priority being to deliver a clear and consistent message to communities about the impact of the proposed legislative changes; and
 - (v) on 10 August 2021, the Parliamentary Inquiry report was released, which recommended Parliament not proceed with the Bill until the detailed regulations were developed and consulted on, and the IPART inquiries were finalised; and
- (B) request Local Government NSW to organise a joint advocacy strategy with other Councils to defeat the Bill and seek funding from councils to do so.

The amendment was lost on the following show of hands –

Ayes (3) Councillors Chung, Phelps and Scott

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

Amendment lost.

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

It is resolved that Council:

- (A) note:
- (i) on 11 August 2021, the Lord Mayor wrote to the Minister for Planning and Public Spaces and the Premier to request that the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021 be withdrawn;
 - (ii) on 6 and 11 August 2021, the Lord Mayor met with twenty nine mayors and their General Managers and Chief Executive Officers from metropolitan Sydney to discuss concerns about the Bill;
 - (iii) that the Mayors agreed to coordinate a joint advocacy strategy to defeat the Bill with the first priority being to deliver a clear and consistent message to communities about the impact of the proposed legislative changes; and

- (iv) on 10 August 2021, the Parliamentary Inquiry report was released, which recommended Parliament not proceed with the Bill until the detailed regulations were developed and consulted on, and the IPART inquiries were finalised;
 - (v) that ordinarily Council would be currently in caretaker mode as at the current date to prevent the expenditure of the sort contemplated in the Lord Mayoral Minute; and
 - (vi) that the Local Government elections are imminent and that expenditure by Council on leaflets to all residents signed by the Lord Mayor would not be appropriate; and
- (B) approve up to \$5,000 from the 2021/22 General Contingency Fund for the City of Sydney to contribute to an Local Government NSW campaign to deliver a clear and consistent message to our communities about what the proposed legislative changes mean.

The amendment was lost on the following show of hands –

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

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

Amendment lost.

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

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

Noes (1) Councillor Chung.

Minute carried.

S051491

Points of Order

During discussion of this Item, Councillor Scott raised a point of order, stating that the Chair (the Lord Mayor) had misspoken in relation to the meeting of Councils.

The Chair (the Lord Mayor) upheld the point of order and withdrew her comment.

Councillor Scott raised a further point of order stating that Councillor Scully had impugned her motives.

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

Adjournment

At this stage of the meeting, at 6.43pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Thalys –

That the meeting be adjourned for approximately 20 minutes.

Carried unanimously.

At the resumption of Council at 7.08pm, the Chair (the Lord Mayor) and Councillors Chung, Kok, Miller, Phelps, Scott, Scully, Thalys and Vithoulikas were present.

Item 4 Memoranda by the Chief Executive Officer

Item 4.1 Amendment to Schedule of Meetings and Briefings for 2021

Memorandum by the Chief Executive Officer

To Council:

On 24 July 2021, the Minister for Local Government announced that the September 2021 local government elections would be postponed to address the risks posed by the Delta outbreak of Covid-19 in Greater Sydney. A new date for the local government elections has been set for Saturday 4 December 2021.

An amendment to the schedule of meetings and briefings for the Council is required to address the implications arising from the changed election date.

Monday 6 September 2021	Briefings (new)
Monday 13 September 2021	Committees (new)
Monday 20 September 2021	Council (new)
Monday 29 November 2021	Briefings (cancelled)
Monday 6 December 2021	Committees (cancelled)
Monday 13 December 2021	Council (cancelled)

The meetings and briefings scheduled for October and November 2021 remain unchanged.

It is recommended that Council meeting dates be amended to take into consideration the delayed election date.

Section 365 of the Local Government Act 1993 states that "the council is required to meet at least 10 times each year, each time in a different month", with "year" meaning the period from 1 July to the following 30 June (the financial year). The amended schedule ensures compliance with the provisions of section 365.

The City's website will be updated with the amended meeting dates if endorsed by Council.

A further report to Council detailing proposed meeting dates for 2022 is also being prepared.

Recommendation

It is resolved that Council adopt the amended schedule of meetings and briefings for 2021, as shown at Attachment A to the subject memorandum.

MONICA BARONE

Chief Executive Officer

Attachments

Attachment A. Amended Schedule of Meetings and Briefings for 2021

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

It is resolved that Council adopt the amended schedule of meetings and briefings for 2021, as shown at Attachment A to the subject memorandum.

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

It is resolved that:

- (A) Council adopt the amended schedule of meetings and briefings for 2021, as shown at Attachment A to the subject memorandum, subject to the following amendment:

Week of Monday 20 December 2021	Council (where possible, new)*
--	---------------------------------------

**To ensure timely governance of Council over the summer recess period, where possible, a meeting of Council will be held during the week of Monday 20 December 2021, after the finalisation of election results (noting this will be between 21 and 23 December 2021); and*

- (B) briefings, Committees and Council meetings be held remotely for the remainder of 2021 to ensure the safety of City Staff and Councillors.

Following discussion, Councillor Scott withdrew the amendment.

Carried unanimously.

