

# Council

Meeting No 1

Monday 21 February 2022

Notice No 1/1638

Notice Date 17 February 2022

*minutes*

(a)

(b)  
(c)  
(d)

## Index to Minutes

ITEM	PAGE NO
<b>1. Confirmation of Minutes .....</b>	<b>5</b>
<b>2. Disclosures of Interest .....</b>	<b>6</b>
<b>3. Minutes by the Lord Mayor .....</b>	<b>7</b>
3.1 Vale Leon Parmeter Carter OBE .....	7
3.2 Donation to Tonga Disaster Appeal .....	10
<b>4. Memoranda by the Chief Executive Officer .....</b>	<b>12</b>
4.1 Council Committees - Functions, Membership and Election of Deputy Chairpersons .....	12
4.2 Central Sydney Planning Committee - Election of Councillors .....	25
4.3 Local Pedestrian, Cycling and Traffic Calming Committee - Policies and Procedures, Membership and Appointment of Chairperson .....	28
4.4 Central Sydney Traffic and Transport Committee - Nomination of Alternate Member .....	34
4.5 Council Representation on External Bodies - Southern Sydney Regional Organisation of Councils .....	36
4.6 Council Representation on Internal Committees, Advisory Panels and Working Groups .....	38
4.7 Local Government NSW Special Conference 2022 .....	46
<b>5. Matters for Tabling .....</b>	<b>48</b>
5.1 Disclosures of Interest .....	48
5.2 Petitions .....	48
<b>6. Report of the Corporate, Finance, Properties and Tenders Committee .....</b>	<b>50</b>
6.1 Disclosures of Interest .....	50
6.2 2021/22 Quarter 2 Review - Delivery Program 2017-2021 .....	50
6.3 Investments Held as at 30 November 2021 .....	51
6.4 Investments Held as at 31 December 2021 .....	51
6.5 Investments Held as at 31 January 2022 .....	51
6.6 Lease Approval - Ground Floor Suite 3, Level 1 and 2, 46-52 Mountain Street, Ultimo .....	51
6.7 Lease Approval - Levels 3, 4 and 5, 46-52 Mountain Street, Ultimo .....	52
6.8 Tender - T-2021-619 - Reject and Negotiate - Allan Davidson Oval, Alexandria - Cricket Nets .....	52

6.9	Cancellation of Tender - T-2020-461 - Environmental Monitoring and Analysis and Reporting.....	53
6.10	Cancellation of Tender - T-2021-569 and Exemption from Tender - Improvement and Construction Work at Minogue Crescent Reserve, Tote Park and Park on Lyons Road.....	53
6.11	Exemption from Tender and Contract Variations - Sydney New Year's Eve.....	54
	<b>Economic Development and Business Sub-Committee</b>	
6.12	Public Exhibition - Precinct Activation Grants Guidelines .....	55
6.13	Commercial Creative and Business Event Sponsorship - BESydney 2022-2023 .....	56
<b>7.</b>	<b>Report of the Environment Committee .....</b>	<b>58</b>
7.1	Disclosures of Interest .....	58
7.2	Project Scope – Oxford and Liverpool Street Cycleway .....	59
7.3	Project Scope - King Street Cycleway - Pitt Street to Phillip Street .....	60
7.4	Synthetic Sportfields Program .....	61
7.5	Joint Use Project Deed Variation - Alexandria Park Community School - Synthetic Field and Park Road - Additional Funds Request.....	62
<b>8.</b>	<b>Report of the Cultural and Community Committee .....</b>	<b>63</b>
8.1	Disclosures of Interest .....	62
	<b>Healthy Communities Sub-Committee</b>	
8.2	Policy - Adoption - Support for Charities Policy .....	62
<b>9.</b>	<b>Report of the Transport, Heritage and Planning Committee .....</b>	<b>66</b>
9.1	Disclosures of Interest .....	64
9.2	Employment Zones Review .....	65
9.3	Fire Safety Reports.....	65
9.4	Approved Variations to Development Standards Reported to the Department of Planning, Industry and Environment .....	65
<b>10.</b>	<b>Submission - Changes to NSW Infrastructure Contributions .....</b>	<b>68</b>
<b>11.</b>	<b>Questions on Notice.....</b>	<b>69</b>
<b>12.</b>	<b>Supplementary Answers to Previous Questions .....</b>	<b>75</b>
<b>13.</b>	<b>Notices of Motion .....</b>	<b>77</b>
13.1	Vale Sadie King OAM.....	77
13.2	Closing the Gap.....	78
13.3	Theatres and Studios .....	84
13.4	Harbour Baths .....	85
13.5	Protecting Cyclists and Proper Community Consultation on Cycleways .....	87

## **Present**

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

Members           Councillor HY William Chan, Councillor (Waskam) Emelda Davis, Councillor Sylvie Ellsmore, Councillor Shauna Jarrett, Councillor Robert Kok, Councillor Linda Scott, Councillor Jess Scully and Councillor Yvonne Weldon.

At the commencement of business at 5.05pm, those present were:-

The Lord Mayor, Councillor Chan, Councillor Davis, Councillor Ellsmore, Councillor Jarrett, Councillor Kok, Councillor Scott, Councillor Scully and Councillor Weldon.

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 and Director City Life were also present.

## **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 Scully –

That the Minutes of the meeting of Council of Monday, 15 November 2021, and the extraordinary meeting of Council of Thursday, 23 December 2021, as circulated to Councillors, be confirmed.

Carried unanimously.

## Item 2 Disclosures of Interest

Councillor Sylvie Ellsmore disclosed a less than significant, non-pecuniary interest in Item 7.4 on the agenda, in that she works at the University of Sydney and University of Sydney clubs were consulted on this matter. Councillor Ellsmore stated that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because she is not a member of the clubs.

Councillor Linda Scott made the following disclosures:

- a less than significant, non-pecuniary interest in Item 6.8 on the agenda, in that a family member is the secretary of the Marrickville Cricket Club. Councillor Scott stated that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because the position is voluntary.
- a less than significant, non-pecuniary interest in Item 9.2 on the agenda, in that she owns an apartment in trust for a family member with a disability in one of the zones listed for translation. Councillor Scott stated that as the item is for noting, rather than for making a decision, and City staff have advised that no zoning changes are proposed for the area that the apartment is in, she will be voting on the item.
- a less than significant, non-pecuniary interest in Item 13.2 on the agenda, in that she was president of the Australian Local Government Association and also sat on the National Closing the Gap group. Councillor Scott stated that she considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances.

Councillor HY William Chan disclosed a less than significant, non-pecuniary interest in Item 3.2 on the agenda, in that he previously served, in an appointed voluntary capacity, as a Young Ambassador for UNICEF Australia (the Australian Committee for UNICEF Limited) from 2014 to 2015, and is currently an alumnus of the Young Ambassador program and official supporter of UNICEF Australia. Councillor Chan stated that he considers this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because he has not held the position of Young Ambassador for UNICEF Australia (the Australian Committee for UNICEF Limited) since 2015.

Councillor Lyndon Gannon made the following disclosures:

- a less than significant, non-pecuniary interest in Item 6.12 on the agenda, in that at the meeting of the Corporate Finance Properties and Tenders meeting of 14 February 2022, the president of the Independent Bars Association, of which he is a member, spoke to this agenda item. Councillor Gannon stated that he considers this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances because Mr Schlothauer is not contributing to this meeting of Council.
- a less than significant, non-pecuniary interest in Item 9.2 on the agenda, in that he has a development application currently with Council which may be affected by this agenda item. Councillor Gannon stated that he considers this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances as this item is just for noting.

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

**Item 3 Minutes by the Lord Mayor****Item 3.1 Vale Leon Parmeter Carter OBE****Minute by the Lord Mayor**

To Council:

I wish to inform Council of the passing of Leon Parmeter Carter OBE, Town Clerk of the City of Sydney from 1974 to his retirement in 1992.

Leon Carter was born on 10 May 1930 at Katoomba, New South Wales, the son of Norman Jack and Vennie Catherine Carter. Apart from a brief period driving a truck when he was young, he spent his whole working life in local government.

He began as a Junior Clerk at Berrigan Shire Council in 1948, where his father had worked as an electrical engineer. Over the following years he moved to other rural councils, each time into a more senior position than the last. By 1954, he held the number three position at Kogarah Council. Five years later he crossed the harbour to become Deputy Town Clerk at Lane Cove, becoming Town Clerk the following year. In 1971, he crossed the harbour again to become a Deputy Town Clerk at Sydney City Council. Three years later, he reached the pinnacle of his career, becoming Town Clerk. He was 44.

Leon arrived at the City three years after the Askin Liberal Government's carve up of the City, with Glebe and Forest Lodge transferred to Leichhardt Council, part of Newtown to Marrickville and Paddington to Woollahra. Paddington South and the remaining area south of Cleveland Street was incorporated as South Sydney Council. These changes ensured that the business oriented Civic Reform Association won a majority on the new smaller City Council.

Commissioning the late George Clark to develop the City's first strategic plan was an early action of the new Council. This plan proposed a more pedestrianised city, including the creation of a car free Martin Place, tree lined boulevards and a heritage floor space scheme among other progressive reforms. Another outcome of the plan was the idea of creating a new civic square opposite Sydney Town Hall. As the Council's most senior official, Leon was responsible for overseeing implementation of the plan and its update in 1976.

In the early 1980s, Leon began the process of purchasing the properties needed to make the civic square idea a reality. It remains an integral part of our Sustainable Sydney 2030 strategy.

I first encountered Leon in early 1982, when the Wran Labor Government reversed much of the 1968 carve up by merging South Sydney Council with the City for political reasons. At the time I had been a South Sydney Alderman for just 15 months.

I remember him as a man who was charming, helpful and "dapper", a word we rarely hear these days. I appreciated his support for my efforts at getting trees planted and streets landscaped.

He also had a reputation for being a great raconteur and having a wicked sense of humour.

These attributes enabled him to serve and manage the 28-member council created by the amalgamation (compared to 10 councillors today). He faced additional challenges after the 1984 Council elections, which resulted in a Council comprising 12 Labor, six Liberals and nine Independents.

Many people wrongly assumed Leon was a conservative, given his demeanour and his appointment by a Civic Reform Lord Mayor. He was the archetypal public servant able to serve both sides of politics and implement their policies. For many years he did not vote in elections to preserve his non-partisan position. In a 1983 interview he explained:

"Whoever gets control here, I will give them my best advice. I give great support to whoever has responsibility for running the city, no matter their party. I don't want to be seen as too close to politicians. I don't want to be seen as a wheeler dealer who plays one against the other."

In the same interview, he was asked what he thought was the most important thing the Council had done during his time as Town Clerk. He nominated the short-lived two per cent voluntary contribution developers made towards affordable housing, describing it as a "great social initiative" that worked – an initiative tragically kyboshed by the State Labor Government when it sacked the Council in 1987. Labor's appointed Commissioners transferred the Council's housing stock to the State Government at no cost. Leon later made it known that he had no part in the decision.

One of the architects of that scheme was the late Tony Reeves, a journalist, who had a reputation as a leftwing firebrand. In 1985, Tony succinctly summed up Leon after admitting he had found his preconceived ideas about him were wrong.

Tony said:

"Leon is the most astute manager of the business of the Council. He is acutely aware of the politics that are played there and manages to carve his way through the political quagmire to keep the business running as smoothly as possible."

It is a view with which I fully concur.

Leon will be remembered as an exemplary public servant, one of Sydney's important identities of the late 20th century and a great liver of life.

I am saddened by his passing and extend my sincere condolences to Ann and his family.



**Recommendation**

It is resolved that:

- (A) all persons attending this meeting of Council observe one minute's silence to commemorate the life of Leon Parmeter Carter OBE, former Town Clerk of the City of Sydney and his significant contribution to local government and the City of Sydney;
- (B) Council express its condolences to Leon's widow Ann, his daughter Sally and son Charles; and
- (C) the Lord Mayor be requested to convey Council's condolences to Leon's family.

**COUNCILLOR CLOVER MOORE**

Lord Mayor

Moved by the Lord Mayor –

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

Carried unanimously.

S051491

Note – All those present at the meeting, held remotely, observed a minute's silence as a mark of respect to Leon Parmeter Carter OBE.

**Item 3.2      Donation to Tonga Disaster Appeal****Minute by the Lord Mayor**

To Council:

On 14 January 2022, the Hunga Tonga–Hunga Ha‘apai volcano erupted on an island in the Tongan archipelago in the southern Pacific Ocean that created a vast ash cloud across the nation. The eruption reached a powerful climax on 15 January 2022, that caused tsunamis in Tonga, Fiji, American Samoa, Vanuatu, and along the Pacific rim, including damaging tsunamis in New Zealand, Japan, the United States, the Russian Far East, Chile, and Peru. At least three people were killed, some were injured, and many remain missing in Tonga from tsunami waves that were up to 15 metres high.

On 19 January 2022, the Government of Tonga issued a State of Emergency. Water supplies are seriously affected by volcanic ash, houses are destroyed and around 60 to 70 per cent of livestock have perished because grazing land is damaged. While international communication links to Tonga are being restored, a severed undersea cable will take time to fix, and inter-island communications are challenging with limited satellite and radio links.

I extend my deepest sympathy to the families of the victims who lost their lives, as well as to all the communities who have lost their homes and livelihoods from the volcanic eruption and tsunami.

The United Nations has called on the international community to help Tonga’s people. They say they are going to need sustained support responding to a disaster of this scale. It is evident that the volcanic eruption and tsunami have caused significant damage to the remote island communities and relief supplies will be needed over the coming weeks and months. We have a close and special relationship with our Pacific neighbours, and they need our support.

I recommend that the City of Sydney donate \$50,000 to the Australian Committee for UNICEF Limited (ABN 35 060 581 437) as part of UNICEF Australia’s Tonga Recovery Appeal, and \$50,000 to Oxfam Australia (ABN 18 055 208 636) who have established an international crisis fund for Tonga. Both are registered charities on the Australian Council for International Disaster register.

Our donation to UNICEF would support emergency supplies including water, sanitation, and hygiene kits, as well as recreational kits for children that provide psychosocial recovery.

Our donation to Oxfam would be directed to their International Crisis Fund donations, to support the affected areas. Oxfam is working with local partners on the ground in Tonga to support life-saving food distributions, clean water, shelter, hygiene kits, cash assistance and other essential items.

These donations comply with the City of Sydney Humanitarian Emergency Response Guidelines, adopted by Council in August 2010, the Support for Charities Guidelines which were approved by the Chief Executive Officer in May 2018, and are in line with previous donations.

These donations are also consistent with the Draft Support for Charities Policy.

## Recommendation

It is resolved that:

(A) Council donate:

- (i) \$50,000 to the Australian Committee for UNICEF Limited as part of their Tonga Recovery Appeal, from the 2021/22 General Contingency Fund; and
- (ii) \$50,000 to Oxfam Australia as part of their International Crisis Fund for Tonga, from the 2021/22 General Contingency Fund; and

(B) the Chief Executive Officer be requested to:

- (i) use City of Sydney online communication channels to encourage additional support for Tonga recovery appeals from City communities; and
- (ii) arrange a program for staff donations to Tonga recovery appeals and for Council to match dollar for dollar any contributions until the end of March 2022 from the 2021/22 General Contingency Fund.

## 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.

The Minute was carried as follows –

Ayes (9) The Chair (the Lord Mayor), Councillors Chan, Davis, Ellsmore, Gannon, Kok, Scott, Scully and Weldon.

Noes (1) Councillor Jarrett\*.

Minute carried.

S051491

\*Note – Councillor Jarrett abstained from voting. Pursuant to the provisions of clause 9.4 of the Code of Meeting Practice, Councillor Jarrett is taken to have voted against the Minute.