S063444

<u>AMENDED SCHEDULE OF MEETINGS AND BRIEFINGS FOR 2021</u>	
DATE	MEETING
MONDAY 16 AUGUST	• COUNCIL
MONDAY 23 AUGUST	• RECESS
MONDAY 30 AUGUST	• RECESS

<u>AMENDED SCHEDULE OF MEETINGS AND BRIEFINGS FOR 2021</u>	
DATE	MEETING
MONDAY 6 SEPTEMBER	• BRIEFINGS
MONDAY 13 SEPTEMBER	• COMMITTEES
MONDAY 20 SEPTEMBER	• COUNCIL
MONDAY 27 SEPTEMBER	• RECESS
SCHOOL HOLIDAYS - Monday 20 September to Monday 4 October 2021, inclusive	
MONDAY 4 OCTOBER	• Labour Day Public Holiday
TUESDAY 5 OCTOBER	• BRIEFINGS
MONDAY 11 OCTOBER	• COMMITTEES
MONDAY 18 OCTOBER	• COUNCIL
MONDAY 25 OCTOBER	• RECESS
MONDAY 1 NOVEMBER	• BRIEFINGS
MONDAY 8 NOVEMBER	• COMMITTEES
MONDAY 15 NOVEMBER	• COUNCIL
MONDAY 22 NOVEMBER	• RECESS
MONDAY 29 NOVEMBER	• BRIEFINGS RECESS
SATURDAY 4 DECEMBER	• LOCAL GOVERNMENT ELECTIONS
MONDAY 6 DECEMBER	• COMMITTEES RECESS
MONDAY 13 DECEMBER	• COUNCIL RECESS
MONDAY 20 DECEMBER	• RECESS
SCHOOL HOLIDAYS – Monday 20 December 2021 to Wednesday 27 January 2022, inclusive	

The recess continues until the first Committee meetings of 2022.

Item 4.2 Temporary Delegation to the Chief Executive Officer - Parking Permits

Memorandum by the Chief Executive Officer

To Council:

The Covid-19 pandemic and current lockdowns across Greater Sydney continue to require an alternative approach to enable the delivery of some services to our community.

Recently it has come to the attention of staff that Service NSW service centres are currently only open for 'essential services', which have been defined by Service NSW as transactions that:

- are required within the next four weeks, and
- have financial implications if they're not completed, or
- are required to support ongoing employment, or
- have legal implications if they are not completed, and
- can only be completed by Service NSW.

The community is otherwise advised to stay at home and delay their transactions if they can't be done over the phone.

Service NSW is not currently allowing change of address transactions to be undertaken over the phone. This is impacting the ability to issue residential parking permits in accordance with the provisions of the Neighbourhood Parking Policy, with some applicants unable to demonstrate that their vehicle is registered in their name and at their current address, as is required by section 8.2a) of that policy.

In order for Council to maintain service to the community at this time, it is recommended that temporary changes be made to the evidence that Council will accept for applicants that are unable to meet the evidence requirements in the Policy due to Service NSW temporary service closures.

To facilitate this outcome, it is recommended that a temporary delegation (until 31 March 2022) be granted to the Chief Executive Officer to enable her to make temporary changes to the evidence that Council will accept for the issue of parking permits for affected applicants.

Recommendation

It is resolved that Council:

- (A) note that the Neighbourhood Parking Policy states that the applicant's vehicle must be registered in the applicant's name at the applicant's address and in order to change an address, this transaction needs to be done in person at Service NSW and they are currently closed for in person visits of this nature; and
- (B) temporarily amend the Instrument of Delegations to the Chief Executive Officer dated 14 December 2020 to enable the Chief Executive Officer to make temporary changes to the Neighbourhood Parking Policy in relation to the evidence that will be acceptable to enable the issue of parking permits until 31 March 2022, unless revoked earlier.

MONICA BARONE

Chief Executive Officer

Attachments

Attachment B. Temporary Delegation 15G - Delegations to the Chief Executive Officer

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

It is resolved that Council:

- (A) note that the Neighbourhood Parking Policy states that the applicant's vehicle must be registered in the applicant's name at the applicant's address and in order to change an address, this transaction needs to be done in person at Service NSW and they are currently closed for in person visits of this nature; and
- (B) temporarily amend the Instrument of Delegations to the Chief Executive Officer dated 14 December 2020 to enable the Chief Executive Officer to make temporary changes to the Neighbourhood Parking Policy in relation to the evidence that will be acceptable to enable the issue of parking permits until 31 March 2022, unless revoked earlier.

Carried unanimously.

S117034

Item 5 Matters for Tabling

5.1 Disclosures of Interest

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

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

Carried unanimously.

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 3.00pm, during discussion and before the vote on Item 6.2, and did not return.

Order of Business

The Corporate, Finance, Properties and Tenders Committee agreed, for the convenience of speakers attending the meeting remotely, that the Order of Business be altered such that Item 6.4 be brought forward and dealt with before Item 6.2.

The meeting of the Corporate, Finance, Properties and Tenders Committee concluded at 3.21pm.

Report of the Corporate, Finance, Properties and Tenders Committee

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

That the report of the Corporate, Finance, Properties and Tenders Committee of its meeting of 9 August 2021 be received, with Item 6.1 being noted and the recommendations set out below for Items 6.2 to 6.4 inclusive being adopted in globo.

Carried unanimously.

Item 6.1**Disclosures of Interest**

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

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

Item 6.2

2020/21 Quarter 4 Review - Delivery Program 2017-2021

It is resolved that Council:

- (A) note the interim financial performance of Council for the 2020/21 financial year ending 30 June 2021, including the Net Surplus of \$148.4M as outlined within the report and summarised at Attachment A to the subject report;
- (B) note the full year Capital Works expenditure of \$216.5M for 2020/21, approve the proposed revote of \$17.1M and adjustments to future years forward estimates, to increase the adopted 2021/22 budget to \$243.6M to progress the planned capital works, as detailed in the Attachment B to the subject report;
- (C) note the Technology and Digital Services capital expenditure of \$17.6M (net of disposals) for 2020/21, and approve the proposed revote of \$6.5M and other adjustments to future years forward estimates, to increase the adopted 2021/22 budget to a net \$22.5M as shown in Attachment B in the subject report;
- (D) note the full year Plant and Assets expenditure of \$7.0M for 2020/21, net of disposals, and approve the proposed revote of \$5.3M to increase the adopted 2021/22 net budget to \$14.5M as show in Attachment B in the subject report;
- (E) note the full year net Property Divestment proceeds of \$53.9M;
- (F) note the operational performance indicators and quarter and full year achievements against the Delivery Program 2017-2021 objectives, as detailed in Attachment C to the subject report;
- (G) note the supplementary reports, including contracts issued over \$50,000, major legal issues and the Quick Response, Banner Pole and Reduced Rate Grant Programs in Quarter 4, as detailed in Attachment D to the subject report;
- (H) note the Environmental Sustainability Progress Report, as shown at Attachment E to the subject report; and
- (I) note the Community Recovery Plan report, as shown at Attachment F to the subject report.

Carried unanimously.

X025796

Item 6.3

Investments Held as at 31 July 2021

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

Carried unanimously.

X020701

Item 6.4**Yananurala - Harbour Walk - Naming**

It is resolved that Council:

- (A) endorse "Yananurala" as the new name for the Harbour Walk, acknowledging the significance of naming the walk identified as the first project in the Harbour Walk Storytelling Report endorsed by Council in December 2019;
- (B) note that the name has been identified and approved through consultation with the Metropolitan Local Aboriginal Land Council, the City's Aboriginal and Torres Strait Islander Advisory Panel and linguist experts as required by the previous resolution of Council; and
- (C) endorse the implementation of this name across wayfinding, in coordination with land-owners, and relevant communications materials.

Carried unanimously.

S110607.005

Speakers

Ms Denise Ora, Ms Louise Herron, Mr Beau James and Mr Keith Munro addressed the meeting of the Corporate, Finance, Properties and Tenders Committee on Item 6.4.

Item 7 Questions on Notice

1. Noise Complaints

By Councillor Scott

Question

1. Broken down by year, since 2016 how many noise complaints has the City received? How many complaints have been received per year in each City of Sydney suburb?
2. Broken down by month, since March 2020 how many noise complaints has the City received?

S129275

Answer by the Chief Executive Officer

Records extracted from the City's Pathway system show the following noise complaints were received.

Noise Complaints by Suburb January 2016 - July 2021						
Suburb	2016	2017	2018	2019	2020	2021 (Jan-July)
Annandale	2	2	3		4	2
Barangaroo	24	10	17	15	3	5
Beaconsfield	23	18	15	18	17	9
Camperdown	134	136	66	76	51	17
Centennial Park	23	40	13	19	22	27
Chippendale	168	157	168	131	111	37
Darlinghurst	384	376	423	440	325	186
Darlington	53	35	74	29	46	9
Dawes Point	6	15	12	15	33	15
Elizabeth Bay	95	70	105	56	122	50
Erskineville	196	178	214	212	114	99

Noise Complaints by Suburb January 2016 - July 2021						
Suburb	2016	2017	2018	2019	2020	2021 (Jan- July)
Eveleigh	12	41	28	39	23	7
Forest Lodge	61	48	45	70	74	36
Glebe	265	251	296	276	332	116
Haymarket	82	55	77	90	73	29
Millers Point	32	38	63	67	32	12
Moore Park	9	12	2	14	11	8
Newtown	184	143	151	162	128	68
Paddington	90	79	74	61	43	52
Potts Points	313	286	312	251	186	75
Pymont	236	197	247	190	166	90
Redfern	278	304	230	267	332	134
Rosebery	173	138	98	71	94	32
Rushcutters Bay	34	61	32	36	70	15
St Peters		1				
Surry Hills	507	481	546	570	435	229
Sydney	808	973	776	856	543	343
The Rocks	30	15	20	24	25	14
Ultimo	95	130	99	130	81	54
Waterloo	306	378	320	179	180	94
Woolloomooloo	113	86	98	81	82	41
Zetland	122	171	146	122	124	81

Noise Complaints by Suburb January 2016 - July 2021						
Suburb	2016	2017	2018	2019	2020	2021 (Jan- July)
General - no location provided	28	63	39	42	59	13
Annual Total	4886	4988	4809	4609	3941	1999

Noise Complaints March 2020 - July 2021	
Month	Volume
Mar-20	474
Apr-20	478
May-20	345
Jun-20	333
Jul-20	290
Aug-20	293
Sep-20	307
Oct-20	307
Nov-20	320
Dec-20	277
Jan-21	309
Feb-21	336
Mar-21	364

2. 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. Broken down by month, how many City staff have had their hours reduced since lockdown began in June 2021?

S129275

Answer by the Chief Executive Officer

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

In July 2021, as a result of public health restrictions, 292 employees were stood down with pay under the 2021 Splinter Award. Many of these employees have now returned to their usual work.

As at 11 August 2021, 101 employees have been or remain stood down with pay under the 2021 Splinter Award.