Note – The Lord Mayor acknowledged the presence of the Honorary Consul General of the Kingdom of Tonga, Ms Louise Waterhouse, who was viewing the Council meeting on the webcast, representing Her Royal Highness the High Commissioner of the Kingdom of Tonga, Princess Angelika Mata'aho Tuku'aho.

**Item 4 Memoranda by the Chief Executive Officer****Item 4.1 Council Committees - Functions, Membership and Election of Deputy Chairpersons****Memorandum by the Chief Executive Officer**

To Council:

In accordance with the provisions of section 360 of the Local Government Act 1993, the Local Government (General) Regulation 2021 and clause 18.2 of the City of Sydney Code of Meeting Practice (the Code), the council may establish such committees as it considers necessary.

In 2019, Council resolved to adopt meeting times, functions, policies and procedures of the following Committees and Sub-Committees:

- Corporate, Finance, Properties and Tenders Committee, inclusive of the Economic Development and Business Sub-Committee, commencing at 2.00pm.
- Environment Committee, commencing at the conclusion of the Corporate, Finance, Properties and Tenders Committee.
- Cultural and Community Committee, comprising two Sub-Committees: the Cultural and Creative Sub-Committee and the Healthy Communities Sub-Committee, meeting consecutively at the conclusion of the Environment Committee.
- Transport, Heritage and Planning Committee, commencing at the conclusion of the Cultural and Community Committee.

**Committee Structure**

Following a review of the administrative arrangements associated with Council's existing Committee structure, a number of amendments are recommended:

- the establishment of four new Committees –
  - the Business and Economic Development Committee (previously a Sub-Committee of the Corporate, Finance, Properties and Tenders Committee);
  - the Housing For All Committee;
  - the Cultural and Creative Committee; and
  - the Resilient Communities Committee.

The Housing For All Committee, Cultural and Creative Committee and the Resilient Communities Committee replace the Cultural and Community Committee (comprising two Sub-Committees: the Cultural and Creative Sub-Committee and the Healthy Communities Sub-Committee).

- the Environment Committee and Transport, Heritage and Planning Committee be combined into the Transport, Heritage, Environment and Planning Committee

The administrative arrangements associated with Council's committees are detailed in the "Functions, Delegations, Policies and Procedures of Council Committees" (refer Attachment A). This document has been amended to reflect the changes in Committee structure detailed above.

### **Election of Deputy Chairpersons**

Council may elect a Deputy Chairperson of each Committee in accordance with clauses 18.15 and 18.16 of the Code of Meeting Practice.

Previously, the Council has chosen to hold a separate election for each of the Deputy Chairperson positions. Elections were conducted by open, exhaustive voting (that is, by a show of hands or similar means for candidates duly nominated).

At the Council meeting of 21 September 2020, Council elected Deputy Chairpersons for each of Council's Committees and Sub-Committees for a term commencing immediately and ending on the day appointed for the next ordinary election of Council, with the Lord Mayor chairing all Committees.

Council will be required to elect a Deputy Chairperson for each of the following Committees for the new term of office commencing immediately and ending on 30 September 2022:

- (1) Corporate, Finance, Properties and Tenders Committee
- (2) Business and Economic Development Committee
- (3) Housing For All Committee
- (4) Cultural and Creative Committee
- (5) Resilient Communities Committee
- (6) Transport, Heritage, Environment and Planning Committee

### **Recommendation**

It is resolved that:

- (A) the Functions, Delegations, Policies and Procedures of Council Committees, as shown at Attachment A to the subject Memorandum, be endorsed and adopted;
- (B) Council elect the Deputy Chairpersons of the Corporate, Finance, Properties and Tenders Committee, Business and Economic Development Committee, Housing For All Committee, Cultural and Creative Committee, Resilient Communities Committee and Transport, Heritage, Environment and Planning Committee for a term commencing immediately following the election and ending on 30 September 2022;
- (C) the method of voting be open, exhaustive voting; and
- (D) the Chief Executive Officer conduct the election forthwith.

**MONICA BARONE**

Chief Executive Officer

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

It is resolved that:

- (A) the Functions, Delegations, Policies and Procedures of Council Committees, as shown at Attachment A to the subject Memorandum, be endorsed and adopted;
- (B) Council elect the Deputy Chairpersons of the Corporate, Finance, Properties and Tenders Committee, Business and Economic Development Committee, Housing For All Committee, Cultural and Creative Committee, Resilient Communities Committee and Transport, Heritage, Environment and Planning Committee for a term commencing immediately following the election and ending on 30 September 2022;
- (C) the method of voting be open, exhaustive voting; and
- (D) the Chief Executive Officer conduct the election forthwith.

The motion was carried on the following show of hands –

Ayes (9)            The Chair (the Lord Mayor), Councillors Chan, Davis, Ellsmore, Gannon, Jarrett, Kok, Scott and Scully

Noes (1)           Councillor Weldon.

Motion carried.

S062388

At this stage of the meeting, the Chief Executive Officer, as Returning Officer, called upon the Council Business Coordinator to assist with the conduct of the ballot.

The Council Business Coordinator invited nominations from Councillors for the positions of Deputy Chairs of Committees.

Nominations were made and accepted as follows.

Elections were conducted, in alphabetical order, with the results as follows –

- (1)            Corporate, Finance, Properties and Tenders Committee

One nomination for the Deputy Chairperson was received, as follows -

Councillor Jess Scully (nominated by Councillor Kok, seconded by Councillor Chan).

Councillor Scully indicated acceptance of her nomination.

There were no other nominations.

The Council Business Coordinator then declared Councillor Scully duly elected to the position of Deputy Chairperson of the Corporate, Finance, Properties and Tenders Committee for a term commencing immediately and ending on 30 September 2022.

(2) Business and Economic Development Committee

One nomination for the Deputy Chairperson was received, as follows -

Councillor Robert Kok (nominated by Councillor Scully, seconded by Councillor Chan).

Councillor Kok indicated acceptance of his nomination.

There were no other nominations.

The Council Business Coordinator then declared Councillor Kok duly elected to the position of Deputy Chairperson of the Business and Economic Development Committee for a term commencing immediately and ending on 30 September 2022.

(3) Housing For All Committee

One nomination for the Deputy Chairperson was received, as follows -

Councillor Sylvie Ellsmore (nominated by Councillor Ellsmore, seconded by Councillor Scott).

Councillor Ellsmore indicated acceptance of his nomination.

There were no other nominations.

The Council Business Coordinator then declared Councillor Ellsmore duly elected to the position of Deputy Chairperson of the Housing For All Committee for a term commencing immediately and ending on 30 September 2022.

(4) Cultural and Creative Committee

One nomination for the Deputy Chairperson was received, as follows –

Councillor Lyndon Gannon (nominated by Councillor Scully, seconded by Councillor Kok).

Councillor Gannon indicated acceptance of his nomination.

There were no other nominations.

The Council Business Coordinator then declared Councillor Gannon duly elected to the position of Deputy Chairperson of the Cultural and Creative Committee for a term commencing immediately and ending on 30 September 2022.

(5) Resilient Communities Committee

One nomination for the Deputy Chairperson was received, as follows –

Councillor (Waskam) Emelda Davis (nominated by Councillor Chan, seconded by Councillor Kok).

Councillor Davis indicated acceptance of her nomination.

There were no other nominations.

The Council Business Coordinator then declared Councillor Davis duly elected to the position of Deputy Chairperson of the Resilient Communities Committee for a term commencing immediately and ending on 30 September 2022.

(6) Transport, Heritage, Environment and Planning Committee

One nomination for the Deputy Chairperson was received, as follows -

Councillor HY William Chan (nominated by Councillor Kok, seconded by Councillor Gannon).

Councillor Chan indicated acceptance of his nomination.

There were no other nominations.

The Council Business Coordinator then declared Councillor Chan duly elected to the position of Deputy Chairperson of the Transport, Heritage, Environment and Planning Committee for a term commencing immediately and ending on 30 September 2022.



Note – the Functions, Delegations, Policies and Procedures for Council's Committees are as follows:

<p style="text-align: center;"><b>CORPORATE, FINANCE, PROPERTIES AND TENDERS COMMITTEE</b></p>
--

Meeting Time:	Monday 2.00pm
Venue:	Council Chamber
Chairperson:	The Lord Mayor – Councillor Clover Moore
Deputy Chairperson:	Councillor Jess Scully
Members:	Councillor HY William Chan Councillor (Waskam) Emelda Davis Councillor Sylvie Ellsmore Councillor Lyndon Gannon Councillor Shauna Jarrett Councillor Robert Kok Councillor Linda Scott Councillor Yvonne Weldon
Quorum:	A majority of the members of the Committee
Functions:	To deal with all matters relating to: <ul style="list-style-type: none"> <li>(a) Finance</li> <li>(b) Consideration of budgets and quarterly budget performance</li> <li>(c) Information technology policy</li> <li>(d) Asset management</li> <li>(e) Internal and external audit</li> <li>(f) Fees and charges</li> <li>(g) Rating matters</li> <li>(h) City vehicles and fleet management</li> <li>(i) City operational and property investment facilities</li> <li>(j) Industrial relations</li> <li>(k) Organisational policy</li> <li>(l) City property management, including management, maintenance, leasing, licensing and sale of Council property (excluding footways but including the use, leasing and purchase of other non-Council property)</li> <li>(m) Tenders                      valued                      at                      over                      \$5                      million</li> </ul>

## **BUSINESS AND ECONOMIC DEVELOPMENT COMMITTEE**

Meeting Time: At the conclusion of the meeting of the Corporate, Finance, Properties and Tenders Committee

Venue: Council Chamber

Chairperson: The Lord Mayor

Deputy Chairperson: Councillor Robert Kok

Members: Councillor HY William Chan  
Councillor (Waskam) Emelda Davis  
Councillor Sylvie Ellsmore  
Councillor Lyndon Gannon  
Councillor Shauna Jarrett  
Councillor Linda Scott  
Councillor Jess Scully  
Councillor Yvonne Weldon

Quorum: A majority of the members of the Committee

Functions: To deal with all matters relating to:

- (a) Economic development and strategy
- (b) Global city relationships, trade and marketing
- (c) Innovation
- (d) Village economies
- (e) Small business
- (f) City retailing
- (g) Operational and promotional issues relating to restaurants and hotels
- (h) Tourism
- (i) Grants and sponsorships related to the above

## HOUSING FOR ALL COMMITTEE

Meeting Time: At the conclusion of the meeting of the Business and Economic Development Committee

Venue: Council Chamber

Chairperson: The Lord Mayor

Deputy Chairperson: Councillor Sylvie Ellsmore

Members: Councillor HY William Chan  
Councillor (Waskam) Emelda Davis  
Councillor Lyndon Gannon  
Councillor Shauna Jarrett  
Councillor Robert Kok  
Councillor Linda Scott  
Councillor Jess Scully  
Councillor Yvonne Weldon

Quorum: A majority of the members of the Committee

Functions: To deal with all matters relating to:

- (a) Affordable and diverse housing
- (b) Social housing
- (c) Community housing
- (d) Grants and sponsorships related to the above

## **CULTURAL AND CREATIVE COMMITTEE**

Meeting Time: At the conclusion of the Housing For All Committee

Venue: Council Chamber

Chairperson: The Lord Mayor

Deputy Chairperson: Councillor Lyndon Gannon

Members: Councillor HY William Chan  
Councillor (Waskam) Emelda Davis  
Councillor Sylvie Ellsmore  
Councillor Shauna Jarrett  
Councillor Robert Kok  
Councillor Linda Scott  
Councillor Jess Scully  
Councillor Yvonne Weldon

Quorum: A majority of the members of the Committee

Functions: To deal with all matters relating to:

- (a) Arts, culture, creative industries and creative practice
- (b) City events, programs and activities
- (c) Cultural and social diversity
- (d) Cultural, social and economic disadvantage
- (e) Liquor licensing
- (f) Cultural venue management
- (g) Tourism
- (h) the Film Industry
- (i) Grants and sponsorships related to the above

<b>RESILIENT COMMUNITIES COMMITTEE</b>
--

Meeting Time: At the conclusion of the Cultural and Creative Committee

Venue: Council Chamber

Chairperson: The Lord Mayor

Deputy Chairperson: Councillor (Waskam) Emelda Davis

Members: Councillor HY William Chan  
Councillor Sylvie Ellsmore  
Councillor Lyndon Gannon  
Councillor Shauna Jarrett  
Councillor Robert Kok  
Councillor Linda Scott  
Councillor Jess Scully  
Councillor Yvonne Weldon

Quorum: A majority of the members of the Committee

Functions: To deal with all matters relating to:

- (a) Assistance to community and cultural organisations
- (b) Community services
- (c) Recreation services
- (d) Child care services
- (e) Library services
- (f) City Community facilities
- (g) City Playground facilities
- (h) Innovation
- (i) Grants and sponsorships related to the above

<p><b>TRANSPORT, HERITAGE, ENVIRONMENT AND PLANNING COMMITTEE</b></p>
---

Meeting Times: At the conclusion of the Resilient Communities Committee

Venue: Council Chamber

Chairperson: The Lord Mayor

Deputy Chairperson: Councillor HY William Chan

Members: Councillor (Waskam) Emelda Davis  
Councillor Sylvie Ellsmore  
Councillor Lyndon Gannon  
Councillor Shauna Jarrett  
Councillor Robert Kok  
Councillor Linda Scott  
Councillor Jess Scully  
Councillor Yvonne Weldon

Quorum: A majority of the members of the Committee

Functions: To deal with all matters relating to:

- (a) Planning instruments, ie, LEPS, DCPs, Policies
- (b) Transport and access initiatives and issues
- (c) Parking policy
- (d) Traffic and the Local Pedestrian, Cycling and Traffic Calming Committee
- (e) Referrals from other authorities for comment on any of the above matters
- (f) All applications for footway usage approvals
- (g) Environmental management and sustainability
- (h) Parks and open spaces
- (i) Street trees
- (j) Green roofs
- (k) Green lanes

- (l) Urban infrastructure, including roads, stormwater, drainage and footpaths
- (m) Swimming in the harbour
- (n) Street and footpath maintenance and cleaning
- (o) Graffiti removal
- (p) Waste and recycling
- (q) Street furniture
- (r) Street lighting
- (s) Grants and sponsorships related to the above

## **POLICIES AND PROCEDURES OF COMMITTEES**

- (a) The structure and functions of Committees is standing policy of Council.
- (b) All correspondence from, or to, all Committees, shall be handled through normal Council processes.
- (c) All Committees shall be advisory to Council and have no independent role, except where specific authorities are delegated to them by Council.
- (d) Matters dealt with in Committee shall be submitted to Council without recommendation only when the chairperson so determines.
- (e) The chairpersons of Standing Committees shall have a casting vote in the event of an equality of voting.



**Item 4.2 Central Sydney Planning Committee - Election of Councillors****Memorandum by the Chief Executive Officer**

To Council:

The Central Sydney Planning Committee (CSPC) is constituted by the City of Sydney Act 1988 (the Act).

Section 34(1) of the Act provides that the Committee shall consist of seven members:

- (a) the Lord Mayor of Sydney;
- (b) two councillors of the City of Sydney elected by the City Council; and
- (c) four persons (two of whom are senior State government employees and two of whom are not State or local government employees) appointed by the Minister administering Part 4 of the Planning Act, each having expertise in at least one of architecture, building, civic design, construction, engineering, transport, tourism, the arts, planning or heritage.

The persons currently appointed by the Minister pursuant to clause (c) as members and alternate members are Ms Abbie Galvin, Mr Brett Whitworth, Mr Dick Persson AM, Mr Richard Horne, Ms Olivia Hyde, Mr David Gainsford, Mr Julian Frecklington and Mr Bruce James.

Previously, the Council has chosen to hold a separate election for each of the two Council-elected members; the elections were by open, exhaustive voting (that is, by a show of hands or similar means for candidates duly nominated).

At the Council meeting of 21 September 2020, Council elected Councillors Philip Thalís and Jess Scully to the two positions on the Central Sydney Planning Committee, effective immediately until the day appointed for the next ordinary election of Council.

The Act provides that Council may appoint an alternate for each of the elected members. At the Council meeting of 21 September 2020, Council appointed Councillor Linda Scott as alternate to Councillor Thalís and Councillor Robert Kok as alternate to Councillor Scully until the day appointed for the next ordinary election of Council.

## **Recommendation**

It is resolved that:

- (A) Council elect two Councillors to be members of the Central Sydney Planning Committee commencing immediately following the election and ending on 30 September 2022;
- (B) the method of voting be open, exhaustive voting;
- (C) the Chief Executive Officer conduct the election forthwith; and
- (D) Council appoint alternates for each member elected.

## **MONICA BARONE**

Chief Executive Officer

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

It is resolved that:

- (A) Council elect two Councillors to be members of the Central Sydney Planning Committee commencing immediately following the election and ending on 30 September 2022;
- (B) the method of voting be open, exhaustive voting;
- (C) the Chief Executive Officer conduct the election forthwith; and
- (D) Council appoint alternates for each member elected.

Carried unanimously.

S062388

At this stage of the meeting, the Chief Executive Officer, as Returning Officer, called upon the Council Business Coordinator to assist with the conduct of the ballot.

The Council Business Coordinator invited nominations from Councillors for the first position on the Central Sydney Planning Committee.

One nomination for the first position on the Central Sydney Planning Committee was received, as follows –

Councillor Jess Scully (nominated by Councillor Chan, seconded by Councillor Kok).

Councillor Scully indicated acceptance of her nomination.

The Council Business Coordinator then declared Councillor Scully duly elected to the first position on the Central Sydney Planning Committee for a term commencing immediately and ending 30 September 2022.

The Council Business Coordinator invited nominations from Councillors for the second position on the Central Sydney Planning Committee.

One nomination for the second position on the Central Sydney Planning Committee was received, as follows –

Councillor HY William Chan (nominated by Councillor Scully, seconded by the Chair (the Lord Mayor)).

Councillor Chan indicated acceptance of his nomination.

The Council Business Coordinator then declared Councillor Chan duly elected to the second position on the Central Sydney Planning Committee for a term commencing immediately and ending 30 September 2022.

The Council Business Coordinator invited nominations from Councillors for the first alternate position on the Central Sydney Planning Committee.

One nomination for the first alternate position on the Central Sydney Planning Committee was received, as follows –

Councillor Robert Kok (nominated by Councillor Chan, seconded by Councillor Scully).

Councillor Kok indicated acceptance of his nomination.

The Council Business Coordinator then declared Councillor Kok duly elected to the first alternate position on the Central Sydney Planning Committee for a term commencing immediately and ending 30 September 2022.

The Council Business Coordinator invited nominations from Councillors for the second alternate position on the Central Sydney Planning Committee.

One nomination for the second alternate position on the Central Sydney Planning Committee was received, as follows –

Councillor (Waskam) Emelda Davis (nominated by Councillor Kok, seconded by Councillor Scully).

Councillor Davis indicated acceptance of her nomination.

The Council Business Coordinator then declared Councillor Davis duly elected to the second alternate position on the Central Sydney Planning Committee for a term commencing immediately and ending 30 September 2022.

**Item 4.3      Local Pedestrian, Cycling and Traffic Calming Committee - Policies and Procedures, Membership and Appointment of Chairperson****Memorandum by the Chief Executive Officer**

To Council:

The Local Pedestrian, Cycling and Traffic Calming Committee is a statutory committee, established under the Roads Act 1993 and in accordance with administrative procedures required by Transport for NSW (formerly Roads and Maritime Services).

Councils have been delegated certain powers by Transport for NSW regarding the regulation of traffic on local roads. A condition of this delegation is that councils must take into account the advice of their Local Pedestrian, Cycling and Traffic Calming Committee before exercising these powers.

The Local Pedestrian, Cycling and Traffic Calming Committee has no decision-making powers. It is primarily a technical review body which is required to advise Council and City staff on traffic-related matters. Council and City staff are therefore not bound or required to implement a proposal supported by the Local Pedestrian, Cycling and Traffic Calming Committee. Any proposal supported by the Local Pedestrian, Cycling and Traffic Calming Committee must be approved by either the elected Council or authorised City staff (depending on the nature of the proposal) if it is to be implemented. This can only be done when the advice of the Committee is unanimous. Where the advice of the Committee is not unanimous, Council must separately notify and obtain the endorsement of Transport for NSW and NSW Police.

The Local Pedestrian, Cycling and Traffic Calming Committee is made up of four formal (voting) members as follows:

- one representative of Council (Chairperson or alternate Chairperson);
- one representative of NSW Police;
- one representative of Transport for NSW;
- the local State Member of Parliament (MP) or their nominee;
- one representative of a relevant NSW Government agency (where applicable)\*.

Representatives of NSW Police and State MPs can only vote on matters in their respective command or electorate.

\*The NSW Government agencies are formal (voting) members for matters relating to roads over which they have jurisdiction only (for example, Property NSW / Place Management NSW / Infrastructure NSW). The City of Sydney Council is not a formal (voting) member for these matters.

The Chairperson and alternate Chairperson are to be determined by Council, and Council's representative may be any Councillor or City staff. Council (in consultation with the formal members of the Local Pedestrian, Cycling and Traffic Calming Committee) may also decide to have additional informal (non-voting) representatives who can provide non-binding input on matters under consideration. Informal (non-voting) members of the Local Pedestrian, Cycling and Traffic Calming Committee are as follows:

- Transit Systems representative;
- Transport Workers Union representative;
- Cycling Representative appointed by the Lord Mayor;
- Pedestrian Representative appointed by Council; and
- Local Health District Representative appointed by Council.

City staff convene meetings and provide administrative support for the Committee, including the preparation of agendas, reports and minutes, and formally represent Council when both the Chairperson and the alternate Chairperson are absent.

At the Council meeting of 21 September 2020, Councillor Philip Thalys and Councillor Linda Scott were appointed Chairperson and alternate Chairperson of the Local Pedestrian, Cycling and Traffic Calming Committee respectively for a term of office ending on the day appointed for the next ordinary election of Council, subsequently held on Saturday, 4 December 2021.

In order to ensure there was capacity to deal with any urgent matters requiring the consideration of the Local Pedestrian, Cycling and Traffic Calming Committee during the post-election period, at the Council meeting of 15 November 2021, the Chief Executive Officer was appointed as interim Chairperson of the Local Pedestrian, Cycling and Traffic Calming Committee for the period 4 December 2021 to the day of the post-election extraordinary meeting of Council.

As a further interim measure, at the extraordinary Council meeting of 23 December 2021, the Lord Mayor - Councillor Clover Moore was appointed as interim Chairperson of the Local Pedestrian, Cycling and Traffic Calming Committee for the period 23 December 2021 until a Councillor Chairperson and alternate Chairperson are appointed.

## **Recommendation**

It is resolved that:

- (A) the Policies and Procedures of the Local Pedestrian, Cycling and Traffic Calming Committee, as contained in Attachment A to the subject Memorandum, be endorsed and adopted;
- (B) the informal (non-voting) representatives to the Local Pedestrian, Cycling and Traffic Calming Committee, as outlined in the subject Memorandum, be endorsed;
- (C) Council appoint Councillor ..... as the Chairperson of the Local Pedestrian, Cycling and Traffic Calming Committee for a term commencing immediately and ending on 30 September 2022; and
- (D) Council appoint Councillor ..... as the alternate Chairperson of the Local Pedestrian, Cycling and Traffic Calming Committee, for a term commencing immediately and ending on 30 September 2022.

## **MONICA BARONE**

Chief Executive Officer

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

It is resolved that:

- (A) the Policies and Procedures of the Local Pedestrian, Cycling and Traffic Calming Committee, as contained in Attachment A to the subject Memorandum, be endorsed and adopted;
- (B) the informal (non-voting) representatives to the Local Pedestrian, Cycling and Traffic Calming Committee, as outlined in the subject Memorandum, be endorsed;
- (C) Council appoint Councillor HY William Chan as the Chairperson of the Local Pedestrian, Cycling and Traffic Calming Committee for a term commencing immediately and ending on 30 September 2022; and
- (D) Council appoint Councillor (Waskam) Emelda Davis as the alternate Chairperson of the Local Pedestrian, Cycling and Traffic Calming Committee, for a term commencing immediately and ending on 30 September 2022.

Carried unanimously.

**Procedural Motion**

Later in the meeting, at 9.32pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Ellsmore –

That Item 4.3 be recommitted in accordance with clause 15.17 (b) of the Code of Meeting Practice.

Carried unanimously.

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

That the motion be amended by the addition of a clause (E) as follows –

- (E) authority be delegated to the Chief Executive Officer to review and update the Policies and Procedures of the Local Pedestrian, Cycling and Traffic Calming Committee to reflect the Policies and Procedures in the subject memorandum and previous resolutions of Council, and report back to Councillors via the CEO Update as soon as possible.

Carried unanimously.

S062388

Note – The Policies and Procedures for the Local Pedestrian, Cycling and Traffic Calming Committee are as follows:

## **LOCAL PEDESTRIAN, CYCLING AND TRAFFIC CALMING COMMITTEE**

The Local Pedestrian, Cycling and Traffic Calming Committee is a statutory committee, established under the Roads Act 1993 and in accordance with administrative procedures established by Transport for NSW (formerly Roads and Maritime Services).

Chairperson: Councillor HY William Chan

Alternate Chairperson: Councillor (Waskam) Emelda Davis

Members: There are four formal members of the Traffic Committee:

(a) Four formal (voting) representatives, one from each of the following -

- City of Sydney Council (Chairperson)
- NSW Police Service
- Transport for NSW
- Local State Members of Parliament or their nominee.
- NSW Government Agencies\*\*

Note: representatives of the NSW Police Service and representatives of State MPs can only vote on issues in their command or electorate respectively.

\*\*The NSW Government agencies are formal (voting) members for matters relating to roads over which they have jurisdiction only (for example, Property NSW / Place Management NSW / Infrastructure NSW). The City of Sydney Council is not a formal (voting) member for these matters.

(b) Informal (non-voting) representatives, where relevant, from each of the following –

- Transit Systems representative
- Transport Workers Union representative
- a cycling representative appointed by the Lord Mayor and
- a pedestrian representative appointed by the Lord Mayor.

The Chairperson and their alternate shall be determined by Council.  
The views of informal members are considered but not binding.



Administration:	City staff convene meetings and provide administrative support for the Committee, including the preparation of agendas, reports and minutes, and formally represent Council when both the Chairperson and the alternate are absent.
Function:	Council has been delegated certain powers from Transport for NSW with regard to traffic matters on local roads. A condition of this delegation is that Council must take into account the advice of the Local Pedestrian, Cycling and Traffic Calming Committee. The Local Pedestrian, Cycling and Traffic Calming Committee has no decision-making powers. It is primarily a technical review body which is required to advise Council on traffic related matters. All proposals recommended by the Local Pedestrian, Cycling and Traffic Calming Committee must still be formally approved by either the elected Council or authorised City staff (depending on the nature of the proposal). This can only be done when the advice of the Committee is unanimous. Where the advice of the Committee is not unanimous, Council must separately notify and obtain endorsement from Transport for NSW and the NSW Police Service.
Meetings/Attendance:	The Local Pedestrian, Cycling and Traffic Calming Committee generally meets every third Thursday of the month at 10.00am in the Council Chamber, Level 1, Sydney Town Hall, George Street, Sydney (or as advised). Members of the public are welcome to attend and speak to an item on the Local Pedestrian, Cycling and Traffic Calming Committee agenda. Addresses to the Committee are limited to 3 minutes, but this can be extended at the discretion of the Chairperson. If a member of the public wishes to attend, it is requested that they inform the Committee Secretary in advance on 9265 9648.

---

**Item 4.4 Central Sydney Traffic and Transport Committee - Nomination of Alternate Member**

**Memorandum by the Chief Executive Officer**

To Council:

In 2012, the Central Sydney Traffic and Transport Committee (CSTTC) was established following amendments to the City of Sydney Act 1988.

The primary function of the Central Sydney Traffic and Transport Committee is to coordinate transport policy and major transport related works between the City of Sydney and the NSW Government.

The Central Sydney Traffic and Transport Committee is comprised of seven members:

- the Secretary of the Department of Transport (Chair);
- three persons nominated by the City of Sydney and appointed by the Minister; and
- three persons representing the NSW Government and appointed by the Minister.

The current members of the Central Sydney Traffic and Transport Committee nominated by the City of Sydney are:

- Lord Mayor Clover Moore (alternate member Councillor Philip Thalís);
- Graham Jahn, Director City Planning, Development and Transport (alternate member Andrew Thomas, Executive Manager, Planning and Development); and
- Sebastian Smyth, Executive Manager, City Access and Transport (alternate member Andrew Aspden, Manager Transport Planning).

The term of office of Councillor Thalís concluded on Friday, 3 December 2021. Therefore, in accordance with section 51G (b) and Schedule 2 of the City of Sydney Act 1988, approval of Council is requested for the following:

- revocation of the current nomination of Councillor Philip Thalís as the alternate member of the Central Sydney Traffic and Transport Committee for the Lord Mayor Clover Moore; and
- the nomination of a new Councillor as the alternate member for the Lord Mayor Clover Moore.

**Recommendation**

It is resolved that:

- (A) the nomination of Councillor Philip Thalís as an alternate member for the Lord Mayor Clover Moore of the Central Sydney Traffic and Transport Committee be revoked; and
- (B) Council nominate Councillor ..... to the position of alternate member of the Central Sydney Traffic and Transport Committee for the Lord Mayor Clover Moore.

**MONICA BARONE**

Chief Executive Officer

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

It is resolved that:

- (A) the nomination of Councillor Philip Thalís as an alternate member for the Lord Mayor Clover Moore of the Central Sydney Traffic and Transport Committee be revoked; and
- (B) Council nominate Councillor HY William Chan to the position of alternate member of the Central Sydney Traffic and Transport Committee for the Lord Mayor Clover Moore.

Carried unanimously.

S111818

**Item 4.5 Council Representation on External Bodies - Southern Sydney Regional Organisation of Councils****Memorandum by the Chief Executive Officer**

To Council:

The Lord Mayor and Councillors represent the City of Sydney on various external bodies such as the Southern Sydney Regional Organisation of Councils (SSROC).

Following the local government elections, some of Council's previously appointed representatives to these bodies are no longer Councillors and it is therefore necessary for Council to appoint new representatives.

Established in 1986, SSROC is a voluntary regional grouping of councils located in the southern Sydney metropolitan area. SSROC provides a forum for member councils to deal with common issues, particularly those that cross local government area boundaries. Key areas of focus include planning, environment, transport, sustainability, procurement and waste management.

The City is represented by either elected Councillors or Council staff on the external body – Southern Sydney Regional Organisation of Councils (SSROC).

Council is entitled to nominate two delegates and two alternate delegates to SSROC.

**Recommendation**

It is resolved that Council appoint the following Councillors as Council's representatives on the external bodies listed below:

**(A) Southern Sydney Regional Organisation of Councils (SSROC)**

- (i) Councillors ..... and ..... (2 delegates)
- (ii) Councillors ..... and ..... (2 alternates)

**MONICA BARONE**

Chief Executive Officer

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

It is resolved that Council appoint the following Councillors as Council's representatives on the external bodies listed below:

**(A) Southern Sydney Regional Organisation of Councils (SSROC)**

- (i) Councillors Linda Scott and Yvonne Weldon (2 delegates)
- (ii) Councillors Sylvie Ellsmore and Shauna Jarrett (2 alternates)

Carried unanimously.