2. No employees had their hours reduced in June 2021.

In July 2021, one part time employee (30 hours per week) had their hours reduced, with the hours not worked being paid as Covid-19 Special Paid Leave as per the 2021 Splinter Award.

In August 2021, 70 employees in Construction Maintenance commenced working reduced hours with the balance of their ordinary pay being paid as Covid-19 Special Paid Leave as per the 2021 Splinter Award.

3. Waste Management Complaints

By Councillor Scott

Question

1. Broken down by year, since 2016 how many complaints about illegally dumped waste has the City received? How many complaints have been received per year in each City of Sydney suburb?
2. Broken down by month, since March 2020 how many complaints about illegally dumped waste has the City received?
3. What is the average response time for illegally dumped waste to be collected once reported to the City?
4. What is the average number of complaints per incident of illegally dumped waste the City receives?

S129275

Answer by the Chief Executive Officer

1. The number of requests relating to reported illegal dumps are listed below:

In 2019, Cleansing and Waste worked with Customer Service to amend the way illegal dumps and booked collections were captured and directed. After these changes, a single illegal dump or booked collection could result in up to four separate requests to ensure that waste was recycled and diverted from landfill where possible.

As a result, increases in the number of reported illegal dumps from this point in time reflect better management of the type of waste presented and does not necessarily reflect an increase in reported illegal dumps.

In 2020, the Covid-19 pandemic caused significant increases in all domestic waste streams, including reported illegal dumps and booked collections.

	2016	2017	2018	2019	2020	2021
ALEXANDRIA	478	514	555	743	1527	835
ANNANDALE	12	11	14	11	10	7
BARANGAROO	1	-	-	-	1	-
BEACONSFIELD	53	57	84	135	305	146
CAMPERDOWN	160	125	181	152	241	204
CENTENNIAL PARK	86	93	107	161	394	222
CHIPPENDALE	480	465	553	732	1109	533
DARLINGHURST	1048	1383	1770	2147	2734	1414
DARLINGTON	204	221	237	391	731	333
DAWES POINT	12	9	5	11	15	11
ELIZABETH BAY	347	357	472	464	581	321
ERSKINEVILLE	318	317	402	556	910	642
EVELEIGH	31	18	24	61	114	85
FOREST LODGE	194	196	217	311	415	256
GLEBE	1142	1407	1481	2268	3106	1591
HAYMARKET	55	90	77	75	63	43
MILLERS POINT	44	24	35	60	107	57
MOORE PARK	1	4	4	6	13	2
NEWTOWN	798	828	986	1090	1556	1109
PADDINGTON	207	244	330	426	625	370
POTTS POINT	479	560	720	763	1211	671
PYRMONT	318	464	673	699	1002	450
REDFERN	984	947	1107	1684	2519	1562
ROSEBERY	177	146	246	377	713	506
RUSHCUTTERS BAY	112	130	185	194	270	139
ST PETERS	6	5	4	9	17	2

	2016	2017	2018	2019	2020	2021
SURRY HILLS	1521	1783	2396	2996	4268	2253
SYDNEY	266	284	319	300	297	196
THE ROCKS	12	7	8	2	8	6
ULTIMO	482	658	506	626	939	488
WATERLOO	451	632	775	1218	1761	1132
WOOLLOOMOOLOO	399	473	552	652	922	496
ZETLAND	153	176	193	328	813	344
Total	11031	12628	15218	19648	29297	16426

2. The number of requests relating to reported illegal dumps are listed below:

Number of Requests (Reported Illegal Dumps)

2020

Mar	2735
Apr	2940
May	2143
Jun	2191
Jul	2472
Aug	2363
Sep	2351
Oct	2200
Nov	2296
Dec	2388

2021

Jan	2305
Feb	2784
Mar	2405
Apr	2334
May	2020
Jun	2157
Jul	2007
Aug	414

Grand Total	40505
--------------------	--------------

3. The average time over the last five years for a reported illegal dump to be collected is 1.82 days. This is calculated by measuring from the time the report is received by Customer Service to the time that the request is marked as completed in the customer request system.
4. City systems record details of reported illegally dumped waste, such as the date and location. However, the date and location of reported illegal dumps is not sufficient to identify individual incidents of illegal dumping. Multiple illegal dumps may take place in the same location over a short period of time and be separate instances.

Based on the information available, the City does not have the ability to provide an average amount of complaints per incident of illegally dumped waste in the City.

4. NSW Industrial Relations Commission

By Councillor Scott

Question

Broken down by year, since 2004 how many claims have been filed against the City with the NSW Industrial Relations Commission? How many of these cases have resulted in findings against the City? Please list breaches identified in these findings against the City.

S129275

Answer by the Chief Executive Officer

Digital records dating back to 2013 were available for review. Since this time, the City has had 28 matters filed with the NSW Industrial Relations Commission. Of these, 17 were related to individual employees and 11 pertained to the City's Award, or the City's workforce policies and procedures. No adverse findings or breaches were determined against the City.