S111818

**Item 4.6 Council Representation on Internal Committees, Advisory Panels and Working Groups****Memorandum by the Chief Executive Officer**

To Council:

Council has established a number of internal committees, advisory panels and a working group with Council appointed Councillor representatives that provide advice on the policies and operations of the City of Sydney across various subject areas. Given the need for urgent recovery action in many areas of our community and the ongoing work needed for development and implementation of the City's strategies it is recommended that Council revise the current advisory panels and establish some new panels and a working group to assist with high priority actions.

It is recommended that Council

- endorse the establishment of a Business, Economic Development and Covid Recovery Advisory Panel;
- endorse the establishment of a Cultural and Creative Sector Recovery Advisory Panel;
- endorse the establishment of a Housing For All Working Group;
- endorse the establishment of a Multicultural Advisory Panel; and
- appoint Councillor representatives to the various new and established internal committees, advisory panels and working group.

**Aboriginal and Torres Strait Islander Advisory Panel**

The Aboriginal and Torres Strait Islander Advisory Panel was established by Council in June 2008. The purpose of the panel is to provide advice on the policies and operations of the City of Sydney in relation to matters of importance to Aboriginal and Torres Strait Islander communities, including:

- Advising Council on the needs of Aboriginal and Torres Strait Islander people living in the City of Sydney's Local Government Area.
- Advising Council on the development and implementation of Sustainable Sydney 2030-2050, the City of Sydney's Reconciliation Action Plan and other relevant plans as they are adopted by Council.
- Promoting an increased knowledge and understanding of Aboriginal and Torres Strait Islander culture and society in the wider community and representing the interests of Aboriginal and Torres Strait Islander people in the local area.
- Advising Council on programming of Aboriginal and Torres Strait Islander events.
- Providing input to policy development, planning and advice to Council across all areas where there is likely to be an impact on Aboriginal and Torres Strait Islander people, including economic development, Indigenous employment and Aboriginal business development.
- Actively promoting and facilitating reconciliation between Aboriginal and Torres Strait Islanders peoples and Council.

Membership of the Aboriginal and Torres Strait Islander Advisory Panel will consist of up to 17 members including the Lord Mayor (or delegate) and one City of Sydney Councillor.

### **Audit, Risk and Compliance Committee**

The Audit, Risk and Compliance Committee plays an important role in the City's governance framework. It provides Council with independent oversight and monitoring of the City's audit, compliance and risk processes and its other internal control activities.

The Committee reports to Council through the Corporate, Finance, Properties and Tenders Committee.

The Audit, Risk and Compliance Committee has operated for several years as an integral part of the City's corporate governance framework. The primary objectives of the Committee are to:

- assist the Council in discharging their responsibilities relating to: financial reporting practices, business ethics, policies and practices, accounting policies, risk management and internal controls, compliance with laws, regulations, standards and best practice guidelines; and
- ensure the integrity of the internal audit function.

The Audit, Risk and Compliance Committee operates under the Audit, Risk and Compliance Committee Charter, which is endorsed by the Audit, Risk and Compliance Committee annually.

Committee membership consist of:

- the Lord Mayor (or delegate)
- one Councillor
- three independent external members (with an independent external member to be the chairperson).

Following recent amendments to the Local Government Act 1993 to mandate Audit, Risk and Improvement Committees for all councils, new regulations and mandatory guidelines are currently being developed by the Office of Local Government. Following finalisation of those framework documents the City will review and update the Audit Risk and Compliance Committee charter and report back to Council as required.

### **Business, Economic Development and Covid Recovery Advisory Panel**

It is proposed that a Business, Economic Development and Covid Recovery Advisory Panel be established.

The primary role of the Business, Economic Development and Covid Recovery Advisory Panel is to provide high-level independent expert advice to the City on:

- Economic development activities and advocacy required to support the recovery of the City's businesses and economy affected by the pandemic, including the retail and hospitality sectors as well as the return of workers to the CBD.
- The development of the 24 hour economy in partnership with the NSW Government.
- Strategies for the City to support a range of economic areas such as trade and investment attraction, talent attraction, the innovation economy, green economy, sustainable finance, equitable economy and the visitor economy.
- The development and implementation of the Sustainable Sydney 2030-2050 vision and future economic strategies.

The strategy will set the pathway for the City's contribution over the medium term to sustainable recovery of the City of Sydney local economy, particularly the Sydney CBD - NSW's most significant, but heavily impacted, economic centre in a post Covid-19 environment.

The membership of the Business, Economic Development and Covid Recovery Advisory Panel will include a broad range of members who are highly recognised in relevant professional fields and who have demonstrated experience and seniority (CEO or equivalent).

This panel will provide an opportunity for the City to proactively seek expert advice from representatives of groups who are key to real and sustained economic recovery.

It is proposed that membership will consist of up to 10 members including the Lord Mayor (or delegate) and one City of Sydney Councillor.

### **Cultural and Creative Sector Recovery Advisory Panel**

It is proposed that a Creative and Cultural Sector Recovery Advisory Panel be established (formerly the Nightlife and Creative Sector Advisory Panel).

The Panel will provide advice on issues affecting the cultural and creative sector as it recovers from the ongoing devastating impacts of the Covid-19 pandemic. This will include advising on how cultural and creative sector can contribute to the revitalisation of Sydney's nightlife. It will help set the pathway for the City's contribution over the medium term to sustainable recovery of the City's creative and cultural life.

An important role of the Cultural and Creative Sector Panel is to provide high-level independent expert advice to the City on the development and implementation of the Sustainable Sydney 2030-2050 and the City of Sydney Cultural and Creative Policy and Strategy.

The membership of the Cultural and Creative Sector Panel will include a broad range of members who are highly recognised in relevant professional fields and who have demonstrated experience, and knowledge in the arts, culture and creativity and their contribution to City living. Such people may include practitioners, business owners and people with related specialist expertise.

It is proposed that membership will consist of up to 10 members including the Lord Mayor (or delegate) and one City of Sydney Councillor.

### **Cycling Advisory Committee**

In April 2007, Council resolved to establish a Cycling Advisory Committee.

The Committee's role is to monitor progress on implementation of the Cycling Strategy and Action Plan and provide advice on issues associated with implementation of the Cycling Strategy and Action Plan. The Cycling Advisory Committee provides a consultation and feedback forum for the City's key cycling stakeholders as part of Council's ongoing commitment to cycling.

The forum also provides a means for City staff to provide regular progress reports on the implementation of the City's Cycle Strategy and Action Plan.

The Committee comprises the Lord Mayor (or delegate), one City of Sydney Councillor and representatives of Bicycle NSW, Bike East, Bike Sydney, Transport for NSW and other external bodies.



## **Housing for All Working Group**

It is proposed that a Housing for All Working Group be established.

The primary role of the Housing for All Working Group is to bring together industry leaders and experts to share knowledge and provide strategic, expert advice and guidance to the City of Sydney (the City) on the development of agreed strategies and initiatives to increase the supply of affordable and diverse housing (including social housing) within the City of Sydney Local Government Area.

The membership of the working group will include a broad range of stakeholders and organisations active within the affordable and diverse housing sector and peak bodies and agencies that represent the interests of the Sydney's diverse communities.

It is proposed that membership will consist of up to nine members including the Lord Mayor (or delegate) and one City of Sydney Councillor.

## **Inclusion (Disability) Advisory Panel**

The Inclusion (Disability) Advisory Panel was established by Council in November 2012 to provide expert advice to the City on inclusion and access for people with disability.

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

Membership will consist of up to 12 members that live, work or study in the City of Sydney local government area and have experience of living with or caring for a person with disability and/ or demonstrate knowledge or experience in providing independent and strategic advice on disability access and inclusion issues, plus the Lord Mayor (or delegate) and one City of Sydney Councillor as a representative of Council.

The City will endeavour to achieve as broad a representation as possible amongst panel members, with the aim of ensuring, as far as is possible, that a diverse range of disability issues is represented. At least 50 per cent of the Inclusion (Disability) Advisory Panel membership will be constituted by members who have a direct experience of disability whether personally or through a caring and support role.

## **Multicultural Advisory Panel**

It is proposed that a Multicultural Advisory Panel be established.

The Multicultural Advisory Panel will provide advice on policies and operations of the City of Sydney in relation to matters of importance to culturally diverse communities, including:

- Advising Council on the needs of diverse and multicultural people living in the City of Sydney's Local Government Area.
- Advising Council on the development and implementation of Sustainable Sydney 2030-2050 and other relevant plans as they are adopted by Council, including supporting the delivery of the City's community engagement plan and strategy.
- Promoting an increased knowledge and understanding of diverse cultures and society in the wider community and facilitating partnerships that nurture cultural diversity, capacity building, and increased community connections.
- Advising Council on programming of multicultural events.

- Providing input to policy development, planning and advice to Council across all areas where there is likely to be an impact on multicultural communities, including multicultural businesses and economic development.
- Advocate on behalf of culturally diverse communities, including strategies to combat racism and discrimination, and promoting greater understanding and appreciation of multiculturalism.

It is proposed that membership will consist of up to 10 members including the Lord Mayor (or delegate) and one City of Sydney Councillor.

### **City Advisory Panels**

Council has also established a number of Advisory Panels comprising of relevant expert members such as the Design Advisory Panel, the Design Advisory Panel Residential Sub-Committee and the Public Art Advisory Panel.

Advisory Panel member terms vary in length. Generally, terms are between two to four years. Member appointments are reliant on the availability of required skills and expertise. Further reports will be brought to Council seeking endorsement of the appointment of Advisory Panel members where required.

### **Recommendation**

It is resolved that:

- (A) Council endorse the establishment of the Business, Economic Development and Covid Recovery Advisory Panel;
- (B) Council endorse the establishment of the Cultural and Creative Sector Recovery Advisory Panel;
- (C) Council endorse the establishment of the Housing for All Working Group;
- (D) Council endorse the establishment of the Multicultural Advisory Panel;
- (E) Council note the termination of Nightlife and Creative Sector Advisory Panel as it is replaced by the Cultural and Creative Sector Recovery Advisory Panel;
- (F) authority be delegated to the Chief Executive Officer to prepare Terms of Reference for the Advisory Panels and Working Groups detailed in (A) to (D) above and provide to Council via the CEO Update;
- (G) the Chief Executive Officer be requested to review the Terms of Reference for established Internal Committees, Advisory Panels and Working Groups and if amendments are recommended provide to Council for consideration;
- (H) Council appoint the following Councillors as Council's representatives on the Internal Committees, Advisory Panels and Working Groups listed below:

#### **Aboriginal and Torres Strait Islander Advisory Panel**

- (i) Councillor.....

#### **Audit, Risk and Compliance Committee**

- (ii) Councillor .....

**Business, Economic Development and Covid Recovery Advisory Panel**

(iii) Councillor .....

**Cultural and Creative Sector Recovery Advisory Panel**

(iv) Councillor.....

**Cycling Advisory Committee**

(v) Councillor .....

**Housing for All Working Group**

(vi) Councillor .....

**Inclusion (Disability) Advisory Panel**

(vii) Councillor .....

**Multicultural Advisory Panel**

(viii) Councillor.....

**MONICA BARONE**

Chief Executive Officer

At the meeting of Council, this recommendation was moved and voted on in seriatum, as follows –

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

- (A) Council endorse the establishment of the Business, Economic Development and Covid Recovery Advisory Panel;
- (B) Council endorse the establishment of the Cultural and Creative Sector Recovery Advisory Panel;
- (C) Council endorse the establishment of the Housing for All Working Group;
- (D) Council endorse the establishment of the Multicultural Advisory Panel;
- (E) Council note the termination of Nightlife and Creative Sector Advisory Panel as it is replaced by the Cultural and Creative Sector Recovery Advisory Panel;
- (F) authority be delegated to the Chief Executive Officer to prepare Terms of Reference for the Advisory Panels and Working Groups detailed in (A) to (D) above and provide to Council via the CEO Update; and
- (G) the Chief Executive Officer be requested to review the Terms of Reference for established Internal Committees, Advisory Panels and Working Groups and if amendments are recommended provide to Council for consideration.

Carried unanimously.

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

- (H) Council appoint the following Councillors as Council's representatives on the Internal Committees, Advisory Panels and Working Groups listed below:

**Aboriginal and Torres Strait Islander Advisory Panel**

- (i) Councillor Yvonne Weldon

Carried unanimously.

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

**Audit, Risk and Compliance Committee**

- (ii) Councillor Jess Scully

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

**Audit, Risk and Compliance Committee**

- (ii) Councillor Linda Scott

The amendment was lost on the following show of hands –

Ayes (3) Councillors Ellsmore, Scott and Weldon

Noes (7) The Chair (the Lord Mayor), Councillors Chan, Davis, Gannon\*, Jarrett\*, Kok and Scully.

Amendment lost.

\*Note – Councillors Gannon and Jarrett abstained from voting on this matter. Pursuant to the provisions of clause 9.4 of the Code of Meeting Practice, Councillors Gannon and Jarrett are taken to have voted against the amendment.

Substantive motion (H)(ii) carried unanimously.

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

**Business, Economic Development and Covid Recovery Advisory Panel**

- (iii) Councillor Shauna Jarrett

Carried unanimously.

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

**Cultural and Creative Sector Recovery Advisory Panel**

- (iv) Councillor HY William Chan

Carried unanimously.

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

**Cycling Advisory Committee**

- (v) Councillor HY William Chan

Carried unanimously.

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

**Housing for All Working Group**

(vi) Councillor Sylvie Ellsmore

Carried unanimously.

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

**Inclusion (Disability) Advisory Panel**

(vii) Councillor Linda Scott

Carried unanimously.

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

**Multicultural Advisory Panel**

(viii) Councillor Robert Kok

Carried unanimously.

S111818

**Item 4.7 Local Government NSW Special Conference 2022****Memorandum by the Chief Executive Officer**

To Council:

This memorandum seeks Council's confirmation of the appointment of Councillors as voting delegates to the Local Government New South Wales (LGNSW) Special Conference, including the debate and resolution of motions, currently scheduled to be held in-person at the Hyatt Regency Sydney, from Monday 28 February to Wednesday 2 March 2022.

The Special Conference follows on from LGNSW's online 2021 Annual Conference, and will focus on how councils can drive a "locally led" employment and economic recovery, as we continue to grapple with the complex challenges posed by the global pandemic.

LGNSW's Annual Conference has traditionally provided the opportunity for member councils to bring forward policy motions for debate and resolution, thus helping to set the advocacy agenda for the year to come.

Member feedback following the 2020 online conference experience indicated a strong preference for an in-person event at which more motions could be debated and resolved.

The Special Conference Program is available at [lgnswconference.org.au/program/](https://lgnswconference.org.au/program/)

Due to timeframe constraints, all Councillors have been contacted and registered for the Special Conference and as voting delegates where they have indicated they can attend.

**Voting Delegates**

The City of Sydney is entitled to register up to 10 voting delegates for motions. It is proposed that Council confirm the nomination of the Lord Mayor and all Councillors as voting delegates. Voting delegates must be registered to attend the conference, and also be registered as a voting delegate on motions. It is noted that Councillors who cannot attend the Special Conference will be withdrawn as voting delegates.

**Motions**

The conference will include discussion and debate on a range of motions from councils relating to current and emerging policy issues facing local government in NSW.

All members can put forward motions to be considered at the conference, which should be strategic, affect members state-wide, and introduce new or emerging policy issues and actions.