Item 8 Supplementary Answers to Previous Questions

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

Item 9 Notices of Motion

Item 9.1 The Tusk Lion Sculpture Art Trail - Sydney Launch

Moved by Councillor Forster, seconded by Councillor Chung -

It is resolved that:

(A) Council note:

- (i) the Tusk Lion Trail is a global art installation to raise public awareness of the plight of the African lion, and raise vital funds to support community conservation and livelihoods impacted by Covid-19 across Africa;
- (ii) under the proactive Royal Patronage of His Royal Highness, The Duke of Cambridge, the charity, Tusk, has raised and invested more than \$100 million into conservation and community livelihoods programmes spanning the African continent;
- (iii) following the huge success of the Tusk Rhino Trail which raised over \$1 million for conservation in 2018, the charity is now staging a global Lion sculpture trail supported by an invited list of internationally acclaimed artists, designers, and celebrities who are each being asked to uniquely design/paint a large, life-sized lion sculpture for public display in participating cities this August/September, including London, New York, The Hamptons, Sydney, Wellington, Nairobi, Edinburgh and Bristol;
- (iv) Tusk have secured the support of Australian artist, Jenny Watson, to paint their lion for the Sydney display;
- (v) the Tusk Lion Trail launched globally on 10 August 2021, World Lion Day, with installations installed in Wellington, Nairobi, London and New York. It is still hoped that a Sydney installation with an iconic backdrop such as Sydney Town Hall, can proceed after lockdown restrictions are lifted;
- (vi) each lion will carry details on its base acknowledging the artist, the sponsors, the campaign and a key 'lion fact'. A QR code will direct the public to more interesting information on the artist, lion conservation and where to view additional sculptures via a dedicated Tusk Lion Trail website; and
- (vii) in September 2013, Council unanimously agreed to support a similar initiative, the Taronga Wild! Rhinos program, the public exhibition of a series of commissioned rhino-shaped artworks promoting creativity, citizenship and environmental awareness; and

(B) the Chief Executive Officer be requested to engage in discussions with Tusk about a possible Sydney launch of this initiative, including a six-week installation period, following the lifting of lockdown restrictions.

Carried unanimously.

S129260

Item 9.2 Residential Enrol to Vote Campaign

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

It is resolved that:

(A) Council note:

- (i) under the City of Sydney Act 1988, the City's General Manager is required to supply the Electoral Commission with a list of eligible non-resident voters, this list is required to be compiled "as soon as is practicable" after the lapsing of the previous roll;
- (ii) that the City consistently and actively seeks to enrol eligible non-resident voters through their website;
- (iii) at the 2016 Local Government Election, the City of Sydney had 59.98 per cent turnout of eligible voters;
- (iv) in 2016, 55.8 per cent of residents in the City of Sydney were renters. The nature of renting leads to great mobility amongst tenants meaning that people are often moving into, out of and within the City of Sydney leading to electoral addresses commonly being out of date;
- (v) the City's website has information on the 2021 Election, as well as links to the NSW Electoral Commission (NSWEC) and Australian Electoral Commission (AEC) to enable residents to check their enrolment details, noting that help in a range of languages is available on the page;
- (vi) in the 2016 Election, the City spent \$5.652 million on compiling and resourcing the non-resident electoral rolls;
- (vii) to prepare for the 2021 Election, the City is predicted to expend an estimated \$491,000 resourcing and compiling the non-residential electoral rolls, in addition to the annual operational cost to maintain the non-residential register of \$1.063 million;
- (viii) that a flyer encouraging residents to check their enrolment details with the AEC, and non-residents to apply online, has been distributed to every property in the Local Government Area;
- (ix) the NSW Minister for Local Government's decision to delay the 2021 Local Government election until 4 December 2021 means that electoral rolls will remain open until 6pm Monday 25 October 2021; and
- (x) that the NSWEC/AEC are responsible for the maintenance of the residential electoral roll;

(B) the Chief Executive Officer be requested to:

- (i) continue to provide information about the 2021 Local Government Election (save the date/check enrolment details/links to appropriate NSWEC/AEC material) via the City's communication channels;

- (ii) in line with the NSW Government's announcement of a new election date, distribute a revised NSWEC 'Save the Date' flyer encouraging residents to check and update their enrolment information and outlining participation requirements prior to the close of rolls; and
 - (iii) translate this flyer into community languages; and
- (C) Council approve up to \$35,000 from the 2021/22 General Contingency Fund for this distribution and translation.

Carried unanimously.

S129266

Item 9.3 Covid-19 Vaccination in the City of Sydney – Public Health Promotion Campaign

Moved by Councillor Scott, seconded by Councillor Miller -

It is resolved that

(A) Council note:

- (i) in October 2020, Council unanimously resolved to agree that science must be put first and misinformation about vaccines must be countered with balanced information that does not prey on parental fear, especially when so many people are anxious about the Covid-19 pandemic;
- (ii) experts have warned that vaccine misinformation and uncertainty spread via social media puts the Australian vaccine rollout at risk;
- (iii) 14.6 per cent of NSW residents are considered to be vaccine hesitant with six per cent of NSW residents unsure about getting the Covid vaccine and 7.6 per cent unwilling to get the Covid vaccine;
- (iv) policies to reduce vaccine hesitancy need to be carefully targeted at populations most vulnerable and most likely to transmit the virus;
- (v) vaccine hesitancy has been linked to a surge of Covid infections currently happening in the United States of America;
- (vi) City staff have been working in close collaboration with staff from Sydney and South Eastern Sydney Local Health Districts to support testing centres and vaccination clinics, including those targeted at providing vaccines to vulnerable populations. City facilities have been used wherever practical and appropriate;
- (vii) since the pandemic began, testing and vaccination clinics have been established in Darlinghurst, Surry Hills, Woolloomooloo, Glebe, the CBD and Redfern-Waterloo, including at a number of City of Sydney community facilities. City staff continue to work closely with NSW Health to support clinics and testing locations, including those in our own facilities;
- (viii) City staff have been sharing health messaging about Covid-19 requirements, testing and vaccinations, including information provided by NSW Health in multiple community languages, with a range of community members, groups, networks and interagencies throughout the pandemic. The City's community hotline also provides information about vaccination and testing clinics, and other information and referrals as required;
- (ix) the City's Public Space Liaison Officers continue to patrol daily and provide information, supports and masks to people sleeping rough. The City is also coordinating communications to building managers of boarding houses and community housing providers and is supplying and distributing masks for residents;
- (x) the City distributed hard copy resources to all social and community housing residents with information on support services, including accessing vaccinations. This resource includes information in community languages so people can access translators for phone services, information on the City's Community Hotline, mental health services and domestic and family violence;

- (xi) the City's Sustainable Apartments eNews has been circulated to approximately 2,400 residential properties and included information on public health orders mandating masks in common areas and where to access mental health and financial support;
 - (xii) the City's Community Hotline information poster has been redistributed to social housing networks (public and community housing), including information in six community languages and our Domestic and Family Violence resource has been redistributed in a range of community languages; and
 - (xiii) that the Australian Local Government Association wrote to Federal Health Minister Greg Hunt in January about priority vaccinations for local government frontline staff;
- (B) the Lord Mayor be requested to write to the relevant Federal and State Ministers to:
- (i) urgently request that all of Council's frontline workers are prioritised to receive vaccinations;
 - (ii) seek the urgent opening of more walk-up vaccination clinics in the City of Sydney, further offering the use of Council facilities and other relevant resources for this use; and
 - (iii) offer to continue to partner with the State and Commonwealth Governments to extend the support the City is providing, including for example, seek to invite trained health staff who can provide vaccines to accompany the City's Meals on Wheels and other front line staff, to offer vaccines to vulnerable community members; and
- (C) the Chief Executive Officer be requested to continue and where necessary extend the City's activities to support the safety of our communities from Covid-19, including testing and vaccination efforts.

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

- (i) urgently request that all frontline workers are prioritised to receive vaccinations;

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

S129266

Item 9.4 Fort Street Public School State Significant Development Application Modification

Moved by Councillor Scott, seconded by Councillor Vithoulkas –

It is resolved that:

(A) Council note:

- (i) the NSW Government has submitted a modification to the approved State Significant Development (SSD) application for Fort Street Public School to the Department of Planning, Industry and Environment (DPIE) in late March 2021;
- (ii) residents have expressed concerns that the proposed modification to the Fort Street Public School upgrade is out of step with the heritage standards of Millers Point;
- (iii) the proposed modification would see the main building of Fort Street Public raised to four storeys exceeding the height of the heritage-listed Meteorology Building and breaching the Conservation Management Plan (CMP);
- (iv) the original proposal received nine objections while on public display, the modification received 85 objections from 93 submissions;
- (v) the National Trust's strong objection to the modification as the plans "will have a major impact upon one of the most significant and historically important parts of Sydney" and "the addition of an extra floor level and the increase in scale and bulk goes against all previous planning and heritage advice for this sensitive, State Heritage Listed location";
- (vi) non-compliance with the Conservation Management Plan risks the creeping of the CBD into this important heritage area;
- (vii) a heritage study, responding to community objections to the modifications, recognised that the proposed modification conflicts with the Conservation Management Plan;
- (viii) the City did not seek to consult with residents regarding their submission to the proposed modification;
- (ix) the City's submission to the proposed modification fails to express serious concerns about the heritage impacts of the proposed height increase;
- (x) residents have expressed concerns with the praise of the "careful balance between minimising heritage impacts, whilst achieving the practical and functional needs of the school redevelopment" offered in the City's submission to the proposed modification; and
- (xi) residents have expressed concerns with the City's acceptance of the heritage impact of the proposed modification expressed in its submission;

- (B) the Lord Mayor be requested to:
- (i) urgently write to the Minister for Planning and Public Spaces Rob Stokes detailing concerns about the non-compliance with the Conservation Management Plan, height of the proposed modification and threat of this proposal to the character of Millers Point; and
 - (ii) urgently write to Minister for Education Sarah Mitchell requesting the current proposal be withdrawn and an alternative proposal in line with the Conservation Management Plan and character of Millers Point be considered; and
- (C) the Chief Executive Officer be requested to submit a revised objection to the Department of Planning, Industry and Environment, noting strong community concerns about modification and supporting National Trust advocacy about the protection of heritage in the Millers Point area.