The Motions Submissions Guide is available at:

[https://www.lgnsw.org.au/common/Uploaded%20files/Annual%20Conference%20documents/Special Conference/Conference Motions submission guide FINAL.pdf](https://www.lgnsw.org.au/common/Uploaded%20files/Annual%20Conference%20documents/Special%20Conference/Conference%20Motions%20submission%20guide%20FINAL.pdf)

The guide provides information on the criteria for motion submission, examples of motions, and what happens to motions after the conference.

Member councils will receive an electronic copy of the business paper one week before the conference.

## **Councillors' Expenses and Facilities Policy**

Councillors Craig Chung, Kerryn Phelps, Linda Scott, Jess Scully and Angela Vithoukas were the City of Sydney delegates at the online 2020 LGNSW Conference. Expenditure incurred for the 2020 conference totalled \$264.

The Councillors' Expenses and Facilities Policy 2017 provides for Councillors to attend the LGNSW Annual Conference at the City's expense. Funds are available in the 2021/22 operating budget to cover registration fees, travel and other reasonable expenses incurred by Councillors.

## **Recommendation**

It is resolved that:

- (A) Council confirm the appointment of the Lord Mayor and all Councillors as its voting delegates at the Local Government NSW (LGNSW) Special Conference to be held in-person at the Hyatt Regency Sydney from Monday 28 February to Wednesday 2 March 2022;
- (B) all registration fees and other reasonable expenses associated with the attendance of Councillors at the conference be met by the City in accordance with the Councillors' Expenses and Facilities Policy 2017; and
- (C) Council note that a spouse, partner or other guest may accompany a Councillor to some conference events, and the City will meet any associated ticket costs.

## **MONICA BARONE**

Chief Executive Officer

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

It is resolved that:

- (A) Council confirm the appointment of the Lord Mayor and all Councillors as its voting delegates at the Local Government NSW (LGNSW) Special Conference to be held in-person at the Hyatt Regency Sydney from Monday 28 February to Wednesday 2 March 2022;
- (B) all registration fees and other reasonable expenses associated with the attendance of Councillors at the conference be met by the City in accordance with the Councillors' Expenses and Facilities Policy 2017; and
- (C) Council note that a spouse, partner or other guest may accompany a Councillor to some conference events, and the City will meet any associated ticket costs.

Carried unanimously.

X030976

## **Item 5        Matters for Tabling**

### **5.1 Disclosures of Interest**

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

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)    Fences at Sweetacres Park in Rosebery**

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

The below signed call upon the City of Sydney to put fences up at Sweetacres Park in Rosebery.

#### **(b)    Keep Fitness Passport Access to City of Sydney Pools**

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

On 3 December, the City of Sydney announced they would be phasing out involvement with the Fitness Passport program in favour of their own membership program. The Fitness Passport is heavily used by healthcare providers throughout NSW Health as a way to access many fitness facilities across the state with one simple membership.

The City of Sydney pools have, until now, been a part of the Fitness Passport program. This enables healthcare providers subscribed to the program access to all of the city's fitness facilities. The city pools are a huge asset in managing the health, including the mental health, of healthcare providers across the city. With the recent burdens the pandemic has placed on healthcare providers, taking away this healthy outlet in order to sell their own memberships is cruel. Help me to maintain access to City of Sydney Pools for Fitness Passport users, in particular the healthcare providers who desperately need a healthy outlet for the stresses endured working through the COVID-19 pandemic.

Sign this petition and join me in demanding the City of Sydney continue to allow holders of the Fitness Passport to access their facilities and help ensure local healthcare providers continue to have access to this valuable resource without having to pay for additional expensive memberships!

#### **(c)    Redfern Park Toilets**

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

This petition is to send to the City of Sydney Council (Ms Clover Moore). The Redfern Park Community has had enough of only one toilet being available to people who frequent this very large park. The toilet is either closed majority of the time, broken, or vandalised, or just not cleaned. We are requesting Ms Moore to open the bank of toilets under the grandstand and close this toilet once and for all!

The community deserves better!



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

It is resolved that the Petitions be received and noted.

Carried unanimously.

S044250

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

### **PRESENT**

The Lord Mayor Councillor Clover Moore

(Chair)

Deputy Lord Mayor Councillor Jess Scully, Councillors HY William Chan, (Waskam) Emelda Davis, Sylvie Ellsmore, Lyndon Gannon, Shauna Jarrett, Robert Kok, Linda Scott and Yvonne Weldon.

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

The Lord Mayor, Councillors Chan, Davis, Ellsmore, Gannon, Jarrett, Kok, Scott, Scully and Weldon.

Councillor Scott left the meeting of the Corporate, Finance, Properties and Tenders Committee at 3.29pm after discussion and the vote on Item 6.11, and before the adjournment at 3.30pm, and did not return.

### **Adjournment**

At 3.30pm, it was moved by the Chair (the Lord Mayor) seconded by Councillor Kok –

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

Carried unanimously.

At the resumption of the meeting of the Corporate, Finance, Properties and Tenders Committee at 3.53pm, all Councillors were present.

### **Sub-Committee**

The Economic Development and Business Sub-Committee commenced following the adjournment, at 3.53pm.

The meeting of the Corporate, Finance, Properties and Tenders Committee and its Sub-Committee concluded at 4.17pm.

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

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

That the reports of the Corporate, Finance, Properties and Tenders Committee, and the Economic Development and Business Sub-Committee, of the meeting of 14 February 2022, be received, with Item 6.1 being noted, and the recommendations set out below for Items 6.2 to 6.13 inclusive being adopted in globo.

Carried unanimously.

## **Item 6.1**

### **Disclosures of Interest**

Councillor Linda Scott disclosed a less than significant, non-pecuniary interest in Item 6.8 on the agenda, in that her husband is the Secretary of Marrickville Cricket Club, who regularly use the cricket nets under discussion in this item.

Councillor Lyndon Gannon disclosed a less than significant, non-pecuniary interest in Item 6.12 on the agenda, in that he is a member of the Independent Bars Association, the President of which spoke to this item.

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

The Committee recommended the following:

## **Item 6.2**

### **2021/22 Quarter 2 Review - Delivery Program 2017-2021**

It is resolved that Council:

- (A) note the financial performance of Council for the second quarter, ending 31 December 2021, including a Quarter 2 Net Surplus of \$23.4M and the full year Net Surplus forecast of \$8.3M, as outlined in the subject report and summarised in Attachment A to the subject report;
- (B) note the Quarter 2 Capital Works expenditure of \$82.8M and a revised full year forecast of \$211.3M, and approve the proposed adjustments to the adopted budget, including bringing forward \$4.4M of funds into 2021/22 capital budget as detailed in Attachment B to the subject report;
- (C) note the Information Services capital expenditure of \$7.8M, net of disposals, and a full year forecast of \$23.7M and approve the proposed adjustments to the adopted budget, including bringing forward \$0.6M of funds into 2021/22 capital budget and transfer of \$0.4M from the capital works contingency, as detailed in Attachment B to the subject report;
- (D) note the Quarter 2 Plant and Assets expenditure of \$2.2M, net of disposals, and a revised full year forecast of 12.5M, and approve the proposed adjustments to the adopted budget by transferring \$0.6M from capital works contingency, as detailed in Attachment B to the subject report;
- (E) note the Quarter 2 Property Divestment of \$33.8M, and the full year forecast net Property Divestment of \$24.1M;
- (F) note the operational performance indicators and Quarter 2 achievements against the Operational Plan 2021/22 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 2, as detailed in Attachment D to the subject report;
- (H) extend the period for the Community Recovery Plan to June 2022; and

- (I) note the second quarter 2021/22 Community Recovery Plan report, as shown at Attachment E to the subject report.

Carried unanimously.

X039568

### **Item 6.3**

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

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

Carried unanimously.

X020701

### **Item 6.4**

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

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

Carried unanimously.

X020701

### **Item 6.5**

#### **Investments Held as at 31 January 2022**

It is resolved that the Investment Report as at 31 January 2022 be received and noted.

Carried unanimously.

X020701

### **Item 6.6**

#### **Lease Approval - Ground Floor Suite 3, Level 1 and 2, 46-52 Mountain Street, Ultimo**

It is resolved that:

- (A) Council approve a lease to Torrens Global Education Services Pty Ltd for a term of five years with one further option of five years for Ground Floor Suite 3, Level 1 and Level 2, 46-52 Mountain Street, Ultimo on the terms and conditions contained in Confidential Attachment A to the subject report; and
- (B) authority be delegated to the Chief Executive Officer to finalise the terms of the lease, including the exercise of the lease option term.

Carried unanimously.

S099555

**Item 6.7****Lease Approval - Levels 3, 4 and 5, 46-52 Mountain Street, Ultimo**

It is resolved that:

- (A) Council approve a lease to Torrens Global Education Services Pty Ltd for a term of five years with one further option of five years for Ground Floor Suite 3, Level 1 and Level 2, 46-52 Mountain Street, Ultimo on the terms and conditions contained in Confidential Attachment A to the subject report; and
- (B) authority be delegated to the Chief Executive Officer to finalise the terms of the lease, including the exercise of the lease option term.

Carried unanimously.

S099955

**Item 6.8****Tender - T-2021-619 - Reject and Negotiate - Allan Davidson Oval, Alexandria - Cricket Nets**

It is resolved that:

- (A) Council decline to accept the tender offer received for the Allan Davidson Oval Alexandria Cricket Nets for the reasons set out in Confidential Attachment B to the subject report;
- (B) Council enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the subject matter of the tender;
- (C) Council note that the reason for determining to enter into negotiations is that inviting fresh tenders would not attract additional suitable vendors or terms over and above those that have responded to this tender and the preceding request for quotation;
- (D) authority be delegated to the Chief Executive Officer to enter into negotiations with any person with a view to entering into a contract in relation to the subject matter of the tender;
- (E) authority be delegated to the Chief Executive Officer to negotiate, execute and administer the contracts relating to the tender; and
- (F) Council be informed of the successful vendor via the CEO Update.

Carried unanimously.

X01887.026

## **Item 6.9**

### **Cancellation of Tender - T-2020-461 - Environmental Monitoring Analysis and Reporting**

It is resolved that Council:

- (A) cancel the tender for Environmental Monitoring, Analysis and Reporting;
- (B) invite new tenders for the works; and
- (C) note that a six-month contract is currently being implemented following a competitive Request for Quotation process (Q-2021-649), in order to allow time for the retendering process to be completed and to ensure business continuity.

Carried unanimously.

X027380

## **Item 6.10**

### **Cancellation of Tender - T-2021-569 and Exemption from Tender - Improvement and Construction Work at Minogue Crescent Reserve , Tote Park and Park on Lyons Road**

It is resolved that:

- (A) Council cancel Tender T-2021-569 – Improvement and Construction Work at Minogue Crescent Reserve, Tote Park and Park on Lyons Road as no tenders were received prior to the tender closing date and time;
- (B) Council approve an exemption from tender for the Improvement and Construction Work at Minogue Crescent Reserve, Tote Park and Park on Lyons Road in accordance with section 55(3)(i) of the Local Government Act 1993 noting that, a satisfactory result would not be achieved by inviting fresh tenders to deliver the improvements and construction work at the Minogue Crescent Reserve, Tote Park and Park on Lyons Road;
- (C) Council note the reason why a satisfactory result would not be achieved by inviting fresh tenders is that going to tender will not result in any submissions in addition to the submissions received as part of the tender process that is recommended at (A) to be cancelled, and will extend the time and cost associated with the project;
- (D) authority be delegated to the Chief Executive Officer to enter into negotiations with any person with a view to entering into a contract in relation to the subject matter of the tender;
- (E) authority be delegated to the Chief Executive Officer to execute and administer the contracts relating to the tender; and
- (F) Council be informed of the successful vendor via the CEO Update.

Carried unanimously.

X025396.001

**Item 6.11****Exemption from Tender and Contract Variations - Sydney New Year's Eve**

It is resolved that:

- (A) Council approve an exemption from tender to enter into a one-year agreement with Foti International Fireworks Pty Ltd for the provision of pyrotechnic services for the 2022 Sydney New Year's Eve event;
- (B) Council approve an exemption from tender to enter into a one-year agreement with Polaris Marine Pty Ltd as Trustee for Polaris Marine Trust No 1 for the provision of barges and tugs for the 2022 Sydney New Year's Eve event;
- (C) Council note the reasons a satisfactory outcome would not be achieved by inviting tenders is due to the following extenuating circumstances:
  - (i) uncertainties relating to the event caused by the Covid-19 pandemic, the City's procurement timeline has been delayed for the provision of these services; and
  - (ii) the delivery of the 2022 event would be impacted if a tender process were to be undertaken;
- (D) Council approve the variation of the contract for the provision of pyrotechnic services for Sydney New Year's Eve for the price outlined in Confidential Attachment A to the subject report, for a period of one year to cover the 2022 Sydney New Year's Eve event;
- (E) Council approve the variation of the contract for the provision of barges and tugs for Sydney New Year's Eve for the price outlined in Confidential Attachment A to the subject report, for a period of one year to cover the 2022 Sydney New Year's Eve event; and
- (F) authority be delegated to the Chief Executive Officer to finalise negotiations and enter into any necessary documentation to give effect to these resolutions.

Carried unanimously.

X080346.003

The Sub-Committee recommended the following:

## **Item 6.12**

### **Public Exhibition - Precinct Activation Grants Guidelines**

It is resolved that:

- (A) Council note the 26 July 2021 Resolution of Council requesting that the Chief Executive Officer develop a grant program for delivery of an additional \$4 million to support business and creatives in the recovery of the city economy including the funding for resources to do so, with the proposed program to be reported back to Council, as shown at Attachment C to the subject report;
- (B) Council endorse the draft Precinct Activation Guidelines as shown at Attachment A to the subject report for public exhibition for a period of 28 days in accordance with the requirements of the Local Government Act 1993;
- (C) Council endorse the draft Operational Plan 2021/22 - Addendum as shown at Attachment B to the subject report for public exhibition, concurrently with the Precinct Activation Guidelines, for a period of 28 days in accordance with the requirements of the Local Government Act 1993;
- (D) Council approve the continuation of existing Covid-19 related fee waivers up to 30 June 2023 only for projects funded through the Precinct Activation grant program and note the potential revenue forgone at an estimated value of \$700,000 per annum; and
- (E) authority be delegated to the Chief Executive Officer to make minor changes to the draft Guidelines and Operational Plan 2021/22 Addendum for clarity or correction of drafting errors prior to public exhibition.

Carried unanimously.

S117847

### **Speaker**

Karl Schlothauer addressed the meeting of the Corporate, Finance, Properties and Tenders Committee (Economic Development and Business Sub-Committee) on Item 6.12.



**Item 6.13****Commercial Creative and Business Event Sponsorship – BESydney 2022-2023**

It is resolved that:

- (A) Council approve a cash sponsorship of \$300,000 (excluding GST) per annum for a two-year period (2021/22 and 2022/23) to a maximum value of \$600,000 (excluding GST), to support Business Events Sydney Limited in its ongoing activities to attract both domestic and global business events to Sydney; and
- (B) authority be delegated to the Chief Executive Officer to negotiate, execute and administer a sponsorship agreement with Business Events Sydney Limited.

Carried unanimously.

X017237

**Speaker**

Lyn Lewis-Smyth addressed the meeting of the Corporate, Finance, Properties and Tenders Committee (Economic Development and Business Sub-Committee) on Item 6.13.

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

### **PRESENT**

The Lord Mayor Councillor Clover Moore

(Chair)

Deputy Lord Mayor Councillor Jess Scully, Councillors HY William Chan, (Waskam) Emelda Davis, Sylvie Ellsmore, Lyndon Gannon, Shauna Jarrett, Robert Kok, Linda Scott and Yvonne Weldon.