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

It is resolved that:

- (A) Council note:
- (i) the NSW Government has submitted a modification to the approved State Significant Development (SSD) application for Fort Street Public School to the Department of Planning, Industry and Environment (DPIE) in late March 2021;
 - (ii) residents have expressed concerns that the City's submission to the Department of Planning, Industry and Environment about the proposed modification does not sufficiently address the heritage and height impacts created by the proposal, to the detriment of the Millers Point area;
 - (iii) on 10 August 2021, the Lord Mayor met with the Millers Point Community Resident Action Group (MPCRAG) to listen to their concerns about the proposed modification, among other issues;
 - (iv) the proposed modification would result in additional height to part of Building J that exceeds the height of the heritage-listed Meteorology Building, which is inconsistent with some of the guidelines contained within the Conservation Management Plan (CMP);
 - (v) the original proposal received nine objections while on public display, the modification received 85 objections from 93 submissions;
 - (vi) the National Trust's strong objection to the modification as the plans "will have a major impact upon one of the most significant and historically important parts of Sydney" and "the addition of an extra floor level and the increase in scale and bulk goes against all previous planning and heritage advice for this sensitive, State Heritage Listed location";
 - (vii) objectors are concerned that inconsistency with the Conservation Management Plan risks the creeping of the CBD into this important heritage area;
 - (viii) while the applicant's heritage study, responding to community objections to the modifications, recognised that the proposed modification is not fully compliant with all the individual guidelines of the Conservation Management Plan, there are some inconsistencies to achieve good outcomes for different heritage elements;

- (ix) it is not practicable for the City to consult with residents prior to making submissions to the Department of Planning, Industry and Environment about all state significant proposals due to the limited time given to make a submission;
 - (x) on 13 August 2021, the Lord Mayor wrote to the Minister for Planning and Public Spaces about the concerns raised by residents and the National Trust with a request he investigate ways for the bulk of Building J to be reduced so their concerns can be appropriately addressed alongside the important heritage considerations of the proposal. The letter also recommended his Department meet with community groups when plans for major government projects are lodged for assessment so their issues can be discussed openly and addressed as early as possible; and
 - (xi) a copy of the Lord Mayor's letter to the Minister for Planning and Public Spaces was sent to the Minister for Education with a request for her Department to work collaboratively with the City, the Department of Planning, Industry and Environment and the community for better outcomes on the project; and
- (B) the Chief Executive Officer be requested to:
- (i) arrange for the City's Heritage and Urban Design Manager to urgently convene a meeting with the Millers Point Community Resident Action Group and the National Trust to discuss their concerns about the proposed modification and how the design of Building J could be amended to address them; and
 - (ii) provide the Department of Planning, Industry and Environment with details of the outcomes of that meeting, including any suggested design amendments to reduce the visual bulk of Building J for their consideration prior to a determination of the modification application, and offer to meet with them to discuss it, if required.

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

S129266

Item 9.5 Customer Service

By Councillor Vithoukas

It is resolved that:

(A) Council note:

(i) the City of Sydney has on its website:

(a) a Customer Service Charter:

- typically, a Customer Service Charter is a document that outlines how an organisation promises to work with its customers along with providing insights into how an organisation operates. This page does not provide this;
- this page states "your feedback is really important to us. We use this information, whether positive or negative, to monitor and improve our service for the benefit of all our customers" however it has no obvious process or mechanism for this; and
- this page does not have a clear path, link or instructions for how a customer is able to provide feedback or make a complaint;

(b) Complaints and Feedback Procedures Document:

The Complaints and Feedback Procedures aim to:

*ensure the community's right to comment is protected and promoted;

*inform the community of the external and internal procedures for handling complaints and compliments;

*ensure that feedback is handled in an appropriate, effective and systematic way allowing corrective actions to be put in place where necessary; and

*increase the level of community satisfaction with the City's services;

- this document lists its next review date as January 2018;

(c) the Unreasonable Conduct by Customers Policy:

- the scope of this policy applies to the management of unreasonable conduct by customers, as defined in this policy;
- in December 2017, this policy was modified to align with Ombudsman NSW Unreasonable Complaint Conduct Model Policy (2013); and

(d) a Customer Complaint and Feedback page:

- "The complaints and feedback procedures aim to ensure the public's right to comment is protected and promoted";
- this page also provides an online form with five options for customers to choose the type of contact a customer might want; and
- it does not provide an option to make a complaint;

- (ii) that in 2015, the Office of NSW Ombudsman and Department of Customer Service developed CHIP - The Complaint Handling Improvement Program that was adopted by the Secretaries Board for application by all NSW Departments and Agencies as part of the NSW Government's Whole of Government Commitments To Effective Complaint Handling (the Commitments). It recognises that a consistent approach to best practice complaint handling is needed for all major customer facing state government agencies. The six Commitments are:
- (a) Respectful treatment;
 - (b) Information and accessibility;
 - (c) Good communication;
 - (d) Taking ownership;
 - (e) Timeliness; and
 - (f) Transparency;

(B) the Chief Executive Officer be requested to:

- (i) investigate and review the City's Customer Complaints and Feedback policies and procedures, and update where required, including but not limited to:
 - (a) the Complaints and Feedback Procedures document; and
 - (b) the Unreasonable Conduct by Customers Policy;
- (ii) review the design and content of the City's website in regard to Customer Complaints and Feedback policies and procedures, including the online form, and make all necessary improvements; and
- (iii) take the necessary steps to present to Council what is required to adopt the NSW Ombudsman Complaint Handling Improvement Program (CHIP); and

(C) Council endorse submitting the following motion for consideration at the Local Government NSW Conference:

That all NSW Councils endorse a consistent approach to customer complaint handling by adopting the NSW Ombudsmen Complaint Handling Improvement Program (CHIP).