At the commencement of business at 4.18pm those present were -

The Lord Mayor, Councillors Chan, Davis, Ellsmore, Gannon, Jarrett, Kok, Scully and Weldon.

Councillor Scott arrived at the meeting of the Environment Committee at 5.12pm during discussion and before the vote on Item 7.3.

### **Adjournment**

At 5.30pm, it was moved by the Chair (the Lord Mayor) seconded by Councillor Scully –

That the meeting of the Environment Committee be adjourned for approximately 5 minutes.

Carried unanimously.

At the resumption of the meeting of the Environment Committee at 5.45pm, all Councillors were present.

The meeting of the Environment Committee concluded at 5.47pm.

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

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

That the report of the Environment Committee of its meeting of 14 February 2022 be received, with Item 7.1 being noted, the recommendations set out below for Items 7.3 and 7.5 being adopted in globo, and Items 7.2 and 7.4 being dealt with as shown immediately following those items.

Carried unanimously.

## **Item 7.1**

### **Disclosures of Interest**

Councillor Sylvie Ellsmore disclosed a less than significant, non-pecuniary interest in Item 7.4 on the agenda, as she is an employee of the University of Sydney and sporting clubs at the university were consulted for this item. Councillor Ellsmore stated that she is not a member of these sporting clubs and has not been in correspondence with them or anyone else from the university about this item.

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

## Item 7.2

### Project Scope – Oxford and Liverpool Street Cycleway

Note – the Environment Committee decided that consideration of this matter be deferred to the meeting of Council on 21 February 2022.

At the meeting of Council, the following alternative recommendation was adopted (as contained in the memo dated 18 February 2022 from the Chief Operating Officer, circulated prior to the meeting).

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

It resolved that Council:

- (A) approve the concept design for the Oxford and Liverpool Street cycleway as shown in Attachment B to the subject report for ongoing consultation with Sydney Gay and Lesbian Mardi Gras during the next phase of detailed design and documentation prior to construction tender;
- (B) note the changes the City is already making to the design following community feedback as outlined in the subject Information Relevant To memorandum; and
- (C) note the estimated project costs as detailed in Confidential Attachment D to the subject report.

Carried unanimously.

X037203

### Speakers

Albert Kruger (Mardi Gras), Theo Onisforou, Peter McLean (Bicycle NSW) and Sara Stace addressed the meeting of the Environment Committee on Item 7.2.

The Committee recommended the following:

### **Item 7.3**

#### **Project Scope - King Street Cycleway - Pitt Street to Phillip Street**

It is resolved that Council:

- (A) approve the concept design for the King Street Cycleway, between Pitt Street and Phillip Street, as shown in Attachment B to the subject report, for progression to final design and construction;
- (B) note the estimated project costs as detailed in confidential Attachment D to the subject report; and
- (C) note that the City has accepted a funding offer from the NSW government as part of the Transport for NSW Federal Road Safety Stimulus Program for the design and construction of the project, conditional on the works being completed in the 2021/22 financial year.

Carried unanimously.

S084591

#### **Speaker**

Peter McLean (Bicycle NSW) addressed the meeting of the Environment Committee on Item 7.3.

**Item 7.4****Synthetic Sportfields Program**

Note – the Environment Committee decided that consideration of this matter be deferred to the meeting of Council on 21 February 2022.

At the meeting of Council, the following alternative recommendation was adopted (as contained in the memo dated 18 February 2022 from the Director City Projects and Property, circulated prior to the meeting).

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

It is resolved that Council:

- (A) note the progress of the Synthetics Sportsfield Program;
- (B) does not proceed with the proposal for synthetic sports fields at Turruwul Park or at Waterloo Oval;
- (C) approve the transfer of funds to the Sportsfield Development Program as set out in Confidential Attachment B to the subject report;
- (D) approve the development of concept designs for multi-purpose sports fields at Mandible Street, Alexandria;
- (E) note the NSW Government's commitment to facilitating the return of Wentworth Park as public open space in the Pyrmont Peninsula Place Strategy (Action 9); and
- (F) note that the City is developing a masterplan for the whole of Wentworth Park as a basis for further discussion with the NSW Government, given the current lease with Wentworth Park Greyhounds expires in 2027.

Carried unanimously.

X006324

**Speakers**

Garnet Brownbill addressed the meeting of the Environment Committee on Item 7.4.

The Committee recommended the following:

**Item 7.5**

**Joint Use Project Deed Variation - Alexandria Park Community School - Synthetic Field and Park Road - Additional Funds Request**

It is resolved that:

- (A) Council approve an increase in capital funds and contingency to accommodate for the design and construction of the Park Road public domain works as outlined in Confidential Attachment B to the subject report;
- (B) Council approve an increased in capital funds and contingency to accommodate for additional site remediation and project delays as outlined in Confidential Attachment B to the subject report; and
- (C) authority be delegated to the Chief Executive Officer to negotiate, execute, and administer a variation to the Joint Use Project Deed in line with the above resolutions.

Carried unanimously.

X017664

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

The Lord Mayor Councillor Clover Moore  
(Chair)

Deputy Lord Mayor Councillor Jess Scully, Councillors HY William Chan, (Waskam) Emelda Davis, Sylvie Ellsmore, Lyndon Gannon, Shauna Jarrett, Robert Kok, Linda Scott and Yvonne Weldon.

At the commencement of business at 5.48pm those present were -

The Lord Mayor, Councillors Chan, Davis, Ellsmore, Gannon, Jarett, Kok, Scott, Scully and Weldon.

**Sub-Committee**

The Healthy Communities Sub-Committee commenced at 5.48pm.

The meeting of the Cultural and Community Committee and its Sub-Committee concluded at 6.04pm.

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

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

That the report of the Healthy Communities Sub-Committee of its meeting of 14 February 2022 be received, with Item 8.1 being noted, and the recommendation set out below for 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.

## Item 8.2

### Policy - Adoption - Support for Charities Policy

Note - The Cultural and Community Committee decided that consideration of this matter be deferred to the meeting of Council on 21 February 2022.

At the meeting of Council, the following alternative recommendation was moved (as contained in the memo dated 18 February 2022, from the Director City Life, circulated prior to the meeting).

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

It is resolved that:

- (A) Council adopt the draft Support for Charities Policy as shown at Attachment A to the subject report subject to the following amendments:
- (i) insert (as per the bold italics) additional wording in the Criteria for endorsement of charities section (page 6):  
  
***In the event of an official charity partner or charity being supported by the City not meeting the criteria outlined in the policy, the support of this charity can be revoked by Resolution of Council***
  - (ii) amend (as per the deletions in ~~strike through~~) wording in the Criteria for endorsement of charities section (page 5):
    - are not for overtly religious or other activities that could be perceived as divisive within the community.
- (B) Council rescind the current Humanitarian Crisis Response Guidelines 2010, as shown at Attachment B to the subject report, which are superseded by the Support for Charities Policy;
- (C) Council rescind the current Support for Charities Guidelines 2018, as shown at Attachment C to the subject report, which are superseded by the Support for Charities Policy; and
- (D) authority be delegated to the Chief Executive Officer to make minor editorial amendments to the Support for Charities Policy.

Amendment. Moved by Councillor Jarrett, seconded by Councillor Gannon –

It is resolved that:

- (A) Council defer the adoption of the draft Support for Charities Policy recommendations until further consideration by Council can be given as to whether Council is empowered to donate or contribute to non-NSW charities;
- (B) any delegations pertinent to the current policy be suspended by Council until the policy is adopted; and
- (C) the Chief Executive Officer be requested to provide Councillors with a report of all contributions and/or payments made under the current policy since 2010, including who authorised the payments and the purpose for doing so.



**Adjournment**

At this stage of the meeting, at 6.33pm, 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 of Council at 6.52pm.

Following discussion, Councillor Jarrett withdrew her amendment.

**Procedural Motion**

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

That this matter be deferred to a future meeting of Council.

Carried unanimously.

X080317

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

### **PRESENT**

The Lord Mayor Councillor Clover Moore  
(Chair)

Deputy Lord Mayor Councillor Jess Scully, Councillors HY William Chan, (Waskam) Emelda Davis, Sylvie Ellsmore, Lyndon Gannon, Shauna Jarrett, Robert Kok, Linda Scott and Yvonne Weldon.

At the commencement of business at 6.05pm those present were -

The Lord Mayor, Councillors Chan, Davis, Ellsmore, Gannon, Jarrett, Kok, Scott, Scully and Weldon.

The meeting of the Transport, Heritage and Planning Committee concluded at 6.27pm.

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

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

That the report of the Transport, Heritage and Planning Committee of its meeting of 14 February 2022 be received, with Item 9.1 being noted, and the recommendations set out below for Items 9.2 to 9.4 inclusive being adopted in globo.

Carried unanimously.

## **Item 9.1**

### **Disclosures of Interest**

Councillor Linda Scott disclosed a less than significant, non-pecuniary interest in Item 9.2 on the agenda, in that she owns an apartment in trust for a family member with a disability in one of the zones listed for translation. Councillor Scott stated that as the item is for noting, rather than for making a decision, and City staff have advised that no zoning changes are proposed for the area that the apartment is in, she will be voting on the item.

Councillor Lyndon Gannon disclosed a less than significant, non-pecuniary interest in Item 9.2 on the agenda, in that he has a development application currently with Council which may be affected by the agenda item. Councillor Gannon stated that he considers that this non-pecuniary conflict of interest is not significant and does not require further action in the circumstances as this item is just for noting.

No other Councillors disclosed any pecuniary or non-pecuniary interests in any matters 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 Committee recommended the following:

## **Item 9.2**

### **Employment Zones Review**

It is resolved that Council note:

- (A) the preliminary translation of current zones in relevant local environmental plans undertaken by the Department of Planning, Industry and Environment, summarised at Attachment A to the subject report; and
- (B) the impact analysis and resulting technical review made by the City to the Department of Planning, Industry and Environment, summarised at Attachment A to the subject report.

Carried unanimously.

X081951

## **Item 9.3**

### **Fire Safety Reports**

It is resolved that Council note:

- (A) contents of the Fire Safety Report Summary Sheet, as shown at Attachment A to the subject report;
- (B) the inspection report by Fire and Rescue NSW, as shown at Attachment B of the subject report; and
- (C) the content of Attachment B to the subject report and not exercise its power under the Environmental Planning and Assessment Act 1979 to issue a Fire Safety Order at 12-20 Argyle Street, The Rocks.

Carried unanimously.

S105001.002

## **Item 9.4**

### **Approved Variations to Development Standards Reported to the Department of Planning, Industry and Environment**

It is resolved that the subject report be received and noted.

Carried unanimously.

S040864

**Item 10      Submission - Changes to NSW Infrastructure Contributions**

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

It is resolved that Council:

- (A) endorse the City submission detailed at Attachment A to the subject report, on the NSW Government's changes to the infrastructure contributions system to be sent to the Department of Planning, Industry and Environment and the Independent Pricing and Regulatory Tribunal; and
- (B) approve up to \$80,000 from the 2021/22 General Contingency Fund to produce and distribute a further community flyer, advertisement, online advertising or undertake other community engagement activities in order to notify the community of this matter and its impact on the City of Sydney.

The motion was carried on the following show of hands –

Ayes (8)      The Chair (the Lord Mayor), Councillors Chan, Davis, Ellsmore, Gannon, Kok, Scott and Scully

Noes (2)      Councillors Jarrett and Weldon.

Motion carried.

X037193

## Item 11      Questions on Notice

### 1. Leaf Blowers

By Councillor Scott

#### Question

1. Please list the contracts in which it is permissible to use a petrol fuelled leaf blower for green space maintenance or construction? Broken down by contract when do they expire?
2. Please detail the emissions annually produced by leaf blowers broken down by contract permitting their use?

X086668

#### Answer by the Chief Executive Officer

1. Green Space Maintenance Contracts:

(a) Parks and Open Space Maintenance Contract – Contract 1851:

- five petrol driven blowers with 22 battery powered blowers (82 per cent battery powered), to be transitioned to 100 per cent battery powered by 30 June 2022. The initial term ends 31 May 2024, with a two-year extension option, concluding 31 May 2026.

(b) Redfern Oval Maintenance Services – Contract 1752:

- one petrol blower, to be transitioned to battery powered by 30 June 2022. The initial term ends 31 March 2022, with and exercised two-year option, concluding 31 March 2024.

Construction Contracts:

- (c) Contract 1840A – Civil and Sydney Street Infrastructure Works Contract: Expires 26 September 2024
- (d) Contract 1840B – Civil and Sydney Street Infrastructure Works Contract: Expires 26 September 2024
- (e) Contract 1933 – Structures Maintenance Contract: Expires 30 January 2026
- (f) Contract 1641 – Pavement Marking Services: Expires 2 July 2022

## 2. Green Space Maintenance Contracts:

The City does not report on emission rates per unit (e.g. blower), however using fuel consumption estimates as a percentage of the City's total operational emissions (FY21 - 12,666 Tonnes CO<sub>2</sub>e), the petrol blowers emission would be a fraction of one percent.

Construction Contracts:

Hand-held, battery-powered blowers are used by contractors under Contract 1840A, Contract 1840B and Contract 1933 prior to pouring concrete or patching asphalt.

Petrol-fuelled blowers are used by the Pavement Marking contractor under Contract 1641. Emissions data for this equipment is not recorded by the contractor.

## 2. Pandemic Leave and Stand Downs for City Staff

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?

X086668

### Answer by the Chief Executive Officer

1. There have been no changes since the last update was provided to Council on 15 November 2021.
2. No employees had their hours reduced in June 2021. In July 2021, one part time employee had their hours reduced, with the hours not worked being paid as Covid-19 Special Paid Leave as per the 2021 Splinter Award. This employee remained on this arrangement during August and September 2021 and returned to their normal working hours on 11 October 2021.

In August 2021, 70 employees in Infrastructure Maintenance worked on a roster basis which included a portion of their ordinary pay being paid as Covid-19 Special Paid Leave as per the 2021 Splinter Award. This arrangement ceased on 11 October 2021 when employees returned to their substantive rosters.

On 11 October 2021, 131 City Rangers also commenced working a revised roster which included a portion of their ordinary pay being paid as Covid-19 Special Paid Leave as per the 2021 Splinter Award. This arrangement ceased on 20 November 2021 when employees returned to their substantive rosters.

### 3. Fitness Passports

By Councillor Scott

#### Question

1. How many members are affected by the City's decision to remove its facilities from the Fitness Passport program?
2. What community consultation was undertaken on the City's decision to remove its facilities from the Fitness Passport program?
3. What compensation financial or other will members receive from this reduction in services?
4. What are the projected savings from cutting the City services from the Fitness Passport program and where will these funds be redirected to? What will the savings be for the City as a result of cutting City services and what are the savings for Belgravia?

X086668

#### Answer by the Chief Executive Officer

1. Fitness Passport is a private commercial company that sells its health and fitness memberships to corporate businesses and government departments. Individual community members cannot purchase this Fitness Passport memberships.

Fitness Passport will not provide the City with data on the number of members for privacy reasons. Belgravia advise that in Q2 (2021/22) Fitness Passport holders were approximately 4 per cent of all attendances.

Belgravia Leisure entered into a national agreement in 2017 to accept the Fitness Passport 'membership' at all facilities they manage, without the City's knowledge or consent. The membership fee paid by Fitness Passport customers was negotiated with Belgravia Leisure and are not included in the City's advertised and approved fees and charges. This was a breach of process by Belgravia Leisure.

2. Belgravia Leisure provided Fitness Passport holders with 56 days written notice of the withdrawal of the City's facilities from the program.

Fitness Passport is a private commercial company that sells its health and fitness memberships to corporate businesses and government departments. Individual community members cannot purchase this Fitness Passport memberships.

Fitness Passport sells their membership at approximately \$15 per week or 50 per cent of the Council approved 360 membership fee. The City's 360 membership fee is benchmarked with commercial fitness providers like Fitness First, Virgin Active and neighbouring Council facilities. The heavily reduced/subsidised Fitness Passport membership fee is unfair to the 4,900 plus 360 members and undermines the financial sustainability of the City's aquatic facilities service. Since Covid-19 the operation of the aquatic services contract has gone from generating a \$960K guaranteed payment to the City to a forecast cost of \$4.7M in 2021/22.

Belgravia Leisure provided Fitness Passport holders with 56 days written notice of the withdrawal of the City's facilities from the program.

3. This is not a reduction in service. Fitness Passport is a flat weekly fee that allows the member of that program to use any participating facility. Their fee does not change with the addition or removal of facilities participating in the program. If Fitness Passport members choose to take out a 360 Pro membership, they can receive a 30 per cent discount (Council approved corporate rate) equalling \$20.65 per week up until June 2022.
4. The withdrawal from the Fitness Passport product will provide fairness and equity to existing 360 members. Fitness Passport holders, should they make enquiries, will be encouraged by Belgravia Leisure to take out a City of Sydney membership. Any additional revenue will flow through to the City in offsetting the cost of providing aquatic facility services.

#### **4. Community Consultation on proposed changes to Resident Parking in Cross, Foss, Clare and Woolley Streets Glebe/Forest Lodge**

By Councillor Weldon

##### **Question**

1. Does the City of Sydney Neighbourhood Parking Policy state that “the community will be consulted on proposed changes”.
2. Where changes to parking arrangements are being considered by Council, what process, steps and actions by Council constitute “community consultation”.
3. What community consultation was undertaken by Council on proposed changes to resident parking in Cross, Foss, Clare and Woolley Streets Glebe/Forest Lodge during 2020/2022.
4. In 2020/2021 did Council recommend to Transport for NSW that a number of parking spaces in Cross, Foss, Clare and Woolley Streets be converted from 2 hour parking with resident and visitor exemptions to 15-minute parking, 8am to 10pm, 7 days per week.
5. If the answer to 4 is yes, did Council circumvent its own Neighbourhood Parking policy in relation to community consultation.
6. Are there changes proposed by Council to resident/visitor parking in Cross, Foss, Clare and Woolley Streets Glebe/Forest Lodge to vary the current 2 hour parking limit with resident/visitor exemptions.

X086670

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

1. Yes. Section 2.8 of the City’s Neighbourhood Parking Policy 2018 states that:  
“Given the strong community interest in kerbside parking management, the City will ensure that local residents have an opportunity to comment on proposed changes.



The community will be consulted on proposed changes that modify controls, time limits applying to legal parking spaces or the introduction of parking meters. Where changes to signage are required for safety or regulatory compliance, the City will notify the nearby community of the change.

Proposals for significant parking changes will be assessed for technical compliance by the Pedestrian, Cycling and Traffic Calming Committee, and then reported to Council for a decision."

2. Where changes to parking arrangements are being considered by the City, staff will send a consultation letter and proposed parking plan via letter box drop to consult with properties that are within 50 metre radius of the subject parking spaces.
3. The Bridge Road pop up cycleway is a NSW Government project on a State Road.

Transport for NSW implemented it in September 2020 as part of the Covid Health Orders. Transport for NSW notified the community before constructing the pop up cycleway.

The City received requests from the community for changes to resident parking as a result of the proposed Transport for NSW pop up cycleway. The City considered these requests and identified potential locations and changes for Transport for NSW to consider.

The City has made no changes to resident parking

4. The City passed on requests from the community for changes to resident parking as a result of the pop up cycleway to Transport for NSW. The City considered these requests and identified potential locations and changes for Transport for NSW to consider.

The City understands that the only modification to parking that Transport for NSW made was in response to a request from a resident to move one mobility parking space from Jarocin Avenue to Clare Street.

5. No.
6. The City has no current plans to implement changes to resident parking in these streets.

## **5. Initiatives endorsed by City of Sydney for World Pride 2023**

By Councillor Weldon

### **Question**

1. What is the current position regarding the incentives unanimously endorsed by the City of Sydney Council to activate the day and night economy in Oxford Street in preparation for an influx of visitors and locals for World Pride 2023?
2. How and when will Councillors be updated regarding the readiness of the City of Sydney for this important global event?

X086670

**Answer by the Chief Executive Officer**

1. In June 2021, Council resolved to provide a \$500,000 (excluding GST) cash sponsorship to Sydney World Pride Limited. City staff are currently finalising the contractual agreement for execution. Staff are also working with organisers to understand and quantify the City's additional value-in-kind contribution to support the delivery of the event program, including waste and cleansing services, street banners and fee waivers for activation in the public domain, all of which will be tabled for Council's consideration. The City is currently promoting World Pride 2023 to local businesses and creatives along Oxford Street and surrounds, including the opportunity for them to apply to the City's grant programs to fund their own activations in the lead up to, and during the event.
2. The City is working with the NSW Government, business stakeholders and community groups to ensure that Sydney is ready and open to host World Pride 2023 including exploring several street closures in and around Oxford Street. Councillors will be kept informed through CEO Updates as well as the inclusion of the World Pride 2023 events in the key diary dates.

**6. Increasing Foot Traffic in the CBD**

By Councillor Weldon

**Question**

1. What is the timetable for Council employees returning to work in Council offices in the CBD?
3. What action is Council proposing to take to encourage businesses in the CBD to require employees to return to work in the CBD?
4. What Council initiatives are currently in effect to increase foot traffic in the CBD?

X086670

**Answer by the Chief Executive Officer**

3. City employees who have been working from home will return to the office from Monday 28 February 2022.
4. City employees who have been working from home will return to Council's CBD office at least three days a week from 28 February 2022. The City is working with the NSW Government, Property Council of Australia, Business Council of Australia and Business Sydney on a marketing campaign to encourage other businesses to do this from 1 March 2022.
5. The City has been working in collaboration with other government agencies, industry and community groups to increase foot traffic and maximise collective impact as the city economy reopens. Following the second lockdown in October 2021 when vaccination rates increased and restrictions were lifted, the City's programming was aimed at building consumer confidence through the safe activation of public space to bring back vibrancy including Sydney Christmas trees, decorations, lights and choirs, Sydney New Years' Eve fireworks, Sydney Lunar Festival events and art installations, Sydney Summer Streets Program with one off closures along high streets to aid recovery of retail, a \$12 million pipeline of grants to activate the city over several months, continued fee waivers for outdoor dining and a new grant of up to \$4 million for business and creatives to kick-start unique precinct activations in the city centre during 2022/23. The City launched a major marketing campaign "Your City Is Waiting For You" in December 2021 to invite people back into the city and to reframe it as a place of discovery.

## **Item 12      Supplementary Answers to Previous Questions**

Supplementary Answers to Questions on Notice are as follows:

### **Question on Notice – Council 26 July 2021**

#### **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.

### **Supplementary Answer**

Answers to questions 3 and 4 were provided to Councillors via a Confidential CEO Update on 2 December 2021.

## Item 13 Notices of Motion

### Item 13.1 Vale Sadie King OAM

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

It is resolved that:

(A) Council note:

- (i) the passing of long-time Glebe resident and champion of the Labor movement Sarah 'Sadie' King OAM on 17 January 2022 at the age of 100;
- (ii) Sadie was born in Glasgow and immigrated to Sydney with her family at the age of seven;
- (iii) Sadie moved to Glebe after working in the defence industry during World War 2;
- (iv) Sadie was the first woman in the APTU (the predecessor union to the CEPU), the first woman to be elected to the NSW state executive and was instrumental in establishing the APTU Women's Committee;
- (v) Sadie became a member of the NSW branch of the Australian Labor Party in 1965 and was awarded life membership in 2009;
- (vi) Sadie fought for the rights of fellow public housing tenants, contributing to the protection of the Glebe Estate and became a tenants' representative to the Glebe Project;
- (vii) Sarah 'Sadie' King OAM will be remembered as a beloved Glebe local and a passionate advocate for public housing tenants, women's rights and the labor movement; and
- (viii) Federal Member for Sydney Tanya Plibersek has requested Council consider placing a plaque commemorating Sadie's life at "Sadie's Corner", the corner of St Johns Road and Glebe Point Road, Glebe;

(B) all persons attending this meeting of Council observe one minute's silence to commemorate the life of Sarah 'Sadie' King OAM and her significant contribution to the labor movement, public housing advocacy, women's rights and the Glebe community;

(C) Council express its condolences to Sarah 'Sadie' King OAM's family;

(D) the Lord Mayor be requested to convey Council's condolences to Sadie's family. Vale Sarah 'Sadie' King OAM; and

(E) the Chief Executive Officer be requested to investigate installing a plaque commemorating Sadie's life and contribution to the City of Sydney at "Sadie's Corner" the corner of St Johns Road and Glebe Point Road, Glebe and report back to Councillors via the CEO Update.

Carried unanimously.

X086655

Note – All those present at the meeting, held remotely, observed a minute's silence as a mark of respect to Sadie King OAM.

**Item 13.2 Closing the Gap**

By Councillor Scott

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 on 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) the NSW Coalition of Aboriginal Peak Organisations have notified the City that they will conduct community consultations in our local area for our community to provide input into the NSW Government's Closing the Gap Implementation Plan;
- (vi) councils across 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;
- (vii) local government engagement will be crucial to ensuring the success of Closing the Gap initiatives;
- (viii) all councils have a role to play and should develop their own strategies to close the gap;
- (ix) City staff have met with staff from the NSW Government Department of Aboriginal Affairs who have advised that they will issue guidance to Local Government on their proposed aims and methodology for Closing the Gap Strategy;
- (x) the NSW Government Department of Aboriginal Affairs briefed the City's Aboriginal and Torres Strait Islander Advisory Panel at their October 2021 meeting;
- (xi) draft priority reform areas and socioeconomic targets to Close the Gap that the Council is already taking, and will contribute in future, have been added to the City's draft Community Strategic Plan: Sustainable Sydney 2030-2050 to be considered by Council by June 2022; and
- (xii) the City will undertake a stocktake of partnerships between the City and Aboriginal community and stakeholders, and provide this to the Closing the Gap team at NSW Aboriginal Affairs by March 2022; and

- (B) the Chief Executive Officer be requested to develop a City of Sydney Closing the Gap Strategy for Council endorsement by June 2022 that:
- (i) is developed in partnership with local Aboriginal stakeholders and organisations; and
  - (ii) builds on and links to the existing City Reconciliation Action Plan, further outlining in detail how Council can contribute and is contributing to the priority reform areas and socioeconomic targets in the National Agreement on Closing the Gap.

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

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

It is resolved that:

- (A) Council note:
- (i) 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 on 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) the NSW Coalition of Aboriginal Peak Organisations have notified the City that they will conduct community consultations in our local area for our community to provide input into the NSW Government's Closing the Gap Implementation Plan;
  - (vi) councils across 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;
  - (vii) local government engagement will be crucial to ensuring the success of Closing the Gap initiatives;
  - (viii) all councils have a role to play and should develop their own strategies to close the gap;
  - (ix) City staff have met with staff from the NSW Government Department of Aboriginal Affairs who have advised that they will issue guidance to Local Government on their proposed aims and methodology for Closing the Gap Strategy;
  - (x) the NSW Government Department of Aboriginal Affairs briefed the City's Aboriginal and Torres Strait Islander Advisory Panel at their October 2021 meeting;

- (xi) draft priority reform areas and socioeconomic targets to Close the Gap that the Council is already taking, and will contribute in future, have been added to the City's draft Community Strategic Plan: Sustainable Sydney 2030-2050 to be considered by Council by June 2022; and
  - (xii) the City will undertake a stocktake of partnerships between the City and Aboriginal community and stakeholders, and provide this to the Closing the Gap team at NSW Aboriginal Affairs by March 2022; and
- (B) the Chief Executive Officer be requested to develop a City of Sydney Closing the Gap Strategy for Council endorsement by June 2022 that:
- (i) is developed in partnership with local Aboriginal stakeholders and organisations, including but not limited to the City's Aboriginal and Torres Strait Islander Advisory Group; and
  - (ii) builds on and links to the existing City Reconciliation Action Plan, further outlining in detail how Council can contribute and is contributing to the priority reform areas and socioeconomic targets in the National Agreement on Closing the Gap.

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

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 on 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) the NSW Coalition of Aboriginal Peak Organisations have notified the City that they will conduct community consultations in our local area for our community to provide input into the NSW Government's Closing the Gap Implementation Plan;
  - (vi) councils across 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;
  - (vii) local government engagement will be crucial to ensuring the success of Closing the Gap initiatives;
  - (viii) all councils have a role to play and should develop their own strategies to close the gap;



- (ix) City staff have met with staff from the NSW Government Department of Aboriginal Affairs who have advised that they will issue guidance to Local Government on their proposed aims and methodology for Closing the Gap Strategy;
  - (x) the NSW Government Department of Aboriginal Affairs briefed the City's Aboriginal and Torres Strait Islander Advisory Panel at their October 2021 meeting;
  - (xi) draft priority reform areas and socioeconomic targets to Close the Gap that the Council is already taking, and will contribute in future, have been added to the City's draft Community Strategic Plan: Sustainable Sydney 2030-2050 to be considered by Council by June 2022; and
  - (xii) the City will undertake a stocktake of partnerships between the City and Aboriginal community and stakeholders, and provide this to the Closing the Gap team at NSW Aboriginal Affairs by March 2022; and
- (B) the Chief Executive Officer be requested to develop a City of Sydney Closing the Gap Strategy for Council endorsement by June 2022, that:
- (i) is developed in partnership with local Aboriginal stakeholders and organisations, including but not limited to the City's Aboriginal and Torres Strait Islander Advisory Group;
  - (ii) builds on and links to the existing City Reconciliation Action Plan, further outlining in detail how Council can contribute and is contributing to the priority reform areas and socioeconomic targets in the National Agreement on Closing the Gap; and
  - (iii) includes advocacy to allow the City to increase Indigenous employment and procurement, and includes targets the City could meet if supported to do so by the NSW Government.

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

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) the evident kinship with Australian South Sea Islanders and the need for greater community cohesion across programs and services;
  - (iii) a National Agreement on 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;
  - (iv) the National Agreement requires each jurisdiction (state and territory) to have an implementation plan in place to Close the Gap by July 2021;
  - (v) 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;

- (vi) the NSW Coalition of Aboriginal Peak Organisations have notified the City that they will conduct community consultations in our local area for our community to provide input into the NSW Government's Closing the Gap Implementation Plan;
- (vii) councils across 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;
- (viii) local government engagement will be crucial to ensuring the success of Closing the Gap initiatives;
- (ix) all councils have a role to play and should develop their own strategies to close the gap;
- (x) City staff have met with staff from the NSW Government Department of Aboriginal Affairs who have advised that they will issue guidance to Local Government on their proposed aims and methodology for Closing the Gap Strategy;
- (xi) Closing the Gap Local Government Factsheet – Guidance for Local Councils is available on the Department's website and includes suggested actions/prompts for meeting the targets of Closing the Gap's five priority areas;
- (xii) on 27 July 2021 Council unanimously:
  - (a) requested the Chief Executive Officer to seek advice and comment on the development of a Closing the Gap Strategy from the Aboriginal and Torres Strait Islander Advisory Panel; and
  - (b) pending advice received from the Aboriginal and Torres Strait Islander Advisory Panel, requested 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;
- (xiii) the NSW Government Department of Aboriginal Affairs briefed the City's Aboriginal and Torres Strait Islander Advisory Panel at their October 2021 meeting;
- (xiv) the action arising out of this briefing and subsequent discussion was "Further Closing the Gap consultation information will be provided to the Panel";
- (xv) draft priority reform areas and socioeconomic targets to Close the Gap that the Council is already taking, and will contribute in future, have been added to the City's draft Community Strategic Plan: Sustainable Sydney 2030-2050 to be considered by Council by June 2022; and
- (xvi) the City will undertake a stocktake of partnerships between the City and Aboriginal community and stakeholders, and provide this to the Closing the Gap team at NSW Aboriginal Affairs by March; and

- (B) pending further advice from the Aboriginal and Torres Strait Islander Advisory Panel, the Chief Executive Officer be requested to develop a City of Sydney Closing the Gap Strategy for Council endorsement as soon as practicable, and preferably by June 2022, that:
- (i) is developed in partnership with local Aboriginal stakeholders and organisations, including but not limited to the City's Aboriginal and Torres Strait Islander Advisory Group;
  - (ii) builds on and links to the existing City Reconciliation Action Plan, further outlining in detail how Council can contribute and is contributing to the priority reform areas and socioeconomic targets in the National Agreement on Closing the Gap; and
  - (iii) includes advocacy to allow the City to increase Indigenous employment and procurement, and includes targets the City could meet if supported to do so by the NSW Government.