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

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

It is resolved that:

(A) Council note:

- (i) the City of Sydney has on its website:
 - (a) a Customer Service Charter:
 - typically, a Customer Service Charter is a document that outlines how an organisation promises to work with its customers along with providing insights into how an organisation operates. This page does not provide this;

- this page states "your feedback is really important to us. We use this information, whether positive or negative, to monitor and improve our service for the benefit of all our customers" however it has no obvious process or mechanism for this;
- this page does not have a clear path, link or instructions for how a customer is able to provide feedback or make a complaint;

(b) Complaints and Feedback Procedures Document:

- this document currently exists on the City's website as an editable document;

The Complaints and Feedback Procedures Document aims to:

*ensure the community's right to comment is protected and promoted;

*inform the community of the external and internal procedures for handling complaints and compliments;

*ensure that feedback is handled in an appropriate, effective and systematic way allowing corrective actions to be put in place where necessary;

*increase the level of community satisfaction with the City's services;

- this document lists its next review date as January 2018;

(c) the Unreasonable Conduct by Customers Policy:

- the scope of this policy applies to the management of unreasonable conduct by customers, as defined in this policy;
- in December 2017 this policy was modified to align with Ombudsman NSW Unreasonable Complaint Conduct Model Policy (2013);
- this document appears as a PDF on the 'Customer Service Charter' City website page and lists its next review date as December 2019;
- this document also appears as an editable version on a recently added City website page 'Unreasonable Conduct by Customer Policy' with an updated review date done in 2020;

(d) a Customer Complaint and Feedback page:

- this is known on the City's website as 'Make a complaint or provide feedback';
- "The complaints and feedback procedures aim to ensure the public's right to comment is protected and promoted";
- this page also provides an online form with five options for customers to choose the type of contact a customer might want;
- it does not provide an option to make a complaint;
- this form also states "We will get back to you regarding any questions, or requests for service, or local issues within two business days or as applicable. If you are providing feedback or giving a compliment, we may not provide you with a response";

- (ii) that in 2015, the Office of NSW Ombudsman and Department of Customer Service developed CHIP - The Complaint Handling Improvement Program that was adopted by the Secretaries Board for application by all NSW Departments and Agencies as part of the NSW Government's Whole of Government Commitments To Effective Complaint Handling (the Commitments). It recognises that a consistent approach to best practice complaint handling is needed for all major customer facing state government agencies. The six Commitments are:
 - (a) Respectful treatment;
 - (b) Information and accessibility;
 - (c) Good communication;
 - (d) Taking ownership;
 - (e) Timeliness; and
 - (f) Transparency;

(B) the Chief Executive Officer be requested to:

- (i) investigate and review the City's Customer Complaints and Feedback policies and procedures, and update where required, including but not limited to:
 - (a) the Complaints and Feedback Procedures document; and
 - (b) the Unreasonable Conduct by Customers Policy;
- (ii) review the design and content of the City's website in regard to Customer Complaints and Feedback policies and procedures, including the online form, and make all necessary improvements;
- (iii) take the necessary steps to present to Council what is required to adopt the NSW Ombudsman Complaint Handling Improvement Program (CHIP); and
- (iv) report back to Councillors on the above actions; and

(D) the Chief Executive Officer be requested to write to the Office of Local Government and Local Government NSW as soon as possible, encouraging all NSW Councils to implement a consistent approach to customer complaint handling by adopting the NSW Ombudsman Complaint Handling Improvement Program (CHIP), should they not already be using the CHIP to guide their complaint handling process.

Carried unanimously.

S129267

Extension of Time

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

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

That Councillor Vithoukias be granted an extension of time of two minutes to speak on this matter.

Carried unanimously.

Item 9.6 Hiroshima Tree Project

Moved by Councillor Scully, seconded by Councillor Kok –

It is resolved that:

(A) Council note:

- (i) this year marks the 76th anniversary of the atomic bombing of Hiroshima and Nagasaki, which killed between 129,000 and 226,000 people;
- (ii) the City of Sydney has a long standing commitment to supporting peace efforts at a local and on a global level: as a member of Mayors for Peace and key supporters of the Sydney Peace Prize, and in October 2018, Council unanimously endorsed the International Campaign to Abolish Nuclear Weapons;
- (iii) the Green Legacy Hiroshima initiative is a global volunteer campaign, aiming to disseminate the universal message of nuclear disarmament by providing the seeds or saplings of 'survivor trees' - trees that survived the atomic bombing of Hiroshima and Nagasaki - to be planted in locations all over the world;
- (iv) currently seeds and saplings from the A-bombed trees are growing in more than 30 countries - in a sustained, long-term campaign, joining other efforts for a nuclear-free and sustainable future;
- (v) there is community support for the City of Sydney to participate in the Green Legacy Hiroshima tree project;
- (vi) participation in the Green Legacy Hiroshima initiative involves sourcing a seed from one of the original Hiroshima survivor trees for growth and eventual planting somewhere in the local government area; and
- (vii) City staff have advised that the City does not have the facilities to grow plants imported from overseas from seed. However, they suggested that the Royal Botanic Gardens would be a suitable partner. The Royal Botanic Gardens have expressed interest and capacity to undertake this; and

(B) the Chief Executive Officer be requested to:

- (i) seek advice from City staff to determine the preferred species of Survivor Tree seed, noting many of the species on the list may be considered weeds in Australia; and
- (ii) initiate the process to join the Green Legacy Hiroshima project, working with the Royal Botanic Gardens to secure an appropriate seed from a Survivor Tree for cultivation and future planting in an agreed location in our local government area.

Carried unanimously.

S129264

At 8.17pm the meeting concluded.

Chair of a meeting of the Council of the City
of Sydney held on Monday 20 September 2021 at which
meeting the signature herein was subscribed.