X086655

### **Adjournment**

During Item 13.2, at 8.35pm, it was moved by the Chair (the Lord Mayor), seconded by Councillor Scully –

That the meeting be adjourned for approximately 15 minutes.

Carried unanimously.

At the resumption of Council at 8.49pm, the Chair (the Lord Mayor) and Councillors Chan, Ellsmore, Gannon, Jarrett, Kok, Scott, Scully and Weldon were present.

Councillor Davis returned at 8.50, after the vote on the Procedural Motion.

### **Procedural Motion**

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

That the motion be withdrawn.

Carried unanimously.

### **Item 13.3 Theatres and Studios**

Moved by Councillor Gannon, seconded by Councillor Scully -

It is resolved that:

(A) Council note:

- (i) on 18 October 2021, the NSW Government through Create NSW announced \$5 million for a Theatre and Film Strategy:
  - (a) the purpose of this strategy was for the development of a film studio and theatre infrastructure policy that will help secure international productions and strengthen the local industry; and
  - (b) the City of Sydney is the best placed Local Government Area for international productions;
- (ii) the importance of the arts and cultural industry in the City of Sydney;
- (iii) the need for more theatres in the City of Sydney;
- (iv) the significance of the arts and cultural industry in the revitalisation of the Sydney CBD and night time economy; and
- (v) on 15 December 2020, a joint feasibility study commissioned by the City of Sydney and Create NSW was published on the viability of the Minerva Theatre in Potts Point:
  - (a) the study indicated that reinstatement of the Minerva as a commercially operated theatre is a viable proposition; and
  - (b) the Theatre and Film strategy will have implications on the future of sites like the Minerva theatre within the City of Sydney; and

(B) the Lord Mayor be requested to write to the Minister for the Arts:

- (i) requesting an update on the Theatre and Film Strategy on behalf of Council;
- (ii) conveying Council's support for the Theatre and Film Strategy as expressed in this motion;
- (iii) calling on the NSW Government to continue its investment in cultural capital projects; and
- (iv) provide an update to Councillors on receipt of a response from the Minister.

Carried unanimously.

X086658

**Item 13.4 Harbour Baths**

By Councillor Gannon

It is resolved that:

(A) Council note:

- (i) on 4 November 2021, the Premier and Minister for Planning and Public Places announced the NSW Government's \$50 million Open Spaces Program:
  - (a) the Places to Swim package offers \$16.7 million to better connect people to water, supporting the health and wellbeing of the community as we re-emerge from the pandemic;
  - (b) the City of Sydney is eligible to apply for this funding; and
  - (c) not applying for this funding would be a missed opportunity for Council;
- (ii) on 18 October 2021, the Lord Mayor announced a plan to make Sydney Harbour more accessible and safer for swimmers through a harbour baths policy; and
- (iii) the delivery of new harbour baths in the Local Government Area has broad support in this Chamber; and

(B) the Chief Executive Officer be requested to:

- (i) update Council on where the Council is currently with its harbour baths plans;
- (ii) review the NSW Government's Open Space program and determine if the City of Sydney can apply for this funding; and
- (iii) apply for funding on the behalf of Council.

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

Moved by Councillor Gannon, seconded by Councillor Chan –

It is resolved that:

(A) Council note:

- (i) on 4 November 2021, the Premier and Minister for Planning and Public Places announced the NSW Government's \$50 million Open Spaces Program:
  - (a) the Places to Swim package offers \$16.7 million to better connect people to water, supporting the health and wellbeing of the community as we re-emerge from the pandemic;
  - (b) the City of Sydney is eligible to apply for this funding; and
  - (c) not applying for this funding would be a missed opportunity for Council;

- (ii) on 18 October 2021, the Lord Mayor announced a plan to make Sydney Harbour more accessible and safer for swimmers through a harbour baths policy;
  - (iii) in October 2021 the Lord Mayor wrote to the Premier advocating for a whole of government approach to making swimming possible in parts of Sydney Harbour;
  - (iv) the delivery of new harbour baths in the Local Government Area has broad support in this Chamber;
  - (iv) the Department of Planning, Industry and Environment applied for a grant from the Places to Swim Program for a swimming spot in Barangaroo. The City wrote to Infrastructure NSW in January 2022 in support of this grant;
  - (v) the Places to Swim Program is a three year program. Projects to be funded must be completed within 18 months of funding being received. The City is proposing to apply for funding in Round 2 once plans have been fully developed which are needed for the application; and
  - (vi) the Chief Executive Officer of Sydney Water is meeting with the City's Chief Executive Officer in March 2022 to discuss the Sydney Water Festival outcomes and agree on next steps; and
- (B) the Chief Executive Officer be requested to:
- (i) provide Councillors with a briefing on the plans to be submitted as part of the Places to Swim Program Round 2 grant application when available and update Councillors on the outcome of the grant application via the CEO Update; and
  - (ii) update Councillors on future plans for the Sydney Water Festival via the CEO Update following her meeting in March 2022 with the Sydney Water Chief Executive Officer.

Carried unanimously.

X086658

### **Item 13.5 Protecting Cyclists and Proper Community Consultation on Cycleways**

Moved by Councillor Weldon, seconded by Councillor Jarrett –

It is resolved that:

(A) Council note:

- (i) data on the NSW Centre for Road Safety website shows the City of Sydney (City) Local Government Area has the highest number of cyclist casualties from crashes in any NSW Local Government Area during the most recent reporting period 2015-2020;
- (ii) it is the public duty of the City to ensure that any cycleway (including a pop-up cycleway) is safe before it is opened, only encouraging cyclists to use it after all safety issues have been fully assessed;
- (iii) it is also the public duty of the City to properly consult with residents and other stakeholders affected by installation of cycleways by loss of access, convenience and enjoyment of their residences or places of work, removal of parking spaces, including disability parking and safety impacts;
- (iv) pop-up cycleways were identified by Transport for NSW and the City in March 2020 as part of a temporary solution to ease demand for public transport during the Covid-19 pandemic;
- (v) in a 18 May 2020 Lord Mayoral Minute, the Lord Mayor announced that "the NSW Government will provide an additional \$3,680,000 to deliver six new temporary cycleways in partnership with the City of Sydney";
- (vi) these six temporary pop-up cycleways were created under an Order of the Minister for Planning due to expire on 31 March 2021 which was extended until 31 March 2022;
- (vii) in March 2021, Transport for NSW invited the community to share their views about the Bridge Road, Glebe and Sydney Park Road, Erskineville pop-up cycleways, before any decision was made on whether to make the cycleway permanent;
- (viii) the City of Sydney is responsible for deciding the future of the other pop-up cycleways in Dunning Avenue, Pitt Street, Henderson Road, Moore Park Road and Fitzroy Street;
- (ix) independent pre-opening Road Safety Audits were conducted by DC Engineering on the pop-up cycleways that were installed in Moore Park Road, Paddington, Sydney Park Road Erskineville, and Bridge Road Glebe. The reports of these audits refer to sections of the cycleways excluded from the audits and other safety issues not addressed in the audits; and
- (x) cyclist accidents have in fact occurred on the cycleways including some accidents where children have been hospitalised;
- (xi) the pop-up cycleways have created several adverse consequences for residents including:
  - (a) residents, their friends, family, and service providers experiencing difficulties accessing residences, especially those with no rear lane access. This has exacerbated social isolation, particularly for some disabled and elderly residents;
  - (b) chaos for garbage collection due to removal of clearways;

- (c) anxiety and upset for residents from accidents that have occurred on the cycleways and may be expected to occur in the future;
- (d) significantly increased costs of delivery/removal of goods imposed by Council due to permits required for delivery vehicles and additional time moving goods to and from parking locations some distance from residences; and
- (e) removal of disabled parking spots then relocation of the spots to locations inconvenient to disabled residents; and

(B) the Chief Executive Officer be requested to:

- (i) provide community consultation reports undertaken by Council on the Dunning Avenue, Pitt Street, Henderson Road, Moore Park Road and Fitzroy Streets pop up cycleways;
- (ii) provide a status update on any proposals to make the Dunning Avenue, Pitt Street, Henderson Road, Moore Park Road and Fitzroy Streets pop up cycleways permanent including designs;
- (iii) provide a status update on the proposed cycleway on Oxford Street from Taylor Square to Centennial Park announced to replace the Moore Park Pop Up Cycleway, including any designs and timetable for community consultation;
- (iv) contact Transport for NSW to request that they provide community consultation reports undertaken in March 2021 for the Bridge Road, Glebe pop-up cycleway;
- (v) contact Transport for NSW to request that they provide a status update on any consideration to make the Bridge Road and Sydney Park Road cycleways permanent including any designs;
- (vi) provide copies of Design Stage Road Safety Audits and Pre-Opening Road Safety audits for each pop-up and permanent cycleway installed in the City of Sydney Local Government Area in the past 10 years; and
- (vii) provide all the above information to Councillors via the CEO Update.

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

It is resolved that:

(A) Council note:

- (i) the City of Sydney has the highest number of cyclists and pedestrians of any NSW Local Government Area, having worked on infrastructure and with our community to help more people feel safe riding, and so have achieved the highest percentage of trips made by bike to date;
- (ii) nearly one third of our residents already ride a bike or walk to work (as outlined in our Cycling Strategy and Action Plan). In our Local Government Area the number of bike riders involved in a reported crash has fallen by a third since 2010 while bike trips have doubled. We support and are working towards the NSW Government's goal of zero road fatalities;
- (iii) the City is committed to making bicycle transport easier and safer by connecting our cycling network, so it's an attractive option for more people, and to working with the community to shift attitudes to active transport;
- (iv) the City ensures that any cycleway in its Local Government Area is subject to a safety audit only encouraging cyclists to use it after all safety issues have been fully assessed;



- (v) under normal circumstances, it is the long-standing practice of the City to conduct thorough consultation processes with residents and other stakeholders affected by installation of cycleways by loss of access, convenience and enjoyment of their residences or places of work, removal of parking spaces, including disability parking and safety impacts;
- (vi) pop-up cycleways were identified by Transport for NSW (TfNSW) and the City in March 2020 as part of a temporary solution to ease demand for public transport during the Covid-19 pandemic;
- (vii) in an 18 May 2020 Lord Mayoral Minute, the Lord Mayor announced that "the NSW Government will provide an additional \$3,680,000 to deliver six new temporary cycleways in partnership with the City of Sydney";
- (viii) these six temporary pop-up cycleways were created under an Order of the Minister for Planning due to expire on 31 March 2021 which was extended until 31 March 2022;
- (ix) the City delivered cycleways on: Bridge Street, Railway Parade and Henderson Road connecting Erskineville to Eveleigh, Dunning Avenue in Rosebery, and Pitt Street North;
- (x) the NSW Government delivered cycleways on: Moore Park Road and Fitzroy Street, connecting the Eastern Suburbs to the Bourke Street cycleway; Pyrmont Bridge Road and Bridge Road, connecting the Inner West with the central business district; and through Forest Lodge and Glebe and Sydney Park Road in Alexandria;
- (xi) the City will also soon start work to adapt the pop-up cycleway on Moore Park Road to allow for overnight parking at residents' homes now that the works have been approved by Transport for NSW;
- (xii) in March 2021, Transport for NSW invited the community to share their views about the Bridge Road, Glebe and Sydney Park Road, Erskineville pop-up cycleways for which it is responsible, before any decision was made on whether to make the cycleway permanent;
- (xiii) Transport for NSW have since announced they will make the Sydney Park Road cycleway permanent as part of the Sydney Park Junction Project;
- (xiv) Transport for NSW also handed back responsibility for the Moore Park and Fitzroy Street cycleways to the City;
- (xv) the City followed the proper planning processes to keep the Moore Park and Dunning Avenue cycleways in place for two years, and to make the Pitt Street and Henderson Road cycleways permanent. This included the exhibition of the Review of Environmental Factors for the cycleways;
- (xvi) these were endorsed by Council in May 2021;
- (xvii) the City also consulted residents, businesses, and other organisations before Council endorsed the status of the cycleways and the engagement reports are available on the City's website;
- (xviii) the Pitt Street cycleway is so popular it has seen an average of 6000 weekly trips, an increase of 500 per cent since its installation, making it the most used of the eight inner-city routes on which cyclists are now taking between 10,000 and 20,000 trips per week;

- (xix) Road Safety Audits are undertaken at different phases of a project. They identify any outstanding safety risks to assist the project team to further minimise risks through additional mitigation measures, if practicable. Road Safety Audits do not make comparisons with the risks of the pre-existing road conditions, for cyclists or other users, and recognise that it is not possible to eliminate all risks; and
- (xx) City staff advise that the latest crash data we have from the Centre for Road Safety at Transport for NSW is September 2020 – which predates installation of the pop up cycleways;

(B) the Lord Mayor be requested to write to the Minister for Transport to request:

- (i) community consultation reports undertaken in March 2021 for the Bridge Road, Glebe pop-up cycleway;
- (i) a status update on any consideration to make the Bridge Road cycleway permanent including any designs; and
- (ii) a status update on the proposed cycleway on Oxford Street from Taylor Square to Centennial Park announced to replace the Moore Park Pop Up Cycleway, including any designs and timetable or community consultation; and

(C) the Chief Executive Officer be requested to:

- (i) provide community consultation reports undertaken by Council on the Dunning Avenue, Pitt Street, Henderson Road, Moore Park Road and Fitzroy Streets pop up cycleways. These are also available on the City of Sydney website; and
- (ii) provide all the above information to Councillors via the CEO Update.

The amendment was carried on the following show of hands:

Ayes (8)        The Chair (the Lord Mayor), Councillors Ellsmore, Chan, Davis, Gannon, Kok, Scott and Scully

Noes (2)        Councillors Jarrett and Weldon.

Amendment carried.

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

Ayes (8)        The Chair (the Lord Mayor), Councillors Ellsmore, Chan, Davis, Gannon, Kok, Scott and Scully

Noes (2)        Councillors Jarrett and Weldon.

Amended motion carried.

X086653

**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 Gannon –

That Councillor Scully be granted an extension of time of one minute to speak on this matter.

Carried unanimously.

**Call to Order**

During discussion of Item 13.5 –

The Chair (the Lord Mayor) called Councillor Weldon to order in accordance with clause 5.9 of the Code of Meeting Practice.

At 9.35 pm the meeting concluded.

Chair of a meeting of the Council of the City  
of Sydney held on Monday 21 March 2022 at which  
meeting the signature herein was subscribed.